

***THE PROVINCE OF  
GAUTENG***

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## LOCAL AUTHORITY NOTICES

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### LOCAL AUTHORITY NOTICE 2365

#### DECLARATION AS AN APPROVED TOWNSHIP

In terms of section 103 of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), the Ekurhuleni Metropolitan Council declares Kenleaf Extension 14 to be an approved township subject to the conditions set out in the Schedule hereto.

**STATEMENT OF THE CONDITIONS UNDER WHICH THE APPLICATION, MADE BY RUDOLPH JOHANNES BRITS (HEREAFTER REFERRED TO AS THE DEVELOPER) UNDER THE PROVISIONS OF SECTION C OF CHAPTER III OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE 1986, (ORDINANCE 15 OF 1986) FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 347 (A PORTION OF PORTION 7) OF THE FARM WITPOORTJE NO 1171R, BE APPROVED BY THE EKURHULENI METROPOLITAN MUNICIPALITY**

#### SCHEDULE

##### 1. GENERAL CONDITIONS OF ESTABLISHMENT

###### 1.1 NAME

The name of the township shall be Kenleaf Extension 14.

###### 1.2 DESIGN

The township shall consist of erven as indicated on General plan SG nr 8236/2006.

##### 1.3 STORMWATER DRAINAGE AND STREET CONSTRUCTION

1.3.1 The township owner shall on request by the Council submit to such Council for its approval a detailed scheme complete with plans, sections and specifications, prepared by a civil engineer approved by the Council, for the collection and disposal of storm water throughout the township by means of properly constructed works and for the construction, tarmacadamising, kerbing and channeling of the streets therein together with the provision of such retaining walls as may be considered necessary by the Council.

1.3.2 The scheme shall provide for the catchment of storm water in catch pits whence it shall be drained off in watertight pipes of durable material, approved by the Council, in such manner that water will in no way dam up or infiltrate on or near the surface of the ground.

Furthermore, the scheme shall, indicate the route and gradient by which each erf gains access to the street on which it abuts.

The township owner shall, when required by the Council to do so, carry out the

approved scheme at its own expense on behalf of and to the satisfaction of the Council under supervision of a civil engineer approved by the Council.

- 1.3.3 The township owner shall provide a 5m road widening along Samuel street and a 3m road widening on Gloucester Avenue. The township owner is required to construct this widening at his own cost.

#### **1.4 DISPOSAL OF EXISTING CONDITIONS OF TITLE**

All erven shall be made subject to existing conditions and servitudes including the reservation rights to minerals.

#### **1.5 ENDOWMENT**

The township owner shall, in terms of provisions of Section 98(2) and 98(3) of the town Planning and Townships Ordinance, 1986, pay an amount to be determined by the Local authority, which amount shall be used by the local authority for the provision of land for parks and / or open spaces.

Such endowment shall be payable in terms of the provisions of section 81 of the said Ordinance read with section 95 thereof.

### **2. CONDITIONS OF TITLE**

**THE ERVEN MENTIONED HEREUNDER SHALL BE SUBJECT TO THE CONDITIONS AS INDICATED, IMPOSED BY THE LOCAL AUTHORITY IN TERMS OF PROVISIONS OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986.**

#### **2.1 ALL ERVEN excluding erf 308:**

- 2.1.1 The erf is subject to a servitude, 2m wide, in favour of the local authority, for sewerage and other municipal purposes, along any two boundaries other than a street boundary and in the case of a panhandle erf, an additional servitude for municipal purposes 2m wide across the access portion of the erf, if and when required by the local authority: Provided that the local authority may dispense with any such servitude.
- 2.1.2 No building or other structure shall be erected within the aforesaid servitude area and no large rooted trees shall be planted within the area of such servitude or within 2m thereof.
- 2.1.3 The local authority shall be entitled to deposit temporarily on the land adjoining the aforesaid servitude such material as may be excavated by it during the course of the construction, maintenance or removal of such sewerage mains and other works as it, in its discretion may deem necessary and shall further be entitled to reasonable access to the said land for the aforesaid purpose subject to any damage done during the process of the construction, maintenance or removal of such sewerage

mains and other works being made good by the local authority.

2.1.4 Every registered owner of Erven 288 to 307 or portion thereof shall;

- a. be entitled to a right of way over Erf 308;
- b. shall be a member of the Home Owners Association;
- c. be subject to the constitution of the Home Owners Association and shall pay all levies due to the Association.

2.1.5 No transfer shall be registered without a clearance certificate from the Association that all levies due to the Association has been paid.

2.1.6 As this land is liable to subsidence, settlement, shocks and cracking whereby damage may be caused to buildings or structures erected thereon, the owner of the said land undertakes not at any time to require from the holder of mining title underlying, adjoining or adjacent to the said land or from the Inspector of Mines, that any protection to the surface of said land or to any buildings or structure whatever situated thereon shall be given in terms of Regulations, framed under the powers contained in the Minerals Act No 50 of 1995, or any amendment thereof, and accept all risk of damage to such surfaces, building or structure which may be caused by mining operations past, present or future, either underneath said land or elsewhere.

## 2.2 REGISTRATION OF SERVITUDES

Erven 308 is subject to servitude for municipal purposes in favour of the Council, as indicated on the General Plan vide diagram SG nr 8236/2006

**P.M. MASEKO, Municipal manager**

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### LOCAL AUTHORITY NOTICE 2366

#### AMENDMENT SCHEME 481

The Ekurhuleni Metropolitan Council herewith in terms of the provisions of section 125 (1) (a) of the Town Planning and Townships Ordinance No 15 of 1986, declares that he has approved an amendment scheme being an amendment of the Brakpan Town Planning Scheme, 1980, comprising the same land as included in the township of Kenleaf Extension 14.

Map 3 and the scheme clauses of the amendment scheme are filed with the Execution Director: Development Planning: Brakpan Customer Care Center and are open for inspection at all reasonable times.

This amendment is known as Brakpan Amendment Scheme 481.

**P.M. MASEKO, Municipal manager**

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