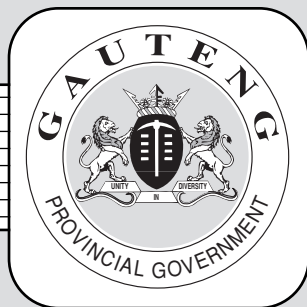


**THE PROVINCE OF
GAUTENG**



**DIE PROVINSIE
GAUTENG**

**Provincial Gazette Extraordinary
Buitengewone Provinsiale Koerant**

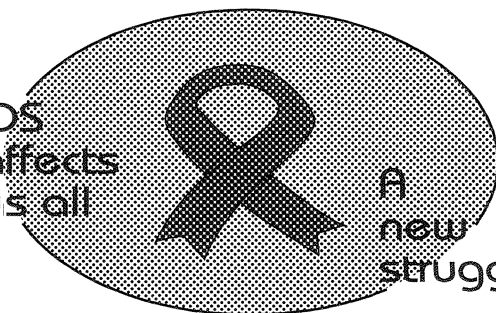
Vol. 20

PRETORIA, 8 SEPTEMBER 2014

No. 253

We all have the power to prevent AIDS

AIDS
affects
us all



A
new
struggle

Prevention is the cure

**AIDS
HELPLINE**

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DEPARTMENT OF HEALTH

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CONTENTS • INHOUD

<i>No.</i>		<i>Page No.</i>	<i>Gazette No.</i>
LOCAL AUTHORITY NOTICES			
1313	Town-planning and Townships Ordinance (15/1986): Ekurhuleni Metropolitan Municipality: Establishment of township: Cloverdene Extension 17	3	253
1314	do.: do.: Benoni Amendment Scheme 1/2330	8	253

LOCAL AUTHORITY NOTICES

LOCAL AUTHORITY NOTICE 1313

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 Cloverdene Extension 17 Township, to be an approved township, subject to the conditions as set out in the schedule hereto.

STATEMENT OF CONDITIONS UNDER WHICH THE APPLICATION MADE BY RYNFIELD DEVELOPMENTS PROPRIETARY LIMITED, REGISTRATION NUMBER 2006/024520/07 (HEREAFTER REFERRED TO AS THE APPLICANT) UNDER THE PROVISIONS OF CHAPTER III PART C OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 358 (A PORTION OF PORTION 357) VLAKFONTEIN 69-IR HAS BEEN GRANTED.

1. CONDITIONS OF ESTABLISHMENT.

(1) NAME.

The name of the township shall be Cloverdene Extension 17.

(2) DESIGN.

The township shall consist of the erven as indicated on the SG No. 3055/2012.

(3) EXISTING CONDITIONS OF TITLE.

All erven shall be made subject to the existing conditions of title and servitudes, if any, including the following servitude, which affects Erf 1590 only, namely;

Subject to a Servitude of Right of Way as indicated by the figures E r s E on General Plan SG number 3055/2012 as will more fully appear from Deed of Transfer T12985/1951.

(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 S.A.B.T.A.C.O., 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 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 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 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.

(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) 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.

(7) 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.

(8) ENDOWMENT

The township owner shall, in terms of Section 98(2) and (3) of the Town Planning and Townships Ordinance, 15 of 1986, pay a lump sum endowment of R80 000-00 to the Local Authority for the provision of land for parks (public open space).

(9) SPECIAL CONDITIONS

- (a) A Section 21 Company/Non-Profit Company/ Homeowners Association shall be established by and at the cost of the Developer / Owner.
- (b) The said Section 21 Company/ Non-Profit Company/ Homeowners Association shall be in addition to such other responsibilities as may be determined by the developer, also responsible for the maintenance of the intercom and access control relating to the property.
- (c) The township owner shall register a Right Of Way servitude over Erf 1590, for a general access purposes in favour Erven 1588 and 1589 as indicated on the proposed township layout 525/ts-02 dated 2007/08.
- (d) The township owner shall ensure that Erven 1588, 1589 and 1590 have 24 hours unhindered access for maintenance and emergency/ Council services (water, electricity, Telkom etc.).
- (e) Every owner of Erven 1588, 1589 and 1590 or any subdivided portion thereof, or any person who has an interest in therein shall become a Member of the Body Corporate and be subject to its constitution until he/she ceases to be an owner to 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 Body Corporate.
- (f) The owner of Erven 1588, 1589 and 1590, 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 or interest therein without a Clearance Certificate from the Homeowners Association that the Articles of the Homeowners Association have been complied with.
- (g) The roads and stormwater infrastructure and landscaping of sidewalks will not be taken over by the Municipality and the construction and cost thereof shall be the responsibility of the developer where after the maintenance of these services and the pavements shall be come the responsibility of the Body Corporate.
- (h) The Private Road shall be the responsibility of the Legal Entity and the Legal Entity shall manage and maintain all common property including the refuse collection areas.

- (i) The developer is required to incorporate the following in to the design of the township.
- i. Servitude of Right-of-Way: Only one access is proposed to the Traffic Report (Pg 19), this will require that servitude of right-of-way must be registered over the Erf 1590 in order to access the other erven over it, from single access on North road.
 - ii. Access to the Township: the access to the township should be a single consolidated access on North Road, located opposite the existing access to Portion 26 in the vicinity of the boundary between Portion 26 and Portion 27. The access should have two lanes inbound and two lanes out, Separated left and right turning lanes must be provided out of the access. The access gates must set back at least 18 meters from the edge of North Road. Lane widths should be at least 3.5 metres with a horizontal clearance between obstructions of not less than 4.5 metres, to accommodate a fire engine and other large vehicles.
 - iii. The internal road layout: must allow for the circulation and manoeuvring of the SU-9 design vehicle (the fire engine, refuse vehicle, pantechnicons, delivery trucks). These vehicles must be able to turn around inside the township, and exit the gates in forwards direction (i.e. the reversing of large vehicle out of the township in to North Road will not be acceptable). The design of the township streets must be in accordance with UTG 7, Geometric Design of Urban Local Residential Streets, par 3.1 on page 16, "The basic design vehicle for residential local streets is the passenger car, although design should allow for the passage and manoeuvring of larger vehicle such as pantechnocons, refuse disposal vehicle and fire fighting vehicle.
 - iv. Refuse collection: must be provided for either by means of a refuse area (yard) at the access gate, or by providing for kerb-side refuse removal within the township streets.
- (j) Sidewalk paving: no geometric upgrading of the external public roads will be required, however the developer will be required to pave the sidewalks of North Road alongside his development, at least 1,5 meters wide, using the standard pedestrian paving blocks a s used by the Benoni Roads Maintenance Depot (Mr Fanie Erasmus, telephone (011) 741-6324, or Callie van der Merwe at (011) 741-6280)
- (k) The Body Corporate shall indemnify the Municipality against any and all claims regarding:
- i. The maintenance and the provision of any roads and stormwater services in the development. (The provision of engineering services under paved areas is to be avoided);
 - ii. Any damage that may be caused by an emergency vehicle or any vehicle of the Municipality that is involved with the maintenance of services;
 - iii. Any damage and/or incidental damage to the water and sewer infrastructure (shall be for the account of the owner/ Body Corporate).
 - iv. The Developer / Owner shall be responsible for all road signs and markings in proposed development where after the Body Corporate shall be responsible for the maintenance thereof on the private road / "right-of-way" servitude area.

(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 oven common boundaries to be demolished to the satisfaction of the local authority when required by the Local Authority to do so.

(11) 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 are complied with and, when required, engineering certificates for the foundations of the structures are submitted.

(12) 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

2. CONDITIONS OF TITLE.

(1) Erven 1588, 1589 and 1590 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) 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 1590**

Erf 1590 shall be subject to a Servitude of Right of Way in favour of Erven 1588 and 1589 as indicated on the General plan.

(3) **ERF 1588 AND 1589**

Erven 1588 and 1589 will be entitled Servitude of Right of Way over 1590 as indicated on General Plan.

3. 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 storm water 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 storm water.

Provided that the owners of any higher-lying erven, the storm water 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 3).
- Erf 1588, 1589 and 1590 are 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; Provided that:

A security control facility (which may include a guard house, a stop sign, a chain, a 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.
 - (b) The height of buildings shall not exceed 2 storeys.
 - (c) The total coverage of buildings and carports shall not exceed 50% of the property.
 - (d) The floor area ratio shall not exceed 1.
 - (e) The maximum permissible density will be determined by a Council approved Site Development Plan.
 - (f) 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. A dwelling unit with two or less habitable rooms:

- a. 1 covered parking space per unit; and
 - b. 1 uncovered parking space for every 3 dwelling units in respect of visitor's parking.
- ii. A dwelling unit with three or more habitable rooms:
 - a. 1 covered parking space per unit,
 - b. 1 uncovered parking space per unit; and
 - c. 1 uncovered parking space for every 3 dwelling units in respect of visitor's parking.
- (g) Buildings, including outbuildings, hereafter erected on the property, shall be located not less than 5m from any public street boundary and 3m on private roads (5m for garages): 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, drawn to such a scale as may be approved by the Local Authority, shall be submitted to the Local Authority prior to the submission of 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 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 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. Parking layout and schedule.
 - vii. The elevational treatment of all buildings and structures.
 - viii. 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.
 - ix. Open spaces, children's playgrounds, screen walls or other acceptable methods of screening, and landscaping.

LOCAL AUTHORITY NOTICE 1314

EKURHULENI METROPOLITAN MUNICIPALITY (BENONI CUSTOMER CARE CENTRE) BENONI TOWN PLANNING SCHEME 1948: AMENDMENT SCHEME 1/2330

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 1948, comprising the same land as included in the township of CLOVERDENE EXTENSION 17 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, Ekurhuleni Metropolitan Municipality (Benoni Customer Care Centre), 6th Floor, c/o Tom Jones Street and Elston Avenue, Benoni.

This amendment is known as Benoni Amendment Scheme 1/2330 and shall come into operation on the date of this publication.

**Khaya Ngema: City Manager,
Ekurhuleni Metropolitan Municipality, Private Bag X1069 Germiston 1400**

CD/27/2014