

**THE PROVINCE OF
GAUTENG**

**DIE PROVINSIE
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EKURHULENI METROPOLITAN MUNICIPALITY

DECLARATION AS APPROVED TOWNSHIP

In terms of Section 103 of the Town Planning and Township Ordinance, 15 of 1986, the Ekurhuleni Metropolitan Municipality hereby declares Terenure Extension 70 Township to be an approved township subject to the conditions set out in the schedule hereto.

SCHEDULE

STATEMENT OF THE CONDITIONS UNDER WHICH THE APPLICATION MADE BY ZOTEC DEVELOPMENTS (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 17 (A PORTION OF PORTION 8) OF THE FARM MOOIFONTEIN 14 IR, PROVINCE OF GAUTENG HAS BEEN GRANTED:

1.1 NAME

The name of the township shall be Terenure Extension 70.

1.2 DESIGN

The township shall consist of erven and street as indicated on plan number General Plan No. 5693/2007.

1.3 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 R161 200,00 (One hundred and sixty one thousand and two hundred rand) to the local authority. This money can be used for the purposes of upgrading any parks.

1.4 DISPOSAL OF EXISTING CONDITION OF TITLE

All erven shall be made subject to existing servitudes and conditions of title, (if any) except the following conditions that do not affect the erven in the township:

- a. Die eienaar van die gemelde Gedeelte 'F' (nou bekend as Gedeelte 17 '(n gedeelte 8) an van Gedeelte 'E' van die plaas NIETGEDACHT NO 130, distrik Krugersdorp, Gedeelte 3 en die Resterend Gedeelte van Gedeelte 'A' van gesegde plaas NIETGEDACHT groot as sodanig 5,5604 hektaar, Gedeelte 1 en die Resterend Gedeelte groot as sodanig 90,4087 hektaar van Gedeelte 'E' van de plaas BULTFONTEIN NO 90, Distrik Krugersdorp, gehou onder Aktes van Transport Nos.4329/1939,4330/1939,4331/1939,4329/1939,4333/1939,4330/1939,4331/1939,4329/1939 , en 4332/1939,gedateer 13 Maart, 1939, is geregtig tot 'n reg van begrafnis in die bestaande Kerkhof op die Resterend Gedeelte van gesegde Gedeelte 'E' van die gesegde plaas NIETGEDACHT groot as sodanig 87,4065 hektaar, en tot n' reg van toegang om gesegde Kerkhof te bereik.
- b. ALLE bestaande paaie sal vry en onbelemmerd bly vir die gebruik van die eienaars van genoemde Gedeelte 'F' (n' gedeelte van gedeelte 8) tesame met die eienaars van Gedeeltes, A,B,C,D,E,G,H,J,K,L,M,N 25 en die Resterende Gedeelte van gedeelte van die genoemde plaas MOOIFONTEIN groot as sulks 6,032 hektaar, soos gehou kragtans Aktes van Verdelingstransport Nos.20964/1939, 20965/1939, 20966/1939, 20967/1939, 20968/1939, 20969/1939, 20970/1939, 20971/1939, 20972/1939, 20973/1939, 20974/1939, 20976/1939, 20977/1939, 20978/1939, 20979/1939, 20980/1939, 20981/1939, 20982/1939, 20983/1939, 20984/1939, 20985/1939, 20986/1939, 20987/1939, 20988/1939,

- c. GEREKTIG tesame met die eienaars van Gedeeltes E, G, H en 25 Gedeelte van die genoemde plaas soos gehou kragtens Aktes van Transport Nos. 20974/1999 tot 20976/1939 tot 20981/1939, 20986/1939 en 20987/1939 tot die water wat ontsaan uit die fontein gelee op genoemde Gedeelte 25 en wat in de dam gelee op die genoemde Gedeelte 25, vloei met die reg om die water in die genoemde dam op te vang en dit te lei na die respektiewe genoemde gedeeltes met 'n watervoor irrigasie doeleindes.
- d. Die eienaars van die gedeeltes wat so geregtig is tot die genoemde water vermeld in voorgaande paragraaf (c) sal geregtig wees tot die gebruik daarvan gedurende elke agternvolgende perioda van vierweke (beginnenda op Saterdag) in die volgorde hierna vermeld en gedurende die volgende periodes:
- (i) Gedeelte 25 van 6 uur n.m. op die eerste Saterdag tot uur n.m. op die volgende Donderdag.
 - (ii) Gedeelte 'E' van 6 uur n.m. op die eerste Donderdag tot 6 uur n.m. op die tweede Saterdag.
 - (iii) Gedeelte 'F' (nou bekend as Gedeelte 17 ('n gedeelte van gedeelte 8) van 6 uur n.m. op die derde Saterdag tot 6 uur n.m., op die derde Saterdag;
 - (iv) Gedeelte 'G' van 6 uur n.m. op die derde Saterdag tot 6 uur n.m. op die vierde Saterdag en
 - (v) Gedeelte 'H' van 6 uur n.m. op die vierde Saterdag tot 6 uur n.m. op die vyfde Saterdag,
- e. (i) Die eienaars van gedeelte 'F' (nou bekend as Gedeelte 17 ('n gedeelte van gedeelte 8) en van genoemde Gedeeltes E, G, en H sal respektiewelik in goeie orde en reparasie onderhou en eenmaal elke jaar die genoemde watervoor op hulle respektiewe gedeeltes skoonmaak, elke onder-eienaar het die reg van toegan oor die gedeelte tot die water te beskerm
- (ii) Die eienaars van Gedeelte 'F' (nou bekend as Gedeelte 17 ('n gedeelte van gedeelte 8) en van genoemde Gedeeltes E,G,H en 25 salgesamentlik verplig wees om die genoemde dam in goeie orde en reparasie te hou en eenmaal elke jaar skoon te maak
 - (iii) Die eienaars van Gedeelte 25 sal allenlik verplig wees om sadanige lengte van die genoemde voor as wat hulle mag gebruik in goeie orde en reparasie te hou en eenmaal elke jaar skoon te maak en die Restant van die genoemde voorop genoemde Gedeelte 25 sal so onderhou word in goeie order en reparasie van genoemde Gedeeltes E, F, G en H gesamentlik.
- f. "Kragtens Notariele Akte No. 1131/72-S, geregistree op die 28ste Augustus 1972, is die eiendom hiermee getransporteer onderhewig aan'n ewigdurende srewituut van Waterpyplyn en ander munisipale doeleindes soos aangedui deur die letters A B C D E F op Kaart L.G No. A7320/71, geheg aan voormelde Notariele Akte No. 1131/72-S ten gunste van die Stadsraad van Kempton Park, soos meer volledig sal blyk uit die gemelde Notariele Akte"
- g. By virtue of Notarial Deed No. 2932/74 the within mentioned property is subject to certain restrictive conditions in favour of Portion 213 of the farm Zuurfontein 33 I.R, held by TUDOR NURSERIRS AND LANDSCAPE COMPANY (PROPRIATARY) LIMITED under Certificate of Consolidated Title T.2447/1972, dated 29th August, 1972.
- h. By virtue of notarial deed of servitude dated 04/04/95 K 2388/95S the within mentioned property is subject to a perpetual servitude for water pipeline, 3m wide indicated by the line ABCDEFGH as per SG Diagram A7299/1992, in favour of Kempton Park/ Tembisa Metropolitan Substructure, with ancillary rights and conditions, as well appear successfully from the notarial deed.

1.5 ACCESS

Access to and from the proposed township will only be permitted from either a road or right of way servitude as may be extended from either Oranjerivier Road or Bergrivier Drive, to the satisfaction of the Municipality, as per a service agreement.

1.6. 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 servitude has been established and constructed as extension from either Oranjerivier Road or Bergrivier Drive, in accordance with a service agreement.

1.6. PRECAUTIONARY MEASURES

The township owner shall at his own expense make arrangement with the Local Authority in order to ensure that the recommendations as laid down in the geotechnical report of the township be complied with and when required, Engineer Certificates for the foundations of the structures must be submitted.

1.8 DEMOLITION OF BUILDINGS AND STRUCTURES

The township owner shall at his 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 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.

1.10 REMOVAL OR 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.

1.11 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.

1.12 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 Metropolitan Municipality, free of cost, who shall maintain these networks (except internal street lights)
- iii The Section 21 Company, will be responsible for the internal roads (including storm water) and internal street lights (including electrical power usage). These services will not to be taken over by the Local Authority.

CONDICTIONS OF TITLE

(1) ALL ERVEN

All erven shall be subject to the following conditions imposed by the Local Authority in terms of the provisions of the Town planning and Township Ordinance, 1986.

- a) 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 case, of a panhandle erf an additional servitude for municipal purposes 2m wide across the access

portion of 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 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 entitle to deposit temporarily on the land adjoining 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.

(2) ERF 2296 AND 2298

The erf shall be subject to the following conditions imposed by Local Authority in terms of the provisions of the Town Planning and Township Ordinance, 1986.

- a) A 15m wide as per SG Diagram No. 13239/1998 in favour of Rand Water Board is registered over the erven 2296 and 2298.
- b) An electrical servitude 3m wide as per S.G No. 602/2003 is registered over the erven 2296 and 2298.

(3) ERF 2298

The Erf shall be subject to the following conditions imposed by the Local Authority in terms of the provisions of the Township planning and Township Ordinance, 1986.

- a) A sewer servitude 3m wide as per S.G. No.601/2003 is registered over the erf 2298.
- b) A right-of-way servitude in favour of the owners of Erven 2296 and 2297 Tenenure Extension 70, Erven 2248 and 2249 Terenure Extension 69 as well as the Municipality.

(4) ERVEN 2296 AND 2297

Erven 2296 and 2297 shall be entitled to a right-of-way servitude over Erf 2298.

CONDITIONS TO BE INCORPORATED IN THE TOWN PLANNING SCHEME IN TERMS OF SECTION 125 OF ORDINANCE 15 OF 1986, IN ADDITION TO THE PROVISIONS OF THE TOWN PLANNING SCHEME IN OPERATION

(1) RESIDENTIAL 3 – USE ZONE 3

Erven 2296 and 2297

The erven shall be zoned "Residential 3", subject to the following development control measures:

- a) Height : 3 Storeys
- b) Coverage : 40%
- c) FAR. : 1.2 per
- d) Density : 60 units per Hectare
- e) Building line : Standard in terms of the Kempton Park Town Planning Scheme, 1987. Provided that building Lines mat be relaxed by the municipality.
- f) Parking : Standard in terms of the Kempton Park Town Planning Scheme, 1987.

- g) A site development plan in terms of Clause 6 of the Kempton Park Town Planning Scheme, 1987 shall be submitted for the development as a whole to the local authority for approval prior to or simultaneous with the submission of the necessary building plans. The site development plan shall make provision for an open space strip/landscaping along the western boundary of Erven 2296 and 2297 to the satisfaction of the local authority.

(2) SPECIAL – USE ZONE 9

Erf 2298

The erf shall be used for private road and access control.

LOCAL AUTHORITY NOTICE 182

LOCAL AUTHORITY NOTICE DP.6.2011

EKURHULENI METROPOLITAN MUNICIPALITY

KEMPTON PARK AMENDMENT SCHEME 2039

The Ekurhuleni Metropolitan Municipality hereby, in terms of the provisions of Section 125(1) of the Town Planning and Township 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 Terenure Extension 70.

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: City Development Kempton Park Customer Care Centre, 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: Department of Economic Development 8th Floor, Corner House, 63 Fox Street, Johannesburg, 2000.

This amendment scheme is known as Kempton Park Amendment Scheme 2039 and shall come into operation on the date of the proclamation of this notice.

Khaya Ngema: CITY MANAGER

Ekurhuleni Metropolitan Municipality: Private Bag X 1069 Germiston 1400

NOTICE DP.6.2011 [15/3/7/T6 X 70]

24 February 2011
