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## LOCAL AUTHORITY NOTICES

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### LOCAL AUTHORITY NOTICE 1423

#### EKURHULENI METROPOLITAN MUNICIPALITY

#### DECLARATION AS APPROVED TOWNSHIP

In terms of Section 103 of the Town Planning and Townships Ordinance, 1986 (Ordinance No. 15 of 1986), the Ekurhuleni Metropolitan Municipality hereby declares the township **NEWMARKET PARK EXTENSION 31**, to be an approved township, subject to the conditions set out in the Schedule hereto.

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**STATEMENT OF THE CONDITIONS UNDER WHICH THE APPLICATION MADE BY WIETPRO HOUSING (PTY) LIMITED (HEREINAFTER REFERRED TO AS THE TOWNSHIP OWNER) UNDER THE PROVISIONS OF SECTION 96 OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 627 (A PORTION OF PORTION 174) OF THE FARM ELANDSFONTEIN NO. 108-IR (FORMERLY KNOWN AS HOLDING 13, NEW MARKET AGRICULTURAL HOLDINGS), IS APPROVED BY THE EKURHULENI METROPOLITAN MUNICIPALITY (ALBERTON CCC):**

#### 1. CONDITIONS OF ESTABLISHMENT

##### 1.1 NAME

The name of the township shall be NEWMARKET PARK EXTENSION 31.

##### 1.2 DESIGN

The township shall consist of erven and streets as indicated on Plan SG 8203/2008.

##### 1.3 STORM WATER 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 Council, for the collection and disposal of storm water throughout the township by means of properly constructed works and for the construction,

tar macadamizing, kerbing and channelling 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 catchments of storm water in catch pits hence 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 make provision for the retention of stormwater within the township since no stormwater services are available in the area. Detailed plans by a registered stormwater specialist shall be provided to the relevant department prior to the approval of any plans.

- 1.3.4 If the township owner fails to comply with the provisions of paragraphs 1.3.1, 1.3.2 and 1.3.3 hereof the Council shall be entitled to do the work at the cost of the township owner.

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

All erven shall be made subject to existing conditions and servitudes, if any, excluding the following conditions:

"A. (a) J.G. Meyer as owner of certain portion of the said farm Elandsfontein No. 6 in extent 7,8516 hectares, as per Deed of Transfer No. T2815/1889 shall have the right to make a dam at the most suitable place in the spruit for the purpose of taking out water and to lead same by means of a water-furrow to the said ground."

Which by virtue of situation does not affect the township, and

"B. Kragtens Notariele Akte van Serwituut No. K3816/1977S gedateer 29 November 1997 is binnegemelde eiendom onderhewig aan 'n ewigdurende serwituut vir 'n riool pyplyn 2 meter wyd aangedui deur die lyne AE en ED op kaart SG No. A2411/38 aangeheg by Transportakte T11380/1938, al langs en ewewydig met die Suidelike grens en Oostelike grens van Hoewe 13 ten gunste van die Stadsraad van Alberton soos meer ten volle sal blyk uit gesegde Notariele Akte geregistreer op 19 Desember 1977."

which only affects erven 448, 449, 467, 468, 471, 472, 475, 476 and 478.

#### **1.5 ACCESS**

Only Erf 478 shall gain access to Epsom Road. Erven 448 to 477 shall gain access via a Right-of-Way servitude registered over the whole of Erf 478.

#### **1.6 ENGINEERING SERVICES**

- 1.6.1 The township owner shall be responsible for the installation and provision of internal engineering services to the satisfaction of the relevant department.
- 1.6.2 Once water, sewer and electrical networks have been installed, same will be transferred to the Local Authority, free of cost, who shall maintain these networks (except internal street lights).
- 1.6.3 The Section 21 Company will be responsible for the maintenance of the internal roads (including storm water) and the internal street lights (including electrical power usage), to the satisfaction of the local authority.
- 1.6.4 The township owner shall be liable for the erection of the street name signs on internal roads. The Section 21 Company shall be liable for the maintenance of the street name signs.

#### **1.7 DEMOLITION OF BUILDINGS AND STRUCTURES**

The township owners shall at their own expense cause all existing buildings and structures situated within the building line reserves, side spaces or over common boundaries to be demolished to the satisfaction of the Local Authority, within a period of six months from the date of publication of this notice.

#### **1.8 REMOVAL OR REPLACEMENT OF MUNICIPAL SERVICES**

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

#### **1.9 GENERAL**

- 1.9.1 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.
- 1.9.2 The township owner must indemnify the local authority against any and all claims regarding the maintenance and provision of any roads and storm water services in the development (the provision of engineering services under paved areas to be avoided); any damage to the paving, which is caused by an emergency vehicle or any vehicle of the local authority that is involved in any maintenance of services; and any damage and/or incidental damage to the water and sewer infrastructure (shall be for the account of the owner), prior to the approval of building plans.
- 1.9.3 The township owner shall at his own expense, erect a physical barrier along all boundaries not already fenced, consisting of palisade or brick to the satisfaction of the local authority. The maintenance of the barrier shall be at the expense of the township owner / Section 21 company.
- 1.9.4 The applicant shall satisfy the local authority that a street name has been approved in accordance with approved policies for the area. The name to be indicated as per 1.6.4..

**2. FORMULATION AND DUTIES OF THE HOME OWNERS ASSOCIATION**

- 2.1 The township owner shall ensure that a legal body "Home Owners Association", is established in terms of Section 21 of Act 61 of 1973.
- 2.2 The said "Home Owners Association" shall be in addition to such other responsibilities as may be determined by the Council also be responsible for the maintenance of the intercom and access relating to Erf 478.
- 2.3 Every owner of the erf or of any subdivided portion thereof or any person who has an interest therein shall become and shall remain a Member of the Home Owner's Association and be subject to its constitution until he/she cease to be an owner of 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 Owners' Association.
- 2.4 The owner of the erf or any subdivided portion thereof, or any person who has an interest therein, shall not be entitled to transfer the erf or any subdivided portion thereof or any interest therein without the Clearance Certificate from the Home Owners' Association that the provisions of the Articles of Association of the Home Owners' Association have been complied with.

**3. RESTRICTION**

Erf 478, shall be registered in the name of the Association mentioned in 2 (2.1), above, and shall be subject to a servitude in favour of the Local Authority for any municipal services as well as for emergency services and a servitude of right-of-way in favour of all adjacent erven.

**4. CONDITIONS OF TITLE**

**The erven shall be subject to the following conditions as indicated, imposed by the Council in terms of the provisions of the Town-Planning and Townships Ordinance, 15 of 1986.**

**4.1 ERVEN 448 to 477**

- 4.1.1 The erven shall be 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.
- 4.1.2 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.
- 4.1.3 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.
- 4.1.4 The erven are entitled to a servitude of right-of-way over the entire Erf 478.
- 4.1.5 As this erf forms part of land which may be underlain and which may be liable to subsidence, settlement, shock and cracking due to mining operations in future, the owner thereof accepts all liability for all damage thereto or any structure thereon which may result from such subsidence, settlement, shock or cracking.

**4.2 ERF 478**

- 4.2.1 Subject to a servitude for municipal purposes and right-of-way in favour of the local authority, as indicated on the general plan to guarantee access to the local authority's personnel and vehicles in order to carry out repair and maintenance work to the water, sewer and electrical networks (excluding street lights) after they have been taken over by the local authority.
- 4.2.2 Subject to a servitude of right-of-way in favour of all owners and occupiers in the township, as indicated on the general plan, to guarantee access to a public road to all the residents.

- 4.2.3 As this erf forms part of land which may be underlain and which may be liable to subsidence, settlement, shock and cracking due to mining operations in future, the owner thereof accepts all liability for all damage thereto or any structure thereon which may result from such subsidence, settlement, shock or cracking.

**K NGEMA, City Manager: Alberton Customer Care Centre**

**Civic Centre, Alwyn Taljaard Avenue, Alberton**

**NOTICE NO: A061/2010**

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## **LOCAL AUTHORITY NOTICE 1424**

### **EKURHULENI METROPOLITAN MUNICIPALITY**

#### **ALBERTON AMENDMENT SCHEME 2130**

The Ekurhuleni Metropolitan Municipality hereby in terms of the provision or Section 125(1)(a) of the Town-Planning and Townships Ordinance, No. 15 of 1986, declares that it has approved an amendment of the Alberton Town-Planning Scheme, 1979, comprising the same land as included in the township of NEWMARKET PARK EXTENSION 31.

Map 3 and the scheme clauses of the amendment scheme are filed with the Director-General, Gauteng Provincial Administration: Development Planning and Local Government, 8<sup>th</sup> Floor, Corner House, 63 Fox Street, Johannesburg and the Manager: Alberton Customer Care Centre and are open for inspection at all reasonable times.

The amendment is known as Alberton Amendment Scheme 2130 and shall come into operation from date of publication of this notice.

**K NGEMA, City Manager: Alberton Customer Care Centre**

**Civic Centre, Alwyn Taljaard Avenue, Alberton**

**NOTICE NO: A061/2010**

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