

**THE PROVINCE OF
GAUTENG**



**DIE PROVINSIE
GAUTENG**

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We all have the power to prevent AIDS

AIDS
affects
us all



A
new
struggle

Prevention is the cure

**AIDS
HELPLINE**

0800 012 322

DEPARTMENT OF HEALTH

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LOCAL AUTHORITY NOTICES

LOCAL AUTHORITY NOTICE 790

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 Ekurhuleni Metropolitan Municipality (Kempton Park Customer Care Centre) hereby declares Pomona Extension 83 to be an approved township subject to the conditions set out in the schedule hereto.

ANNEXURE

STATEMENT OF THE CONDITIONS UNDER WHICH THE APPLICATION MADE BY ZOTEC DEVELOPMENTS PROPRIETARY LIMITED (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 THE REMAINING EXTENT OF PORTION 1 OF THE FARM RIETFONTEIN NO 31, REGISTRATION DIVISION I.R HAS BEEN GRANTED

A. CONDITIONS OF ESTABLISHMENT

(1) **NAME**

The name of the township shall be Pomona Extension 83.

(2) **DESIGN**

The township shall consist of erven and streets as indicated on General Plan SG No 5046/2013.

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

All erven shall be made subject to existing conditions and servitudes in Deed of Transfer T54440/2012, if any, but excluding -

(a) The following servitude will not be passed onto the erven in the township:

"A". Dit vorige resterende gedeelte ('n gedeelte waarvan hierby getranspoteer word) en gedeelte "C" van gesegde gedeelte "C" van gesegde 1 van de plaats voornoemd, groot 694,6475 hektaar, gehoude onder Verdelingscertifikaat No. 3707/1917, gedeelte "D" van gezegd gedeelte 1 grppt 256.9569 hektaar en gedeelte "E" van gedeelte 1 voormeld groot 17,1306 hektaar getranspoteerd respektiewelik kragtens Akten van Transpor Nrs 105/1919 en 3159.1919 syn tezamen gerechtigd tot de helft van het water komende uit die fontein (loopende uit drie bronne) op gedeelte "B" van gezegde gedeelte 1 van de plaats voornoemd groot 171,3605 hektaar, gehoude onder Akte van Transport Nr 6543/1915 zijnde gezegde fontein gelegen nabij de Westelike grenslijn van gezegd gedeelte "B" en nabij die "kafferdam" namelik de dam waaruit een watervoor geleid word na die windmolen, en verder tot het recht om het water oormeld te leiden door middle van buizen of een watervoor tot op did vorige resterende gedeelte en gedeelte "C" voornoemd, en ook tot het recht van toegang tot die fontein en die buizen of watervoor voor onderhoud en reparatie, doch voortaan zal die eiegenaar van dit gedeelte voornoemd gerechtigd zijn slechts gebruik to maken van die helft van het water, namelik een-vierde deel van her water komende uit te fontein voornoemd."

(b) The following servitudes which do affect a certain erf in the township and will be registered against the title deed of Erf 3637.

"B". Subject to a perpetual servitude for the laying of stormwater pipelines in favour of the Town Council of Kempton Park, as more fully set out in Notarial Deed No K368/1983S."

(4) **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.

(5) **ACCESS**

Access to the township shall be obtained from Main Road as recommended by the EMM: RTCW Department.

(6) **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
- (iii) The Section 21 company, will be responsible for the maintenance of the internal private roads (including storm water) and the internal street lights (private road), including electrical power usage.

(7) **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.

(8) **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.

(9) **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.

(10) **TRANSFER OF ERVEN**

Erf 3637 shall, at the cost of the township owner, be transferred to the Country Life Homeowners Association prior to or simultaneously with the first transfer of any erf.

(11) **FORMULATION AND DUTIES OF THE PROPERTY/HOME OWNER'S ASSOCIATION**

- (i) The township owner shall properly and legally constitute a Home Owner's Association [a company incorporated under Section 21 of the Companies Act, 1973, or a universitas personarum].
- (ii) The memorandum of association of the Section 21 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.

B. CONDITIONS OF TITLE**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.****(1.1) ALL ERVEN**

- (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 and 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.

(1.2) ERF 3636

The erf is subject to a 5 m wide right of way servitude in favour of the local authority as indicated on the General Plan

2. Conditions of Title in favour of third parties to be registered / created on first registration of the erven concerned:**(a) ERF 3636**

The owner of each erf in the township shall become a member of the home owner's association (non-profit company) upon the transfer of the erf.

Khaya Ngema: City Manager
Ekurhuleni Metropolitan Municipality, Private Bag X 1069, Germiston, 1400
Notice DP.20.2014 [15/3/7/P2X83]

**KEMPTON PARK TOWN PLANNING SCHEME OF 1987
AMENDMENT SCHEME K2242**

The Ekurhuleni Metropolitan Municipality (Kempton Park Customer Care Centre) hereby declares that it has approved an amendment scheme, being an amendment to the Kempton Park Town Planning Scheme of 1987, comprising the same land as included in the township of Pomona Extension 83, in terms of the provisions of Section 125 of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986).

Map 3, Annexures and scheme clauses of the amendment scheme are available for inspection at all reasonable times at the offices of the Area Manager, Development Planning, Ekurhuleni Metropolitan Municipality (Boksburg Customer Care Centre), Room 248, 2nd Floor, Civic Centre, c/o Trichardt & Commissioner Streets, Boksburg.

This amendment scheme is known as the Kempton Park Amendment Scheme K2242 and shall come into operation on the date of the proclamation of this notice.

Khaya Ngema: City Manager
Ekurhuleni Metropolitan Municipality, Private Bag X 1069, Germiston, 1400
Notice DP.20.2014 [15/3/7/P2X83]

NOTICE – CHANGE OF TELEPHONE NUMBERS: GOVERNMENT PRINTING WORKS

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 - Maps : 012 748 6061/6065 BookShop@gpw.gov.za
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 - Subscription : 012 748 6054/6055/6057 Subscriptions@gpw.gov.za
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Please consult our website at www.gpwonline.co.za for more contact details.

The numbers for our provincial offices in Polokwane, East London and Mmabatho will not change at this stage.