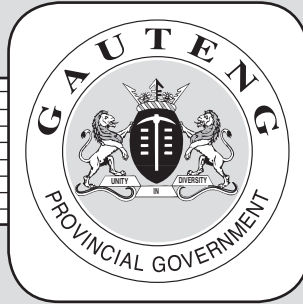


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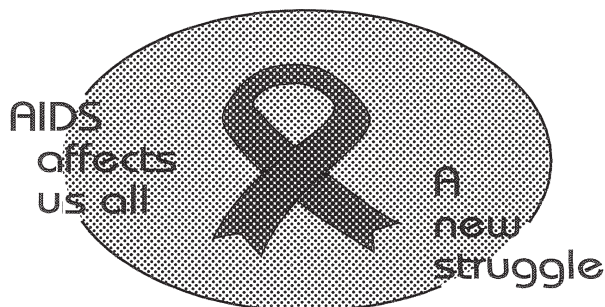
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Vol. 21

PRETORIA, 9 SEPTEMBER 2015

**No. 399**

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# IMPORTANT

## Information

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Please take note of these guidelines when completing your form.



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You are therefore advised that effective from **Monday, 18 May 2015** should you not comply with our new rules of engagement, all notice requests will be rejected by our new system.

Furthermore, the fax number **012- 748 6030** will also be **discontinued** from this date and customers will only be able to submit notice requests through the email address [submit.egazette@gpw.gov.za](mailto:submit.egazette@gpw.gov.za).

**DISCLAIMER:**

Government Printing Works reserves the right to apply the 25% discount to all Legal and Liquor notices that comply with the business rules for notice submissions for publication in gazettes.

National, Provincial, Road Carrier Permits and Tender notices will pay the price as published in the Government Gazettes.

For any information, please contact the eGazette Contact Centre on 012-748 6200 or email [info.egazette@gpw.gov.za](mailto:info.egazette@gpw.gov.za)

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**LOCAL AUTHORITY NOTICES • PLAASLIKE OWERHEIDS KENNISGEWINGS**

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**LOCAL AUTHORITY NOTICE 1573 OF 2015**

EKURHULENI METROPOLITAN MUNICIPALITY  
EKURHULENI TOWN PLANNING SCHEME 2014  
EKURHULENI AMENDMENT SCHEME B0059

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 Ekurhuleni Town Planning Scheme 2014, comprising the same land as included in the township of BRENTWOOD EXTENSION 45 Township.

The amendment scheme documents will lie for inspection during normal office hours at the offices of the Head of Department: City Planning, Ekurhuleni Metropolitan Municipality, and at the offices of the Acting Area Manager: Mr Sibusiso Mbodi, 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 B0059 and shall come into operation from date of publication of this notice.

Khaya Ngema, City Manager  
2<sup>nd</sup> Floor, Head Office Building, Cnr Cross & Roses Streets, Germiston  
Notice No. CD31/2015

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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 Ekurhuleni Metropolitan Municipality, Benoni Customer Care Centre hereby declares BRENTWOOD EXTENSION 45 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 BUFFSHELF 81 TRUST (HEREINAFTER REFERRED TO AS THE APPLICANT / TOWNSHIP OWNER) UNDER THE PROVISIONS OF PARTS A AND C OF CHAPTER 3 OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 497 OF THE FARM VLAKFONTEIN 30 I.R., HAS BEEN GRANTED

**A. CONDITIONS OF ESTABLISHMENT****(1) NAME**

The name of the township shall be BRENTWOOD EXTENSION 45.

**(2) DESIGN**

The township shall consist of erven and streets as indicated on the approved S.G. No. 3435/2014.

(3) EXISTING CONDITIONS OF TITLE

All erven shall be made subject to existing conditions and servitudes.

(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 stormwater 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 provision 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) 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.

(7) 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).

(8) 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.

(9) ACCESS

Ingress and egress to and from the township shall be to the satisfaction of the Head of Department: Roads and Stormwater Planning.

(10) 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.

(11) DEMOLITION OF BUILDINGS AND STRUCTURES

The township owners shall at his own expense, cause all existing buildings 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 to do so by the local authority.

## (12) REMOVAL OF LITTER

The township owners 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) 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 AFRICA EXPOSED CONSULTING ENGINEERING GEOLOGISTS CC dated April 2012, are fully complied with and when required to do so, engineering certificates for the foundations of the structures be submitted.

## (14) SPECIAL CONDITIONS

- (a) The township owner shall ensure that a legal entity, albeit a Home Owners Association, is established.
- (b) The aforesaid Home Owners Association 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 to the property.
- (c) The township owner shall ensure 24 hour unhindered access for maintenance purposes and emergency services (i.e. 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 not 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 therein, shall not be entitled to transfer the erf or any subdivided portion therein, without a Clearance Certificate from the Home Owners Association 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 Planning 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. This 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 responsibly of the legal entity and the legal entity shall manage and maintain all common property, including the refuse collection areas.
- (j) In the 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.

## B. CONDITIONS OF TITLE

## (1) CONDITIONS OF TITLE IMPOSED IN TERMS OF THE PROVISIONS OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986)

## 1.1 ALL ERVEN

- (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, 1986.
  - (a) The erf is subject to a servitude, 2m wide, in favour of the local authority, for sewerage and other municipal purposes, along any other boundary 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.

- (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 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.

1.2 ERF 803

The erf shall be subject to a right in favour of Erf 804 as indicated on General Plan S.G. 3435/2014.

1.3 ERF 804

The erf is entitled to a right of way access servitude over Erf 803 Brentwood Extension 45 as indicated on General Plan S.G. 3435/2014.

(2) CONDITIONS OF TITLE IN FAVOUR OF THIRD PARTIES TO BE REGISTERED / CREATED ON FIRST REGISTRATION OF THE ERVEN CONCERNED

No erf in the township may be transferred unless the following requirements have been complied with and the following conditions and servitudes are registered:

- (a) Every owner of the property or of any subdivided portion thereof or any person who has an interest therein shall become and shall remain a member of the Property Owners Association and be subject to its constitution until he/she ceases to be an owner of the aforesaid. Neither the property 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 such Association to become a member of the Property Owner's Association.
- (b) The owner of the property or of any subdivided portion thereof or any person who has an interest therein, shall not be entitled to transfer the property or any subdivided portion thereof or any interest therein without the Clearance Certificate from the Property Owners Association that the provisions of the Property Owners Association have been complied with.

Khaya Ngema: City Manager,  
Ekurhuleni Metropolitan Municipality: Private Bag X1069 Germiston 1400  
Notice CD31/2015

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