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GENERAL NOTICES

NOTICE 950 OF 2009

GAUTENG DEVELOPMENT TRIBUNAL NOTICE IN TERMS OF SECTION 33 (4) OF THE DEVELOPMENT FACILITATION ACT, 1995

DECLARATION AS APPROVED LAND DEVELOPMENT AREA

In terms of section 33 (4) of the Development Facilitation Act (Act No. 67 of 1995) the Gauteng Development Tribunal has approved the land development application made by WAVELENGTHS 1147 CC (Reg No. 2001/060079/23) under the provisions of the Development Facilitation Act, 1995, for permission to establish a land development area on Portion 417 (a portion of portion 30) of the farm Vlakfontein No. 30-IR, Province of Gauteng now known as Norton Park Extension 14, subject to the conditions set out in the Schedule hereto.

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY WAVELENGTHS 1147 CC (REG NO. 2001/060079/23) (HEREINAFTER REFERRED TO AS THE LAND DEVELOPMENT APPLICANT) UNDER THE PROVISIONS OF DEVELOPMENT FACILITATION ACT, 1995, FOR PERMISSION TO ESTABLISH A LAND DEVELOPMENT AREA ON PORTION 417 (A PORTION OF PORTION 30) OF THE FARM VLAKFONTEIN NO. 30-IR, PROVINCE OF GAUTENG, HAS BEEN GRANTED.

1. CONDITIONS OF ESTABLISHMENT

1.1 NAME

The name of the development area shall be Norton Park Extension 14.

1.2 DESIGN

The development area shall consist of erven as indicated on General Plan S.G. No. 8318/2007.

1.3 SUSPENSION OF EXISTING CONDITIONS OF TITLE

Holding 19, Norton Home Estates has been excised from the Norton Home Estates, Agricultural Holdings, and the following conditions of title are suspended in respect of the Land Development Area:

In respect of Holding 19, Norton Home Estates, Agricultural Holdings as contained in Deed of Transfer T92145/05:

The suspension of condition of title, condition (a) to (h).

1.4 DISPOSAL OF EXISTING CONDITIONS OF TITLE

All erven in the development area shall be made subject and, where relevant, entitled to existing conditions and servitudes, if any.

1.5 OPEN SPACE ENDOWMENT

The Land Development Applicant shall pay contribution towards the provision of parks and public open space.

1.6 BUILDING STANDARDS

The building standards emanating from the National Building Regulations and Building Standards Act, 103 of 1977, shall apply in respect of the Land Development Area, read with the local by-laws of the local authority.

1.7 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 over common boundaries to be demolished to the satisfaction of the Local Authority when required by the Local Authority to do so.

1.8 ACCESS SERVITUDE

The Land Development Applicant shall, at its own expense, cause a servitude of right of way, with varying widths, to be registered in favour of the general public over Portion 417 (a portion of portion 30) of the Farm Vlakfontein No. 30-IR, (Norton Park Extension 14) as shown on diagram SG no 4429/2008.

A servitude for municipal services in favour of the Local Authority must be registered over portion 417 (a portion of portion 30 of the farm Vlakfontein 30, IR as shown on diagram SG No 4429/2008. This will guarantee access to the Local Authority's personnel and vehicles in order to carry out repair and maintenance work to the water, sewer and electrical networks (Excluding street lights) after they have been taken over by the Local Authority.

The above mentioned servitudes must be indicated on the General plan and be registered simultaneously with the registration of the land development area.

Unhindered access must be give to emergency vehicles and all services authorities (water, electricity, Telkom etc)

1.9 ACCESS

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

The access gates must be sufficiently recessed back into the development to permit stacking of parked vehicles at the gate without causing obstruction of traffic in Auret Road. Minimum 12m from the edge of Auret Road.

Access lanes shall be at least 4, 5 meters wide to accommodate trucks and emergency vehicles (e.g. fire engines).

A setback of the gate/boom by at least 12 meters from the road reserve of Auret Road, to accommodate queuing vehicles at the gate.

1.10 PRECAUTIONARY MEASURES AND SOIL CONDITIONS

1.10.1. Precautionary Measures

The Land Development Applicant shall, at its own expense, make arrangements with the Local Authority in order to ensure that:

1.10.1.1. Water will not dam up, and that the entire surface of the Land Development Area is drained properly and that streets are sealed with suitable material as provided for in the services agreement referred to in paragraph 1.11 below.

1.10.1.2. Trenches and excavations for foundations, pipes, cables, or for any other purposes, are properly refilled as provided for in the services agreement referred to in paragraph 1.11 below.

1.10.2. 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.

1.11 PROVISIONS AND INSTALLATION OF ENGINEERING SERVICES

The Land Development Applicant and the Local Authority, if applicable, shall provide and install engineering services in the Land Development Area as provided for in the services agreement concluded between the Land Development Applicant and the Local Authority in terms of Section 40 of the Act and Regulation 20 of the Development Facilitation Regulations.

1.12 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 owners.

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

1.13 ACCEPTANCE AND DISPOSAL OF STORM WATER

The Land Development Applicant shall arrange for the drainage of the Land Development Area to fit in with that of the adjacent properties, and for all storm water running off, or being diverted from the roads, to be received and disposed of.

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.

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.

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 the paragraph above.

Should the township owner fail to comply with the provisions of the above hereof the Local Authority shall be entitled to do the work at the cost of the township owner.

1.14 REMOVAL OF LITTER

The Land Development Applicant shall, at its own expense, have all litter within the Land Development Area removed to the satisfaction of the local authority, when required to do so by the said local authority.

1.15 BODY CORPORATE

The responsibilities of the Body Corporate:

- 1.15.1. The maintenance of the access servitude referred to in clause 1.8 above.
- 1.15.2. All matters of common interest to its members.
- 1.15.3. All matters specified by the Body Corporate.
- 1.15.4. The Body Corporate shall be entitled to levy periodical contributions from its members, excluding the Land Development Applicant or its successors in Land Development title, for the fulfillment of its obligations in the manner prescribed, in constitution and regulations of the Body Corporate.
- 1.15.5. In respect of any transfer of sectional title units on Erf 230 or any subdivision thereof subsequent to the initial transfer thereof from the applicant or its successor in Land Development title, shall be subject to the following:

The Registrar of Deeds shall not register the transfer of sectional title units on Erf 230 or any subdivisions thereof, and the owner thereof shall not be entitled to procure such transfer before and unless the Body Corporate has certified that all levies or other amounts owing to it by the owner have been paid in full.

The constitution rules and regulations of the Body Corporate or a universitas personarum shall provide that:

- (i) each and every owner of a sectional title unit (Erf 230) in the land development area shall become a member of the Body Corporate upon transfer to him of that sectional title unit.

- (ii) the Body Corporate shall have full responsibility for the functioning and proper maintenance of the roadway and the engineering services contained thereon/in. The Local Authority shall not be liable for the defectiveness of the surfacing of the roadway and/or any essential services.
- (iii) the Body Corporate must be incorporated with the legal power to levy from each and every member of the Body Corporate the costs incurred in fulfilling its function and to have legal recourse to recover such fees in the event of a default payment by any member.
- (iv) the construction and maintenance of the roadway including street lights shall be the responsibility of the land development applicant until transfer of all the relevant erven /sectional title unit have been affected to the company intended in (i) hereof.
- (v) The council's engineering services departments including waste management and its emergency services are guarantees 24 hour access to the land development area for the purpose of maintaining council's installations and provide services to the residents in the development area.

1.15.6. The constitution of the Body Corporate shall not be amended without the written consent of the Ekurhuleni Metropolitan Municipality first had and obtained.

1.15.7. The conditions in Council's policy regarding Security Townships must be adhered to.

1.16 SPECIAL CONDITIONS

The township owner shall at his own cost and within 6 (six) months after registration of the Township cause Erven 228 and 229 in the township to be consolidated to form Erf 230.

2. CONDITIONS OF TITLE

The following conditions shall be registered against the title of each of the identified erven in the development area:

2.1 ALL ERVEN

- 2.1.1. The erf is subject to a servitude, 2m wide, in favour of the Local Authority, for sewerage and other municipal purposes, along any boundary other than a street boundary.
- 2.1.2. 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 2m thereof.
- 2.1.3. 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 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 local authority.

2.2 ERF 228

The erf is subject to a servitude of right of way in favour of erf 229, as indicated on the General Plan.

Petrus Barry
Designated Officer, Ekurhuleni Metropolitan Municipality
Gauteng Development Tribunal
Ground Floor Sanlam Building, c/o Kempton Road and Margaret Avenue, Kempton Park.

Ref. No. GDT/LDA/EMM/1104/06/003

NOTICE 951 OF 2009

**DEVELOPMENT FACILITATION ACT, 1995
GAUTENG DEVELOPMENT TRIBUNAL**

BENONI AMENDMENT SCHEME 1/525

NOTICE OF THE APPROVAL OF THE ESTABLISHMENT OF A LAND DEVELOPMENT AREA SITUATED ON PORTION 417 (A PORTION OF PORTION 30) OF THE FARM VLAKFONTEIN NO. 30-1R TO BE KNOWN AS "NORTON PARK EXTENSION 14"

It is hereby notified that the Gauteng Development Tribunal has approved the above-mentioned land development area as depicted on General Plan SG 8318/2007.

In terms of the provisions of Section 33(4) of the Development Facilitation Act, 67 of 1995, notice is hereby given of the coming into effect from the date of this publication of Benoni Amendment Scheme 1/525 and accompanying Annexure, which applies to the approved land development area of Norton Park Extension 14.

The relevant amendment scheme documents and maps are filed with the Executive Director: City Development, Ekurhuleni at the Benoni Customer Care Centre namely 6th floor Room 601, Treasury Building, Elston Avenue, Benoni as from date of this notice and at the office of the Designated Officer and are open for inspection at all reasonable times.

Petrus Barry
Designated Officer, Ekurhuleni Metropolitan Municipality
Gauteng Development Tribunal
Ground Floor Sanlam Building, c/o Kempton Road and Margaret Avenue, Kempton Park.

Ref. No. GDT/LDA/EMM/1104/06/003

