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GAUTENG**



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**GENERAL NOTICES • ALGEMENE KENNISGEWINGS****GENERAL NOTICE 413 OF 2021**

NOTICE OF APPLICATION FOR THE AMENDMENT OF TOWN PLANNING SCHEME APPLICATION IN TERMS OF SECTION 48 OF THE CITY OF EKURHULENI METROPOLITAN MUNICIPALITY SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2019 READ WITH THE SPATIAL PLANNING AND LAND USE MANAGEMENT ACT, 2013

I, Stefan Roets / Pieter Venter of Terraplan Gauteng Pty Ltd being authorized agent of the owner of the erven mentioned below hereby give notice in terms of Section 10 of the City of Ekurhuleni Metropolitan Municipality Spatial Planning and Land Use Management By-Law, 2019, that I have applied to the City of Ekurhuleni Metropolitan Municipality, Kempton Park Customer Care Centre for the amendment of the Ekurhuleni Town Planning Scheme, 2014, by the rezoning of the properties described below:

1. EKURHULENI AMENDMENT SCHEME K0703  
Erven 1741 and 1742 Bonaero Park Extension 11, situated on the corner of Atlas Road/O'Hare Avenue/Savannah Road, Bonaero Park Extension 11, from "Industrial 2" to "Industrial 2" for commercial purposes only and "Residential 3" respectively, subject to certain restrictive measures (Erf 1741 - density of 85 units/Ha, height 4 storeys) & (Erf 1742 – Floor Area Ratio of 1.5 and height 4 storeys). (Our ref: HS3102).
2. EKURHULENI AMENDMENT SCHEME 0716  
Erf 826 Bonaeropark Extension 1, situated at 7 Porto Amelia Road, Bonaeropark Extension 1 from "Residential 1" to "Residential 3" subject to a height of 2 storeys, coverage of 60%, floor area ratio of 0.6 and a density of 30 units per hectare (maximum of 4 dwelling units). (Our ref: HS3141).
3. EKURHULENI AMENDMENT SCHEME 0728  
Erf 2309 Birch Acres Extension 7, situated at 8 Nuwejaarsvoël Avenue, Birch Acres Extension 7, from "Industrial 1" to "Industrial 1" with the inclusion of a diesel depot for private use only (no wholesale retail), subject to certain restrictive measures (height 2 storeys, coverage 65%, FAR 1.1). (Our ref: HS3147).

Particulars of the application will lie for inspection during normal office hours at the office of the Department City Planning, 5th Level, Civic Centre, c/o C R Swart Drive and Pretoria Road, Kempton Park and at the offices of Terraplan Gauteng Pty Ltd for the period of 28 days from 05/05/2021.

Objections to or representations in respect of the application must be lodged with or made in writing to the Area Manager: City Planning Department, at the above address or PO Box 13, Kempton Park, 1620 within a period of 28 days from 05/05/2021.

Address of the authorised agent: Terraplan Gauteng Pty Ltd, PO Box 1903, Kempton Park, 1620, 1<sup>st</sup> Floor Forum Building, 6 Thistle Road, Kempton Park, 1619, Tel: 011 394-1418/9, Fax: 011 975-3716, E-Mail: [jhb@terraplan.co.za](mailto:jhb@terraplan.co.za)

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**LOCAL AUTHORITY NOTICES • PLAASLIKE OWERHEIDS KENNISGEWINGS****LOCAL AUTHORITY NOTICE 365 OF 2021****CITY OF 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 City of Ekurhuleni Metropolitan Municipality, Kempton Park Customer Care Centre hereby declares POMONA EXTENSION 134 township to be an approved township subject to the conditions set out in the Schedule hereto.

**SCHEDULE**

STATEMENT OF CONDITIONS UNDER WHICH THE APPLICATION MADE BY ENJA PROPERTIES PROPRIETARY LIMITED (REGISTRATION NUMBER 2002/000772/07)(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 765 (A PORTION OF PORTION 542) OF THE FARM RIETFONTEIN NO. 31-IR HAS BEEN GRANTED

**1. CONDITIONS OF ESTABLISHMENT****(1) NAME**

The name of the township shall be Pomona Extension 134.

**(2) DESIGN**

The township shall consist of erven and streets as indicated on General Plan SG No. 1192/2020.

**(3) DISPOSAL OF EXISTING CONDITIONS OF TITLE**

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

**(4) PARKS CONTRIBUTION**

The Township owner shall in terms of Section 81, as well as Sections 98(2) and (3) of the Town Planning and Townships Ordinance, 1986, pay a lump sum endowment the Local Authority provided that dwelling units are being developed on the property. This money must be determined and can be used for the purposes of upgrading of any parks.

**(5) PRECAUTIONARY MEASURES**

The township owner shall at his own expense, make arrangements with the local authority in order to ensure that:

- (i) water will not dam up, that the entire surface of the township area is drained properly and that streets are sealed effectively with tar, cement or bitumen: and
- (ii) the recommendations as laid down in the geological report/soil of the township are complied with and, when required, engineer certificates for the foundations of the structures must be submitted.

**(6) ACCESS**

Access to the township shall be obtained from Mirabel Street.

**(7) ENGINEERING SERVICES**

The applicant shall enter into a Services Agreement with the Local Authority.

**(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) CONSOLIDATION OF ERVEN

The township owner shall at his own expense cause Erven 4033 and 4034 in the township to be consolidated.

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

The following conditions applies only if dwelling units are developed.

- (i) The township owner shall properly and legally constitute a Home Owner's Association, [a company established in terms of Section 1(1) of Schedule 1 of the Companies Act, Act 71 of 2008], prior to or simultaneously with the sale of the first erf in the township.
- (ii) The memorandum of association of the Non-Profit Company, 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.

2. CONDITIONS OF TITLE

CONDITIONS OF TITLE IMPOSED IN TERMS OF THE PROVISIONS OF THE TOWNS PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986)

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 4033 AND 4034

- (i) The property is subject to a servitude, 2m wide, in favour of the Local Authority, for sewerage and other municipal purposes, along all 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.
- (ii) No building or other structure shall be erected within the aforesaid servitude area and no large-rooted tress 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 or other works being made good by the Local Authority.

(2) ERF 4033

The erf is subject to a servitude for electrical purposes in favour of the local Authority as indicated on the General Plan.

Dr Imogen Mashazi: City Manager, City of Ekurhuleni Metropolitan Municipality, Private Bag X1069 Germiston 1400 Notice CP015.2021 [15/3/7/P2 x134]

CITY OF EKURHULENI METROPOLITAN MUNICIPALITY  
KEMPTON PARK CUSTOMER CARE CENTRE  
EKURHULENI TOWN PLANNING SCHEME 2014 : AMENDMENT SCHEME K0696

The City of 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 Ekurhuleni Town Planning Scheme 2014, comprising the same land as included in the township of POMONA EXTENSION 134 Township.

Amendment Scheme Annexure 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, City of Ekurhuleni Metropolitan Municipality, Kempton Park Customer Care Centre, 5<sup>th</sup> Floor, Civic Centre, c/o CR Swart Drive and Pretoria Road, Kempton Park.

This amendment is known as Ekurhuleni Amendment Scheme K0696 and shall come into operation on date of publication of this notice.

Dr Imogen Mashazi: City Manager, City of Ekurhuleni Metropolitan Municipality, Private Bag X1069 Germiston 1400 Notice CP015.2021 [15/3/7/P2 x134]

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