

***THE PROVINCE OF
GAUTENG***

***DIE PROVINSIE VAN
GAUTENG***

**Provincial Gazette
Provinsiale Koerant**
EXTRAORDINARY • BUITENGEWOON

Selling price • Verkoopprijs: **R2.50**
Other countries • Buitelands: **R3.25**

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PROCLAMATION • PROKLAMASIE

PROCLAMATION 96 OF 2019

CITY OF EKURHULENI METROPOLITAN MUNICIPALITY

DECLARATION AS APPROVED TOWNSHIP

In terms of Section 103 of the Town Planning and Townships Ordinance, 15 of 1986, read together with the provisions of the Spatial Planning & Land Use Management Act, 2013, the City of Ekurhuleni Metropolitan Municipality hereby declares Delmore Park Extension 7 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 KIRON DEVELOPMENTS PROPRIETARY LIMITED REGISTRATION NUMBER 2007/032098/07 (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 530 (A PORTION OF PORTION 396) OF THE FARM DRIEFONTEIN NO. 85 REGISTRATION DIVISION IR, GAUTENG PROVINCE HAS BEEN GRANTED BY CITY OF EKURHULENI METROPOLITAN MUNICIPALITY.

1 CONDITIONS OF ESTABLISHMENT

1.1 NAME

The name of the township shall be Delmore Park Extension 7.

1.2 DESIGN

The township shall consist of erven and streets as indicated on General Plan S.G. No. 2287/2015.

1.3 DISPOSAL OF EXISTING CONDITIONS OF TITLE

All erven shall be made subject to existing conditions and servitude's, if any.

Including the following servitude which affects all erven in the township:

Condition 1 in Deed of Transfer T43621/14 which reads as follows:

"The former Remaining Extent of the farm Driefontein 85, Registration Division I.R., Province of Gauteng measuring 1282.8256 hectares is subject to a servitude to convey electricity over the property in favour of Eskom as will more fully appear from Notarial Deed No. K2114/1993S".

Excluding the following servitude which affects Erven 678 and 679 in the township only:

Condition 2 in Deed of Transfer T43621/14 which reads as follows:

"By virtue of Notarial Deed of Cancellation of Servitude and Notarial Deed of Servitude of Servitude No. K5589/2000S dated 13 August 1998 with diagram S.G. No 9703//1995 annexed thereto, the within mentioned property is subject to an Electric Powerline Transmission Servitude extending 11.00 metres either side of the centre line represented by the line abc, be and dfg on annexed diagram S.G. No. 6028/2004 in favour of ESKOM, as will more fully appear from the said Notarial Deed".

1.4 DEMOLITION OF BUILDINGS AND STRUCTURES

The township owners shall at their 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, within a period of six (6) months from the date of publication of this notice.

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 owners.

1.6 ACCESS

Ingress to the township and egress from the township shall be from a single point from Du Preez Street to the satisfaction of the Roads and Stormwater Department. No access will be permitted to the PWV 13 and K110 Roads.

1.7 PHYSICAL BARRIER

A physical barrier, which is in compliance with the recommendations of Executive Committee Resolution 1112 of 26 June 1978 shall be erected along K110 and PWV 13.

1.8 CONSOLIDATION OF ERVEN

The township owner shall have Erven 674 and 675 in the township consolidated at their own cost within six (6) months of proclamation of the township.

1.9 ERVEN FOR MUNICIPAL PURPOSES

Erf 678 shall be transferred to the local authority, at the expense of the township owner, after proclamation of the township.

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 (Ordinance 15 of 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 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 on it, in its discretion, may deem necessary, and shall further be entitled to reasonable access to the said land for 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) As the erf forms part of land which is or may be undermined and which may be liable to subsidence, settlement, shock and cracking due to mining operations past, present or future the owner thereof accepts all liability for any damage thereto and to any structure thereon which may result from such subsidence, settlement, shock or cracking and no liability for any such damage whatsoever shall devolve on to the State or its employees.

(e) Erf 678

(i) The erf is subject to a 2 metre wide sewer servitude as shown on the General Plan in favour of the local authority.

(ii) The erf shall be transferred to the local authority, at the expense of the township owner, after proclamation of the township

2.2 Servitudes in favour of third parties to be registered on the first registration of the erf concerned

(a) Erf 679

The erf is subject to a right of way servitude, 13 metres wide, as shown on the General Plan, in favour of Portion 24 of the Farm Driefontein No. 85, Registration division I.R. Gauteng Province, in extent: 6.9860 Hectares and Held by virtue of Deed of Transfer T5890/1966 dated the 7th of March 1966.

CITY OF EKURHULENI METROPOLITAN MUNICIPALITY

EKURHULENI AMENDMENT SCHEME F0230

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 DELMORE PARK EXTENSION 7 Township

All relevant information is filed with the Area Manager: Boksburg Customer Care Centre, 3rd 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 F0230.

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