

**THE PROVINCE OF
GAUTENG**



**DIE PROVINSIE
GAUTENG**

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LOCAL AUTHORITY NOTICES

LOCAL AUTHORITY NOTICE 323 EKURHULENI METROPOLITAN MUNICIPALITY (BENONI CUSTOMER CARE AREA) Declaration as an approved township

In terms of Section 103(1) of the town-planning and Townships Ordinance, 1986 (Ordinance No 15 of 1986) the Ekurhuleni Metropolitan Municipality (Benoni Customer Care Area) hereby declares Rynfield Extension 113 Township, to be an approved township, subject to the conditions as set out in the schedule hereto

SCHEDULE

STATEMENT OF THE CONDITIONS UNDER WHICH THE APPLICATION, MADE BY CLJ DEVELOPMENT 101 CC REGISTRATION NUMBER 2002/098081/23, (HEREAFTER REFERRED TO AS THE DEVELOPER) UNDER THE PROVISIONS OF SECTION C OF CHAPTER 3 OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE 1986, (ORDINANCE 15 OF 1986) FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 338, (A PORTION OF PORTION 335) OF THE FARM VLAKFONTEIN 69 I.R., REGISTRATION DIVISION IR, PROVINCE OF GAUTENG, HAS BEEN GRANTED

A. CONDITIONS OF ESTABLISHMENT

(1) **NAME**

The name of the township shall be RYNFIELD EXTENSION 113.

(2) **DESIGN**

The township shall consist of erven and streets as indicated on the approved General Plan S.G. No.4742/2008.

(3) **STORMWATER DRAINAGE AND STREET CONSTRUCTION.**

- (a) The township owner shall, on request by the Local Authority, submit for his/her approval a detailed scheme complete with plans, section 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 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.
- (e) The township owner shall ensure that all conditions and recommendations, as stipulated in the letter by the Gauteng Department of Public Transport, Roads and Works (GAUTRANS) dated 16 February 2007, are adhered to.

(4) **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.

(5) **REMOVAL OR REPLACEMENT OF MUNICIPAL SERVICES.**

If, by reason of the establishment of the township, it becomes necessary to remove or replace any existing municipal services, the costs thereof shall be borne by the township owner.

The township owner shall consult with the Local Authority before any existing municipal service(s) need to be replaced or removed.

(6) **ENDOWMENT**

The township owner shall, in terms of Sections 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).

(7) **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.

The township owner shall ensure that all conditions and recommendations, as stipulated in the letter by the Gauteng Department of Public Transport, Roads and Works (GAUTRANS) dated 16 February 2007, are adhered to.

(8) **ACCESS**

Ingress and egress to and from township shall be to the satisfaction of the Executive Director: Roads, Transport and Civil Works Department.

The recommendations as prescribed in the Traffic Impact Study, prepared by VDM Consulting Engineers dated July 2007, must be fully complied with by the township owner, in consultation with the Executive Director: Roads, Transport and Civil Works Department.

(9) **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.

(10) **DEMOLITION OF BUILDINGS AND STRUCTURES.**

The township owner shall at his/her own expense, cause all existing building and structures situated within the building line reserves, side spaces or other 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/her own expense, make arrangements with the Local Authority, in order to ensure that the recommendations as laid down in the Geological Report, prepared by M J van der Walt Engineer Geologist cc dated September 2006, are

fully complied with and when required to do so, engineering certificates for the foundations of the structures be submitted.

(12) REMOVAL OF LITTER.

The township owner shall at his/her 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.

(13) SPECIAL CONDITIONS

- (a) The township owner shall ensure that a legal entity is established.
- (b) The aforesaid legal entity 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 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) Every owner of the erf, or any subdivided portion thereof, 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 the aforesaid. Neither the erf, nor any subdivided portion thereof, nor any interest therein shall be transferred to any person who has bound himself/herself to the satisfaction of such Association, to become a member of the legal entity.
- (e) The owner of the erf, or any subdivided portion thereof, or any person, who has an interest in therein, shall not be entitled to transfer the erf or any subdivided portion therein, without a Clearance Certificate from the legal entity that the articles of the legal entity, have been complied with.
- (f) A copy of the legal entity and its constitution shall be submitted to the Local Authority (City Development Department), prior to the issuing of a Clearance Certificate for the transfer of any erven.
- (g) The Township Owner must accept the conditions regarding the establishment of a legal entity, in writing. The written acceptance shall include an undertaking that all buyers will be notified of all the conditions stipulated by the Local Authority, in writing.
- (h) 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.
- (i) 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.
- (j) In 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.
- (k) A 7.5m building line shall be applicable along the southern boundary of the property (shared boundary with Badenlaird Village)
- (l) Only 2 storey buildings shall be permitted along the southern boundary of the property (shared boundary with Badenlaird Village).

(14) CONDITIONS TO BE COMPLIED WITH PRIOR TO REGISTRATION OF THE ERVEN

The applicant shall, at his/her own costs, cause the cut off portion of the property (proposed Remainder of Holding 183), which is left over for the future Provincial Road K109, to be divided from the developable portion of the property (proposed Rynfield Extension 113 Township).

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 Township Ordinance, 1986:
 - (a) The property is subject to a servitude, 2,00m 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, 2,00m 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 2,00m 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 construction, maintenance or removal of such sewerage mains and other works, being made good by the Local Authority.

C. CONDITIONS TO BE INCORPORATED IN THE TOWN PLANNING SCHEME, IN TERMS OF SECTION 125 OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 15 OF 1986, IN ADDITION TO THE PROVISIONS OF THE TOWN PLANNING SCHEME IN OPERATION**(1.1) GENERAL CONDITIONS**

- (a) 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 purposes whatsoever, any bricks, tiles or earthenware pipes or other articles or a like nature.
- (b) 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 storm water.

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 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 exits 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 Local Authority 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 Local Authority.
- (h) The registered owner is responsible for the maintenance of the whole development on 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 at the cost of the registered owner.

(1.2) " SPECIAL " FOR RESIDENTIAL 3.

Erf 4024 shall be subject to the following conditions:-

- (a) The property and the buildings erected thereon or to be erected thereon, shall be used solely for the purposes of dwelling units.
- (b) The total coverage of buildings shall not exceed 50% of the property.
- (c) The height of buildings shall not exceed 3 storeys (except along the southern boundary of the property [shared boundary with Badenlaird Village], where only 2 storeys shall be permitted).
- (d) The floor area ratio shall not exceed 1.0.
- (e) The density for the entire development shall be in accordance with the approved Site Development Plan.
- (f) 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) 1 covered parking space per dwelling unit with 3 habitable rooms or less
 - (ii) 1 covered and 1 uncovered parking space per dwelling unit with 4 habitable rooms and more.
 - (iii) 1 uncovered parking space per every 3 dwelling units for visitors parking.
- (g) Buildings, including outbuildings, hereafter erected on the property, shall be located not less than 5m from any public street boundary or private road (5m for garages) and 3m along all other property boundaries, except along the southern boundary where the building line shall be not less than 7.5m: Provided that the Local Authority may relax this restriction, if it would in its opinion, result in an improvement in the development of the

property

- (h) A Site Development Plan shall be submitted to the satisfaction of the Local Authority, for approval and such Site Development plan shall be amended to the satisfaction of the Local Authority, prior to the submission and approval of any new building plans or development changes on the erf.

No building shall be erected on the property, before such Site Development Plan has been approved by the Local Authority and the whole development on the property, shall be in accordance with the approved plan. Such a Site Development Plan shall show at least the following:

- (i) The sitting, height, coverage and where applicable, the floor area ratio of all buildings and structures.
- (ii) Vehicular entrances and exits to and from the property, to any existing or proposed public street.
- (iii) Entrances to buildings and parking areas.
- (iv) Building restriction areas (if any)
- (v) Parking areas and where required by the Local Authority, vehicular and pedestrian traffic systems.
- (vi) The elevation treatment of all buildings and structures.
- (vii) 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.
- (ix) All matters, as required by the Ekurhleni Roads, Transport and Civil Works Department.

(1.3) "SPECIAL" FOR A GUARD HOUSE.

Erf 4025 shall be subject to the following conditions:

- (a) The property and the buildings erected thereon or to be erected thereon, shall be used solely for the purposes of a guard house.
- (b) The total coverage of buildings shall not exceed 40% of the property.
- (c) The height of buildings shall not exceed 1 storey.
- (d) Floor Area ration Shall not exceed 0.4.
- (e) The layout of the erf shall be in accordance with the approved Site Development Plan.
- (f) The township owner shall register the erf in the name of an association, incorporated in terms of Section 21 of the Companies Act, 61 of 1973 and every present or future owner of the erf in the township shall be a member of such association, by virtue of such ownership.
- (g) A Site Development Plan shall be submitted to the satisfaction of the Local Authority, for approval and such Site Development Plan shall be amended to the satisfaction of the Local Authority, prior to the submission and approval of any new building plans or development changes on the erf. No buildings shall be erected on the property, before

such Site Development Plan has been approved by the Local Authority and the whole development on the property, shall be in accordance with the approved 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 areas and, where required by the Local Authority, vehicular and pedestrian traffic systems.
- (vi) The elevation treatment of all buildings and structures.
- (vii) 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.
- (ix) All matters, as required by the Ekurhuleni Roads, Transport and Civil Works Department.
- (x) A security control facility (which may include a guard house, stop sign, chain, boom or gate, irrespective of whether same is manned or automated) may be erected on the property for purposes of stopping and identifying vehicles and their occupants entering or leaving the township. 24 hour access shall be available at all times for municipal and emergency services.
- (xi) Should such facility conflict with any services of the Local Authority, Eskom or Telkom within the aforesaid servitude area, the Local Authority shall have the sole discretion to inform the association, by registered letter, that the security control facility has been discontinued, where upon the facility shall be removed by the association, at its own costs.

LOCAL AUTHORITY NOTICE 324

EKURHULENI METROPOLITAN MUNICIPALITY EKURHULENI TOWN PLANNING SCHEME, 2014

NOTICE OF BENONI AMENDMENT SCHEME No. B0032

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, declares that it has approved an amendment scheme, being an amendment of the Benoni Town Planning Scheme, 2014, comprising the same land as included in the township of Rynfield Extension 113.

Map 3 and scheme clauses of the amendment scheme are available for inspection at all reasonable times of the office of the Area Manager: City Development, Ekurhuleni Metropolitan Municipality (Benoni Customer Care Centre), Treasury Building, Corner Tom Jones Street and Elston Avenue, Benoni

This amendment is known as Benoni Amendment Scheme B0032 and shall come into operation on the date of this publication.

KHAYA NGEMA, City Manager, Ekurhuleni Metropolitan Municipality, 2nd Floor, Head Office Building, corner Cross & Rose Streets, Germiston, Private Bag X1069, Germiston, 1400

**NOTICE NO CD02/2015
DATE: 19TH February 2015**

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