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IMPORTANT NOTICE

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EKURHULENI METROPOLITAN MUNICIPALITY (BENONI CUSTOMER CARE CENTRE)

NOTICE OF BENONI AMENDMENT SCHEME 1/1995

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 (Ordinance 15 of 1986), declares that it has approved an amendment scheme, being an amendment of the Benoni Town-planning Scheme, 1/1947, comprising the same land as included in the township of The Stewards Extension 6 Township.

Map 3 and the scheme clauses of this amendment scheme are available for inspection at all reasonable times at the offices of the Head of Department, Department Development Planning and Local Government, Gauteng Provincial Government, Johannesburg, as well as the office of the Area Manager: Development Planning Ekurhuleni Metropolitan Municipality (Benoni Customer Care Centre), Treasury Building, Elston Avenue, 6th Floor, Benoni.

This amendment is known as Benoni Amendment Scheme, 1/1995 and shall come into operation on the date of of the date of this publication.

K. Ngema, City Manager, Ekurhuleni Metropolitan Municipality, 2nd Floor, Head Office Building, corner Cross and Rose Streets, Germiston, Private Bag X1069, GERMISTON, 1400

May 2010

Notice No: CD13/2010

LOCAL AUTHORITY NOTICE 715

LOCAL AUTHORITY NOTICE CD13/2010

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 No 15 of 1986), the Ekurhuleni Metropolitan Municipality (Benoni Customer Care Centre) hereby declares the township of The Stewards Extension 6 to be an approved township, subject to the conditions as set out in the Schedule hereto.

SCHEDULE

STATEMENT OF CONDITIONS UNDER WHICH THE APPLICATION MADE BY VIGASAT (PROPRIETARY) LIMITED (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 401 (A PORTION OF PORTION 31) OF THE FARM KLEINFONTEIN 67 I.R. HAS BEEN GRANTED.

A. CONDITIONS OF ESTABLISHMENT

1. **NAME**
The name of the township shall be The Stewards Extension 6.
2. **DESIGN**
The township shall consist of erven and streets as indicated on the General Plan No A4707/1992.
3. **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 stormwater throughout the township by means of properly constructed works and for the construction, surfacing, kerbing and channeling 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 Council shall be entitled to do the work at the cost of the township owner.

4. DISPOSAL OF EXISTING CONDITIONS OF TITLE

All erven shall be made subject to existing conditions and servitudes, if any, including the reservation of rights to minerals.

5. SPECIAL CONDITIONS

No ingress from and egress to Provincial Road K106 shall be allowed.

6. ACCEPTANCE AND DISPOSAL OF STORMWATER

The township owner shall arrange for the drainage of the township to fit in with that of Road K106 and for all stormwater running off or being diverted from the roads to be received and disposed.

- 7. The Department of Posts and Telecommunications reserves the right to lay telephone cables or erect overhead plant at any time and on any of the stands in question should it become necessary.

CONDITIONS OF TITLE

- 1. All erven shall be subject to the following conditions imposed by the Council in terms of the provisions of the Town Planning and Townships Ordinance, 15 of 1986.

- (a) The erf is subject to a servitude, 2m wide, in favour of the Council, 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 engineering services, 2m wide across the access portion of the erf if and when required by the Council : Provided that the Council 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) The Council 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 Council.

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 Council, 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 therefrom;
 - (ii) sink any wells or boreholes thereon or abstract any subterranean water therefrom; 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 Council, 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.

- (c) 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.
- (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 Council 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 Council.
- (h) The registered owner is responsible for the maintenance of the whole development on the erf. If the Council is of the opinion that the erf or any portion of the development, is not being satisfactorily maintained, the Council shall be entitled to undertake such maintenance at the cost of the registered owner.

2. SPECIAL FOR INDUSTRIAL 2

The erven are subject to the following conditions:

- (a) The erf and the buildings erected thereon or to be erected thereon, shall be used solely for industrial buildings of all classes, business premises, shops, public parking garages and with the consent of the Council for any other use except dwelling units and residential buildings.
- (b) The height of the building may not exceed 4 storeys or 15,24m.
- (c) The total coverage of buildings shall not exceed 70% of the erven created within the township.
- (d) 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) Industries
1 parking space to 100m² gross leasable industrial floor area.
 - (ii) Offices and warehouses
2 parking spaces to 100m² gross leasable office floor or warehouse floor area.
- (e) Buildings, including outbuildings, hereafter erected on the property, shall be located not less than 6m from any street boundary and not less than 2m from any other boundary.
- (f) 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 any 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 approval 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 area and, where required by the Local Authority, vehicular and pedestrian traffic systems.
 - (vi) The elevational treatment of all buildings and structures.
 - (vii) 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.
 - (viii) Open spaces, children's playgrounds, screen walls or other acceptable methods of screening, and landscaping.

3. ERVEN SUBJECT TO SPECIAL CONDITIONS

In addition to the relevant conditions set out above, the under mentioned erven shall be subject to the following conditions:

Erven 190 and 191

- (i) The registered owner of the erf shall erect a physical barrier consisting of a 1.3 metre high wire fence, or a fence of such other material as may be approved by the Local Authority in accordance with the most recent standards of the Provincial Roads Department before or during development of the erf along all points where no access is permitted to the satisfaction of the Council and shall maintain such fence to the satisfaction of the Council.
- (ii) Except for the physical barrier referred to in clause (i) above, a swimming bath or any essential stormwater drainage structure, no building, structure or any other thing which is attached to the land, even though it does not form part of that land, shall be erected nor shall anything be constructed or laid under or below the surface of the erf within a distance less than 16m from the boundary of the erven abutting on Road K106 or K155 nor shall any alterations or addition to any existing structure or building situated within such distance of the said boundary be made except with the consent in writing of the Director, Provincial Roads Department.
- (iii) Access to and egress from the erven shall be to the satisfaction of the Council.

K.Ngema, City Manager, Ekurhuleni Metropolitan Municipality, 2nd Floor, Head Office Building, corner Cross and Rose Streets, Germiston, Private Bag X1069, GERMISTON, 1400

May 2010

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