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GAUTENG**



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**Prevention is the cure**

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DEPARTMENT OF HEALTH

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**LOCAL AUTHORITY NOTICES • PLAASLIKE OWERHEIDS KENNISGEWINGS**

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**LOCAL AUTHORITY NOTICE 1868 OF 2017****LOCAL AUTHORITY NOTICE CD71/2017  
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 City of Ekurhuleni Metropolitan Municipality, Benoni Customer Care Centre, read together with SPLUMA 2013, hereby declares CLOVERDENE EXTENSION 38 township to be an approved township subject to the conditions set out in the Schedule hereto.

**SCHEDULE**

CONDITIONS UNDER WHICH THE APPLICATION MADE BY SMITH & SEEGER INVESTMENT (HEREINAFTER REFERRED TO AS THE APPLICANT) UNDER THE PROVISIONS OF PART C OF CHAPTER III OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 365 (A PORTION OF PORTION 14) OF THE FARM VLAKFONTEIN 69-IR, HAS BEEN GRANTED.

**A. CONDITIONS OF ESTABLISHMENT.**

- (1) **NAME.**  
The name of the township shall be CLOVERDENE EXTENSION 38.
- (2) **DESIGN.**  
The township shall consist of erven and streets as indicated on the S.G. No. 4604/2010.
- (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) **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 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 for 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 to the Local Authority for the provision of land for parks (public open space).
- (9) **SPECIAL CONDITIONS**
- (a) The township owner shall ensure that a Body Corporate / Home Owners Association, is established.
  - (b) The said Body Corporate / Home Owners Association shall be in addition to such other responsibilities as may be determined by the developer, also be responsible for the maintenance of the intercom and access control.
  - (c) The township owner shall ensure that Erf 1602 and 1603 are registered in the name of the legal entity referred to in (a) above.
  - (d) The township owner shall at his own cost and within six months from the date of publication of the Section 103 notice, cause Erven 1602 & 1603 in the township to be consolidated.
  - (e) In the event that the development of any erf within the township shall constitute a development within the ambit of the Sectional Title Act, 1986 (Act 95 of 1986) then and in such event the conditions contained herein and in conflict with the provisions of the Sectional Title Act, 1986 shall be read as pro-non-scripto.
- (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) **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.

**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 two properties are subject to a servitude, 3m 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 3m 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 3m 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.
  - (d) The owner of the erf or any person, who has an interest therein, shall not be entitled to transfer the unit or any subdivided portion thereof or any interest therein without the Clearance Certificate from the Home Owners Association that the provisions of the Articles of Association of the Home Owners Association have been complied with.
  - (e) The term "Home Owners Association" in the aforesaid conditions of Title shall mean Crystal Park Extension 42 Home Owners Association (an Association incorporated in terms of Section 21 of the Companies act, 1973 (Act 61 of 1973), as amended.
- (2) All erven shall be made subject to the servitudes shown on the General Plan.

Dr Imogen Mashazi: City Manager, City of Ekurhuleni Metropolitan Municipality: Private Bag X1069 Germiston  
1400 Notice CD71/2017

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**NOTICE OF APPROVAL  
CITY OF EKURHULENI METROPOLITAN MUNICIPALITY  
EKURHULENI AMENDMENT SCHEME B0211.**

The City of Ekurhuleni Metropolitan Municipality hereby, in terms of the provisions of Section 125(1)(a) of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), read together with SPLUMA 2013, declares that it has approved an amendment of the Ekurhuleni Town Planning Scheme, 2014, comprising the same land as included in the township of CLOVERDENE EXTENSION 38.

The amendment scheme documents will lie for inspection during normal office hours at the offices of the Head of Department: City Planning, City of Ekurhuleni Metropolitan Municipality, and at the offices of the Area Manager: Benoni Civic Centre; as well as at the Gauteng Provincial Government, Office of the Premier, Gauteng Planning Division.

This amendment scheme is known as Ekurhuleni Amendment Scheme B0211 and shall come into operation from date of publication of this notice.

Dr Imogen Mashazi, City Manager, City of Ekurhuleni Metropolitan Municipality, Civic Centre, Cross Street,  
Germiston Notice No. CD71/2017





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