

**THE PROVINCE OF
GAUTENG**



**DIE PROVINSIE
GAUTENG**

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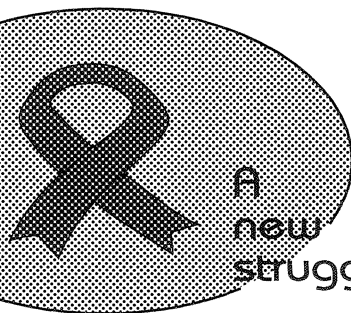
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No. 34

We all have the power to prevent AIDS

AIDS
affects
us all



A
new
struggle

**AIDS
HELPLINE**

0800 012 322

DEPARTMENT OF HEALTH

Prevention is the cure

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GENERAL NOTICE

NOTICE 363 OF 2013

STATEMENT OF THE CONDITIONS UNDER WHICH THE APPLICATION MADE BY MANUEL CORREIA BARRADAS (HEREINAFTER REFERRED TO AS THE APPLICANT/TOWNSHIP OWNER) UNDER THE PROVISIONS OF PARTS 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 268 (A PORTION OF PORTION 262) OF THE FARM PUTFONTEIN 26 I.R., HAS BEEN GRANTED.

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

GENERAL

- (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.

2. **CONDITIONS OF ESTABLISHMENT**

(1) **NAME**

The name of the township shall be MAYFIELD EXTENSION 30.

(2) **DESIGN**

The township shall consist of erven and streets as indicated on General Plan No: 3805/2011.

(3) **EXISTING CONDITIONS OF TITLE**

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

(4) **STORMWATER DRAINAGE AND STREET CONSTRUCTION:**

- (a) The township owner shall, on request by the Local Authority, submit for his approval a detailed scheme complete with plans, sections and specifications, prepared by a professional Engineer, who shall be a member of the South African Association of Consulting Engineers or SABTACO, for the collection and disposal of storm water throughout the township by means of properly constructed works and for the construction, surfacing, kerbing and channelling of the streets therein together with the provision of such retaining walls as may be considered necessary by the Local Authority. Furthermore, the scheme shall indicate the route and gradient by which each erf gains access to the street on which it abuts.

- (b) The township owner shall, when required to do so by the City Engineer, carry out the approved scheme at his/her own expense on behalf of and to the satisfaction of the City Engineer under the supervision of the appointed professional engineer and shall, for this purpose, provide financial guarantees to the Local Authority as determined by it.
- (c) The township owner shall be responsible for the maintenance for the streets and stormwater drainage system to the satisfaction of the City Engineer until the street and stormwater drainage system have been constructed as set out in Sub-clause (b) above.
- (d) Should the township owner failed to comply with the Local Authority provision of (a)(b) and (c) hereof they shall be entitled to do the work at the cost of the township owner.

(5) OBLIGATIONS IN REGARD TO ESSENTIAL SERVICES.

The township owner shall within such period as the Local Authority may determine, fulfil 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.

(6) 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 costs thereof shall be borne by the township owners. The township owners shall consult the Local Authority before any existing municipal service(s) need to be replaced or removed.

(7) 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 stormwater running off or being diverted from the roads to be received and disposed of.

(8) 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.

(9) **PRECAUTIONARY MEASURES**

The township owner shall at his own expense make arrangements with the local authority in order to ensure that the recommendations as laid down in the geological report of the township must be complied with and, when required, engineer certificates for the foundations of the structures must be submitted.

(10) **DEMOLITION OF BUILDINGS AND STRUCTURES**

The township owner shall at his 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, when required by the local authority to do so.

(11) **REMOVAL OF LITTER**

The township owner shall at his own expense cause all litter within the township area to be removed to the satisfaction of the local authority when required by the local authority to do so.

3. CONDITIONS OF TITLE

- (1) All 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, 1986.
- (a) The erven 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 and 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 structures 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) 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) 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.
- (3) 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.
- (4) The siting of buildings, including outbuildings, on the erf and entrances to and exists from the erf, to a public street system, shall be to the satisfaction of the Local Authority.
- (5) 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.
- (6) 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 road: 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.
- (7) A screen wall or walls shall be erected and maintained to the satisfaction of the Local Authority, as and when required by it.
- (8) If the erf is to be fenced, such fence and the maintenance thereof shall be to the satisfaction of the Local Authority.

- (9) The registered owner is responsible for the maintenance of the whole development of 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 to the cost of the registered owner.

4. **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**

Erven 10471 AND 10472 shall be subject to the following conditions:

- (a) The property and the buildings erected thereon or to be erected thereon, shall be used solely for "Special" for "Shops, Business Building, Offices, Professional Rooms, Places of Amusement/ Refreshment/ Instruction/ Public Worship, Social Halls, Funeral Parlour, Fish Monger, Fish Fryer, Dry Cleaner, Laundry, Bakery and Taxi Rand and any related but subservient uses". with a **maximum of 25100 m² Gross Leasable Space**.
- (b) The total coverage of buildings shall not exceed 60% of the property.
- (c) The height of buildings shall not exceed 3 storeys.
- (d) The floor area ratio shall not exceed 1.3.
- (e) Effective, paved parking spaces, together with the necessary manoeuvring area, shall be provided on the property, to the satisfaction of the Local Authority, by the following ratios:

Shops

- 6 parking spaces to 100m² gross leasable floor area.

Offices

- 2 parking spaces to 100m² gross leasable floor area.

Places of Public Worship

- 1 parking space per 6 seats.

- (f) Provision shall be made on the erf for the loading and off-loading of vehicles to the satisfaction of the local authority.

- (g) Buildings, including outbuildings, hereafter erected on the property, shall be located not less than 6m 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.
- (h) A Site Development Plan shall be submitted to the satisfaction of the Local Authority, for approval and such Site Development Plan shall be amended to the satisfaction of the Local Authority, prior to the submission and approval of any new building plans or development changes on the erf. No buildings shall be erected on the property, before such Site Development Plan has been approved by the Local Authority and the whole development on the property, shall be in accordance with the approved plan. Such a Site Development 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 entrances and exits to and from the property, to any existing or proposed public street.
 - (iii) Entrances to buildings and parking areas.
 - (iv) Building restriction areas (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) Open spaces, children's playgrounds, screen walls or other acceptable methods of screening and landscaping.
- (i) All matters, as required by the Ekurhuleni Roads, Transport and Civil Works Department.
- (j) A security control facility (which may include as guard house, stop sign, chain, boom or gate, irrespective of whether same is manned or automated) may be erected on the property for purposes of stopping and identifying vehicles and their occupants entering or leaving the township. 24 Hour access shall be available at all times for municipal and emergency services.
- (k) A detailed Fire protection plans and rational fire design shall be submitted for approval with the submission of building plans.
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