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LOCAL AUTHORITY NOTICES • PLAASLIKE OWERHEIDS KENNISGEWINGS**LOCAL AUTHORITY NOTICE 1683 OF 2021****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 22 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 JOZI HOUSING (PTY) LTD (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 135 OF THE FARM FINAALSPAN 114-IR HAS BEEN GRANTED

1. CONDITIONS OF ESTABLISHMENT**1.1 NAME**

The name of the township shall be Windmill Park Extension 22.

1.2 DESIGN

The township shall consist of erven and streets as indicated on General Plan S.G. No. 3070/2018.

1.3 DISPOSAL OF EXISTING CONDITIONS OF TITLE

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

1.3.1 The following conditions which do affect the township area:

1. "The registered owner shall together with the other lessees and/or grantees on the KATE HAMEL SETTLEMENT be responsible for the maintenance and upkeep of any roads serving the Settlement (not being roads under the control of the Provincial Administration), the dipping tank if and when erected, boreholes, tanks and windmills, situate on those portions of ensuring to the lessees and/or grantees dipping and water facilities on a communal basis. In the event of the provisions of the Settlement (Committee of Management) Act, 1925, or any amendment thereof being applied to the KATE HAMEL SETTLEMENT, the registered owner shall combine with the other lessees and/or grantees on the said Settlement to form and maintain a Committee of Management to deal with matters of common interest to the lessees and/or grantees on the Settlement."
2. "The State shall at all times have the right in such manner and under such conditions as it may think fit to construct and form dams and reservoirs upon the land hereby transferred, and to erect, make and construct telegraph and telephone lines, roads, railways, water-furrows, pipe lines, canals, and drains upon and conduct the same through and over the land hereby transferred in the interest of the public or of the owner, lessee or occupier or holder of Mining Title on any land adjoining or in the neighbourhood of the land hereby transferred, and to take materials therefor for the foregoing purposes on payment (save may be otherwise provide by law) to the registered owner as compensation for loss or damage actually sustained as may be mutually agreed upon between the State and the registered owner or failing such agreement as may be determined by arbitration in manner provided by the laws relating to arbitration, provided that the arbitrators may set off against the loss or damage caused to the registered owner, the benefit, instant or prospective to which he shall or may derive in consequence of the construction of any of the said works."

1.4 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.

1.5 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.

1.6 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 (to be determined as part of the Service Agreement for this township) 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 or the said ordinance, read with section 95 thereof.

1.7 ACCESS

Access will be to the satisfaction of the EMM: Roads & Stormwater Department and GAUTRANS.

1.8 CONSOLIDATION

- (a) The township owner shall at his own expense cause Erven 10351 and 10352 in the township to be consolidated, within a period of six (6) months from the date of publication of this notice.
- (b) In the event that Erf 10349 is not successfully rezoned for a Filling Station, the township owner shall at his own expense cause Erven 10349 and 10350 in the township to be consolidated, before the issuing of the Section 82 Certificate (or like) for the erven.

1.9 OBLIGATION 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.

2. CONDITIONS OF TITLE

All erven in this Township shall be subject to the following conditions:

- 2.1 The erf is subject to the building restriction areas & building lines outlined in the relevant Town Planning Scheme which may be amended via the procedures outlined in such Town Planning Scheme.
- 2.2 No building or other structure shall be erected within the aforesaid building restriction area and no large-rooted trees shall be planted within the said area or within 1m thereof.
- 2.3 The local authority shall be entitled to deposit temporarily on the land adjoining the aforesaid building restriction area 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.
- 2.4 Erf 10350

The erf is subject to a Right of Way servitude 635 square metres in extent as indicated on the General Plan.

2.5 Erf 10351

The erf is entitled to a Right of Way servitude 635 square metres in extent over Erf 10350, as indicated on the General Plan.

NOTICE OF APPROVAL

CITY OF EKURHULENI METROPOLITAN MUNICIPALITY

EKURHULENI AMENDMENT SCHEME F0369

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 Ekurhuleni Town Planning Scheme 2014, relating to the same land as included in Windmill Park Extension 22 Township.

All relevant information is filed with the Area Manager: Boksburg Customer Care Area, 3rd 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 Ekurhuleni Amendment Scheme F0369.

Dr. Imogen Mashazi
City Manager
Civic Centre, Cross Street, Germiston

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