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## LOCAL AUTHORITY NOTICES

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### LOCAL AUTHORITY NOTICE 932

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

#### DECLARATION AS 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 Rynfield Extension 72 Township 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 SWALLOW ROAD ONE (PTY) LTD (hereafter 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 318 (A Portion Of Portion 317) of the farm Vlakfontein 69-IR, Province of Gauteng, has been granted.

#### A. CONDITIONS OF ESTABLISHMENT

(1) NAME

The name of the township shall be Rynfield Extension 72.

(2) DESIGN

The township shall consist of erven and streets as indicated on the General Plan S.G. no. 9328/2007.

(3) EXISTING CONDITIONS OF TITLE.

The property shall be subject to any existing conditions of title with the exception of the conditions to be removed.

(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 storm water throughout the township by means of properly constructed works and for the construction, surfacing, 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 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 storm water drainage system to the satisfaction of the Local Authority until the streets and storm water drainage system have 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 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, 15 of 1986, pay a lump sum endowment to the Local Authority for the provision of land for parks (Public Open Space).

(7) ACCEPTANCE AND DISPOSAL OF STORMWATER.

The township owner shall arrange for the drainage of the township to fit in with that which is adjacent to public roads, for all storm water 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) SPECIAL CONDITIONS.

- (a) The township owner shall ensure that a legal body, "Home Owner's Association", is established in terms of Section 21 of Act 61 of 1973.
- (b) The said "Home Owner's Association" shall be in addition to such other responsibilities as may be determined by the developer, also be responsible for the maintenance of the intercom and access control.
- (c) In the event that the developer of any erf within the township shall constitute a development within the ambit of the Sectional Titles Act, 1986 (Act 95 of 1986) then and in such event the conditions contained herein and in conflict with provisions of the Sectional Titles Act, 1986 shall be read as pro non-scripto.

(10) 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 oven common boundaries to be demolished to the satisfaction of the local authority when required by the local authority to do so.

(11) PRECAUTIONARY 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.

(12) 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.

(13) TRANSFER OF ERVEN.

(a) Erven 3950, 3966, 3967, 3968 and 3969 shall at the cost of the township owner, be transferred to Rynfield Extension 72 Home Owner's Association prior to or simultaneously with the first transfer of any unit.

(b) Every owner of a unit or any person who has an interest therein shall become and shall remain a member of the Home Owner's Association, incorporated in terms of Section 21 of the Companies Act, 61 of 1973, in accordance with the conditions of establishment for Rynfield Extension 72 Township.

Every owner of a unit or any person who has interest therein shall be subject to the Home Owner's Association constitution until he/she ceases to be an owner of the aforesaid. Neither the erf nor any subdivided portion thereof nor any interest therein shall be transferred to any person who has not bound himself/herself to the satisfaction of such Association to become a member of the Home Owner's Association.

(c) The owner of the unit or any person who has interest therein shall not be entitled to transfer the unit or any subdivided portion thereof or any interest therein without the Clearance Certificate from the Home Owner's Association that the provisions of the Articles of Association of the Home Owner's Association have been complied with.

(d) The term "Home Owner's Association" in the aforesaid Conditions of Title shall mean Rynfield Extension 72 Home Owner's Association (an Association incorporated in terms of Section 21 of the Companies Act, 61 of 1973, as amended).

**B. CONDITIONS OF TITLE.**

(1) All Erven.

The erf shall be 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; 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) No building or other structure shall be erected within 5m from any street.

- (d) 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 or other works being made good by the Local Authority.
- (2) Erf 3966.
    - (a) Erf 3966 is subject to servitude for municipal purposes.
    - (b) Erf 3966 is subject to servitude of Right Of Way.

**PP Flusk, City Manager, Ekurhuleni Metropolitan Municipality, 2<sup>nd</sup> Floor, Head Office Building, corner Cross and Rose Streets, Germiston, Private Bag X1069, Germiston, 1400**

8 April 2008

Notice no. 14/2008

**LOCAL AUTHORITY NOTICE 933****EKURHULENI METROPOLITAN MUNICIPALITY****(BENONI CUSTOMER CARE CENTRE)****NOTICE OF BENONI AMENDMENT SCHEME 1/1778**

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, 1947 comprising the same land as included in the township of Rynfield Extension 72.

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

This amendment is known as Benoni Amendment Scheme 1/1778 and shall come into operation on the date of the date of this publication.

**PP Flusk, City Manager, Ekurhuleni Metropolitan Municipality, 2<sup>nd</sup> Floor, Head Office Building, corner Cross and Rose Streets, Germiston, Private Bag X1069, Germiston, 1400**

**8 April 2008**

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