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GAUTENG***



***DIE PROVINSIE VAN  
GAUTENG***

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**LOCAL AUTHORITY NOTICES • PLAASLIKE OWERHEIDS KENNISGEWINGS****LOCAL AUTHORITY NOTICE 1321 OF 2022****CITY OF EKURHULENI METROPOLITAN MUNICIPALITY  
(KEMPTON PARK CUSTOMER CARE CENTRE)  
DECLARATION AS AN APPROVED TOWNSHIP**

IN TERMS OF SECTION 103(1) OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE NO. 15 OF 1986), CITY OF EKURHULENI METROPOLITAN MUNICIPALITY (KEMPTON PARK CUSTOMER CARE CENTRE) HEREBY DECLARES WITFONTEIN EXTENSION 108 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 EQUITES PROPERTY FUND LIMITED REGISTRATION NUMBER 2013/080877/06 (HEREINAFTER REFERRED TO AS THE TOWNSHIP OWNER) UNDER THE PROVISIONS OF CHAPTER 3 OF THE TOWN PLANNING AND TOWNSHIP ORDINANCE, 1986 (ORDINANCE 15 OF 1986) FOR PERMISSION TO ESTABLISH A TOWNSHIP SITUATED ON PORTION 184 OF THE FARM WITFONTEIN 15 I.R. HAS BEEN GRANTED.

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

The name of the township shall be **Witfontein Extension 108**.

**1.2 DESIGN**

The township shall consist of erven and streets as indicated on the General Plan S.G. No.1576/2021.

**1.3 DISPOSAL OF EXISTING CONDITIONS OF TITLE**

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

**(a) Excluding the following, which do not affect the township due to its locality:**

- A. The former Portion 157 of the farm Witfontein No. 15, Registration Division I.R., Province of Gauteng measuring 50,8330 hectares, of which the withinmentioned property forms a portion, is subject to
  2. By virtue of Notarial Deed of Right-of-Way servitude K736/2019S dated 14 January 2019 the within mentioned property is subject to a right-of-way servitude, 12,00 (Twelve) Metres wide, the eastern boundary of which servitude is indicated by the line ABCDE on servitude diagram S.G. No. 2945/2018 in favour of the Riverfields Management Association (RF) NPC, as will more fully appear from the said Notarial Deed.
  3. By virtue of Notarial Deed of Right-of-Way servitude K737/2019S dated 14 January 2019 the withinmentioned property is subject to a right-of-way servitude measuring 2,1133 (TWO comma ONE ONE THREE THREE) Hectares as indicated by the figure A B C D E F G H J K L on servitude diagram S.G. No. 2946/2018 in favour of the General Public, as will more fully appear from the said Notarial Deed.
  4. By virtue of Notarial Deed of Right-of-Way servitude K738/2019S dated 14 January 2019 the withinmentioned property is subject to a right-of-way servitude measuring 2,6275 (TWO comma SIX TWO SEVEN FIVE) Hectares as indicated by the figure A B C D E F G H J K L M N P Q R S T on servitude diagram S.G. No. 2947/2018 in favour of the General Public, as will more fully appear from the said Notarial Deed.

- B. The former Portion 155 (a portion of portion 29) of the farm Witfontein No. 15, Registration Division I.R., Province of Gauteng, indicated by the figure A B C D E F G H J K L M N P Q u t S A on annexed Certificate of Consolidated Title Diagram S.G. No. 2944/2018, is subject to:

Onderhewig aan 'n Serwituut van Pyleiding, die middellyn van welke serwituut aangedui word deur die lyn s 16 s 17 s 18 s 19 op aangehegde Kaart LG. Nr. 2944/2018 ten gunste van die Regering van die Republiek van Suid-Afrika (in sy Spoorwee en Hawens Administrasie), soos meer ten volle sal blyk uit Akte van Sessie Nr. K3306/1975-S gedateer 28 November 1975.

- C. The former Portion 156 of the farm Witfontein No. 15, Registration Division I.R., Province of Gauteng, indicated by the figure u Q R t u on annexed Certificate of Consolidated Title Diagram S.G. No. 2944/2018, is subject to:

2. Onderhewig aan 'n serwituut om elektrisiteit te vervoer en 'n serwituut vir substasie doeleindes ten gunste van die Elektrisiteitsvoorsieningskommissie, soos meer volledig sal blyk uit Notariele Akte van Serwituut K2216/1975 S, en kaart S.G. No. A226/1970 daarby aangeheg.

3. Onderhewig aan 'n pyplynserwituut, die middellyn van welke serwituut aangedui word deur die lyn s19 s22 soos aangedui op die aangehegde Sertifikaat van Verenigde Titel Kaart LG. Nr. 2944/2018 ten gunste van die Republiek van Suid-Afrika (in sy Spoorwee en Hawens Administrasie hoedanigheid) soos meer volledig sal blyk uit Notariele Akte van Sessie K 341/1976 S gedateer 19 Januarie 1976.

- D. The former Portion 157 of the farm Witfontein No. 15, Registration Division I.R., Province of Gauteng measuring 50.8330 hectares, of which the withinmentioned property forms a portion, is subject to:

1. By virtue of Notarial Deed of Right-of-Way servitude K739/2019S dated 14 January 2019 the withinmentioned property is subject to a right-of-way servitude, 12,00 (Twelve) Metres wide, the eastern boundary of which servitude is indicated by the line A B C D E on servitude diagram S.G. No. 2945/2018 in favour of Remaining Extent of Portion 29 of the farm Witfontein No. 15, as will more fully appear from the said Notarial Deed; and

2. By Notarial Deed No. K3617/2022S the withinmentioned property is subject to a servitude of right of way in perpetuity in favour of Terminal Park Property Association as indicated by the figure ABCDEFGHJKLMNPQRSTA on servitude Diagram SG No 1565/2021 measuring 2,4092 (two comma four zero nine two) hectares as will more fully appear on reference to the said Notarial Deed.

**(b) Excluding the following condition which affects Erf 1925 only**

- A. The former Portion 157 of the farm Witfontein No. 15, Registration Division I.R., Province of Gauteng measuring 50,8330 hectares, of which the withinmentioned property forms a portion, is subject to

1. BY VIRTUE of Notarial Deed K7109/2017S the within mentioned property is subject to a servitude for municipal purposes, as indicated by the figure a b c d e y L M N P Q R a on subdivisional diagram SG No. 1570/2021 in favour of the CITY OF EKURHULENI METROPOLITAN MUNICIPALITY. As will more fully appear on the said Notarial Deed.

**(c) Including the following conditions which affect all Erven in the township**

A. The former Portion 157 of the farm Witfontein No. 15, Registration Division I.R., Province of Gauteng measuring 50,8330 hectares, of which the withinmentioned property forms a portion, is subject to

1. BY VIRTUE of Notarial Deed K7109/2017S the within mentioned property is subject to a servitude for municipal purposes, as indicated by the figure e f K y e on subdivisional diagram SG No. 1570/2021 in favour of the CITY OF EKURHULENI METROPOLITAN MUNICIPALITY. As will more fully appear on the said Notarial Deed.

A. The former Portion 157 of the farm Witfontein No. 15, Registration Division I.R., Province of Gauteng measuring 50,8330 hectares, of which the withinmentioned property forms a portion, is subject to-

5. FURTHER SUBJECT to the following special conditions imposed in favour of RIVERFIELDS MANAGEMENT ASSOCIATION (RF) NPC:

- (i) Every Owner of the property, or of any subdivision thereof, or any person who has an interest therein shall become and remain a Member of the Riverfields Management Association and be subject to its constitution until he/she ceases to be an owner as aforesaid. Neither the property nor any subdivision thereof nor any interest therein shall be transferred to any person who has not bound himself/herself to the satisfaction of the Riverfields Management Association to become a Member of the Association.
- (ii) The owner of the property, or of any subdivision thereof, or any person who has an interest, shall not be entitled to transfer the property or any subdivision thereof or any interest without a clearance certificate from the Association that the provisions of the Articles of Association of the Riverfields Management Association have been complied with.
- (iii) The term "Association" in the aforesaid conditions of the title shall mean the RIVERFIELDS MANAGEMENT ASSOCIATION (RF) NPC (a Home Owners Association, established in terms of Item 1(1) of Schedule 1 of the Companies Act, Act 71 of 2008.)

(d) **Excluding the following entitlement which will not be passed on to the erven in the township:**

C The former Portion 156 of the farm Witfontein No. 15, Registration Division I.R., Province of Gauteng, indicated by the figure u Q R t u on annexed Certificate of Consolidated Title Diagram S.G. No. 2944/2018, is subject to:

4. Kragtens Notariële Akte K6616/2013 gedateer 26 September 2013 is die hierinvermelde eiendom geregtig op 'n servituut van Reg van Weg oor Gedeelte 76 Witfontein No. 15, Registrasie Afdeling I.R., Provinsie van Gauteng, soos aangedui deur die figuur ABCDEFGH op diagram L.G. Nr. 6326/1995 aangeheg by die genoemde Notariële Akte. Soos meer volledig sal blyk uit die gemelde akte.

#### 1.4 **ENDOWMENT**

No endowment is payable to Council for parks and public open spaces.

#### 1.5 **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.

**1.6 ACCESS**

Ingress or egress to erven in the township shall be allowed from Erf 1915, Witfontein Extension 104.

**1.7 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

**1.8 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.

**1.9 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.

**1.10 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.

**1.11 REMOVAL AND/OR REPLACEMENT OF ESKOM POWER LINES**

Should it become necessary to remove and/or replace any existing power lines of Eskom as a result of the establishment of the township, the cost thereof shall be borne by the township owner.

**1.12 REMOVAL AND/OR REPLACEMENT OF TELKOM SERVICES**

Should it become necessary to remove and/or replace any existing TELKOM services as a result of the establishment of the township, the cost thereof shall be borne by the township owner.

**1.13 COMPLIANCE WITH CONDITIONS IMPOSED BY THE GAUTENG DEPARTMENT OF AGRICULTURE AND RURAL DEVELOPMENT (GDARD)**

The township owner shall at his own expense comply with all the conditions imposed by GDARD, which has given conditional approval for the development of the township, as will more fully appear in "Environmental Authorisation" dated 7 April 2015, with reference GAUT002/12-13 E0020.

**1.14 PRECAUTIONARY MEASURES**

The township owner shall at his own expense, ensure that the recommendations as laid down in the geological report are complied with and, when required, engineering certificates for the foundations of the structures are submitted.

**1.15 CONSOLIDATION OF ERVEN**

Erven 1925 and 1926 shall be consolidated within 6 months from proclamation of the township

**2. CONDITIONS OF TITLE**

**CONDITIONS IMPOSED BY THE EKURHULENI METROPOLITAN MUNICIPALITY IN TERMS OF THE PROVISIONS OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986)**

**2.1 All Erven**

- (a) The erf is subject to a servitude, 2 metres wide, in favour of the Local Authority, for sewerage and other municipal purposes, along any two boundaries of the erf other than a street boundary, and in the case of a panhandle erf, an additional servitude for municipal purposes 2 metres 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 two metres thereof.
- (c) The Local Authority shall be entitled to temporarily deposit 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 process of the construction, maintenance or removal of such sewerage mains and other works being made good by the Local Authority.

- 2.2** Erven 1925 and 1926 are entitled to a right of way servitude over erven 1914 and 1915, Witfontein Extension 104 township to guarantee access to a public road.

**CITY OF EKURHULENI METROPOLITAN MUNICIPALITY  
CITY OF EKURHULENI LAND USE AMENDMENT SCHEME: K0800C  
WITFONTEIN EXTENSION 108 TOWNSHIP**

City of Ekurhuleni Metropolitan Municipality 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 City of Ekurhuleni Land Use Scheme, 2021, comprising the same land as included in the township of **Witfontein Extension 108**.

The approved Amendment Scheme documents will lie for inspection at the Manager: Town Planning, Kempton Park Sub Section of the City of Ekurhuleni Metropolitan Municipality, 5th Floor, Civic Centre, c/o CR Swart Drive and Pretoria Road, Kempton Park, during normal office hours.

This amendment is known as City of Ekurhuleni Amendment Scheme K0800C and shall come into operation on the date of publication of this notice.

Notice No : CP043.2022

Imogen Mashazi: City Manager

**CITY OF EKURHULENI METROPOLITAN MUNICIPALITY**  
Private Bag X1069 Germiston, 1400

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