

*THE PROVINCE OF  
GAUTENG*

*DIE PROVINSIE  
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## LOCAL AUTHORITY NOTICES

### LOCAL AUTHORITY NOTICE 335

EKURHULENI METROPOLITAN MUNICIPALITY

DECLARATION AS APPROVED TOWNSHIP

In terms of Section 103 of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986) the Ekurhuleni Metropolitan Municipality hereby declares UNION EXTENSION 51 to be an approved township subject to the conditions set out in the schedule hereto:

#### SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY JOHANNES HENDRIKUS VAN DEN TILLAARD (HEREINAFTER REFERRED TO AS THE OWNER) UNDER THE PROVISIONS OF CHAPTER 3 OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 15 OF 1986, FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 645 (A PORTION OF PORTION 132) OF THE FARM ELANDSFONTEIN 108 I.R., GAUTENG PROVINCE, HAS BEEN GRANTED

#### 1. CONDITIONS OF ESTABLISHMENT

##### 1.1 Name

The name of the township shall be **Union Extension 51**.

##### 1.2 Design

The township shall consist of erven and streets as indicated on **General Plan SG No. 3724/2008**.

##### 1.3 Street names

Public streets through the township are continuation of existing roads namely Chris Street, Jacoba Road and Andries Street which are acceptable to the municipality.

##### 1.4 Endowment

- (i) Contributions for open space are not payable.
- (ii) Contributions for engineering services are payable in terms of the provisions of Section 63 of the Town Planning and Townships Ordinance, 15 of 1986 (as amended).

##### 1.5 Disposal of Existing Conditions of Title

All erven shall be made subject to existing servitudes and rights to minerals if any, with the exception of:

- 1.5.1 Deed of Servitude No. 1179/1965 S, indicated by the figure fghjf on SG No. 3724/2008, vide Diagram S.G. A 1608/1962, which shall effect Erven 408 to 412;
- 1.5.2 Deed of Servitude No. K 3644/1984 S, indicated by the figure a b c d e g on S.G. No. 3724/2008, vide Diagram S.G. No A 1608/1981, which shall effect Erven 408-416.

##### 1.6 Removal of Litter

The township owner shall at hi/her own expense cause all litter within the township area to be removed and leveled to the satisfaction of the municipality

**1.7 Demolition of Building or Structures**

- (i) The township owner shall at his own expense cause all existing buildings and structures situated within the building line reserves, side spaces, road reserves or over the common boundaries to be demolished to the satisfaction of the Municipality. Requirements of Regulation R1182 and R 1183 of the Environmental Conservation Act 79 of 1989 are to be complied with.
- (ii) The township owner shall at his own expense draw up and submit acceptable building plans to the Municipality, for approval in terms of the provisions of the National Building Regulations, for all buildings on the erf for which no building plans have been approved by the Municipality. The township owner shall at his own expense alter the buildings to comply with the approved building plans to the satisfaction of the Municipality.

**1.8 Engineering Services**

- (i) The township owner is responsible for making the necessary arrangements for the provision of all engineering services and the payment of external Services Contributions in terms of the provisions of the Town Planning and Township Ordinance, 1986 (Ordinance 15 of 1986), A service agreement should be entered in to with the Municipality.
- (ii) All municipal services that cross the common boundaries between the erven shall be removed and relocated by, and at the cost of the township owner, as and when required by the Municipality.
- (iii) All existing municipal services on the erven within the township shall be protected by means of suitable servitudes to the satisfaction of the Municipality, registered in favour of the Municipality, as and when required by the Municipality, by the owner at his own expense.

**1.9 Restriction on the Disposal of Erven**

- 1.9.1 The township owner shall, in terms of prior agreement with the Municipality, fulfil its obligations with regard to the provision of water, sanitation (and if applicable) electricity and the installation of reticulations for such purposes, prior to the disposal of any erf within the township.
- 1.9.2 No erven may be alienated or transferred in the name of a purchaser prior to the Municipality having confirmed that sufficient guarantees have been furnished in respect of the provision of services by the township applicant to the Municipality.
- 1.9.3 The portions of land required for Road widening of Jacoba Road should be transferred to council for public road purposes on proclamation of the Township.

**1.10 FORMATION OF SECTION 21 COMPANY / BODY CORPORATE / HOME OWNERS ASSOCIATION**

- 1.10.1 A Section 21 Company/Home Owner's Association (legal entity) shall be established by and at the cost of the Developer/Owner for each section with private access.
- 1.10.2 Every owner of the Erf, or any subdivided portion thereof, or any person who has an interest therein shall become a Member of the legal entity and be subject to its constitution until he/she ceases to be an owner to 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 legal entity.

- 1.10.3 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 therein without a Clearance Certificate from the Home Owners Association that the Articles of the legal entity Association have been complied with.
- 1.10.4 A copy of the legal entity and its constitution shall be submitted to the Municipality (Directorate: City Development) prior to the issuing of a Clearance Certificate for the transfer of Erven.
- 1.10.5 The Township Owner must accept the conditions regarding the establishment of a legal entity in writing. This written acceptance shall include an undertaking that all buyers will be notified of all the conditions stipulated by the Municipality, in writing.
- 1.10.6 The roads and stormwater infrastructure and landscaping of sidewalks will not be taken over by the Municipality and the construction and cost thereof shall be the responsibility of the Owner where after the maintenance of these services and the pavements shall become the responsibility of the legal entity.
- 1.10.7 The Private Road servitude shall be the responsibility of the legal entity and the legal entity shall manage and maintain all common property including the refuse collection areas.
- 1.10.8 The legal entity shall indemnify the Municipality against any and all claims regarding:
- The maintenance and the provision of any roads and stormwater services in the development (the provision of engineering services under paved areas are to be avoided);
  - Any damage that may be caused by an emergency vehicle or any vehicle of the Municipality that is involved with the maintenance of services;
  - Any damage and/or incidental damage to the water and sewer infrastructure (shall be for the account of the owner/legal entity).
  - The Developer/Owner shall be responsible for all road signs and markings in proposed development where after the legal entity shall be responsible for the maintenance thereof on the private road/"right-of-way" servitude area.
  - Unhindered access must be given to all emergency vehicles and all service authorities (water, electricity, Telkom etc.) at all times.
- 1.10.9 The Township owner shall be responsible for the installation and cost of a street lighting network where after the maintenance and the power usage shall be the responsibility of the legal entity. The Municipality will not take over the street lighting network. The street lighting supply should be metered and the legal entity shall be liable for the electricity consumption (if installed).
- 1.10.10 Once the electrical, water and sewer main line networks have been installed these shall be transferred to the Municipality free of cost, who shall maintain the networks (except for the internal street lights)
- 1.10.11 Any architectural changes to the existing dwelling unit shall be prepared and submitted to the council for approval. also each plan must be endorsed by the Body Corporate/Home owners association.

## 2. CONDITIONS OF TITLE

### 2.1 Servitudes

#### 2.1.1 Municipal Servitudes:

- i. All Erven are subject to a servitude, 2 m wide, in favour of the Municipality, for sewerage and other municipal purposes, along any two boundaries of the Erf other than a street boundary, if and when required by the Municipality: Provided that the Municipality may dispense with any such servitude.
- ii. 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 therefrom.
- iii. The Municipality shall be entitled to temporarily deposit 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 Municipality.
- iv. Erven 40,402,412 and 413 are subject to a servitude 2.00 meters wide for stormwater as shown on General Plan S.G.No 3724/2008.

2.1.2 Erven 396, 407 and 421 are subject to servitudes for right of way and for municipal services, as indicated on the township General Plan S.G. No. 3724/2008

## 3. CONDITIONS TO BE INCORPORATED INTO THE TOWN PLANNING SCHEME IN TERMS OF SECTION 125 OF THE TOWN PLANNING AND TOWNSHIP ORDINANCE, 15 OF 1986 (AS AMENDED), IN ADDITION TO THE PROVISIONS OF THE TOWN PLANNING SCHEME IN OPERATION.

Erven 391-395, 397-406, 408-416, 417-420 and 422 shall be subject to the following conditions :

### 3.1 Schedule

|                     |                        |
|---------------------|------------------------|
| Zoning:             | "Residential 1"        |
| Primary Rights:     | Dwelling houses        |
| Secondary Rights:   | As per scheme          |
| No Rights:          | As per scheme          |
| Height Zone:        | "0"                    |
| Height:             | 3 storeys              |
| FAR:                | Not specified          |
| Coverage:           | 40 %                   |
| Density:            | One dwelling per Erf   |
| Parking Provisions: | As per scheme          |
| Building line:      | 5m along public street |
| Servitude:          | N/A                    |

- 3.1.1 A general building line restriction of 2 metres shall apply on internal access servitudes and 5 metres along public roads.
  - 3.1.2 A site development plan shall control the development of Township which shall be submitted to the satisfaction of the Municipality for approval and such site development plan shall be amended to the satisfaction of the Municipality prior to the approval of any new building plans or development changes on the Erf.
  - 3.1.3 Architectural guidelines for appearance and finishes shall be prepared and submitted for approval to the council. Each plan must be endorsed by the Body Corporate/ Home owners Association.
  - 3.1.4 On site parking shall be provided in accordance with the use on the property as specified in terms of Clause 18 and Table F of the Town Planning Scheme.
  - 3.1.5 In addition to the relevant conditions set out above, all erven shall be subject to conditions(e),(f),(g) and (i) of Clause 17 of the Town Planning Scheme.
- 3.2 **Erven subject to special conditions**
- 3.2.1 Erf 417 is subject to a building line restriction of 20 m for single storey and 30m for two (2) or more storeys along N3 boundary.
  - 3.2.2 Erven 396, 407 and 421 shall be zoned "Special" for access, access control and the conveyance of services.

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**LOCAL AUTHORITY NOTICE 336**  
**EKURHULENI METROPOLITAN MUNICIPALITY**  
**NOTICE OF APPROVED TOWNSHIP**

The Ekurhuleni Metropolitan Municipality hereby, in terms of the provisions of section 125(1) of the Town Planning and Townships Ordinance 15 of 1986, declares that it has approved the establishment of a township on Portion 645 (A Portion of Portion 132) of the farm Elandsfontein 108 I.R. to be known as Union Extension 51 Township and which will consist of the erven and streets indicated on General Plan S.G. No. 3724/2008 and on the Conditions of Establishment filed with the Executive Director: Development Planning, Germiston, Development Planning Services Centre, First Floor, 15 Queen street, Germiston and which are open for inspection between 08h00 and 13h00 every weekday.

This Township will be known as Union Extension 51 Township.

City Manager  
 Development Planning,  
 P.O.Box 145,  
 GERMISTON.  
 1400  
 DATE 5 February 2010

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