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**PROCLAMATION • PROKLAMASIE**

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**PROCLAMATION 130 OF 2017**

CITY OF EKURHULENI METROPOLITAN MUNICIPALITY

DECLARATION AS APPROVED TOWNSHIP

In terms of Section 103 of the Town Planning and Townships Ordinance, 15 of 1986, the Ekurhuleni Metropolitan Municipality hereby declares Lilianton Extension 9 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 BALWIN PROPERTIES LIMITED (REGISTRATION NO: 2003/028851/06) (HEREINAFTER REFERRED TO AS THE APPLICANT/TOWNSHIP OWNER) UNDER THE PROVISIONS OF CHAPTER III OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 537 (A PORTION OF PORTION 378) OF THE FARM DRIEFONTEIN 83-I.R. HAS BEEN GRANTED BY CITY OF EKURHULENI METROPOLITAN MUNICIPALITY.

**1 CONDITIONS OF ESTABLISHMENT****1.1 NAME**

The name of the township shall be Lilianton Extension 9.

**1.2 DESIGN**

The township shall consist of erven and streets as indicated on General Plan S.G. No. 337/2014.

**1.3 DISPOSAL OF EXISTING CONDITIONS OF TITLE**

All erven shall be made subject to existing conditions of title and servitudes, if any, including the reservation of rights to minerals, excluding the following which does not affect the erven in the township due to locality:

The former Remaining Extent of the farm Driefontein 85, Registration Division I.R. Province of Gauteng, (in extent of which the property held herewith forms a portion) is subject to a servitude in favour of Eskom as will more fully appear from Notarial Deed of Servitude No. K4992/1998S.

**1.4 ENDOWMENT**

The township owners shall, in terms of the provisions of section 98(2) and (3) of the Town Planning and Townships Ordinance, 1986, pay a lump sum endowment of **R136 000.00** (VAT Incl.) to the local authority which amount shall be used by the local authority for the provision of land for parks and/or open spaces in or for the township.

Such endowments are payable in terms of the provisions of section 81 of the said ordinance, read with section 95 thereof.

**1.5 REMOVAL OR REPLACEMENT OF MUNICIPAL SERVICES**

If, by reason of the establishment of the township, it becomes necessary to remove or replace any existing municipal services, the cost thereof shall be borne by the township owner.

**1.6 OBLIGATIONS IN REGARD TO ENGINEERING SERVICES**

1.6.1 The township owners shall fulfil their obligations in respect of the provision and installation of engineering services.

1.6.2 The recommendations of the Traffic Impact Study compiled by Arup Transport Planning (Report No. T634 dated September 2006) shall be complied with.

1.6.3 The recommendations of the Geotechnical Report compiled by Johann vd Merwe (Pty) Ltd Consulting Scientists (Project No. M06/2752 dated August 2006) shall be complied with.

#### 1.7 ACCESS

Access shall be from the right of way servitude over Lilianton Extension 8 Township to the satisfaction of the Roads & Stormwater Department and GAUTRANS.

No access shall be permitted from the Proposed K92 Road.

#### 1.8 NOTARIAL TIE OF ERVEN

The township owner/s shall at his own expense cause the erven within the proposed Lilianton Extensions 8, 9, 10 and 11 Township to be notarial tied to each other within six months from declaration of the respective townships as approved townships.

All right of way servitudes for access purposes (except the right of way servitude between Pretoria Road & the gate house which affects Lilianton Extension 8 Township), municipal services and private services whether indicated on the general plan or in general terms, shall no longer be necessary and deemed to be cancelled once the notarial tie agreement/s has been registered as due provision is made for access purposes and services by virtue of the registration of the notarial tie agreement.

#### 2. CONDITIONS OF TITLE

2.1 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.

2.1.1 The erf is subject to the building restriction areas & building lines outlined in the relevant Town Planning Scheme which may be amended via the procedures outlined in such Town Planning Scheme.

2.1.2 No building or other structure shall be erected within the aforesaid building restriction area and no large-rooted trees shall be planted within the said area or within 1m thereof.

2.1.3 The local authority shall be entitled to deposit temporarily on the land adjoining the aforesaid building restriction area 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.

2.2 CONDITIONS IN TITLE IMPOSED IN FAVOUR OF THIRD PARTIES TO BE REGISTERED/CREATED ON THE FIRST REGISTRATION OF ERVEN CONCERNED

2.2.1 Erf 585 and 586

The erven are subject to a right-of-way servitude and a services servitude, 13.5 meters wide, in favour of the property owners of the proposed Lilianton Extensions 8, 10 and 11 Townships as shown on the General Plan pending the registration of the Notarial Tie Agreement which shall make proper provision for access purposes. The right of way servitude and services servitude will be deemed to have lapsed and shall automatically be cancelled on registration of the Notarial Tie.

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#### CITY OF EKURHULENI METROPOLITAN MUNICIPALITY

#### EKURHULENI AMENDMENT SCHEME F0112

The City of Ekurhuleni Metropolitan Municipality (Boksburg 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 Ekurhuleni Town Planning Scheme 2014, comprising the same land as included in the township of LILANTON EXTENSION 9 Township

All relevant information is filed with the Area Manager: Boksburg Customer Care Centre, 3<sup>rd</sup> floor, Boksburg Civic Centre, c/o Trichardt's and Commissioner Streets, Boksburg, and are open for inspection at all reasonable times.

This amendment is known as Ekurhuleni Amendment Scheme F0112.

Dr. Imogen Mashazi  
City Manager  
Civic Centre, Cross Street, Germiston

**PROCLAMATION 131 OF 2017**

## CITY OF EKURHULENI METROPOLITAN MUNICIPALITY

## DECLARATION AS APPROVED TOWNSHIP

In terms of Section 103 of the Town Planning and Townships Ordinance, 15 of 1986, the Ekurhuleni Metropolitan Municipality hereby declares Lilianton Extension 8 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 BALWIN PROPERTIES LIMITED (REGISTRATION NO: 2003/028851/06) (HEREINAFTER REFERRED TO AS THE APPLICANT/TOWNSHIP OWNER) UNDER THE PROVISIONS OF CHAPTER III OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 536 OF THE FARM DRIEFONTEIN 83-I.R. HAS BEEN GRANTED BY CITY OF EKURHULENI METROPOLITAN MUNICIPALITY.

**1 CONDITIONS OF ESTABLISHMENT****1.1 NAME**

The name of the township shall be Lilianton Extension 8.

**1.2 DESIGN**

The township shall consist of erven and streets as indicated on General Plan S.G. No. 335/2014.

**1.3 DISPOSAL OF EXISTING CONDITIONS OF TITLE**

All erven shall be made subject to existing conditions of title and servitudes, if any, including the reservation of rights to minerals, excluding the following which does not affect the erven in the township due to locality:

The former Remaining Extent of the farm Driefontein 85, Registration Division I.R. Province of Gauteng, (in extent of which the property held herewith forms a portion) is subject to a servitude in favour of Eskom as will more fully appear from Notarial Deed of Servitude No. K4992/1998S.

**1.4 ENDOWMENT**

The township owners shall, in terms of the provisions of section 98(2) and (3) of the Town Planning and Townships Ordinance, 1986, pay a lump sum endowment of **R192 000.00** (VAT Incl.) to the local authority which amount shall be used by the local authority for the provision of land for parks and/or open spaces in or for the township.

Such endowments are payable in terms of the provisions of section 81 of the said ordinance, read with section 95 thereof.

**1.5 REMOVAL OR REPLACEMENT OF MUNICIPAL SERVICES**

If, by reason of the establishment of the township, it becomes necessary to remove or replace any existing municipal services, the cost thereof shall be borne by the township owner.

**1.6 OBLIGATIONS IN REGARD TO ENGINEERING SERVICES**

1.6.1 The township owners shall fulfil their obligations in respect of the provision and installation of engineering services.

1.6.2 The recommendations of the Traffic Impact Study compiled by Arup Transport Planning (Report No. T634 dated September 2006) shall be complied with.

1.6.3 The recommendations of the Geotechnical Report compiled by Johann vd Merwe (Pty) Ltd Consulting Scientists (Project No. M06/2752 dated August 2006) shall be complied with.

### 1.7 ACCESS

Access shall from Pretoria Road to the satisfaction of the Roads & Stormwater Department and GAUTRANS.

No access shall be permitted from the Proposed K92 Road.

### 1.8 NOTARIAL TIE OF ERVEN

The township owner/s shall at his own expense cause the erven within the proposed Lilianton Extensions 8, 9, 10 and 11 Township to be notarial tied to each other within six months from declaration of the respective townships as approved townships.

All right of way servitudes for access purposes (except the right of way servitude between Pretoria Road & the gate house), municipal services and private services whether indicated on the general plan or in general terms, shall no longer be necessary and deemed to be cancelled once the notarial tie agreement/s has been registered as due provision is made for access purposes and services by virtue of the registration of the notarial tie agreement.

### 1.9 SECTION 82 CERTIFICATE

A right-way-servitude must be registered, in favour of the general public & the local authority, between Pretoria Road & the proposed gate house to the satisfaction of the Roads & Stormwater Department prior to the issuing of the Section 82 Certificate

## 2. CONDITIONS OF TITLE

2.1 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.

2.1.1 The erf is subject to the building restriction areas & building lines outlined in the relevant Town Planning Scheme which may be amended via the procedures outlined in such Town Planning Scheme.

2.1.2 No building or other structure shall be erected within the aforesaid building restriction area and no large-rooted trees shall be planted within the said area or within 1m thereof.

2.1.3 The local authority shall be entitled to deposit temporarily on the land adjoining the aforesaid building restriction area 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.

2.2 CONDITIONS IN TITLE IMPOSED IN FAVOUR OF THIRD PARTIES TO BE REGISTERED/CREATED ON THE FIRST REGISTRATION OF ERVEN CONCERNED

2.2.1 Erf 583

(i) The erf is subject to a right-of-way servitude, in favour of the general public and the local authority to be indicated on servitude diagram to be registered between Pretoria Road & the gate house.

(ii) The erf is subject to a right-of-way servitude and a services servitude, 13.5 meters wide, in favour of the property owners of the proposed Lilianton Extensions 9, 10 and 11 Townships as shown on the General Plan pending the registration of the Notarial Tie Agreement which shall make proper provision for access purposes. The right of way servitude and services servitude will be deemed to have lapsed and shall automatically be cancelled on registration of the Notarial Tie.

(iii) The erf is subject to a general right-of-way servitude for access purposes, 13.5 metres wide, in favour of Portion 432 (a portion of Portion 377) of the Farm Driefontein No 85, Registration Division I.R., pending any township establishment on such property. The aforesaid right-of-way servitude for access purposes will be deemed to have lapsed and shall be automatically cancelled when the erven in any township to be established on Portion 432 (a portion of Portion 377 of the Farm Driefontein No 85, Registration Division I.R. has been notarial tied to the erven in the proposed Lilianton Extension 8 Township.

## 2.2.2 Erf 584

The erf is subject to a 9.6m x 11m servitude for an electrical substation, in favour of the proposed Lilianton Extensions 9, 10 and 11 Townships as shown on the General Plan. The aforesaid servitude will be replaced with a new servitude in due course and upon registration of the new servitude this servitude will be deemed to have lapsed and shall automatically be cancelled.

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CITY OF EKURHULENI METROPOLITAN MUNICIPALITY

EKURHULENI AMENDMENT SCHEME F0111

The City of Ekurhuleni Metropolitan Municipality (Boksburg 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 Ekurhuleni Town Planning Scheme 2014, comprising the same land as included in the township of LILANTON EXTENSION 8 Township

All relevant information is filed with the Area Manager: Boksburg Customer Care Centre, 3<sup>rd</sup> floor, Boksburg Civic Centre, c/o Trichardts and Commissioner Streets, Boksburg, and are open for inspection at all reasonable times.

This amendment is known as Ekurhuleni Amendment Scheme F0111.

Dr. Imogen Mashazi  
City Manager  
Civic Centre, Cross Street, Germiston