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EKURHULENI METROPOLITAN MUNICIPALITY

KEMPTON PARK CUSTOMER CARE CENTRE

DECLARATION AS APPROVED TOWNSHIP

In terms of section 103(1) of the Town Planning and Townships Ordinance, 1986, (Ordinance 15 of 1986) the Ekurhuleni Metropolitan Municipality (Kempton Park Customer Care Centre) hereby declares Pomona Extension 97 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 WAVELENGTHS 1147 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 419 OF THE FARM RIETFontein NO. 31, REGISTRATION DIVISION IR HAS BEEN GRANTED

1.. CONDITIONS OF ESTABLISHMENT

- (1) **NAME**
The name of the township shall be Pomona Extension 97.
- (2) **DESIGN**
The township shall consist of erven and streets as indicated on General Plan SG No. 9200/2007.
- (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 R48 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 servitudes, if any, but excluding:
 - i) Conditions A(a) in Deed of Transfer T05 025256, A(a) in Deed of Transfer T05 072019 and A(a) in Deed of Transfer T05 017125 **will not be passed onto owners of the erven in the township**, and
 - ii) Condition B in Deed of Transfer T05 017125 which reads as follows: Entitled to a Servitude of Right-of-Way over Holding 258 Pomona Estates Agricultural Holdings as shown by the figure ABCDEFA on Diagram SG No. 4220/2002 annexed to Deed of Transfer T146789/2002, **which servitude is to be cancelled**.
 - iii) Condition C in Deed of Transfer T05 017125 which reads as follows: Entitled to a Servitude of Right-of-Way over Portion 5 (a Portion of Portion 1) of Holding 296 Pomona Estates Agricultural Holdings as shown by the figure abcdCa on Diagram SG No. 4221/2002 annexed to Deed of Transfer T146790/2002, **which servitude is to be cancelled**.
 - iv) Condition B in Deed of Transfer T05 025256 which reads as follows: Subject to a Servitude of Right-of-Way in favour of Portion 5 (a Portion of Portion 1) of Holding 296 Pomona Estates Agricultural Holdings and the Remaining extent of Holding 296 Pomona Estates Agricultural Holdings as shown by the figure ABCDEFA on Diagram SG No. 4220/2002 annexed to Deed of Transfer T146789/02, **which servitude is to be cancelled**.

- v) Condition C in Deed of Transfer T05 025256 which reads as follows: Subject to a storm-water servitude in favour of the Ekurhuleni Metropolitan Municipality 3 (three) metres wide running parallel along the entire length of the boundary of the property indicated by the line BC on diagram SG No. 4220/2002 annexed to Deed of Transfer T146789/02, **which servitude is to be cancelled.**
 - vi) Condition B in Deed of Transfer T05 072019 which reads as follows: Subject to a Servitude of Right-of-Way in favour of the Remaining extent of Portion 1 of Holding 296 Pomona Estates Agricultural Holdings as shown by figure abcdCa on Diagram No. 4221/2002 annexed thereto, **which servitude is to be cancelled.**
 - vii) Condition C in Deed of Transfer T05 072019 which reads as follows: Entitled to a Servitude of Right-of-Way over Holding 258 Pomona Estates Agricultural Holdings as shown by the figure ABCDEFA on Diagram SG No. 4220/2002 annexed to Deed of Transfer T, **which servitude is to be cancelled.**
 - viii) Condition D in Deed of Transfer T05 072019 which reads as follows: Subject to a storm-water servitude in favour of the Ekurhuleni Metropolitan Municipality 3 (three) metres wide running parallel along the entire length of the boundary of the property indicated by the line BC on diagram SG No. 4221/2002 annexed hereto, **which servitude is to be cancelled.**
- (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**
No ingress from Stanley Road to the township and no egress to Stanley 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 Section 21 company, 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) **TRANSFER OF ERVEN**
Erf 2578 shall, at the cost of the township owner, be transferred to Pomona Extension 97 Home Owners Association 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 2525 to 2577**
 - 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 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 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.
- iv) Entitled to a right-of-way servitude over the entire Erf 2578.

(2) ERF 2578

- (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 in the township, as indicated on the general plan, to guarantee access to a public road to all residents

(3) ERVEN 2562

Subject to a storm water servitude in favour of the Ekurhuleni Metropolitan Municipality as indicated on the General Plan.

P FLUSK, City Manager , Ekurhuleni Metropolitan Municipality, Private Bag x 1069, Germiston 1400

LOCAL AUTHORITY NOTICE 1200

NOTICE DP 46 / 2008

EKURHULENI METROPOLITAN MUNICIPALITY

KEMPTON PARK CUSTOMER CARE CENTRE

KEMPTON PARK AMENDMENT SCHEME 1800

The Ekurhuleni Metropolitan Municipality (Kempton Park Service Delivery Centre) hereby gives notice in terms 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 97 Township.

Map 3 and the scheme clauses of the amendment scheme are available for inspection at all reasonable times at the offices of the Manager, Development Planning, 5th Level, Civil Centre, c/o C R Swart Drive and Pretoria Road, Kempton Park, Ekurhuleni Metropolitan Municipality (Kempton Park Customer Care Centre).as well as Head of Department, Gauteng Provincial Government: Department of Economic Development, 8th Floor, Corner House, 63 Fox Street, Johannesburg.

This amendment scheme is known as Kempton Park Amendment Scheme 1800.

P. FLUSK , City Manager, Ekurhuleni Metropolitan Municipality: Private Bag 1069, Germiston 1400