

**THE PROVINCE OF
GAUTENG**



**DIE PROVINSIE
GAUTENG**

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We all have the power to prevent AIDS

AIDS
affects
us all



A
new
struggle

Prevention is the cure

**AIDS
HELPLINE**

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DEPARTMENT OF HEALTH

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LOCAL AUTHORITY NOTICES

LOCAL AUTHORITY NOTICE 708

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 WITFONTEIN EXTENSION 57 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 TRIDEVCO (PTY) LTD (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 PORTION 127 (A PORTION OF PORTION 86) OF THE FARM WITFONTEIN 15, REGISTRATION DIVISION IR, PROVINCE OF GAUTENG, HAS BEEN GRANTED

1. CONDITIONS OF ESTABLISHMENT

1.1 NAME

The name of the township shall be Witfontein Extension 57.

1.2 DESIGN

The township shall consist of erven as indicated on General Plan SG No. 4452/2013.

1.3 STORMWATER DRAINAGE AND STREET CONSTRUCTION

- (a) The township owner shall on request by the local authority submit to such authority for its approval a detailed scheme complete with plans, sections and specifications, prepared by a civil engineer approved by the local authority, for the collection and disposal of stormwater throughout the township by means of properly constructed works and for the construction, tamacadamising, kerbing and channelling of the streets therein together with the provision of such retaining walls as may be considered necessary by the local authority. Furthermore, the scheme shall indicate the route and gradient by which each erf gains access to the street on which it abuts.
- (b) The township owner shall, when required by the local authority to do so, carry out the approved scheme at its own expense on behalf and to the satisfaction of the local authority under the supervision of a civil engineer approved by the local authority.
- (c) The township shall be responsible for the maintenance of the streets to the satisfaction of the local authority until the streets have been constructed as set out in subclause (b).
- (d) If the township owner fails to comply with the provisions of paragraphs (a), (b) and (c) hereof the local authority shall be entitled to do the work at the cost of the township owner.

1.4 DISPOSAL OF EXISTING CONDITIONS OF TITLE

All erven shall be made subject to existing conditions and servitudes, if any but

1. EXCLUDING THE FOLLOWING SERVITUDES WHICH DO NOT AFFECT THE TOWNSHIP AREA DUE TO ITS LOCATION:

- "A. Die voormalige resterende gedeelte van die gemelde plaas, groot as sodanig 1723,5742 (EEN DUISEND SEWE HONDERD DRIE EN TWINTIG komma (VYF SEWE VIER TWEE) hektaar (waarvan die eiendom hiermee getranspoteer deel uitmaak), is onderworpe aan 'n reg ten gunste van die VICTORIA FALLS AND TRANSVAAL POWER COMPANY LIMITED om elektrisiteit te vervoer oor hierdie eiendom soos meer ten volle sal blyk uit Notariële Akte Nr. 646/1928 S".
- "B. Kragtens Notariële Akte Nr. 193/1965-S gedateer 22 Januarie 1965 is die voormalige resterende gedeelte van die gemelde plaas, groot as sodanig 1691,3170 (EEN

DUISEND SESHONDERD EEN EN NEGENTIG komma DRIE EEN SEWE NUL) hektaar, (hierna genoem die dienende eiendom), waarvan die eiendom hiermee getranspoteer deel uitmaak :

- (a) Onderhewig aan en geregtig tot 'n ooreenkoms betreffende waterverdeling met sekere Gedeelte D van die plaas Witfontein voormeld, (hiernagenoem die heersende eiendom), gehou kragtens Transportakte Nr. 907/1934, gedateer 1 Februarie 1934, in terme waarvan vanaf Maandagoggend om sesuur voormiddag in elke week die eienaar van die dienende eiendom geregtig sal wees om die water in die hiernavermelde watervoor te neem en sal die eienaar van die heersende eiendom geregtig wees om vanaf sesuur voormiddag Donderdagoggend tot sesuur voormiddag Sondagoggend in elke week die water in die gemelde voor te neem. Vir die oorblywende dag van elke week vanaf sesuur voormiddag Sondagoggend tot sesuur voormiddag Maandagoggend, sal die partye die water ongehinderd in die spruit laat vloei met die reg aan die eienaar van die dienende eiendom om na gelang van die toestand van die vlei, die water so af te keer dat dit óf in die vlei óf laer af in die spruit ingekeer word.
- (b) Ten einde die eienaar van die heersende eiendom in staat te stel om water vanaf die stuwal na haar eiendom te neem, verleen die eienaar van die dienende eiendom aan die eienaar van die heersende eiendom 'n serwituut van waterleiding langs die bestaande watervoor aangedui deur die lyn A-B op Kaart Nr. A.2905/53 geheg aan Notariële Akte Nr. 193/65-S en op voormelde Kaart Nr. 2453/83 deur die figuur S1 geheg aan Grondbrief gedateer 11 Julie 1859. Die gemelde watervoor sal nie wyer as sy huidige wydte gemaak word tensy die partye skriftelik andersins ooreenkoms. Die bestaande afmetings van die gesementeerde gedeelte van die voor is 0,4004 (NUL komma VIER NUL NUL VIER) meter wyd op die bodem 0,5037 (NUL komma VYF NUL DRIE SEWE) meter meter wyd bo en 0,3616 (NUL komma DRIE SES EEN SES) meter diep.
- (c) Elk van die partye sal verantwoordelik wees vir die instandhouding van een-helfte van die gemelde watervoor, te wete, die eienaar van die heersende eiendom vir helfte naaste aan haar eiendom geleë en die eienaar van die dienende eiendom die ander helfte wat strek tot by die stuwal. Die eienaar van die heersende eiendom en/of haar werknemers sal te alle tye toegang tot die betrokke voor hê om haar regte en verpligting uit te oefen. Die partye sal gesamentlik verantwoordelik wees vir die herstel en instandhouding van die bogenoemde stuwal, wanneer nodig.
- (d) Die partye wie se beurt aanbreek sal die sluise verander sodat die water vir haar eiendom aangewend word en die plig om die verandering aan te bring wanneer die beurt omruil, sal nie op die persoon rus wie se beurt dan verstreke is nie."
- C. Die voormalige resterende gedeelte van die gemelde plaas groot as sodanig 1691,3170 (EEN DUISEND SES HONDERD EEN EN NEGENTIG komma DRIE EEN SEWE NUL) hektaar, waarvan die eiendom hiermee getranspoteer deel uitmaak, is onderhewig aan 'n ondergrondse elektriese kabelroete 3,15 meter wyd ten gunste van die Regering van die Republiek van Suid-Afrika (in sy Spoorweë en Hawens Administrasie hoedanigheid), tesame met sodanige bykomstige regte soos meer ten volle sal blyk uit Notariële Akte van Serwituut Nr. 1071/1953-S gedateer 14 November 1953".
- D. Die voormalige resterende gedeelte van die genoemde plaas groot 644,9544 (SES HONDERD VIER EN VEERTIG komma NEGE VYF VIER VIER) hektaar, waarvan die eiendom hierby getranspoteer 'n deel uitmaak, is onderhewig aan 'n serwituut om elektrisiteit te vervoer en 'n serwituut vir substasie meer volledig sal blyk uit Notariële Akte van Serwituut K2216/1975 S, en kaart SG No A226/1970 daarby aangeheg.
- E. Die voormalige resterende gedeelte van die genoemde plaas groot 644,9544 (SES HONDERD VIER EN VEERTIG komma NEGE VYF VIER VIER) hektaar, waarvan die eiendom hierby getranspoteer 'n deel uitmaak, is onderhewig aan 'n pyplynserwituut ten gunste van die Republiek van Suid-Afrika (in sy Spoorweë en Hawens Administrasie hoedanigheid) soos meer volledig sal blyk uit Notariële Akte van Sessie K341/1976 S gedateer 19 Januarie 1976.

- F. By virtue of Notarial Deed of Servitude K5745/2012S dated the 9th day of October 2012, the within mentioned property is subject to a right of way servitude in favour SERENGETI GOLF AND WILDLIFE PROPERTY OWNERS ASSOCIATION (RF) NPC, Registration Number 2007/013033/08 which servitude is indicated by the figure ABCDEFGHJKA on the servitude diagram SG No 8145/2008 with ancillary rights.

1.5 ACCEPTANCE AND DISPOSAL OF STORMWATER

The township owner shall arrange for the drainage of the township to fit in with that of the existing road and stormwater infrastructure in the vicinity and for all stormwater running of or diverted from the roads to be received and disposed of.

1.6 OBLIGATIONS IN REGARD TO ESSENTIAL SERVICES

The township owner shall within such period as the local authority may determine, fulfil its obligations in respect of the provision of water, electricity and sanitary services and the installation of systems therefore, as previously agreed upon between the township owner and the local authority.

1.7 ACCESS

No ingress from Road P68-1 (K155) to the township and no egress to Road P68-1 (K155) from the township shall be allowed.

1.8 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.

1.9 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.

2. CONDITIONS OF TITLE

The erven mentioned hereunder shall be subject to the conditions as indicated imposed by the local authority in terms of the provisions of the Town Planning and Townships Ordinance, 1986.

2.1 ALL ERVEN

- (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 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.
- (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.
- (d) ERF 1845
- i) The erf is subject to a servitude, 15x22m, for electrical purposes in favour of the local authority, as indicated on the General Plan.
- (e) ERVEN 1844 AND 1845

- i) The erven are subject to a 3m wide servitude for sewer purposes 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.17.2014

LOCAL AUTHORITY NOTICE 709

**EKURHULENI METROPOLITAN MUNICIPALITY
(KEMPTON PARK CUSTOMER CARE CENTRE)
KEMPTON PARK TOWN PLANNING SCHEME 1987: AMENDMENT SCHEME 2246**

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 the Kempton Park Town Planning Scheme 1987, comprising the same land as included in the township of WITFONTEIN EXTENSION 57 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 of Economic Development, Gauteng Provincial Government, Johannesburg, as well as the Area Manager, Development Planning, Ekurhuleni Metropolitan Municipality (Kempton Park Customer Care Centre), 5th Floor, Civic Centre, c/o CR Swart Drive and Pretoria Road, Kempton Park.

This amendment is known as Kempton Park Amendment Scheme 2246.

Khaya Ngema: City Manager,
Ekurhuleni Metropolitan Municipality: Private Bag X1069 Germiston 1400
Notice DP.17.2014

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