

***THE PROVINCE OF
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LOCAL AUTHORITY NOTICES

LOCAL AUTHORITY NOTICE 802

EKURHULENI METROPOLITAN MUNICIPALITY (KEMPTON PARK CUSTOMER CARE CENTRE) DECLARATION AS AN APPROVED TOWNSHIP

IN TERMS OF SECTION 103(1) OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE NO. 15 OF 1986), THE EKURHULENI METROPOLITAN MUNICIPALITY (KEMPTON PARK CUSTOMER CARE CENTRE) HEREBY DECLARES POMONA EXTENSION 101 TO BE AN APPROVED TOWNSHIP, SUBJECT TO THE CONDITIONS SET OUT IN THE SCHEDULE HERETO.

SCHEDULE

STATEMENT OF CONDITIONS UNDER WHICH THE APPLICATION MADE BY LANZARAC DEVELOPERS CC [HEREAFTER 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 421 (A PORTION OF PORTION 26) OF THE FARM RIETFONTEIN NO 31, REGISTRATION DIVISION I.R., HAS BEEN GRANTED.

A. CONDITIONS OF ESTABLISHMENT.

- (1) **NAME.**
The name of the township shall be Pomona Extension 101
- (2) **DESIGN.**
The township shall consist of erven and streets as indicated on the General Plan (SG No 2708/2008).
- (3) **ENDOWMENT**
Payable to the local authority
The township owner shall, in terms of the provision of Section 81, as well as Section 98(2) and (3) of the Town Planning and Township Ordinance, 1986, pay a lump sum endowment of R50 400,00 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 including the rights to minerals and servitudes. if any
- (5) **PRECAUTIONARY MEASURES**
The township owner shall at his own expense make arrangements with the local authority in order to ensure that the recommendations as laid down in the geological report of the township must be compiled with and, when required, engineer certificates for the foundations of the structures must be submitted.
- (6) **ACCESS**
Access to the township shall be obtained from Main Road
- (7) **ENGINEERING SERVICES**
 - i The applicant shall be responsible for the installation and provision of internal engineering services.
 - ii. Once water, sewer and electrical networks have been installed, same will be transferred to the Local Council, free of cost, who shall maintain these networks (except internal street lights).

iii. 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).

(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.

(9) **ACCEPTANCE AND DISPOSAL OF STORM WATER**

The township owner shall arrange for the drainage of the township to fit in with that of the existing 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.

(10) **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.

(11) **TRANSFER OF ERVEN**

Erf 2884 shall, at the cost of the township owner, be transferred to the home owners association to be established for the township as envisaged in 1(5) above prior to or simultaneously with the first transfer of any erf

(12) **FORMULATION AND DUTIES OF THE HOME OWNER'S ASSOCIATION**

- (i) The township owner shall properly and legally constitute a Home Owner's Association [a company incorporated under Section 21 of the Companies Act, 1973, or a universitas personarum].
- (ii) The memorandum of association of the Section 21 Company, or a universitas personarum, shall provide that:
 - (a) each and every owner of an erf in the township shall become a member of the Home Owner's Association upon transfer to him of that erf;
 - (b) the Home Owner's Association shall have full responsibility for the functioning and proper maintenance of the portion for roadway purposes and the engineering services contained thereon. The local authority shall not be liable for the defectiveness of the surfacing of the roadway and/or any essential services;
 - (c) the Home Owner's Association must be incorporated with the legal power to levy from each and ever member of the Home Owner's Association the cost incurred in fulfilling its function and to have legal recourse to recover such fees in the event of a default in payment by any member; and
 - (d) the construction and maintenance of the roadway portion shall be the responsibility of the township owner until transfer of that portion to the Home Owner's Association.

i. **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.

- (a) Erven 2834 to 2883
- 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 structures 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. Entitled to a right-of-way servitude over the entire Erf 2884
- (b) **ERF 2884**
- 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, as indicated on the general plan, to guarantee access to a public road to all the residents.

Blake Mossley-Lefatola: Acting City Manager, Ekurhuleni Metropolitan Municipality,
Private Bag X1069 Germiston, 1400
Notice DP 5-2009

LOCAL AUTHORITY NOTICE 803

EKURHULENI METROPOLITAN MUNICIPALITY (KEMPTON PARK CUSTOMER CARE CENTRE) KEMPTON PARK TOWN PLANNING SCHEME 1987: AMENDMENT SCHEME 1875

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 Pomona Extension 101 Township, Kempton Park.

Map 3 and the scheme clauses of the amendment scheme will be open for inspection during normal office hours at the office of the Manager: Development Planning, 5th Floor, Civic Centre, corner of C R Swart Drive and Pretoria Road, Kempton Park and the Office of the Head of Department, Gauteng Provincial Government: Development Planning and Local Government, Johannesburg. This scheme will come into operation on the date of publication of this notice.

This amendment scheme is known as Kempton Park Amendment Scheme 1875.

Blake Mossley-Lefatola: Acting City Manager, Ekurhuleni Metropolitan Municipality, Private Bag X1069 Germiston, 1400.
Notice No. DP6-2009.

LOCAL AUTHORITY NOTICE 804**EKURHULENI METROPOLITAN MUNICIPALITY
(KEMPTON PARK CUSTOMER CARE CENTRE)
DECLARATION AS 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 the township of Birchleigh Extension 24 to be an approved township, subject to the conditions as set out in the Schedule hereto.

SCHEDULE

STATEMENT OF THE CONDITIONS UNDER WHICH THE APPLICATION MADE BY BIZ AFRIKA 1678 (PTY) LTD No.2002/006533/07 (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, 15 OF 1986, FOR PERMISSION TO ESTABLISH A TOWNSHIP ON A PORTION OF PORTION 184 (A PORTION OF PORTION 52) (A PORTION OF PORTION 9) OF THE FARM RIETFONTEIN 32-IR PROVINCE OF GAUTENG AS APPEAR ON GENERAL PLAN SG. No. 7357/2008 HAS BEEN GRANTED

1. CONDITIONS OF ESTABLISHMENT

- (1) **NAME**
The name of the township shall be Birchleigh Extension 24.
- (2) **DESIGN**
The township shall consist of erven and streets as indicated on General Plan S.G. No. 7357/2008
- (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 R24 400-00 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, but excluding the following:
(i) Servitude K 1986/2006S which affects a street in the township only.
(ii) Servitude 1201/1971S which does not affect the township area
- (5) **PRECAUTIONARY MEASURES**
The township owner shall at his own expense make arrangements with the local authority in order to ensure that the recommendations as laid down in the geological report of the township must be complied with and, when required, engineer certificates for the foundations of the structures must be submitted.
- (6) **ACCESS**
(i) Access to the township shall be obtained from the existing public road out of Elgin Road .

- (ii) No ingress from Elgin Road to the township and no egress to Elgin Road from the township shall be allowed.
- (iii) A line of no access shall be applicable along Elgin Road and the proposed PWV-3 freeway.

(7) **CONDITIONS TO BE COMPLIED WITH BEFORE ERVEN BECOME REGISTERABLE**

No Erf in the township shall be registered until a public road or right of way servitudes as been established and a roadway constructed as extension from Elgin Road in accordance with a service agreement.

(8) **ENGINEERING SERVICES**

- (i) A services agreement needs to be entered into between the Developer and the Local Authority regarding all services
- (ii) The applicant shall be responsible for the installation and provision of internal engineering services.
- (iii) Once water, sewer and electrical networks have been installed, same will be transferred to the Local Council, free of cost, who shall maintain these networks.
- (iv) The public road will be transferred to the Local Council at proclamation of the township, free of cost, who shall maintain this road

(9) **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.

(10) **ACCEPTANCE AND DISPOSAL OF STORMWATER**

The township owner shall arrange for the drainage of the township to fit in with that of the existing 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.

(11) **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.

(12) **REPOSITIONING OF SERVICES**

If, by reason of the establishment of the township, it should become necessary to reposition any existing services of Eskom, Telkom, Randwater or the Local Authority, the cost thereof shall be borne by the township owner.

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.

(1) **ERVEN 1907 and 1908**

- (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 and 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 structures 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.

Blake Mossley-Lefatola: Acting City Manager, Ekurhulein Metropolitan Municipality, Private Bag X 1069 Germiston 1400
Notice DP 16-2009 (15/3/7/B3x24)

LOCAL AUTHORITY NOTICE 805

EKURHULENI METROPOLITAN MUNICIPALITY KEMPTON PARK CUSTOMER CARE CENTRE KEMPTON PARK TOWN PLANNING SCHEME 1987: AMENDMENT SCHEME 1913

The Ekurhuleni Metropolitan Municipality hereby, in terms of the provisions of Section 125(1) of the Town Planning and Townships Ordinance 15 of 1986, declares that it has approved an amendment scheme being an amendment to the Kempton Park Town Planning Scheme 1987, comprising the same land as included in the township of Birchleigh Extension 24 Township.

Map 3 and the Scheme Clauses of the Amendment Scheme are available for inspection at all reasonable times at the offices of the Area manager City Development, (Kempton Park Customer Care Centre) 5th Floor, Civic Centre, c/o Pretoria- and CR Swart Drive Kempton Park, and the Offices of the Head of Department, Department of Economic Development, Gauteng Provincial Government, 8th Floor, Corner House, 63 Fox street, Johannesburg 2000.

This amendment is known as Kempton Park Amendment Scheme 1913

Blake Mossley-Lefatola: Acting City Manager, Ekurhulein Metropolitan Municipality, Private Bag X 1069 Germiston 1400
Notice DP 17-2009 (15/3/7/B3x24)
