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Provincial Gazette Provinsiale Koerant

EXTRAORDINARY • BUITENGEWOON

Selling price • Verkoopprys: **R2.50**
Other countries • Buitelands: **R3.25**

Vol: 27

PRETORIA
1 JUNE 2022
1 JUNIE 2022

No: 194

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ISSN 1682-4520



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LOCAL AUTHORITY NOTICES • PLAASLIKE OWERHEIDS KENNISGEWINGS**LOCAL AUTHORITY NOTICE 886 OF 2022****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 Parkhaven Extension 13 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 JT GROUP DEVELOPMENTS PROPRIETARY LIMITED REGISTRATION NUMBER 1984/010978/07 (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 364 (A PORTION OF PORTION 88) OF THE FARM WITKOPPIE 64 I.R. HAS BEEN GRANTED BY THE CITY OF EKURHULENI METROPOLITAN MUNICIPALITY

1. CONDITIONS OF ESTABLISHMENT**1.1 NAME**

The name of the township shall be Parkhaven Extension 13.

1.2 DESIGN

The township shall consist of erven and streets as indicated on General Plan S.G. No. 809/2020.

1.3 DISPOSAL OF EXISTING CONDITIONS OF TITLE

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

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 ACCESS

Access will be from Busschau Road over proposed Parkhaven Extension 9 & 10 Townships to the satisfaction of the Roads & Stormwater Department.

1.6 FORMULATION AND DUTIES OF THE HOME OWNERS ASSOCIATION

1.6.1 The township owner shall properly and legally constitute a Home Owner's Association (NPC) a Non Profit Company incorporated under Act 71 of 2008, or a universitas personarum).

1.6.2 The memorandum of association of the Non Profit Company under Act 72 of 2008, 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 Owners Association upon transfer to him of that erf;
- (b) The Home Owners Association shall have full responsibility for the functioning and property 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 Owners Association must be incorporated with the legal power to levy from each and every member of the Home Owners 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 Owners Association.

1.7 Erven 1904 and 1905

Shall, at the cost of the township owner, be transferred to the Home Owners Association prior to or simultaneously with the first transfer of any erf.

1.8 CONDITION TO BE COMPLIED WITH BEFORE ERVEN BECOME REGISTRABLE

The applicant shall at his own expense proclaim Parkhaven Extension 9 Township and Parkhaven Extension 10 Township. The Section 82 Certificate for the respective townships will not be issued until Extensions 9, 10 and 13 have been proclaimed.

2. CONDITIONS OF TITLE

2.1 ERVEN 1878 TO 1905

The erven mentioned hereunder shall be subject to the conditions, imposed by the local authority in terms of the provisions of the Town Planning & Townships Ordinance, 1986 as indicated.

2.2 ERF 1904

2.2.1 The erf is subject to a right of way servitude in favour of all owners and occupiers of erven in the township, as indicated on the General Plan, to guarantee access to a public road to all the residents.

2.2.2 The erf is subject to a right of way servitude in favour of the local authority for access to the property for upkeep of services.

2.2.3 The erf is subject to a servitude in favour of the Local Authority for sewerage and other municipal purposes.

2.3 ERVEN 1878 TO 1903

All owners and occupiers of erven are entitled to a right of way servitude over Erf 1904 for access purposes.

2.4 CONDITIONS IN FAVOUR OF THIRD PARTIES

2.4.1 ERVEN 1879 TO 1895 AND 1897 TO 1903

(a) The erf is subject to a servitude 2m wide in favour of the Home Owners Association for sewerage as indicated on the General Plan.

(b) 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.

(c) The Home Owners Association 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 Home Owners Association.

2.4.2 ERF 1904

The erf is subject to a right of way servitude for access purposes in favour of all owners and occupiers of erven in Parkhaven Extension 9 Township and Parkhaven Extension 10 Township.

2.4.3 ERVEN 1878 TO 1903

All owners and occupiers of erven in the township are entitled to a servitude of right of way for access purposes over Erven 1835 and 1836 Parkhaven Extension 9 Township and Erf 1874 Parkhaven Extension 10 Township.

NOTICE OF APPROVAL
CITY OF EKURHULENI METROPOLITAN MUNICIPALITY
CITY OF EKURHULENI AMENDMENT SCHEME F0172C

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, as replaced by the City of Ekurhuleni Land Use Scheme, 2021; promulgated on the 16th of February 2022 relating to the same land as included in Parkhaven Extension 13 Township.

All relevant information is filed with the Area Manager: Boksburg Customer Care Area, 3rd floor, Boksburg Civic Centre, c/o Trichardts Road and Commissioner Street, Boksburg, and are open for inspection at all reasonable times.

This amendment is known as City of Ekurhuleni Amendment Scheme F0172C and shall come into operation on date of publication of this notice.

(Reference number 15/3/3/55/13)

CITY OF EKURHULENI METROPOLITAN MUNICIPALITY
01/06/2022

Printed by the Government Printer, Bosman Street, Private Bag X85, Pretoria, 0001,
for the **Gauteng Provincial Administration**, Johannesburg.

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Publications: Tel: (012) 748 6053, 748 6061, 748 6065

This gazette is also available free online at www.gpwonline.co.za