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GAUTENG**



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**GENERAL NOTICES • ALGEMENE KENNISGEWINGS**

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**NOTICE 1176 OF 2016****LOCAL AUTHORITY NOTICE CD54/2016  
EKURHULENI METROPOLITAN MUNICIPALITY  
(BENONI CUSTOMER CARE AREA)  
DECLARATION AS AN APPROVED TOWNSHIP**

The Ekurhuleni Metropolitan Municipality, (Benoni Customer Care Area), in terms of the provisions of Section 103 of the Gauteng Town-planning and Townships Ordinance, 1986, read together with SPLUMA, hereby declares Cloverdene Extension 18 Township to be an approved township subject to the conditions set out in the schedule hereunder.

**SCHEDULE**

**STATEMENT OF THE CONDITIONS UNDER WHICH THE APPLICATION MADE BY PHARON RESOURCES PROPRIETARY LIMITED, Registration Number 2013/118040/70 (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 372 (A PORTION OF PORTION 364) OF THE FARM VLAKFONTEIN 69-IR IN ACCORDANCE WITH THE GENERAL PLAN FOR THE PROPOSED TOWNSHIP ESTABLISHMENT: CLOVERDENE EXTENSION 18 TOWNSHIP HAS BEEN GRANTED.**

**(A) CONDITIONS OF ESTABLISHMENT**

- (1) NAME**  
The name of the township shall be **CLOVERDENE EXTENSION 18**.
- (2) DESIGN**  
The township shall consist of erven and streets as indicated on a **General Plan no: 5264/2010**.
- (3) EXISTING CONDITIONS OF TITLE**  
All erven shall be made subject to existing conditions and servitudes.
- (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.
- (e) The township owner shall adhere to the requirements set by the Gauteng Department of Public Transport, Roads and Works in their letter dated 2009-03-09.
- (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) **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.
- (9) **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.
- (10) **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.
- (11) **SPECIAL CONDITIONS**
- (a) The township owner shall ensure that a legal body, albeit a Body Corporate, is established.
- (b) The aforesaid 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) 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.
- (e) 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.

- (f) 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.
- (g) 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, 1986.
  - (a) 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 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.

Khaya Ngema: City Manager  
Ekurhuleni Metropolitan Municipality: Private Bag X 1069, GERMISTON, 1400  
Notice: CD54/2016

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EKURHULENI METROPOLITAN MUNICIPALITY  
(BENONI CUSTOMER CARE AREA)  
EKURHULENI TOWN PLANNING SCHEME 2014: AMENDMENT SCHEME B0176

The Ekurhuleni Metropolitan Municipality (Benoni Customer Care Area) hereby, in terms of the provisions of Section 125(1) of the Town Planning and Townships Ordinance, 1986, read together with SPLUMA, declares that it has approved an amendment scheme, being an amendment of the Ekurhuleni Town Planning Scheme, 2014, comprising the same land as included in the township of **CLOVERDENE EXTENSION 18** township.

Map 3 and the scheme clauses of the amendment scheme are available for inspection at all reasonable times at the offices of the Head of Department, Department of Economic Development, Gauteng Provincial Government, Johannesburg as well as the Head of Department: City Planning, Ekurhuleni Metropolitan Municipality, Kempton Park and at the offices of the Area Manager: City Planning Department, Benoni Civic Centre.

This amendment is known as Benoni Amendment Scheme B0176 and shall come into operation on the date of this publication.

Khaya Ngema: City Manager  
Ekurhuleni Metropolitan Municipality: Private Bag X 1069, GERMISTON, 1400

Notice CD54/2016  
6 September 2016

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