

*THE PROVINCE OF
GAUTENG*

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The Ekurhuleni Metropolitan Municipality (Kempton Park Customer Care Centre) hereby, in terms of the provisions of section 125(1) of the Town-planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), declares that it has approved an amendment scheme, being an amendment of the Kempton Park Town-planning Scheme, 1987, comprising the same land as included in the township of Esther Park Extension 13 Township.

Map 3 and the scheme clauses of this 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 Manager Development Planning, Ekurhuleni Metropolitan Municipality (Kempton Park Customer Care Centre), 5th Floor, Civic Centre, c/o C.R. Swart Drive and Pretoria Road, Kempton Park.

This amendment is known as Kempton Park Amendment Scheme 1315.

P. Flusk: City Manager, Ekurhuleni Metropolitan Municipality, Private Bag 1069, GERMISTON, 1400

LOCAL AUTHORITY NOTICE 2967**LOCAL AUTHORITY NOTICE DP 43/2007****EKURHULENI METROPOLITAN MUNICIPALITY****KEMPTON PARK CUSTOMER CARE CENTRE****DECLARATION OF ESTHER PARK EXTENSION 13 AS APPROVED TOWNSHIP**

In terms of section 103 of the Town-planning and Townships Ordinance, 1986 (Ordinance No 15 of 1986), the Ekurhuleni Metropolitan Municipality hereby declares the township of Esther Park Extension 13 to be an approved township, subject to the conditions as set out in the Schedule hereto.

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY MOHYMON (PROPRIETARY) LIMITED (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 272 (A PORTION OF PORTION 26) OF THE FARM ZUURFONTEIN 33 REGISTRATION DIVISION IR, PROVINCE OF GAUTENG, HAS BEEN GRANTED

1. CONDITIONS OF ESTABLISHMENT

1.1 NAME

The name of the township shall be Esther Park Extension 13.

1.2 DESIGN

The township shall consist of erven and streets as indicated on the General Plan S.G. No. 1998/2003.

1.3 ENDOWMENT

Payable to the local authority.

- (i) 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 R35 750,00 (Thirty Five Thousand Seven Hundred and Fifty Rand) to the local authority. This money can be used for the purposes of upgrading any parks.

1.4 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, save for the following:

- 1.4.1 The following servitude that does not affect the erven in the township:

A railway servitude vide Notarial Deed of Servitude 242/63-S dated 19 February 1960.

1.5 ACCESS

No ingress from Road PWV 3 to the township and no egress to Road PWV 3 from the township shall be allowed.

1.6 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.

1.7 PRECAUTIONARY MEASURES

- (a) 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;
- (ii) trenches and excavations for foundations, pipes, cables or for any other purpose, 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/soil report of the township are complied with and, when required, engineer certificates for the foundations of the structures are submitted.

1.8 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.

1.9 REMOVAL OF LITTER

The township owner shall at his own expense cause all the litter within the township area to be removed to the satisfaction of the local authority, when required by the local authority to do so.

1.10 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.

1.11 ESKOM SERVITUDE

Erven 2015 and 2016 are subject to a servitude for an electrical overhead power line, 12 metres wide, in favour of Eskom as indicated on the General Plan. The servitude shall be registered by Notarial Deed prior to or simultaneous with the first transfer or registration of any erf in the township

2. CONDITIONS OF TITLE

2.1 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) 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.

P. Flusk: City Manager, Ekurhuleni Metropolitan Municipality, Private Bag 1069, GERMISTON, 1400
