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GENERAL NOTICES • ALGEMENE KENNISGEWINGS

NOTICE 731 OF 2020**CITY OF EKURHULENI METROPOLITAN MUNICIPALITY
(EDENVALE CUSTOMER CARE CENTRE)****DECLARATION AS APPROVED TOWNSHIP**

In terms of Section 98(1) of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), the City of Ekurhuleni Metropolitan Municipality (Edenvale Customer Care Centre) hereby declares **St Andrews Extension 14**, situated on **PORTION 15(A PORTION OF PORTION 1) of the FARM BEDFORD NO. 62-I.R.** 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 TRACO INVESTMENTS (PTY) LTD, REGISTRATION NUMBER 1997/013232/07 UNDER THE PROVISIONS OF CHAPTER 3 OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 15 OF 1986, FOR PERMISSION TO ESTABLISH A TOWNSHIP ON A PORTION 15 (A PORTION OF PORTION 1) OF THE FARM BEDFORD 62 IR, GAUTENG PROVINCE (TO BE KNOWN AS St ANDREWS EXTENSION 14), HAS BEEN GRANTED:

1. CONDITIONS OF THE ESTABLISHMENT**1.1. NAME**

1.1.1. The name of the Township shall be: "St Andrews Extension 14"

1.2. DESIGN

1.2.1. The Township shall consist of erven and streets as indicated on General Plan S.G No. 117/2014.

1.3. ENDOWMENT

1.3.1. The township owner shall, in terms of the provisions of Section 98(2) of the Town Planning and Townships Ordinance, 15 of 1986 (as amended), and Regulation 44 of the Town Planning and Townships Regulations, pay a contribution to the City Council for the provision of land for a park (Public Open Space). Such amount shall be determined as prescribed in the above-mentioned Regulations.

1.4. DISPOSAL OF EXISTING CONDITIONS OF TITLE

1.4.1. All erven shall be made subject to existing conditions and servitudes, excluding the following:

1.4.1.1. Condition 3 and condition 5 in Deed of Transfer T32733/2014 which do not affect the erven in the township due to its location. The respective conditions read as follows:

"3. By Notarial Deed K382/1963S the right has been granted to City Council of Johannesburg to convey electricity over the property together with ancillary rights and subject to conditions as will more fully appear from the said Notarial Deed."

And

"5. By Notarial Deed K5775/2002S the property is subject to a servitude in perpetuity to convey and transfer water by means of pipelines already laid and which may hereafter be laid along a strip of ground 1076 square metres in extent as depicted by figure ABCDEFGHJA on servitude diagram SG 9090/1999 as will more fully appear from the reference to the said Notarial Deed."

1.4.1.2. Condition 6 which only affects erf 234 and reads as follows:

"6. By Notarial Deed of Servitude No. K 1234/2010 dated 3 February 2010 the within mentioned property is subject to a perpetual servitude of right of way measuring 86 (Eighty Six) square metres over the property as depicted by the letters ABCA on Servitude Diagram SG No. 7091/2009 in favour of The Saints Homeowners Association No. 2005/023978/2008 as will more fully appear from the said Notarial Deed."

- 1.4.2. The township owner shall attend to a partial cancellation of Deed of Servitude K1133/1976S which shall be registered simultaneously transfer of erven 231, 232, 234 and/or 235 from the township owner to the satisfaction of the City Council.
- 1.5. REMOVAL OF LITTER
- 1.5.1. The township owner shall at his own expense cause all litter within the township area to be removed to the satisfaction of the City Council.
- 1.6. ACCESS
- 1.6.1. No ingress from Clarke Avenue to the township and no egress to Clarke Avenue shall be allowed from the township.
- 1.6.2. Access to the township shall be to the satisfaction of the City Council.
- 1.7. ACCEPTANCE AND DISPOSAL OF STORMWATER
- 1.7.1. The township owner shall arrange for the drainage of the township to fit in with that of Johnson Road and Clarke Avenue and for all the stormwater running off or being diverted from the road to be received and disposed of.
- 1.8. REMOVAL OR REPLACEMENT OF MUNICIPAL SERVICES
- 1.8.1. If, for some reason due to 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.
- 1.8.2. All municipal services that cross the common boundaries between the erven shall be removed and relocated by, and at the cost of the township owner, as and when required by the City Council.
- 1.9. REPOSITIONING OF CIRCUITS
- 1.9.1. If, for some reason due to the establishment of the townships, it should become necessary to reposition any existing circuits of the Electricity Supply Commission (ESKOM), the cost thereof shall be borne by the township owner.
- 1.10. DEMOLITION OF BUILDINGS OR STRUCTURES
- 1.10.1. The township owner shall at his own expense cause all existing buildings and structures situated within the building line reserves, side spaces, road reserves, or over the common boundaries to be demolished to the satisfaction of the City Council.
- 1.10.2. The township owner shall at his own expense cause all buildings on the erf that are not to be demolished to comply with the Bedfordview Town Planning Scheme, 995, as well as the National Building Regulations, to the satisfaction of the City Council. The township owner shall at his own expense cause all buildings which do not conform to either the Town Planning Scheme or the National Building Regulations to be demolished to the satisfaction of the City Council.
- 1.10.3. The township owner shall at his own expense draw up and submit acceptable building plans to the City Council, for approval in terms of the provisions of the National Building Regulations, for all buildings on the erf for which no building plans have been approved by the City Council. The township owner shall at his own expense alter the buildings to comply with the approved building plans to the satisfaction of the City Council.
- 1.11. ENGINEERING SERVICES
- 1.11.1. The township owner is responsible for making the necessary arrangements for the provision of all engineering services.
- 1.11.2. The township owner is responsible for making the necessary arrangements for the provision of all engineering services including a sewer extension at the cost of the owner and the payment of External Services Contributions in terms of the provisions of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986).

- 1.11.3. All existing municipal services on the erven within the township shall be protected by means of suitable servitudes to the satisfaction of the City Council, registered in favour of the City Council, as and when required by the City Council, by the owner at his own expense.
- 1.12. FORMATION AND DUTIES OF THE HOME OWNERS ASSOCIATION TO BE CONSTITUTED PRIOR TO OR UPON PROCLAMATION OF THE TOWNSHIP
- 1.12.1. The township owner shall, at his own expense, properly and legally constitute a Home Owners Association (to be incorporated as a Non-profit Company (NPC)), for all erven in the township prior to, or simultaneously with the sale of the first erf.
- 1.12.2. Each and every owner of a residential erf shall become a member of the Home Owners Association upon the transfer of that erf.
- 1.12.3. The Home Owners Association shall be fully responsible for the functioning and proper maintenance of the Right-of-Way servitude, as well as the essential services (excluding the sewerage reticulation), contained therein, to the satisfaction of the City Council.
- 1.12.4. The Home Owners Association shall have the legal power to levy from each and every member of the home owners association, the costs incurred in fulfilling its functions, and shall have legal recourse to recover such fees in the event of a default in the payment by any member.
- 1.12.5. The construction and maintenance of the roadway within the Right-of-Way servitude shall be the responsibility of the township owner until such time that the Right-of-Way servitude is registered in favour of the Home Owners Association.

2. CONDITIONS OF TITLE

2.1. CONDITIONS OF TITLE IMPOSED IN TERMS OF THE PROVISIONS OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986):

2.1.1. All erven:

2.1.1.1. The erf is subject to a servitude, 2 m wide, in favour of the City Council, for sewerage and other municipal purposes, along any two boundaries of the erf other than a street boundary, and in the case erf, an additional servitude for municipal purposes 2 m wide across the access portion of the erf, if and when required by City Council: Provided that the City Council may dispense with any such servitude.

2.1.1.2. 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 therefrom.

2.1.1.3. The City Council shall be entitled to temporarily deposit 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 City Council.

2.1.2. Erven subject to special conditions:

In addition to the relevant conditions set out in paragraphs 3.1.1.1, 3.1.1.2 and 3.1.1.3 above, the under mentioned erven shall be subject to the conditions as indicated:

2.1.2.1. Erven 233, 234,235, 236 & 237:

The erven are subject to a right of way servitude and a servitude in favour of the City Council for municipal purposes as indicated on the General Plan S.G. No. 117/2014.

2.1.2.2. Erven 231, 232 & 234:

The erven are subject to a 2 meter wide electrical cable servitude in favour of the City Council, as indicated on the General Plan S.G. No. 117/2014.

2.1.2.3. Erf 232:

The erf is subject to 2 meter wide stormwater servitude in favour of the City Council, as indicated on the General Plan S.G. No. 117/2014.

2.1.2.4. Erf 233:

The erf is subject to a 2 meter wide sewer servitude in favour of the City Council, as indicated on the General Plan 5.G. No. 117/2014.

2.1.2.5. Erven 234, 235, 236 & 237:

The erven are subject to a 2.5 meter wide sewer and stormwater servitude in favour of the City Council, as indicated on the General Plan S.G. No. 117/2014.

2.2. CONDITIONS OF TITLE IN FAVOUR OF THIRD PARTIES TO BE REGISTERED/CREATED ON FIRST REGISTRATION OF TRANSFER THE ERVEN CONCERNED

2.2.1. Erven 233,234, 235, 236 & 237:

The erven will be made subject to a servitude of Right-of-Way in favour of the Home Owner's Association to the satisfaction of the City Council.

2.2.2. Erven 231-237:

Each and every owner of the erf or owner of any sub-divided portion of the erf or owner of any unit thereon, shall on transfer automatically become and remain a member of the St. Andrews Ext 14 Home Owners Association NPC, Registration Number 2017/443797/08 a Non-Profit Company (NPC)) until he/she/it ceases to be an owner and such owner shall not be entitled to transfer the erf or any sub-divided portion thereof or any interest thereon, without a clearance from the Home Owners Association certifying that all amounts owing to it has been paid and that the new owner has bound himself/herself/itself to become a member of the Home Owners Association.

3. CONDITIONS TO BE INCORPORATED INTO THE TOWN PLANNING SCHEME IN TERMS OF SECTION 125 OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 15 OF 1986 (AS AMENDED), IN ADDITION TO THE PROVISIONS OF THE TOWN PLANNING SCHEME IN OPERATION

3.1. "RESIDENTIAL 1"

Erven 231-237 are subject to the following conditions:

3.1.1. The erf shall be zoned "Residential1"

3.1.1.1. Total number of units in township: 7 units (one dwelling per erf);

3.1.1.2. Height: 2 storeys;

3.1.1.3. Coverage: 40%;

3.1.1.4. Floor Area Ratio: 0,6;

3.1.1.5. Parking: Two covered parking spaces per dwelling unit, and one uncovered parking space per three units for visitors parking;

3.1.1.6. A site development plan in terms of the provisions of the Bedfordview Town Planning Scheme 1995, shall be submitted to the City Council prior to the approval of any building plans.

3.1.2. Provision shall be made for a line of no access along the north-western boundary of Erven 232, 233 and 234.

3.1.3. All erven shall be subject to provisions of Clause 15 of the Bedfordview Town Planning Scheme (Conditions Applicable to Properties with Detrimental Soil Conditions and/or Properties in Dolomite Areas)

EKURHULENI METROPOLITAN MUNICIPALITY**BEDFORDVIEW AMENDMENT SCHEME 1567**

The City of Ekurhuleni Metropolitan Municipality hereby, in terms of the provisions of Section 98(1) of the Town Planning and Townships Ordinance, 15 of 1986, declares that it has approved the Amendment Scheme, being an amendment of the Ekurhuleni Town Planning Scheme, 2014, comprising the same land as included in the township **St Andrews Extension 14**.

The amendment scheme documents will be open for inspection during normal office hours at the office of Area Manager: City Development, 2nd floor, Edenvale Service Delivery Centre, Van Riebeeck Avenue, Edenvale,

This amendment scheme is known as Bedfordview Amendment Scheme 1567 and shall come into operation on the date of the publication of this notice.

Imogen Mashazi, City Manager
2nd Floor, Head Office Building,
Cnr Cross & Roses Streets,

Notice No: _____

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