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GAUTENG**



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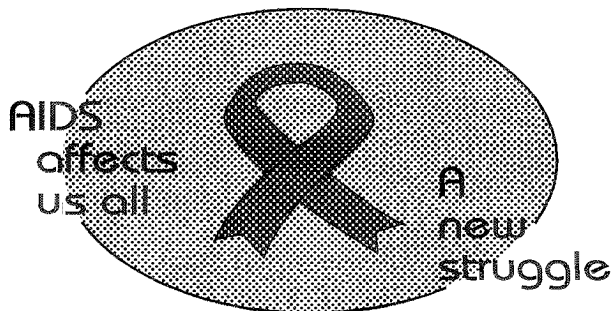
# Provincial Gazette Extraordinary Buitengewone Provinsiale Koerant

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**Prevention is the cure**

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DEPARTMENT OF HEALTH

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## LOCAL AUTHORITY NOTICE

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### LOCAL AUTHORITY NOTICE 923

#### 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 137 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 LANZARAC ONTWIKKELAARS CC (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 555 (A PORTION OF PORTION 15) OF THE FARM RIETFONTEIN NO. 31, REGISTRATION DIVISION I.R HAS BEEN GRANTED

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#### 1. CONDITIONS OF ESTABLISHMENT.

(1) **NAME**

The name of the township shall be Pomona Extension 137.

(2) **DESIGN**

The township shall consist of erven and streets as indicated on SG No 1378/2012.

(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 R49 000,00 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 servitude's, if any, but excluding condition 1 which will not be passed on to the owners of erven in the township.

"The original remaining extent of Portion A of the farm "RIETFONTEIN" No 18, District BENONI measuring as such 1205, 8671 (One Thousand and Two Hundred and Five comma Eight Six Seven One) 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 4882/1924, Portion "E" measuring 17,1306 (Seventeen comma One Three Nought Six) 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) situate near the Western Boundary line of that portion of the property held under the said Certificate of Amended Title No 4882/1924, 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 Kaffir 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 the said original remaining extent of Portion A measuring as such 1205, 8671 (One Thousand and Two Hundred and Five comma Eight Six Seven One) Hectares (now comprised as aforesaid) with the further right of access to the fountain and pipes or furrow for the purposes 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 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 Outeniqua Avenue.
- (ii) No ingress from East Road to the township and no egress to East Road from the township shall be allowed.

(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 Non Profit company incorporated under Act 71 of 2008, 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 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.

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

- (i) The township owner shall properly and legally constitute a Home Owner's Association (NPC) a Non Profit company incorporated under Act 71 of 2008, or a universitas personarum].
- (ii) The memorandum of association of the Non Profit company under Act 71 of 2008, 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 every member of the Home Owner's Association the costs 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.

(12) **TRANSFER OF ERVEN**

Erf 3173 shall, at the cost of the township owner, be transferred to the home owners association to be established for the township as envisaged in (11) above prior to or simultaneously with the first transfer of any erf.

3. **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 3127 to 3172**

- (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.

(2) **ERF 3173**

- (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.

(3) **Erven 3170 and 3171**

- (i) The erf is subject to an electrical substation servitude in favour of the Local Authority as indicated on the General Plan.

Khaya Ngema: City Manager, Ekurhuleni Metropolitan Municipality, Private Bag X1069  
Germiston, 1400

Notice DP.27.2013

**EKURHULENI METROPOLITAN MUNICIPALITY  
(KEMPTON PARK CUSTOMER CARE CENTRE)  
KEMPTON PARK TOWN PLANNING SCHEME 1987: AMENDMENT SCHEME  
1883**

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 137 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: City Planning, 5<sup>th</sup> 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 1883.

Khaya Ngema: City Manager, Ekurhuleni Metropolitan Municipality, Private Bag X1069 Germiston, 1400.

Notice No. DP.27.2013

