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GAUTENG***



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GAUTENG***

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**PROCLAMATIONS • PROKLAMASIES****PROCLAMATION NOTICE 12 OF 2024****CITY OF EKURHULENI METROPOLITAN MUNICIPALITY****DECLARATION AS AN APPROVED TOWNSHIP**

In terms of the provisions of Section 103(1) of the Town Planning and Townships Ordinance, 1986, to be read with the provisions of the Spatial Planning and Land Use Management Act, 2013, the City of Ekurhuleni Metropolitan Municipality hereby declares Windmill Park Extension 40 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 PROJECTS PROPRIETARY LIMITED, REGISTRATION NO. 2007/031997/07 (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 139 (A PORTION OF PORTION 29) OF THE FARM FINAALSPAN 114 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 **Windmill Park Extension 40**.

**1.2 DESIGN**

The township shall consist of erven and streets as indicated on the General Plan S.G. 323/2022.

**1.3 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.

**1.4 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.

**1.5 ENDOWMENTS**

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 R92 000.00 (incl. VAT) 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.

The above amount is subject to escalation and review and the amount will be finalised as part of the Services Agreement for this Township.

**1.6 OBLIGATIONS IN REGARD TO ENGINEERING SERVICES**

The township owners shall within such period as the local authority may determine, fulfil their obligations in respect of the provision and installation of engineering services as previously agreed upon between the township owner and the local authority. This includes entering into a Services Agreement with Council.

**1.7 SERVICES AGREEMENT**

The township owners shall enter into a Services Agreement with Council prior to the issuing of the Section 82 Certificate for this township.

**1.8 ACCESS**

Access will be from Auret Drive to the satisfaction of the Roads & Stormwater Department.

#### 1.9 ERECTION OF FENCE OR OTHER PHYSICAL BARRIER

The township owner shall at their own expense, erect a fence or other physical barrier along North Boundary Road and Aucamp Drive abutting onto this township, to the satisfaction of the Head of Department: Public Transport and Roads, Gauteng Provincial Government, as and when required to do so and the township owner shall maintain such fence or physical barrier in good order and repair until such time as this responsibility is taken over by the local authority.

### 2. CONDITIONS OF TITLE

#### 2.1 A. CONDITIONS IMPOSED IN TERMS OF THE PROVISIONS OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 15 OF 1986

- (a) 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.
  - (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 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.
  - (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.

### NOTICE OF APPROVAL

#### CITY OF EKURHULENI METROPOLITAN MUNICIPALITY

#### CITY OF EKURHULENI AMENDMENT SCHEME F0493C

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, read with the provisions of the Spatial Planning and Land Use Management Act, 2013 declares that it has adopted a town planning scheme, being an amendment of the City of Ekurhuleni Land Use Scheme, 2021; promulgated on the 16th of February 2022 relating to the same land as included in **Windmill Park Extension 40 Township**.

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

This amendment is known as City of Ekurhuleni Amendment Scheme **F0493C** and shall come into operation on date of publication of this notice.

(Reference number 15/3/3/79/40)

**CITY OF EKURHULENI METROPOLITAN MUNICIPALITY**







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Contact Centre Tel: 012-748 6200. eMail: [info.egazette@gpw.gov.za](mailto:info.egazette@gpw.gov.za)  
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