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LOCAL AUTHORITY NOTICES

LOCAL AUTHORITY NOTICE 983

EKURHULENI METROPOLITAN MUNICIPALITY (BENONI CUSTOMER CARE CENTRE)

DECLARATION AS AN APPROVED TOWNSHIP

In terms of Section 103(1) of the Town-planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), the Ekurhuleni Metropolitan Municipality (Benoni Customer Care Centre) hereby declares that **Crystal Park Extension 25** to be an approved township, subject to the conditions set out in the schedule hereto.

SCHEDULE

Statement of the conditions under which the application made by **Nu-Way Housing Developments**, (hereinafter referred to as the township owner) under the provisions of Chapter III Part C of the Town-planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), for permission to establish a township on **Portion 278 (a portion of Portion 94) of the farm VLAKFONTEIN No 69- IR**, has been granted.

A. CONDITIONS OF ESTABLISHMENT

(1) NAME

The name of the township shall be Crystal Park Extension 25.

(2) DESIGN

The township shall consist of erven and streets as indicated on the approved General Plan S.G. No. 943/2006

(3) DISPOSAL OF EXISTING CONDITIONS OF TITLE

All erven shall be made subject to existing conditions and servitudes, if any, including the reservation of rights to minerals, after compliance with A (2), above.

(4) STORMWATER DRAINAGE

- (a) The township owner shall, on request by the Local Authority, submit for approval a detailed scheme complete with plans, sections and specifications, prepared by a registered Professional Engineer, who is a member of SAACE/SABTACO, for the collection and disposal of stormwater 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 Local Authority. Furthermore, the scheme indicates the route and gradient by which each erf gains access to the street on which it abuts.
- (b) The township owner shall, when required to do so by the Local Authority, carry out the approved scheme, at his own expense on behalf of and to the satisfaction of the Local Authority under the supervision of the appointed Professional Engineer and shall, for this purpose, provide financial guarantees to the Local Authority as determined by it.
- (c) The township owner shall be responsible for the maintenance of the streets and stormwater drainage system to the satisfaction of the Local Authority, until the streets and stormwater drainage system has been constructed as set out in sub-clause (b) above.

- (d) Should the township owner fail to comply with the provisions of (a), (b) and (c) hereof the Local Authority shall be entitled to do the work at the cost of the township owner.

(5) OBLIGATIONS IN REGARD TO ESSENTIAL SERVICES

The township owner shall, within such a period as the Local Authority may determine, fulfill obligations in respect of the provision of water, electricity and sanitary services and the installation of systems therefore, as previously agreed upon between the township owner and the Local Authority

(6) ENDOWMENT

The township owner shall, in terms of Section 98(2) and (3) of the Town Planning and Townships Ordinance 1986, pay a lump sum endowment to the Local Authority for the provision of land for a park/s (public open space).

(7) ACCEPTANCE AND DISPOSAL OF STORMWATER

- (a) The township owner shall arrange for the drainage of the township to fit in with that adjacent public roads, for all stormwater running off or being diverted from the roads to be received and disposed of.

(8) SOIL CONDITIONS

Proposals to overcome detrimental soil conditions to the satisfaction of the Local Authority shall be contained in all building plans submitted for approval and all buildings shall be erected in accordance with the precautionary measures accepted by the Local Authority.

(9) SOIL CONDITIONS

- (a) A detailed design of the intersection of Longmore Street must be submitted to the Regional Director: Roads, Transport and Civil Works for approval prior to the commencement of any road construction and/or works.

C. CONDITIONS OF TITLE

- (1) All erven shall be subject to the following conditions imposed by the Council in terms of the provision of the Town Planning and Townships Ordinance, 1986.
- (a) 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, 2 m 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.
- (b) 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 2 m thereof.
- (c) The Local Authority shall be entitled to deposit temporarily on the land adjoining the aforesaid servitude such materials 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 or other works being made good by the Local Authority.
- (2) All erven shall be made subject to existing conditions and servitudes including the rights to minerals.
- (3) All erven shall be made subject to the servitudes shown on the General Plan.
- (4) **Erven 5479, 5642, 5645, 5595**

The erven shall be subject to a 3 metres wide servitude for stormwater attenuation purposes.

D. CONDITIONS TO BE INCORPORATED IN THE TOWN PLANNING SCHEME IN TERMS OF SECTION 125 OF ORDINANCE 15 OF 1986 IN ADDITION TO THE PROVISIONS OF THE TOWN PLANNING SCHEME IN OPERATION

(1) GENERAL CONDITIONS

- (a) Except with the written consent of the Local Authority, and subject to such conditions as it may impose, neither the owner, nor any other person shall:
- (1) save and except to prepare the erf for building purposes, excavate any material there from;
 - (2) sink any wells or boreholes thereon or abstract any subterranean water there from; or
 - (3) make or permit to be made, upon the erf for any purpose whatsoever, any bricks, tiles or earthenware pipes or other articles of al like nature.
- (b) Where, in the opinion of the Local Authority, it is impracticable for stormwater to be drained from higher-lying erven direct to a public street, the owner of the lower-lying erf shall be obliged to accept and/or permit the passage over the erf of such stormwater
- Provided that the owners of any higher-lying erven, the stormwater from which is discharged over any lower-lying erf, shall be liable to pay a proportionate share of the cost of any pipeline or drain which the owner of such lower-lying erf may find necessary to lay or construct for the purpose of conducting the water to discharged over the erf.
- (c) The siting of buildings, including outbuildings, on the erf and entrances to the exits from the erf to a public street system shall be to the satisfaction of the Local Authority.
- (d) The main building, which shall be a completed building and not one which has been partly erected and is to be completed at a later date, shall be erected simultaneously with, or before, the outbuildings.
- (e) No materials or goods of any nature whatsoever shall be dumped or placed within the building restriction area along any street, and such area shall be used for no other purpose than the laying out of lawns, gardens, parking or access roads: Provided that if it is necessary for a screen wall to be erected on such boundary, this condition may be relaxed by the Council, subject to such conditions as may be determined by it.
- (f) A screen wall or walls shall be erected and maintained thereof shall be to the satisfaction of the Local Authority as and when required by it.
- (g) If the erf is fenced such fence and the maintenance thereof shall be to the satisfaction of the Local Authority.
- (h) The registered owner is responsible for the maintenance of the whole department on the erf. If the Local Authority is of the opinion that the erf or any portion of the development, is being satisfactorily maintained, the Local Authority shall be entitled to undertake such maintenance at the cost of the registered owner.

(2) SPECIAL RESIDENTIAL

Erven **5457 to 5690** (inclusive) are subject to the following conditions:

- (a) The erf and the buildings erected thereon or to be erected thereon, shall be used solely for the purposes of a dwelling house with a density of "One dwelling house per erf" and with the consent of the Council for places of public worship, social halls, institutions, places of instruction and special uses.
- (b) The height of the buildings shall not exceed 2 storeys.
- (c) The coverage shall not exceed 40%.

- (d) Buildings, including outbuildings, hereafter erected on the erf, shall be located not less than 5 m from any street boundary: Provided that the Local Authority may relax this restriction if it would, in its opinion, result in an improvement of the erf.

P. P. Flusk, City Manager, Ekurhuleni Metropolitan Municipality, 2nd Floor, Head Office Building, corner Cross and Rose Streets, Germiston, Private Bag X1069, Germiston, 1400

LOCAL AUTHORITY NOTICE 984

EKURHULENI METROPOLITAN MUNICIPALITY (BENONI CUSTOMER CARE CENTRE)

NOTICE OF BENONI AMENDMENT SCHEME NO. 1/1522

The Ekurhuleni Metropolitan Municipality (Benoni Customer Care Centre) hereby, in terms of the provisions of Section 125(1) of the Town-planning and Townships Ordinance, 1986 declares that it has approved an amendment scheme being an amendment of the Benoni Town Planning Scheme 1/1946, comprising the same land as included in the township of **Crystal Park Extension 25**.

Map 3 and the scheme clauses of the amendment scheme are available for inspection at all reasonable times at the office of the Area Manager: City Development, Ekurhuleni Metropolitan Municipality (Benoni Customer Care Centre), Treasury Building, Elston Avenue, 6th Floor, Benoni.

This amendment is known as Benoni Amendment Scheme 1/1522 and shall come into operation on the date of the date of this publication.

P. P. Flusk, City Manager, Ekurhuleni Metropolitan Municipality, 2nd Floor, Head Office Building, corner Cross and Rose Streets, Germiston, Private Bag X1069, Germiston, 1400

9/04/2008

Notice No.: 80/2007
