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LOCAL AUTHORITY NOTICE

LOCAL AUTHORITY NOTICE 1069

EKURHULENI METROPOLITAN MUNICIPALITY PROPOSED DENNEOORD EXTENSION 8 TOWNSHIP DECLARATION AS APPROVED TOWNSHIP

In terms of the provisions of Section 103(1) of the Town-Planning and Townships Ordinance, 1986, (Ordinance 15 of 1986), the Ekurhuleni Metropolitan Municipality hereby declares Denneoord Extension 8 situated on Portion 391 (a portion of portion 7) of the Farm Witpoortje No 117 IR to be an approved township subject to the conditions set out in the Schedule hereto:

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY FAIRMILE FENCING AND INSTALLATION CLOSE CORPORATION (HEREAFTER REFERRED TO AS THE DEVELOPER) UNDER THE PROVISIONS OF THE TOWN-PLANNING AND TOWNSHIP ORDINANCE 1986, (ORDINANCE 15 OF 1986), FOR THE PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 391 (A PORTION OF PORTION 7) OF THE FARM WITPOORTJE NO 117 IR, GAUTENG HAS BEEN APPROVED

1. GENERAL CONDITIONS OF ESTABLISHMENT

1.1 NAME

The name of the township shall be Denneoord Extension 8.

1.2 DESIGN

The township shall consist of erven as indicated on the General Plan for Denneoord Extension 8, SG 6389/2007.

1.3 STORMWATER 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 the Council, for the collection and disposal of storm water through out the township by means of properly constructed works and for the construction, tarmacadamising, kerbing and channeling of the streets 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 catchment of storm water in catch pits whence 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.

1.4 DISPOSAL OF EXISTING CONDITIONS OF TITLE

All erven shall be made subject to existing conditions and servitudes including the reservation of rights to minerals.

1.5 ACCESS

Access shall be provided to the satisfaction of the local authority.

1.6 ENDOWMENT

The township owner shall, in terms of provisions of section 98(2) and 98(3) of the Town Planning and Townships Ordinance, 1986, pay an amount to be determined by the local authority, which amount shall be used by the local authority for the provision of lands for parks and/or open spaces.

Such endowments shall be payable in terms of the provisions of section 81 of the said ordinance read with Section 95 thereof.

1.7 SPECIAL CONDITIONS

1.7.1 The township owner shall ensure that a legal body, a registered Section 21 Company as provided for in Chapter 7 of the Rationalization of Local Government Affairs Act, 1998 (Act no 10 of 1998) be established who shall take transfer of Erf 153 before any other erf in the township is transferred.

1.7.2 The said "Home Owners Association" shall in addition to such other responsibilities as may be determined by the developer, also be responsible for the maintenance of the internal road described as Erf 153.

1.7.3 The township owner shall ensure that a right of way servitude and a servitude for municipal services are registered over the whole of Erf 153.

2. CONDITIONS OF TITLE

THE ERVEN MENTIONED HEREUNDER SHALL BE SUBJECT TO THE CONDITIONS AS INDICATED, IMPOSED BY THE LOCAL AUTHORITY IN TERMS OF THE PROVISIONS OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986

2.1 ALL ERVEN excluding Erf 153

2.1.1 The erf is 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.

- 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.
- 2.1.3 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.
- 2.1.4 Every registered owner of Revenue 124 to 151 or portion thereof shall:
- (1) be entitled to a right of way over Erf 153;
 - (2) shall be a member of the Home Owners Association;
 - (3) be subject to the constitution of the Home Owners Association and shall pay levies due to the Association;
- 2.1.5 No transfer shall be registered without a clearance certificate from the Association the all levies due to the Association has been paid.
- 2.1.6 As this land is liable to subsidence, settlement, shocks and cracking whereby damage may be caused to buildings or structures erected thereon, the owner of the said land undertakes not at any time to require from the holder of mining title underlying, adjoining or adjacent to the said land or from the Inspector of Mines, that any protection to the surface of said land or to any buildings or structure whatever situated thereon shall be given in terms of Regulations, framed under the powers contained in the Minerals Act no 50 of 1995, or any amendment thereof, and accepted all risk of damage to such surfaces, building or structure which may be caused by mining operations past, present or future, either underneath said land or elsewhere.

- 2.1.7 The foundation of all buildings to be erected on the erf, shall be designed by a civil engineer to the satisfaction of the local authority after the soil on the property on which the buildings are to be erected has been investigated by a civil engineer to the satisfaction of the local authority.
- 2.1.8 Cognizance must be taken of the Major Hazardous Installation Regulation (MHI) No R60 of the OHS Act (Act 85 of 1993) as all High Pressure Pipelines are declared major hazardous installations.

2.2 Erf 153

- 2.2.1 Erf 153 in its entirety is subject to the Servitude of Right of Way;
- 2.2.2 Erf 153 in its entirety is subject to a Servitude for Municipal Services.

3 CONDITIONS TO BE INCORPORATED INTO THE BRAKPAN TOWN-PLANNING SCHEME, 1980 IN ADDITION TO THE GENERAL PROVISIONS OF THE TOWN-PLANNING SCHEME IN OPERATION

3.1 USE ZONE 1 : RESIDENTIAL 1

Erf 152 and the buildings to be erected thereon shall be used and are subject to the following conditions:

- 3.1.2 The erf and the buildings to be erected on the erf shall be used for dwelling, and with the special consent of the local authority for places of public worship, places of instruction, social halls, institutions and special uses.
- 3.1.3 The total coverage of buildings shall not exceed 60 %.
- 3.1.4 Buildings erected on the erf shall not exceed 2 storeys.
- 3.1.5 Buildings and structures hereafter erected on the erf shall be erected at least 5 (five) metres from any boundary abutting on a street.

3.2 USE ZONE 2 : RESIDENTIAL 2

Erven 124-151 and the buildings to be erected thereon shall be used and are subject to the following conditions:

- 3.2.1 The erf and the buildings to be erected on the erf shall be used for dwelling, and with the special consent of the local authority for places of public worship, places of instruction, social halls, institutions and special uses;
- 3.2.2 The total coverage of buildings shall not exceed 60 %
- 3.2.3 Buildings erected on the erf shall not exceed 2 storeys.
- 3.2.4 Buildings and structures hereafter erected on the erf shall be erected at least 5 (five) metres from any boundary abutting on a street.

3.3 USE ZONE 9 SPECIAL

Proposed Erf 153 shall be zoned "Special" for the purposes of access, access control and municipal services.
