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EKURHULENI METROPOLITAN MUNICIPALITY
(KEMPTON PARK 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, Kempton Park Customer Care Centre hereby declares Birch Acres Extension 32 Township to be an approved township subject to the conditions set out in the Schedule hereto.

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY DAQING DEVELOPMENTS (PTY) 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 PORTION 145 (A PORTION OF PORTION 9) OF THE FARM MOOIFONTEIN NO 14 IR HAS BEEN GRANTED

1. CONDITIONS OF ESTABLISHMENT

(1) NAME

The name of the township shall be Birch Acres Extension 32.

(2) DESIGN

The township shall consist of erven and streets as indicated on General Plan SG No. 9220/2005.

(3) 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:

- "C. Die Resterende Gedeelte van Gedeelte 9 van die plaas MOOIFONTEIN Nr. 14, I.R., groot 669,7146 hektaar (waarvan die eiendom hieronder gehou 'n gedeelte is) is onderworpe aan 'n Reg ten gunste van ESKOM om elektrisiteit oor bovermelde eiendom te vervoer by wyse van bogrondse kraglyne met ondergrondse kables tesame met bykomende regte en onderhewig aan kondisies soos meer volledig sal blyk uit Notariële Akte Nr. K39/1955-S geregistreer op die 26ste dag van Januarie 1955.
- D. Die Resterende Gedeelte van Gedeelte 9 van die gemelde plaas MOOIFONTEIN Nr. 14 I.R., groot 669,7146 hektaar ('n gedeelte waarvan hieronder gehou word) is onderworpe aan 'n reg ten gunste van ESKOM om elektrisiteit te vervoer by wyse van bogrondse kraglyne met ondergrondse kables tesame met bykomende regte en onderhewig aan kondisies soos meer volledig sal blyk uit Notariële Akte Nr. K411/1962-S geregistreer op die 10de dag van Mei 1962.
- E. Die Resterende Gedeelte van Gedeelte 9 van die gemelde plaas MOOIFONTEIN NR. 14 IR., Groot 615,6643 hektaar, ('n gedeelte waarvan hieronder gehou word) is onderworpe aan 'n reg ten gunste van ESKOM om elektrisiteit te vervoer by wyse van bogrondse kraglyne met ondergrondse kables tesame met bykomende regte en onderhewig aan kondisies soos meer volledig sal blyk uit Notariële Akte Nr. K775/1970-S geregistreer op die 22ste dag van September 1970."

(4) LAND FOR MUNICIPAL PURPOSES

Erf 5053 shall be transferred to the local authority by and at the expense of the township owner as "Public Open Space".

(5) 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 stormwater infrastructure in the vicinity and for all stormwater running off or diverted from the roads to be received and disposed of.

(6) 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) 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 are submitted.

(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.

(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 CIRCUITS

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

(10) RESTRICTION OF THE DISPOSAL OF ERVEN

The township owner shall not offer for sale or alienate Erf 5015 within a period of six months from the date of declaration of the township as an approved township, to any person or body other than the Department of Education and Training unless the Director of the Department has indicated in writing that it does not wish to acquire the erf.

2. CONDITIONS OF TITLE

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.

All erven

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

Acting Head, Kempton Park Customer Care Centre, c/o C R Swart Avenue and Pretoria Road, (P O Box 13),
Kempton Park, 1620

LOCAL AUTHORITY NOTICE 698

**EKURHULENI METROPOLITAN MUNICIPALITY
(KEMPTON PARK CUSTOMER CARE CENTRE)
KEMPTON PARK TOWN PLANNING SCHEME 1987: AMENDMENT SCHEME 1513**

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, 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 Birch Acres Extension 32 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 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 1513.

Acting Head, Kempton Park Customer Care Centre, c/o C R Swart Avenue and Pretoria Road, (P O Box 13),
Kempton Park, 1620.
