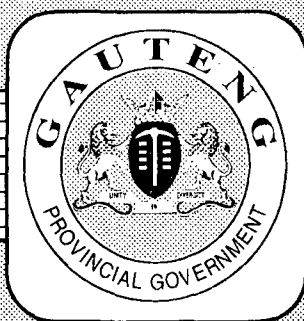


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**THE PROVINCE OF
GAUTENG**



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Provincial Gazette Extraordinary Buitengewone Provinsiale Koerant

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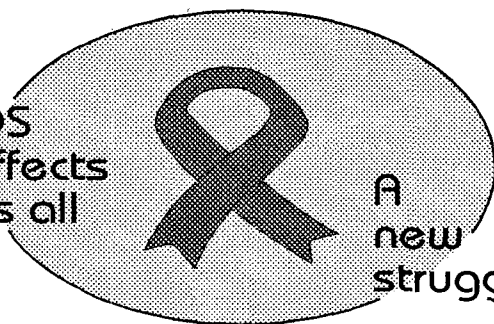
Vol. 9

PRETORIA, 13 AUGUST
AUGUSTUS 2003

No. 325

We all have the power to prevent AIDS

AIDS
affects
us all



A
new
struggle

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DEPARTMENT OF HEALTH

Prevention is the cure



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LOCAL AUTHORITY NOTICES

LOCAL AUTHORITY NOTICE 1566

EKURHULENI METROPOLITAN MUNICIPALITY
(KEMPTON PARK SERVICE DELIVERY 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, Kempton Park Service Delivery Centre hereby declares Pomona Extension 53 township to be an approved township subject of the conditions set out in the Schedule hereto.

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY JAKES JACOBS FAMILIE TRUST (HEREINAFTER REFERRED TO AS THE APPLICANTS / TOWNSHIP OWNERS) 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 247 (A PORTION OF PORTION 15) OF THE FARM RIETFONTEIN 31 REGISTRATION DIVISION I.R., PROVINCE OF GAUTENG HAS BEEN GRANTED

A CONDITIONS OF ESTABLISHMENT

(1) NAME

The name of the township shall be Pomona Extension 53.

(2) DESIGN

The township shall consist of erven as indicated on General Plan S.G. No. 3870/2003.

(3) ENDOWMENT

Payable to the local authority :

The township owner shall, in terms of the provisions of Section 81, as well as Sections 98(2) and (3) of the Town Planning and Townships Ordinance, 1986, pay a lump sum endowment of R27 000,00 (Twenty Seven Thousand Rand) to the local authority. This money can be used for the purposes of upgrading any parks.

(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 but excluding the following condition which will not be passed on to erven in the township:

"The original remaining extent of Portion A of the said farm Rietfontein No. 286, District Benoni, measuring as such 1205,8671 hectares (comprised of Portions "C" and "D" now forming portion of portion "G" of portion "A" of the said farm held under Certificate of Amended Title T4882/1924, Portion "E" measuring 17,1306 hectares held under Deed of Transfer T3159/1919 and the remaining extent measuring as such 236,6626 hectares, held under Deed of Transfer No. 3708/1917) of which the aforesaid holding is a portion is entitled to one half of the water coming out of the fountain (running from three sources) situated near the western boundary line of that portion of the property held under said Certificate of Amended Title T4882/1924, indicated on the diagram annexed to the said Certificate of Amended Title by the figure a, F, b, G, e, o, p, u, t, O and close to the Dam namely the dam from which a furrow is led to the windmill and the right to lead the water aforesaid by means of pipes or a water furrow on to the said original remaining extent of Portion A, measuring as such 1205,8671 hectares (now comprised as aforesaid), with the further right of access to the fountain and pipes of furrow for the purpose of upkeep and repair."

(5) PRECAUTIONARY MEASURES

The township owner shall at his own expense, make arrangements with the local authority in order to ensure that:

- (i) water will not dam up, that the entire surface of the township area is drained properly and that streets are sealed effectively with tar, cement or bitumen; and

- (ii) trenches and excavations for foundations, pipes, cables or for any other purposes, are properly refilled with damp soil in layers not thicker than 150mm, and compacted until the same grade of compaction as that of the surrounding material is obtained.
- (iii) the recommendations as laid down in the geological report of the township are complied with and, when required, engineer certificates for the foundations of the structures must be submitted.

(6) 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.

(7) ACCEPTANCE AND DISPOSAL OF STORMWATER

The township owner shall arrange for the drainage of the township to fit in with that of the existing and planned road and storm water infrastructure in the vicinity and for all storm water running off or diverted from the roads to be received and disposed of.

(8) REMOVAL OF LITTER

The township owner shall at his 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.

(9) REPOSITIONING OF SERVICES

If, by reason of the establishment of the township, it should become necessary to reposition any existing services of ESCOM, Telkom or the local authority, the cost thereof shall be borne by the township owner.

(10) ENGINEERING SERVICES

The applicant shall be responsible for the installation and provision of internal engineering services.

- (i) Once water, sewer and electrical networks have been installed, same will be transferred to the Municipality, free of cost, who shall maintain these networks (except internal street lights).
- (ii) The section 21 Company, will be responsible for the maintenance of the internal roads (including storm water) and the internal street lights (including electrical power usage)

(11) TRANSFER OF ERVEN

Erf 1626 shall, at the cost of the township owner, be transferred to Falcons Crest 53 Home Owners Association.

B. CONDITIONS OF TITLE

All erven shall be subject to the following conditions, imposed by the local authority in terms of the provisions of the Townplanning and Townships Ordinance, 1986.

A. ALL ERVEN

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

- (iv) Every owner of the erf, or of any subdivided portion thereof, or any person who has an interest therein shall become and shall remain a Member of the Home Owners' Association and be subject to its constitution until he/she ceases to be an owner as 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 Home Owners' Association.
- (v) 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 thereof or any interest therein without the Clearance Certificate from the Home Owners' Association that the provisions of the Articles of Association of the Home Owners' Association have been complied with.
- (vi) The term "Home Owners Association" in the aforesaid conditions of Title shall mean Falcons Crest 53 Home Owners Association Reg. No. 2002/030746/08 (an Association incorporated in terms of Section 21 of the Companies Act, 1973 (Act No. 61 of 1973) as amended.

B. ERF 1626

- (i) Subject to a servitude for municipal purposes in favour of the local authority, as indicated on the general plan to 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.
- (ii) Subject to a servitude of right-of-way in favour of all owners and occupiers of erven in the township over the entire erf to guarantee access to all residents to a public road.

PLAASLIKE BESTUURSKENNISGEWING 1566

**EKURHULENI METROPOLITAANSE MUNISIPALITEIT
(KEMPTON PARK DIENSLEWERINGSSENTRUM)
VERKLARING TOT GOEDGEKEURDE DORP**

Ingevolge artikel 103 van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie No. 15 van 1986), verklaar die Ekurhuleni Metropolitaanse Munisipaliteit (Kempton Park Diensleweringsentrum) hierby die dorp Pomona Uitbreiding 53 tot 'n goedgekeurde dorp onderworpe aan die voorwaardes uiteengesit in die bygaande Bylae.

BYLAE

VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR JAKES JACOBS FAMILIE TRUST (HIERNA DIE AANSOEKDOENERS / DORPSEIENAARS GENOEM) INGEVOLGE DIE BEPALINGS VAN GEDEELTES A EN C VAN HOOFSTUK 3 VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986 (ORDONNANSIE NO. 15 VAN 1986), OM TOESTEMMING OM 'N DORP TE STIG OP GEDEELTE 247 ('N GEDEELTE VAN GEDEELTE 15) VAN DIE PLAAS RIETFONTEIN 31 REGISTRASIE AFDELING I.R., PROVINSIE GAUTENG TOEGESTAAN IS.

A. STIGTINGSVOORWAARDES

(1) NAAM

Die naam van die dorp is Pomona Uitbreiding 53.

(2) ONTWERP

Die dorp bestaan uit erwe en strate soos aangedui op Algemene Plan L.G. No. 3870/2003.

(3) BEGIFTIGING

Betaalbaar aan die plaaslike bestuur:

Die dorpseienaars moet kragtens die bepalings van Artikel 81, asook Artikels 98(2) en (3) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 aan die plaaslike bestuur as begiftiging 'n globale bedrag van R27 000,00 (Sewe en Twintig Duisend Rand) betaal welke bedrag deur die plaaslike bestuur aangewend moet word vir die opgradering van enige parke.

(4) BESKIKKING OOR BESTAANDE TITELVOORWAARDES

Alle erwe moet onderworpe gemaak word aan bestaande voorwaardes en serwiture, as daar is, met inbegrip van die voorbehoud van die regte op minerale, maar uitgesonderd die volgende:

"The original remaining extent of Portion A of the said farm Rietfontein No. 286, District Benoni, measuring as such 1205,8671 hectares (comprised of Portions "C" and "D" now forming portion of portion "G" of portion "A" of the said farm held under Certificate of Amended Title T4882/1924, Portion "E" measuring 17,1306 hectares held under Deed of Transfer T3159/1919 and the remaining extent measuring as such 236,6626 hectares, held under Deed of Transfer No. 3708/1917) of which the aforesaid holding is a portion is entitled to one half of the water coming out of the fountain (running from three sources) situated near the western boundary line of that portion of the property held under said Certificate of Amended Title T4882/1924, indicated on the diagram annexed to the said Certificate of Amended Title by the figure a, F, b, G, e, o, p, u, t, O and close to the Dam namely the dam from which a furrow is led to the windmill and the right to lead the water aforesaid by means of pipes or a water furrow on to the said original remaining extent of Portion A, measuring as such 1205,8671 hectares (now comprised as aforesaid), with the further right of access to the fountain and pipes of furrow for the purpose of upkeep and repair."

(5) VOORKOMENDE MAATREëLS

Die dorpsenaar moet op eie koste reëlings met die plaaslike bestuur tref om te verseker dat:

- (i) water nie opdam nie, dat die hele oppervlakte van die dorpsgebied behoorlike gedreineer word en dat strate doeltreffend met teer, beton of bitumen geseël word.
- (ii) slote en uitgrawings vir fondamente, pype, kables of vir enige ander doeleindes behoorlik met klam grond in lae wat nie dikker as 150mm is nie, opgevolg word en gekompakteer word totdat dieselfde verdigingsgraad as wat die omliggende material het, verkry is.
- (iii) die aanbeveling soos neergelê in die Geologiese Verslag van die dorp nagekom word, en wanneer nodig, Ingenieur Sertifikate indien vir die fondasies van die strukture.

(6) SLOPING VAN GEBOUE EN STRUKTURE

Die dorpsenaar moet op eie koste alle bestaande geboue en strukture wat binne boulynreserwes, kantruimtes of oor gemeenskaplike grense geleë is, laat sloop tot bevrediging van die plaaslike bestuur wanneer die plaaslike bestuur dit vereis.

(7) ONTVANGS EN VERSORGING VAN STORMWATER

Die dorpsenaar moet die stormwaterdreinerings van die dorp so reël dat dit by die bestaande en beplande pad en stormwater infrastruktuur in die omgewing inpas en moet die stormwater wat van die pad afloop of afgelei word, ontvang en hanteer.

(8) VERWYDERING VAN ROMMEL

Die dorpsenaar moet op eie koste alle rommel binne die dorpsgebied laat verwyder tot bevrediging van die plaaslike bestuur wanneer die plaaslike bestuur dit vereis.

(9) VERSKUIWING VAN DIENSTE

Indien dit as gevolg van die stigting van die dorp nodig word om enige bestaande munisipale dienste te verskuif of te vervang moet die koste daarvan deur die dorpsenaar gedra word.

(10) INGENIEURSDIENSTE

- (i) Die dorpsenaar is verantwoordelik vir die installering en voorsiening van interne ingenieursdienste
- (ii) Sodra water, riool en elektrisiteit geïnstalleer is, sal sodanige netwerke verniet na die Munisipaliteit oorgedra word, wie hierdie netwerke in stand sal hou (uitgesluit interne straatligte).
- (iii) Die Artikel 21 Maatskappy sal verantwoordelik wees vir die instandhouding van die interne paaie (ingesluit stormwater) en die interne straatligte (ingesluit elektriese verbruik).

(11) OORDRAG VAN ERWE

Erf 1626 moet deur en op koste van die eienaar oorgedra word na Falcons Crest 53 Huisseienaarsvereniging.

B. TITELVOORWAARDES

Alle erwe is onderworpe aan die volgende voorwaardes soos aangedui deur die plaaslike bestuur ingevolge die bepalings van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986.

A. ALLE ERWE

- (i) Die erf is onderworpe aan 'n serwituut, 2m breed, vir riolerings- en ander munisipale doeleindes, ten gunste van die plaaslike bestuur, langs enige twee grense, uitgesonderd 'n straatgrens en, in die geval van 'n pypsteelerf, 'n addisionele serwituut vir munisipale doeleindes, 2m breed oor die toegangsgedeelte van die erf, indien en wanneer verlang deur die plaaslike bestuur. Met dien verstande dat die plaaslike bestuur van enige sodanige serwituut mag afsien.
- (ii) Geen geboue of ander struktuur mag binne die voornoemde serwituutgebied opgerig word nie en geen grootwortelbome mag binne die gebied van sodanige serwituut of binne 'n afstand van 2m daarvan geplant word nie.
- (iii) Die plaaslike bestuur is geregtig om enige materiaal wat deur hom uitgegrawe word tydens die aanleg, onderhoud of verwydering van sodanige rioolhoofpypleidinge en ander werke wat hy volgens goeie doelke noodsaaklik ag, tydelik te plaas op die grond wat aan die voornoemde serwituut grens en voorts sal die plaaslike bestuur geregtig wees tot redelike toegang tot genoemde grond vir die voornoemde doel, onderworpe daaraan dat die plaaslike bestuur enige skade vergoed wat gedurende die aanleg, onderhoud of verwydering van sodanige rioolhoofpypleiding en ander werke veroorsaak word.
- (iv) Die eienaar van 'n erf of enige onderverdeling of enige persoon wat 'n belang in 'n erf het, sal 'n lid word en bly van die Huisseienaars Vereniging, onderworpe aan die konstitusie daar gestel, totdat só persoon ophou om 'n eienaar te wees. Die erf of enige gedeelte daarvan sal nie oorgedra word aan enige persoon wat nie hom/haarself, ten genoë van die Vereniging, verbind tot 'n Lid van die Huisseienaars Vereniging nie.
- (v) Die eienaar van 'n erf of enige onderverdeling daarvan, of enige persoon wat 'n belang in die erf het, sal nie geregtig wees om die erf of enige onderverdeling daarvan of enige belang daarin, oor te dra sonder 'n Uitklaringertifikaat van die Huisseienaar Vereniging dat die voorwaardes van die Artikels van Vereniging van die Huisseienaars Vereniging, nagekom is nie.
- (vi) In die voornoemde voorwaardes van die Titel sal die term "Huisseienaars Vereniging" beteken Falcon Crest 53 Huisseienaarsvereniging Reg. Nr. 2002/030746/08 ('n Vereniging soos ingelyf in terme van Artikel 21 van die Maatskappye Wet, 1973 (Wet 61 van 1973) soos gewysig.

B. ERF 1626

- (i) Onderworpe aan 'n serwituut vir munisipale doeleindes ten gunste van die plaaslike bestuur soos op die algemene plan aangedui om toegang vir alle plaaslike bestuur personeellede en voertuie te verseker om herstel aan of instandhouding van die water, riool en elektriese netwerke (uitgesluit straatligte) te doen nadat dit deur die plaaslike bestuur oorgeneem is.
- (ii) Onderworpe aan 'n reg-van-weg serwituut ten gunste van alle eienaars en inwoners in die dorp oor die hele erf om toegang te verseker vir alle inwoners tot 'n publieke pad.

LOCAL AUTHORITY NOTICE 1567

EKURHULENI METROPOLITAN MUNICIPALITY

(KEMPTON PARK SERVICE DELIVERY CENTRE)

KEMPTON PARK TOWN PLANNING SCHEME 1987: AMENDMENT SCHEME 1266

The Ekurhuleni Metropolitan Municipality (Kempton Park Service Delivery 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 Kempton Park Town Planning Scheme, 1987, comprising the same land as included in the township of Pomona Extension 53 Township.

Map 3 and the scheme clauses of the 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 Municipal Manager, Ekurhuleni Metropolitan Municipality (Kempton Park Service Delivery Centre), Room B301, 3rd Level, Civic Centre, c/o C R Swart Drive and Pretoria Road, Kempton Park.

This amendment is known as Kempton Park Amendment Scheme 1266.

PM Maseko, City Manager, Ekurhuleni Metropolitan Municipality, 2nd Floor, EGSC Building, corner Cross and Rose Streets, Germiston, Private Bag X1069, Germiston, 1400.

PLAASLIKE BESTUURSKENNISGEWING 1567

EKURHULENI METROPOLITAANSE MUNISIPALITEIT

(KEMPTON PARK DIENSLEWERINGSSENTRUM)

KEMPTON PARK DORPSBEPLANNINGSKEMA 1987: WYSIGINGSKEMA 1266

Die Ekurhuleni Metropolitaanse Munisipaliteit (Kempton Park Diensleweringssentrum) verklaar hierby, ingevolge die bepalings van Artikel 125(1) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986, dat dit 'n wysigingskema, synde 'n wysiging van die Kempton Park Dorpsbeplanningskema, 1987, wat uit dieselfde grond as die dorp Pomona Uitbreiding 53 bestaan, goedgekeur het.

Kaart 3 en die skemaklousules van die wysigingskema word in bewaring gehou by die kantoor van die Hoof van Departement, Departement Ontwikkelingsbeplanning en Plaaslike Regering, Gauteng Provinsiale Regering, Johannesburg en by die Munisipale Bestuurder, Ekurhuleni Metropolitaanse Munisipaliteit (Kempton Park Diensleweringssentrum), Kamer B301, 3de Vlak, Burgersentrum, h/v C R Swartrylaan en Pretoriaweg, Kempton Park.

Hierdie wysigingskema staan bekend as Kempton Park Wysigingskema 1266.

PM Maseko, Stadsbestuurder, Ekurhuleni Metropolitaanse Munisipaliteit, 2de Vloer, EGSC Gebou, hoek van Cross en Rosestrate, Germiston, Privaatsak X1069, Germiston, 1400