

***THE PROVINCE OF
GAUTENG***

***DIE PROVINSIE VAN
GAUTENG***

**Provincial Gazette
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LOCAL AUTHORITY NOTICES • PLAASLIKE OWERHEIDS KENNISGEWINGS

LOCAL AUTHORITY NOTICE 1901 OF 2019**LOCAL AUTHORITY NOTICE CD71/2019
CITY OF EKURHULENI METROPOLITAN MUNICIPALITY
PROPOSED TOWNSHIP: RYNFIELD EXTENSION 67 TOWNSHIP
DECLARATION AS AN APPROVED TOWNSHIP**

In terms of section 103(1) of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), read together with SPLUMA, 2013 the City of Ekurhuleni Metropolitan Municipality, Benoni Customer Area hereby declares RYNFIELD EXTENSION 67 township to be an approved township subject to the conditions set out in the Schedule hereto.

SCHEDULE

STATEMENT OF THE CONDITIONS UNDER WHICH THE APPLICATION MADE BY LENISEC PROPRIETARY LIMITED (HEREINAFTER REFERRED TO AS THE APPLICANT / TOWNSHIP OWNER) 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 412 (A PORTION OF PORTION 34) OF THE FARM VLAKFONTEIN 69 I.R., PROVINCE OF GAUTENG HAS BEEN GRANTED

1. CONDITIONS OF ESTABLISHMENT

- (a) **NAME**
The name of the township shall be Rynfield Extension 67.
- (b) **DESIGN**
The township shall consist of erven as indicated on General Plan No. 5088/2015.
- (c) **DISPOSAL OF EXISTING CONDITIONS OF TITLE**
All erven shall be made subject to existing conditions of title and servitudes, if any, but:
- (d) **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.
- (e) **REMOVAL OR REPLACEMENT OF MUNICIPAL SERVICES**
If, by reason of the establishment of the township, it should become necessary to remove or replace any existing municipal services, the cost thereof shall be borne by the township owner.
- (f) **OBLIGATIONS IN REGARD TO ESSENTIAL SERVICES**
The township owner shall fulfil their obligations in respect of the provision and installation of engineering services.
- (g) **STORMWATER DRAINAGE AND STREET CONSTRUCTION**
 - (i) 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.
 - (ii) 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.
- (iii) 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 (ii) above.
 - (iv) Should the township owner failed to comply with the Local Authority provision of (i), (ii) and (iii) hereof the Local Authority shall be entitled to do the work at the cost of the township owner.
- (h) **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 of or diverted from the roads to be received and disposed of.
- (i) **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.
- (j) **SPECIAL CONDITIONS**
- (1) A Section 21 Company/Body Corporate/Home Owner's Association (Legal Entity) shall be established by and at the cost of the Developer/Owner.
 - (2) The Legal Entity 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.
 - (3) The erven shall be consolidated prior to the proclamation of the township.
 - (4) Every owner 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 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 the Legal Entity to become a member of the legal entity.
 - (5) The owner, or any person, who has an interest therein, shall not be entitled to transfer the Erf/unit or any subdivided portion therein without a Clearance Certificate from the Legal Entity that the constitution of the Legal Entity have been complied with.
 - (6) The Township Owner must accept the conditions regarding the establishment of the 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.
 - (7) 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 owner, where after the maintenance of these services and the pavements shall become the responsibility of the Legal Entity.
 - (8) The Legal Entity shall manage and maintain all common property including the refuse collection areas.
 - (9) The legal entity shall indemnify the Local Authority 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 are to be avoided);
 - (ii) Any damage that may be caused by an emergency vehicle or any vehicle of the Local Authority 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/legal entity);
 - (iv) The Developer/Owner shall be responsible for all road signs and markings in proposed development whereafter the Legal Entity shall be responsible for the maintenance thereof.
 - (10) In the event that the development of any erf within the township shall constitute a development within the ambit of the Sectional Titles Act, 1986, (Act 95 of 1986), then and in such 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.

- (k) **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, engineer certificates for the foundations of the structures are submitted.
- (l) **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.
- (m) **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 provisions of land for parks (Public Open Space).
- (n) **PROVISION AND INSTALLATION OF SERVICES**
The applicant shall make the necessary arrangements with the Local Authority for the provision and installation/construction of the internal and external water, electricity, sewerage, roads and stormwater drainage engineering services in and for the township.
- (o) **CONSOLIDATION OF ERVEN**
The township owner shall at his own expense cause the following erven to be consolidated: Erven 4139 and 4140.

2. CONDITIONS OF TITLE

- (a) 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:
- (i) 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.
 - (ii) 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.
 - (iii) 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.
- (b) Erf 4139 is subject to a 3m x 6m servitude for electrical purposes in favour of the Local Authority as indicated on the General Plan.

Dr Imogen Mashazi: City Manager, City of Ekurhuleni Metropolitan Municipality, Civic Centre Cross Street, Germiston Notice CD71/2019

**NOTICE OF APPROVAL
CITY OF EKURHULEN METROPOLITAN MUNICIPALITY
EKURHULENI AMENDMENT SCHEME B0228**

The City of Ekurhuleni, Benoni Customer Area hereby, in terms of the provisions of Section 125(1) of the Town Planning and Townships Ordinance, 1986, read together with SPLUMA, 2013 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 RYNFIELD EXTENSION 67 Township.

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 Customer Care Area, as well as at the Gauteng Provincial Government, Office of the Premier, Gauteng Planning Division.

This amendment is known as Ekurhuleni Amendment Scheme B0228 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 CD71/2019