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LOCAL AUTHORITY NOTICES

LOCAL AUTHORITY NOTICE 264

EKURHULENI METROPOLITAN MUNICIPALITY (BENONI CUSTOMER CARE CENTRE) DECLARATION AS AN APPROVED TOWNSHIP

IN TERMS OF SECTION 103(1) OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE NO. 15 OF 1986), THE EKURHULENI METROPOLITAN MUNICIPALITY (BENONI CUSTOMER CARE CENTRE) HEREBY DECLARES RYNFIELD EXTENSION 64 TO BE AN APPROVED TOWNSHIP, SUBJECT TO THE CONDITIONS SET OUT IN THE SCHEDULE HERETO.

SCHEDULE

STATEMENT OF CONDITIONS UNDER WHICH THE APPLICATION MADE BY JOHANNES CORNELIUS ANDERSON AND EDITH ELIZABETH ANDERSON [HEREINAFTER REFERRED TO AS THE APPLICANT / TOWNSHIP OWNERS] UNDER THE PROVISIONS OF PART A AND C OF CHAPTER 3 OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 [ORDINANCE 15 OF 1986], FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 198 OF THE FARM VLAKFONTEIN 69-I.R., HAS BEEN GRANTED.

A. CONDITIONS TO BE COMPLIED WITH PRIOR TO THE DECLARATION OF THE TOWNSHIP AS AN APPROVED TOWNSHIP.

- (1) The applicant shall ensure that the relevant amendment scheme is in order and can be published simultaneously with the declaration of the township as an approved township.
- (2) The applicant must comply with the requirements of Sections 72, 75 and 101 of Ordinance 15 of 1986.
- (3) Payment for the preparation of the relevant amendment scheme has been made, that the relevant amendment scheme is in order and can be published simultaneously with the declaration of the township as an approved township.

B. CONDITIONS OF ESTABLISHMENT.

- (1) NAME.
The name of the township shall be Rynfield Extension 64.
- (2) DESIGN.
The township shall consist of erven and streets as indicated on the General Plan No. 973/2010.
- (3) EXISTING CONDITIONS OF TITLE.
All erven shall be made subject to existing conditions of title and servitudes, if any, including the reservation of rights to minerals.
- (4) DEMOLITION OF BUILDINGS AND STRUCTURES
The township owner 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 (6) months from the date of publication of this notice.
- (5) ENDOWMENT
The township owner shall, in terms of section 89(2) of the Town Planning and Townships Ordinance, 1986, pay a lump sum endowment, which amount shall be used by the Local Authority for the provision of parks and / or open spaces.
- (6) STORMWATER DRAINAGE AND STREET CONSTRUCTION.
 - a) The layout of the access control area and access control system must be designed as part of 6(e) below to ensure that traffic flow on President Brand Road is not affected. It is suggested that the layout allows for two lanes into the development. One for residents and one for visitors.
 - b) The building line for garages must be 5m.
 - c) No bulk contributions are payable towards roads or storm water drainage.
 - d) In terms of the Manual for traffic impact studies of the Department of Transport 1995, a traffic impact statement is required for this development.

- e) The Developer is responsible for the design and construction of the internal roads and road works required to provide safe access to the development (i.e. Turning lanes and passing lanes) and storm water drainage for the proposed township to the satisfaction of the Regional Director: Roads, Transport and Civil Works.
 - f) The Developer is responsible for the provision and installation of all road signs, road markings and street name signs.
 - g) The developer is also responsible for any stormwater pipe outside the property that may be required due to this development. This includes the registration of servitude for this pipe.
 - h) The storm water design for this development must also include the internal storm water runoff across, and between, the individual erven. The design must include identification of the necessary storm water routes, pipes, wall openings and channels which must be clearly written into the title deeds of the affected properties, or otherwise clearly enforced on the purchasers of the individual erven and their successors in title. If a low point is created in the township, provision must be made to drain a 1:20 year flood to prevent flooding of the surrounding houses. The 1:50 year flood should be catered for on surface.
 - i) The design of the internal road must ensure that all stands can drain onto the road.
 - j) The access gates must be sufficiently recessed back into the development to permit stacking of parked vehicles at the gate without causing obstruction of traffic on President Brand Road.
 - k) The applicant must appoint a registered Professional Engineer who shall be a member of the South African Association of Consulting Engineers or of S.A.B.T.A.C.O., to design and supervise construction of the roads and storm water drainage mentioned above.
 - l) The applicant must appoint a registered Professional Engineer who shall be a member of the South African Association of Consulting Engineers or of S.A.B.T.A.C.O., to do the traffic impact statement for this development. It may be the same engineer as in 6(k) above.
 - m) The above mentioned detail designs must be submitted for approval to the Regional Director: Roads, Transport and Civil Works.
 - n) The approved storm water drainage and access designs will be shown on the developer's Site Development Plan, Block Plan, or Building Plan, if applicable.
 - o) The engineer must provide Council with a completion report and as built drawings.
 - p) All costs relating to the design and construction of the roads and the storm water drainage are for the developer's account. The developers appointed Consulting Engineer would determine these costs.
- (7) ELECTRICITY AND ENERGY DEPARTMENT
- a) The Owner/Developer is liable for the cost and installation of the internal electrical reticulation and streetlights.
 - b) The Developer has to pay the amount of R149 038,08 including VAT, for the electrical connection and installation of the miniature substation by Council. A 3 x 6 meter servitude area on the boundary of President Brand Road, must be provided by the Developer and registered in the name of the Council for the installation of a communal Miniature substation.
 - c) The Developer shall at his own cost appoint a registered Professional Engineer, who must be a member of the SAACE/SABTACO, to design and supervise the construction of the internal electrical reticulation network, inclusive of suitable street lighting, to the satisfaction of the Executive Director: Municipal Infrastructure.
 - d) In terms of the Security Township Policy (New Development) the Owner/Developer is liable for the maintenance of streetlight network. The Local Authority will not take over the streetlight network. The street lighting supply should be metered and the legal entity is liable for the electricity consumption.

- e) The Developer will have to pay an electrical bulk contribution of R220 000,00 based on R1 000 per kVA, which amount will be revised annually for implementation of 1 July of each year. The subject contribution will be refunded to the Developer by the Council in the financial year following the financial year in which the electrical consumption of the development has reached 60% or more of the consumption envisaged when the calculations were made.
- f) The Township Owner shall enter into an essential services agreement with the Council. For this purposes a 5% retention in respect of the internal electrical reticulation network cost shall be provided by the Developer in lieu of the 12 month maintenance period.
- (8) **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.
- (9) **ACCEPTANCE AND DISPOSAL OF STORMWATER.**
The township owner shall arrange for the drainage of the township to fit in with those adjacent public roads, for all storm water running off or being diverted from the roads to be received and disposed of.
- (10) **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.
- (11) **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 owners.
- (12) **SPECIAL CONDITIONS**
 - a) The township owner shall properly and legally constitute a Home Owner's Association [a company incorporated under Section 21 of the Companies Act, 1973, or a universitas personarum], prior to or simultaneously with the sale of the first erf in the township.
 - b) The memorandum of association of the Section 21 Company, or a universitas personarum, shall provide that:
 - c) Each and every owner of an erf in the township shall become a member of the Home Owner's Association upon transfer to him of that erf;
 - d) The Home Owner's Association shall have full responsibility for the functioning and proper maintenance of the portion for roadway purposes and the engineering services contained thereon. The local authority shall not be liable for the defectiveness of the surfacing of the roadway and/or any essential services;
 - e) The Home Owner's Association must be incorporated with the legal power to levy from each and every member of the Home Owner's Association the costs incurred in the fulfilling its function and to have legal resource to recover such fees in the event of a default in payment by any member; and
 - f) The construction and maintenance of the roadway portion Erf 4021 shall be the responsibility of the township owner until transfer of that portion to the Home Owner's Association.

C. CONDITIONS OF TITLE.

The erven 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:

- (1) All erven
 - (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, 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.

- (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) 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 4021
The erf is subject to a servitude of right-of-way in favour of all owners and occupiers of Erven 3989 to 4020 in Rynfield Extension 64, as indicated on the General Plan, to guarantee access to a public road to all the residents.
The erf is subject to a servitude for municipal purposes in favour of the Local Authority, as indicated on the General Plan.
- (3) Erf 4019
The erf is subject to an electrical substation servitude as indicated on the General Plan.

D. CONDITIONS TO BE INCORPORATED IN THE TOWN PLANNING SCHEME IN TERMS OF SECTION 125 OF ORDINANCE 15 OF 1986 IN ADDITION TO THE PROVISIONS OF THE TOWN PLANNING SCHEME IN OPERATION.

(1) GENERAL CONDITIONS.

- (a) Except with the written consent of the Local Authority, and subject to such conditions as it may impose, neither the owner nor any other person shall:-
 - (i) save and except to prepare the erf for building purposes, excavate any material there from;
 - (ii) sink any wells or boreholes thereon or abstract any subterranean water there from; or
 - (iii) make or permit to be made, upon the erf for any purpose whatsoever, any bricks, tiles or earthenware pipes or other articles of a like nature.
- (b) Where, in the opinion of the Local Authority, 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.
- (c) The siting of buildings, including outbuildings, on the erf and entrances to and exits from the erf to a public street system shall be to the satisfaction of the Local Authority.
- (d) The main building, which shall be a completed building and not one which has been partly erected and is to be completed at a later date, shall be erected simultaneously with, or before, the outbuildings.
- (e) No materials or goods of any nature whatsoever shall be dumped or placed within the building restriction area along any street, and such area shall be used for no other purpose than the laying out of lawns, gardens, parking or access roads: Provided that if it is necessary for a screen wall to be erected on such boundary this condition may be relaxed by the Local Authority subject to such conditions as may be determined by it.

- (f) A screen wall or walls shall be erected and maintained to the satisfaction of the Local Authority as and when required by it.
 - (g) If the erf is fenced such fence and the maintenance thereof shall be to the satisfaction of the Local Authority.
 - (h) The registered owner is responsible for the maintenance of the whole development on the erf. If the Local Authority is of the opinion that the erf or any portion of the development, is not being satisfactorily maintained, the Local Authority shall be entitled to undertake such maintenance at the cost of the registered owner.
- (2) "SPECIAL" FOR (RESIDENTIAL 2).
Erfen 3989 to 4020 is subject to the following conditions:
- (a) The property and the buildings erected thereon or to be erected thereon, shall be used solely for the purposes of dwelling-units.
 - (b) The height of buildings shall not exceed 2 storeys, on condition that building plans must be referred to the owners of erven in Rynfield Extension 39 if a double storey is developed on a property that abuts an Erf in Rynfield Extension 39 township.
 - (c) The total coverage of buildings shall not exceed 60% of the property.
 - (d) The floor area ratio shall not exceed 1,0.
 - (e) Effective, paved parking spaces, together with the necessary manoeuvring area, shall be provided on the property to the satisfaction of the Local Authority in the following ratios:
 - (i) 1 covered parking space to 1 dwelling unit.
 - (ii) 1 uncovered parking spaces to 1 dwelling unit.
 - (iii) 1 uncovered parking space to every three dwelling units for visitors parking.
 - (f) Buildings, including outbuildings, hereafter erected on the property, shall be located not less than 5m from any public street boundary: Provided that the Local Authority may relax this restriction if it would in its opinion result in an improvement in the development of the property.
 - (g) A Block Plan, drawn to such a scale as may be approved by the Local Authority, shall be submitted to the Local Authority with the building plans. No building shall be erected on the property before such plans have been approved by the Local Authority and the whole development on the property shall be in accordance with the approved plan. Such a Block Plan shall show at least the following:
 - (i) The siting, height, coverage and where applicable the floor area ratio of all buildings and structures.
 - (ii) Vehicular entrance and exit to and from the property to any existing or proposed public street.
 - (iii) Entrance to buildings and parking areas.
 - (iv) Building restrictions (if any).
 - (v) Parking areas and, where required by the Local Authority, vehicular and pedestrian traffic systems.
 - (vi) The elevational treatment of all buildings and structures.
 - (vii) The grouping of the dwelling units and the programming of the development of the erven if it is not proposed to develop all the erven simultaneously.
 - (viii) Open spaces, children's playgrounds, screen walls or other acceptable methods of screening, and landscaping
- (3) "SPECIAL" FOR (PRIVATE ROAD AND GUARD HOUSE).
Erf 4021, is subject to the following conditions:
- (a) The property shall be used solely for the purposes of a private road, guard house and ancillary uses such as refuse removal.
 - (b) The height of buildings shall not exceed 1 storey.
 - (i) 30m² may be used for the construction of an access control building

- (ii) 30m² may be used for the construction of a refuse removal building
- (c) Buildings, including outbuildings, hereafter erected on the property, shall be located not less than 5m from any public street boundary: Provided that the Local Authority may relax this restriction if it would in its opinion result in an improvement in the development of the property.
- (d) A Block Plan, drawn to such a scale as may be approved by the Local Authority, shall be submitted to the Local Authority with the building plans. No building shall be erected on the property before such plans have been approved by the Local Authority and the whole development on the property shall be in accordance with the approved plan. Such a Block Plan shall show at least the following:
 - (i) The siting, height, coverage and where applicable the floor area ratio of all buildings and structures.
 - (ii) Vehicular entrance and exit to and from the property to any existing or proposed public street.
 - (iii) Entrance to buildings.
 - (iv) Building restrictions (if any).
 - (v) The elevational treatment of all buildings and structures.

Khaya Ngema, City Manager, Ekurhuleni Metropolitan Municipality, 2nd Floor, Head Office Building, corner Cross and Rose Streets, Germiston, Private Bag X1069, Germiston, 1400

LOCAL AUTHORITY NOTICE 265

EKURHULENI METROPOLITAN MUNICIPALITY (BENONI CUSTOMER CARE CENTRE) NOTICE OF BENONI AMENDMENT SCHEME 1/1/1652

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 Benoni Town-planning Scheme 1/1946, comprising the same land as included in the township of Rynfield Extension 64 Township, Benoni.

Map 3 and the scheme clauses of the amendment scheme will be open for inspection during normal office hours at the office of the Area Manager: City Development Department, 6th Floor, Treasury Building, Elston Avenue, Benoni. This scheme will come into operation on the date of publication of this notice.

Khaya Ngema, City Manager, Ekurhuleni Metropolitan Municipality, 2nd Floor, Head Office Building, corner Cross and Rose Streets, Germiston, Private Bag X1069, Germiston, 1400

..... 2011

Notice No: CD4/2011

LOCAL AUTHORITY NOTICE 266**EKURHULENI METROPOLITAN MUNICIPALITY
KEMPTON PARK CUSTOMER CARE CENTRE****KEMPTON PARK AMENDMENT SCHEME 1903**

The Ekurhuleni Metropolitan Municipality (Kempton Park Customer Care Centre) hereby gives notice in terms of Section 57(1)(a) of the Town-planning and Townships Ordinance, 1986, (Ordinance 15 of 1986), that the application for the rezoning of Portion 37 of Erf 591 Croydon, from "Business 2" to "Business 2 subject thereto that the erf may only be used for the shops. Offices and guest room (maxim of 8 guest rooms) subject to certain conditions has been approved.

Map 3 and the scheme clauses of the amendment scheme will be open for inspection during normal office hours at the office of the Manager: City Development Kempton Park Customer Care Centre, 5th floor Civic Centre, corner of C R Swart Drive and Pretoria Road, Kempton Park and the Office of the Head of Department, Gauteng Provincial Government: Department of Economic Development 8th Floor, Corner House, 63 Fox Street, Johannesburg, 2000.

This amendment scheme is known as Kempton Park Amendment Scheme 1898 and shall come into operation on the date of the proclamation of this notice.

KHAYA NGEMA: CITY MANAGER:
EKURHULENI METROPOLITAN MUNICIPALITY
Private Bag X1069 Germiston 1400

NOTICE DP.9.2011 [15/2/7/K 1903]
