

*THE PROVINCE OF
GAUTENG*

*DIE PROVINSIE
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LOCAL AUTHORITY NOTICES

LOCAL AUTHORITY NOTICE 382

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 No 15 of 1986) the Ekurhuleni Metropolitan Municipality (Benoni Customer Care Centre) hereby declares Rynfield Extension 56 Township, to be an approved township, subject to the conditions as set out in the schedule hereto.

STATEMENT OF THE CONDITIONS UNDER WHICH THE APPLICATION MADE BY FUTURE INDEFINITE INVESTMENTS 69 (PROPRIETARY) LIMITED (HEREINAFTER REFERRED TO AS THE APPLICANT) 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 THE PORTION 308 (A PORTION OF PORTION 255) OF THE FARM VLAKFONTEIN NO 69, REGISTRATION DIVISION IR, PROVINCE OF GAUTENG HAS BEEN GRANTED.

A. CONDITIONS TO BE COMPLIED WITH PRIOR TO THE DECLARATION OF THE TOWNSHIP AS AN APPROVED TOWNSHIP

- (1) The applicant shall ensure that the relevant amendment scheme is in order and can be published simultaneously with the declaration of the township as an approved township.
- (2) The applicant must comply with the requirements of Sections 72, 75 and 101 of Ordinance 15 of 1986.
- (3) Application must be made, in terms of the Agricultural Holdings (Transvaal) Registration Act, 22 of 1919, for the excision of the above mentioned property and proof of approval must be submitted to the Development Planning Department.

B. CONDITIONS OF ESTABLISHMENT

- (1) NAME
The name of the township shall be Rynfield Extension 56 Township.
- (2) DESIGN
The township shall consist of erven and streets as indicated on the General Plan S.G. No 2465/2007.
- (3) EXISTING CONDITIONS OF TITLE
All erven shall be made subject to the existing conditions of title and servitudes, if any, including the reservation of rights to minerals.
- (4) STORMWATER DRAINAGE AND STREET CONSTRUCTION
 - (a) The township owner shall, on request by the Local Authority, submit for his approval a detailed scheme complete with plans, sections and specifications, prepared by a professional Engineer, who shall be a member of the South African Association of Consulting Engineers or SABTACO, for the collection and disposal of stormwater throughout the township by means of properly constructed works and for the construction, surfacing, kerbing and channelling of the streets therein together with the provision of such retaining walls as may be considered

necessary by the Local Authority. Furthermore, the scheme shall indicate 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/her 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 have been constructed as set out in sub-clause (b) above.
- (d) Should the township owner fail to comply with 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 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. ACCEPTANCE AND DISPOSAL OF STORMWATER

If, by reason of the establishment of the township, it becomes necessary to remove or replace any existing municipal services, the costs thereof shall be borne by the township owners.

The township owners shall consult the Local Authority before any existing municipal service(s) need to be replaced or removed.

7. ENDOWMENT

The township owner shall, in terms of Section 98(2) and (3) of the Town Planning and Townships Ordinance, 15 of 1986, pay a lump sum endowment to the Local Authority for the provision of land for parks (public open space).

8. ACCEPTANCE AND DISPOSAL OF STORMWATER

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

9. ACCESS

Ingress and egress to and from the township shall be to the satisfaction of the Executive Director : Roads, Transport and Civil Works Department.

Twenty Four hour access to the township shall be available to the Local Authority.

10. 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.

11. DEMOLITION OF BUILDINGS AND STRUCTURES

The township owner shall at his own expense cause all existing buildings and structures situated within the building line reserves, side spaces or other common boundaries to be demolished to the satisfaction of the Local Authority when required by the Local Authority to do so.

12. PRECAUTINARY MEASURES

The township owner shall at his own expense, make arrangements with the Local Authority in order to ensure that the recommendations as laid down in the geological report are complied with and, when required, engineering certificates for the foundations of the structures are submitted.

13. REMOVAL OF LITTER

The township owner shall at his own expense cause all litter within the township area to be removed to the satisfaction of the Local Authority, when required by the Local Authority to do so.

14. SPECIAL CONDITIONS

- (a) The township owner shall ensure that the Indobali Home Owner's Association (Registration Number 2005/005974/08) will also be registered as the legal entity in respect of all erven situated Rynfield Extension 56.
- (b) Both Erven 3178 and 3179 are to be registered into the name of the Indobali Home Owner's Association (Registration Number 2005/005974/08), prior to or simultaneously with the transfer of any unit.

C. CONDITIONS OF TITLE

(1) ERVEN 3149 – 3177 (inclusive)

Subject to the following conditions imposed by the Local Authority in terms of the provisions of the Town Planning and Townships Ordinance, 15 of 1986:

- (a) The property is subject to a servitude, 2m wide, in favour of the Local Authority, for sewerage and other municipal purposes, along all 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.
- (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 2m thereof.
- (c) 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 construction, maintenance or removal of such sewerage mains and other works being made good by the Local Authority.

2. ERF 3178

Subject to the following conditions imposed by the Local Authority in terms of the provisions of the Town Planning and Townships Ordinance, 15 of 1986.

- I. Subject to a servitude or municipal and emergency services
- II. Subject to a servitude of right of way in favour of Erven 3149-3177 (inclusive)

3. ERF 3179

The erf shall be subject to the following condition imposed by the Local Authority in terms of the provisions of the Town Planning and Townships Ordinance, 15 of 1986.

- I. Subject to a right of way servitude in favour of the Remainder of Portion 255 of the farm Vlakfontein No 69 Registratoin Division IR.

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:-
 - (i) save and except to prepare the erf for building purposes, excavate any material therefrom;
 - (ii) sink any wells or boreholes thereon or abstract any subterranean water therefrom; or
 - (iii) make or permit to be made, upon the erf for any purpose whatsoever, any bricks, tiles or earthenware pipes or other articles of a 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 so discharged over the erf.

- (c) The siting of buildings, including outbuildings, on the erf and entrances to and 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 Local Authority subject to such conditions as may be determined by it.
- (f) A screen wall or walls shall be erected and maintained 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 development on the erf. If the Local Authority is of the opinion that the erf or any portion of the development, is not being satisfactorily maintained, the Local Authority shall be entitled to undertake such maintenance at the cost of the registered owner.

2. "SPECIAL" FOR RESIDENTIAL 2.

Erven 3149 to 3177 are subject to the following conditions:-

- (a) The property and the buildings erected thereon or to be erected thereon, shall be used solely for the purposes of dwelling units.
- (b) The height of buildings shall not exceed 2 storeys.
- (c) The total coverage of buildings shall not exceed 60% of the property.
- (d) The floor area ratio shall not exceed 1,2
- (e) Effective, paved parking spaces, together with the necessary manoeuvring area, shall be provided on the property to the satisfaction of the Local Authority in the following ratios:-
 - (i) 1 covered parking space to 1 dwelling unit and
 - (ii) 2 uncovered parking space to 1 dwelling unit, if so required by the Local Authority.
- (f) Buildings, including outbuildings, hereafter erected on the property, shall be located not less than 5m from any external road boundary and 3m from any internal road boundary and 5m from any internal road boundary in respect of garages: Provided that the Local Authority may relax this restriction if it would in its opinion result in an improvement in the development of the property.

A 16m building line from the proposed K86 in respect of Gautrans will be applicable.
- (g) A Site Development Plan, drawn to such a scale as may be approved by the Local Authority, shall be submitted to the Local Authority with the building plans. No building shall be erected on the property before such Site Development Plan

have been approved by the Local Authority and the whole development on the property shall be in accordance with the approved plan. Such a Site Development Plan shall show at least the following:-

- (i) The sitting, height, coverage and where applicable the floor area ratio of all buildings and structures.
- (ii) Vehicular entrance and exit to and from the property to any existing or proposed public street.
- (iii) Entrance to buildings and parking areas.
- (iv) Building restrictions (if any)
- (v) Parking areas and, where required by the Local Authority, vehicular and pedestrian traffic systems.
- (vi) The elevational treatment of all buildings and structures.
- (vii) The grouping of the dwelling units and the programming of the development of the erven if it is not proposed to develop all the erven simultaneously.
- (viii) Open spaces, children's playgrounds, screen walls or other acceptable methods of screening, and landscaping.

3. "SPECIAL" FOR PRIVATE OPEN SPACE

Erf 3179 is subject to the following conditions :

- (a) The erf shall be used only as a private open space and uses incidental thereto.
- (b) The township owner shall register Erf 3179 in the name of Indobali Home Owner's Association (Registration Number 2005/005974/08), and every present or future owner of property in the township shall be a member of such Association by virtue of such ownership.

4. "SPECIAL" FOR RESIDPREVIATE ROAD AND STORMWATER

Erf 3178 is subject to the following conditions :

- (a) The erf shall be used for road and storm water purposes only, no buildings other as for access control will be permitted.
- (b) A security control facility (which may include a guard house, a stop sign, a chain, a boom or gate, irrespective of whether same is manned or automated) may be erected on the property for purposes of stopping and identifying vehicles and their occupants entering or leaving the township. 24 Hour access shall be available at all times for municipal and emergency services

The township owner shall register Erf 3178 in the name of Indobali Home Owner's Association (Registration Number 2005/005974/08), and every present or future owner of such property in the township shall be a member of such Association by virtue of such ownership.

DATE: 20 November 2007

Mr M Ngwenya
 Area Manager, Ekurhuleni Metropolitan Municipality
 Treasury Building
 Elston Avenue
 Benoni, 1501

LOCAL AUTHORITY NOTICE 383

**EKURHULENI METROPOLITAN MUNICIPALITY
 (BENONI CUSTOMER CARE CENTRE)**

NOTICE OF BENONI AMENDMENT SCHEME NO. 1221

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 its has approved an amendment scheme, being an amendment of the Benoni Town Planning Scheme, 1/1221 comprising the same land as included in the township of Rynfield Extension 56 Township.

Map 3 and scheme clauses of the amendment scheme are available for inspection at all reasonable times of the office of the Head of Department, Department Development Planning and Local Government, Gauteng Provincial Government, Johannesburg as well as the office of the Ekurhuleni Metropolitan Municipality (Benoni Customer Care Centre), Treasury Building, 6TH Floor, Elston Avenue, Benoni.

This amendment is known as Benoni Amendment Scheme No. 1221 and shall come into operation on the date of this publication.

DATE: 20 November 2007

Mr M Ngwenya
 Area Manager, Ekurhuleni Metropolitan Municipality
 Treasury Building
 Elston Avenue
 Benoni, 1501
