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PROCLAMATION • PROKLAMASIE

PROCLAMATION 9 OF 2020

LOCAL AUTHORITY NOTICE 04/2020

CITY OF EKURHULENI METROPOLITAN MUNICIPALITY
(BENONI CUSTOMER CARE AREA)
DECLARATION AS AN APPROVED TOWNSHIP

In terms of Section 103 of the Town Planning and Township Ordinance, 1986 (Ordinance 15 of 1986), read together with Section 44 of the City of Ekurhuleni Metropolitan Municipality Spatial Planning and Land Use Management By-laws, 2019, the City of Ekurhuleni Metropolitan Municipality (Benoni Customer Care Area) hereby declares **CLOVERDENE EXTENSION 14** 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 BUYFIXEL CC (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 329 (PORTION OF PORTION 20) OF THE FARM VLAKLFONTEIN 69-IR HAS BEEN GRANTED.

A. CONDITIONS OF ESTABLISHMENT.

(1) NAME.

The name of the township shall be **CLOVERDENE EXTENSION 14**.

(2) DESIGN.

The township shall consist of erven and streets as indicated on the S.G No: 493/2018.

(3) DISPOSAL OF EXISTING CONDITIONS OF TITLE.

All erven shall be made subject to existing conditions of title and servitudes, if any :

(i) Including the reservation of rights to minerals;

(ii) Excluding a Right-of-Way Servitude which affects Eleventh Road and Eighth Road only, as indicated by figure h-B-C-D-e-f-g-h Vide Diagram SG A 2606/1937.

(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 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 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/ Section 21 Company, is established.
- (b) The said Body Corporate/Section 21 Company 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 1550 is registered in the name of the legal entity referred to in (a) above.

- (d) 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, 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 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

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 Ordinance, 1986 (Ordinance 15 of 1986), read together with Spatial Planning and Land Use Management Act, 2013:
- (a) The property is subject to a servitude, 2 m 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 2 m wide across the access portion of the erf if and when required by the Local Authority : Provided that the Local Authority may dispense which 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 2 m 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 made good by the Local Authority.

Dr. Imogen Mashazi: City Manager,
City of Ekurhuleni Metropolitan Municipality, Private Bag X1069 Germiston, 1400

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LOCAL AUTHORITY NOTICE CD04/2020**CITY OF EKURHULENI METROPOLITAN MUNICIPALITY
(BENONI CUSTOMER CARE AREA)
EKURHULENI TOWN PLANNING SCHEME 2014:
AMENDMENT SCHEME B0610**

The City of Ekurhuleni Metropolitan Municipality hereby, in terms of the provisions of Section 125(1) of the Town Planning and Townships Ordinance, 1986, (Ordinance 15 of 1986), read together with Section 44 of the City of Ekurhuleni Metropolitan Municipality Spatial Planning and Land Use Management By-laws, 2019, the City of Ekurhuleni Metropolitan Municipality (Benoni Customer Care Area) hereby declares **CLOVERDENE EXTENSION 14** to be an approved township subject to the conditions set out in the schedule hereto.

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 B0610 and shall come into operation on the date of the publication of this notice.

Dr. Imogen Mashazi: City Manager,
City of Ekurhuleni Metropolitan Municipality, Private Bag X1069 Germiston, 1400

Notice No. CD04/2020

[15/3/2-A6/14]