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LOCAL AUTHORITY NOTICES

LOCAL AUTHORITY NOTICE 912

EKURHULENI METROPOLITAN MUNICIPALITY
SEL COURT EXTENSION 11 TOWNSHIP

DECLARATION AS APPROVED TOWNSHIP

In terms of the provisions of Section 103(1) of the Town-planning and Townships Ordinance, 1986, the Ekurhuleni Metropolitan Municipality hereby declares Selcourt Extension 11 township situated on Portion 85 (A Portion of Portion 3) of the farm Vlakfontein 130 I.R. to be an approved township subject to the conditions set out in the schedule hereto:

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY FIRST TRADE AND INVEST 4 (PTY) LTD IN TERMS OF THE PROVISIONS OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 85 (A PORTION OF PORTION 3) OF THE FARM VLAKFONTEIN 130 I.R. HAS BEEN APPROVED.

1. CONDITIONS OF ESTABLISHMENT

1.1 NAME

The name of the township shall be **Selcourt Extension 11**.

1.2 DESIGN

The township shall consist of streets and erven as indicated on **General Plan S.G. No. 1493/2010**.

1.3 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, but excluding the following:

1.3.1 THE FOLLOWING SERVITUDES THAT DO NOT AFFECT THE TOWNSHIP AREA:

1.3.1.1 A lease in favour of ESKOM by virtue of Notarial Deed of Servitude 204/1932S, depicted by diagram S.G. A6536/1971 which does not affect the township area and is described as follows in Paragraph A(b) of Deed of Transfer T64692/08:

"A portion, measuring 10,2527 hectares on the property hereby transferred, lettered KPQR as shown on Diagram S.G. A3689/48 annexed to Deed of Transfer 27037/1949 has been leased to The Victoria Falls and Transvaal Power Company Limited, in perpetuity as from the 15th March 1932 for the purpose of distribution and Rotary condenser station under Deed of Servitude 204/1932S."

1.3.1.2 A servitude in favour of ESKOM by virtue of Notarial Deed of Servitude K2595/1980S, depicted by diagram S.G. No. A3855/1983, which servitude is described as follows in Paragraph D of Deed of Transfer T64692/08:

"By Notarial Deed K2595/1980S, the right has been granted to ELECTRICITY SUPPLY COMMISSION to convey electricity over the property hereby transferred together with ancillary rights, and subject to conditions as will more fully appear on reference to the said Notarial Deed."

1.3.1.3 A servitude in favour of ESKOM by virtue of Notarial Deed of Servitude K3117/1983S, depicted by diagram S.G. No. A3395/1989, which servitude is described as follows in Paragraph E of Deed of Transfer T64692/08:

"By Notarial Deed K3117/83S, the right has been granted to ELECTRICITY SUPPLY COMMISSION to convey electricity over the property hereby transferred together with ancillary rights, and subject to conditions as will more fully appear on reference to the said Notarial Deed."

1.3.1.4 A servitude in favour of ESKOM by virtue of Notarial Deed of Servitude K3007/1988S, depicted by diagram S.G. No. A10064/1990, which servitude is described as follows in Paragraph F of Deed of Transfer T64692/08:

"By Notarial Deed K3007/88S, the right has been granted to ESKOM to convey electricity over the property hereby transferred together with ancillary rights, and subject to conditions, as will more fully appear on reference to the said Notarial Deed."

- 1.3.1.5 A servitude in favour of ESKOM by virtue of Notarial Deed of Servitude 200/1932S, affecting Atlanta Street only, which servitude is described as follows in Paragraph A(a) of Deed of Transfer T64692/08:

"The property transferred hereunder is subject to a right in perpetuity in favour of the Victoria Falls and Transvaal Power Company Limited, to convey Electricity on and over the within property as will more fully appear from Notarial Deed 200/1932S."

- 1.3.2 THE FOLLOWING SERVITUDES THAT AFFECT ONLY ERF 3579 AND ATLANTA STREET IN THE TOWNSHIP AREA:

- 1.3.2.1 A servitude for powerline purposes in favour of ESKOM as indicated on the General Plan of the township and on Diagram S.G. No. A512/1976 and Notarial Deed of Servitude No. K2180/2011.

- 1.3.2.2 A servitude for a bulk water supply pipeline in favour of Ekurhuleni Metropolitan Municipality as indicated on the General Plan of the township and on Diagram S.G. No. 4484/1998 and Notarial Deed of Servitude No. K2182/2011.

- 1.3.3 THE FOLLOWING SERVITUDE THAT AFFECTS ONLY ATLANTA STREET IN THE TOWNSHIP AREA:

A servitude for powerline purpose in favour of ESKOM as indicated on the General Plan of the township and on Diagram S.G. No. 1492/2010 and Notarial Deed of Servitude No. K2181/2011.

- 1.4 ENDOWMENT ERF

Erf 3579 shall be transferred free of charge to the Municipality by the township owner as public open space and the cost incurred with such transfer shall be for the account of the township owner.

- 1.5 PARK ENDOWMENT

No endowment is payable to the Municipality for parks and public open spaces.

- 1.6 REMOVAL AND / OR REPLACEMENT OF MUNICIPAL OR ANY OTHER ENGINEERING OR COMMUNICATION SERVICES INFRASTRUCTURE

Should it become necessary to move and / or replace any existing municipal or other engineering or communication services infrastructure as a result of the establishment of the township, it shall be done in liaison with the owner of such infrastructure and the cost thereof shall be borne by the Applicant.

- 1.7 DEMOLITION OF BUILDINGS AND STRUCTURES

When required by the Municipality to do so, the Applicant shall at his own expense cause to be demolished (to the satisfaction of the Municipality) all existing buildings and structures situated within building line reserves and side spaces or over common boundaries, or in a street reserve or servitude area, or dilapidated structures and structures for which building plans have not been approved.

- 1.8 REMOVAL OF LITTER / RUBBLE

The Applicant shall at his own expense have all litter / rubble within the township area removed to the satisfaction of the Municipality, when required to do so by the Municipality.

- 1.9 COMPLIANCE WITH CONDITIONS IMPOSED BY THE GAUTENG DEPARTMENT OF AGRICULTURE AND RURAL DEVELOPMENT (GDAARD)

The Applicant shall at his own expense comply with, or make satisfactory arrangements to ensure compliance with all the conditions imposed by GDAARD, which has given conditional approval for the development of the township, as per their letter of authorization dated 16 September 2009 (ref. no. 006/09-10/N0031).

1.10 COMPLIANCE WITH CONDITIONS IMPOSED BY ESKOM

The Applicant shall at his own expense comply with, or make satisfactory arrangements to ensure compliance with all the conditions imposed by ESKOM, as per their letter dated 31 January 2006 (ref. no. 30128) in regard to their servitudes.

1.11 SOIL CONDITIONS / GEOLOGICAL CONDITIONS

1.11.1 Proposals for precautionary measures to overcome detrimental soil / geological conditions to the satisfaction of the Municipality and the National Home Builders Registration Council (NHBRC) shall be contained in all building plans submitted for approval and all buildings shall be erected in accordance with such precautionary measures to the satisfaction of the Municipality and the NHBRC.

1.11.2 The Applicant shall at his own expense, make arrangements with the Municipality in order to ensure that the recommendations as laid down in the geological report, as well as the provisions of the Dolomite Risk Management Plan (if and where applicable) are complied with and, when required, engineering certificates for the foundations of the structures and engineering services are submitted.

1.12 PROVISION FOR REFUSE REMOVAL WITHIN THE TOWNSHIP

1.12.1 Provision must be made for either kerb-side refuse removal, or proper refuse holding areas with access from the street must be provided, in a manner that does not detrimentally affect the movement of traffic along the street.

1.12.2 All streets / roadways along which refuse removal by the Municipality is required, must be designed in a manner that will allow easy maneuvering of refuse removal vehicles, to the satisfaction of the Council and any overhanging cables or structures over such streets / roadways must be at least 4,5 (four comma five) metres high above the road surface level, to allow for refuse removal vehicles to pass underneath.

1.13 ACCEPTANCE AND DISPOSAL OF STORMWATER

The Applicant shall ensure that the stormwater drainage of the township fits in with that of the existing and planned roads and stormwater drainage infrastructure in the vicinity of the township and that all storm-water running off or diverted from the township is received and disposed of in such infrastructure.

1.14 OBLIGATIONS OF APPLICANT WITH REGARD TO ENGINEERING SERVICES INFRASTRUCTURE

The Applicant shall within such period as the Municipality may determine (or such period as determined in the engineering services agreement), fulfill his obligations in respect of the installation / construction of engineering services infrastructure (i.e. water, sewerage, electricity, roads and stormwater drainage infrastructure) as per an engineering services agreement to be entered into between the Applicant and the Municipality. Such engineering services agreement may include payment of contributions, by the Applicant, towards bulk engineering services.

1.15 PROVISION OF ENGINEERING DRAWINGS

The Applicant shall submit to the Municipality complete engineering drawings, for approval by the Municipality, prior to commencement with the installation / construction of engineering services infrastructure.

1.16 PROVISION OF AS-BUILT DRAWINGS AND CERTIFICATES BY PROFESSIONAL ENGINEER

Upon completion of the installation / construction of engineering services infrastructure by the Applicant, the Applicant shall supply the Municipality with as-built drawings and certificates by a professional engineer, in which it is certified that such engineering services infrastructure has been completed and that the engineer accepts liability for such infrastructure.

1.17 MAINTENANCE PERIOD AND GUARANTEE

Unless stated otherwise in the engineering services agreement between the Applicant and the Municipality, a maintenance period of 12 (twelve) months commences from the date when the last of the engineering services infrastructure (i.e. water, sewerage, electricity and roads and stormwater drainage infrastructure) installed / constructed by the Applicant has been completed and the as-built drawings and engineers' certificates have been submitted to the Council. The Applicant must furnish the Municipality with a maintenance guarantee, issued by a recognized financial institution, in respect of poor workmanship and / or materials, which guarantee must be for an amount that is equal to at least 5% of the contract cost for the installation / construction of such infrastructure.

1.18 RESTRICTION REGARDING REGISTRATION OF ERVEN AND APPROVAL OF BUILDING PLANS

No erf / unit in the township may be registered, nor will building plans be approved, before the Municipality has certified that the Applicant has complied with all his obligations and all conditions for establishment of the township, to the satisfaction of the Municipality.

2. CONDITIONS OF TITLE**2.1 GENERAL CONDITIONS OF TITLE LAID DOWN BY THE EKURHULENI METROPOLITAN MUNICIPALITY IN TERMS OF THE PROVISIONS OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986)****2.1.1 ALL ERVEN**

2.1.1.1 As this erf is situated in the vicinity of land which may be undermined and which may be liable to subsidence, settlement, shock and cracking due to past, present or future mining operations, the owner of this erf accepts all liability for any damages thereto or any structure thereon which may result from such subsidence, settlement, shock or cracking.

2.1.1.2 As this erf forms part of an area which may be subject to dust pollution and odours as a result of the presence of the Rietfontein Landfill Site in the vicinity of the township, the owner of this erf accepts that inconvenience with regard to dust pollution and odours as a result thereof, may be experienced.

2.1.1.3 Where, in the opinion of the Municipality, 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.

2.2 CONDITIONS AND SERVITUDES IN FAVOUR OF COUNCIL AND THIRD PARTIES.**2.2.1 ALL ERVEN [EXCEPT ERF 3579 (PUBLIC OPEN SPACE)]**

2.2.1.1 The erf is subject to a servitude, 2m wide, in favour of the Municipality, 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 when required by the Municipality: Provided that the Municipality may dispense with any such servitude.

2.2.1.2 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.

2.2.1.3 The Municipality 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 Municipality.

LOCAL AUTHORITY NOTICE 913**NOTICE OF APPROVAL
EKURHULENI METROPOLITAN MUNICIPALITY
SPRINGS AMENDMENT SCHEME 347/96**

The Ekurhuleni Metropolitan Municipality hereby in terms of the provisions of Section 125(1) of the Town-planning and Township Ordinance, 1986, declares that it has adopted an amendment scheme being an amendment to the Springs Town Planning Scheme, 1996 relating to the land included in Selcourt Extension 11 township. A copy of the said town-planning scheme as adopted is open for inspection at all reasonable times at the office of the Area Manager: City Development, Civic Centre, Springs. The said amendment scheme is known as Springs Amendment Scheme 347/96.

**KHAYA NGEMA : CITY MANAGER
CIVIC CENTRE
CROSS STREET
GERMISTON
15/4/9 SELCOURT EXT. 11**
