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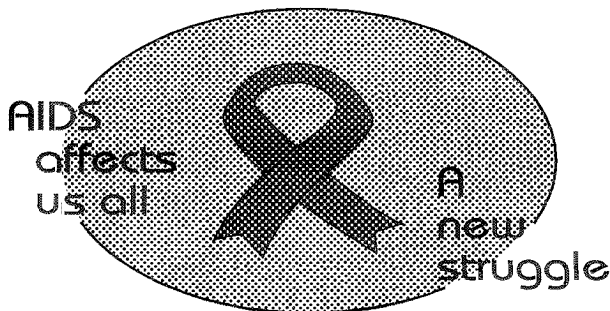
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DEPARTMENT OF HEALTH

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LOCAL AUTHORITY NOTICE

LOCAL AUTHORITY NOTICE 453

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

In terms of section 103 of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), the Ekurhuleni Metropolitan Municipality, Benoni Customer Care Centre hereby declares Norton Park Extension 28 township 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 JT GROUP DEVELOPMENT PROPRIETARY LIMITED (HEREAFTER REFERRED TO AS THE APPLICANT) UNDER THE PROVISIONS OF CHAPTER III PART C OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 15 OF 1986, FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 472 (A PORTION OF PORTION 30) OF THE FARM VLAKFONTEIN 30 IR, HAS BEEN GRANTED.

A. CONDITIONS OF ESTABLISHMENT.

- (1) **NAME.**
The name of the township shall be NORTON PARK EXTENSION 28.
- (2) **DESIGN.**
The township shall consist of erven and streets as indicated on general Plan S.G. No. 3289/2012.
- (3) **STORMWATER DRAINAGE AND STREET CONSTRUCTION.**
 - (a) The township owner shall, on request by the Local Authority, submit for his/her 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 stormwater 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 Local Authority, carry out the approved scheme at his/her own expense on behalf of and to the satisfaction of the Local Authority, under the supervision of the 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 of the streets and stormwater drainage system to the satisfaction of the Local Authority, until the streets and stormwater drainage system have been constructed as set out in sub-clause (b) above.
 - (d) Should the township owner fail to comply with the provisions of (a), (b) and (c) hereof, the Local Authority shall be entitled to do the work at the cost of the township owner.
- (4) **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.
- (5) **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 owner.

The township owner shall consult with the Local Authority before any existing municipal service(s) need to be replaced or removed.
- (6) **ENDOWMENT.**

The township owner shall, in terms of Sections 98(2) and (3) of the Town Planning and Townships Ordinance, 15 of 1986, pay a lump sum endowment to the Local Authority, for the provision of land for parks (Public Open Space).

- (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) **ACCESS.**
Ingress and egress to and from the township shall be to the satisfaction of the Executive Director: Municipal Infrastructure Department (Roads and Stormwater Planning) and Gautrans.
- (9) **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.
- (10) **DEMOLITION OF BUILDINGS AND STRUCTURES.**
The township owner shall at his/her own expense, cause all existing buildings and structures, situated within the building line reserves, side spaces or other common boundaries to be demolished, to the satisfaction of the Local Authority, when required to do so by the Local Authority.
- (11) **PRECAUTIONARY MEASURES.**
The township owner shall at his/her own expense, make arrangements with the Local Authority, in order to ensure that the recommendations as laid down in the Geological Report, prepared by SOILKRAFT CC dated 20 May 2004, are fully adhered to and complied with and when required to do so, engineering certificates for the foundations of the structures be submitted.
- (12) **REMOVAL OF LITTER.**
The township owner shall at his/her own expense, cause all litter within the township area to be removed, to the satisfaction of the Local Authority, when required to do so by the Local Authority.
- (13) **SPECIAL CONDITIONS.**
 - (a) The township owner shall ensure that a legal entity, albeit a Home Owners Association/Body Corporate, is established.
 - (b) The aforesaid Home Owners Association/Body Corporate shall, in addition to such other responsibilities as may be determined by the township owner, also be responsible for the maintenance of the intercom and access control relating to the property.
 - (c) The township owner shall ensure 24 hour unhindered access for maintenance purposes and emergency services (ie. water, electricity, Telkom, public safety, etc.).
 - (d) 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 the 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.
 - (e) The owner of the erf, or any subdivided portion thereof, or any person, who has an interest in therein, shall not be entitled to transfer the erf or any subdivided portion therein, without a Clearance Certificate from the Home Owners Association/Body Corporate that the articles of the legal entity, have been complied with.
 - (f) A copy of the legal entity and its constitution shall be submitted to the Local Authority (City Development Department), prior to the issuing of a Clearance Certificate for the transfer of any erven.
 - (g) 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 Local Authority, in writing.

- (h) The roads and stormwater infrastructure and landscaping of sidewalks will not be taken over by the Local Authority and the construction and cost thereof, shall be the responsibility of the township owner, where after the maintenance of these services and the pavements shall become the responsibility of the legal entity.
- (i) The private road servitude (if applicable) shall be the responsibility of the legal entity and the legal entity shall manage and maintain all common property, including the refuse collection areas.
- (j) In the event that the development of any erf within the township shall constitute a development within the ambit of the Sectional Titles Act, 95 of 1986, then and in such an event, the conditions contained herein and in conflict with the provisions of the Sectional Titles Act, 95 of 1986, shall be read as pro-non-scripto.

B. 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, 15 of 1986:
 - (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) 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 or other works, being made good by the Local Authority.
- (2) ERF 343
 - (a) The erf is subject to a servitude of right-of-way in favour of Erven 306 to 342 in the township over the entire erf to guarantee access to all erven to a public road as depicted on the general plan.
 - (b) The erf is subject to a servitude for municipal services in favour of the Local Authority as depicted on the general plan.
- (3) ERVEN 306 TO 342
 - (a) The erven is entitled to a right of way over entire Erf 343 to guarantee access to all erven to a public road as depicted on the general plan.

EKURHULENI METROPOLITAN MUNICIPALITY
(BENONI CUSTOMER CARE CENTRE)
BENONI TOWN PLANNING SCHEME 1/1947: AMENDMENT SCHEME 1/2313

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 the Benoni Town Planning Scheme 1/1947, comprising the same land as included in the township of NORTON PARK EXTENSION 28 Township.

Map 3 and the scheme clauses of the amendment scheme are available for inspection at all reasonable times at the offices of the Area Manager, City Development Department, Ekurhuleni Metropolitan Municipality (Benoni Customer Care Centre), 6th Floor, Treasury Building, Elston Avenue, Benoni.

This amendment is known as Benoni Amendment Scheme 1/2313.

Khaya Ngema: City Manager, Ekurhuleni Metropolitan Municipality, Private Bag X1069 Germiston 1400
Notice CD5/2013
