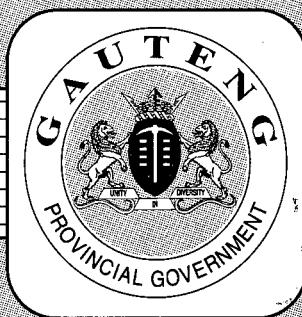


**THE PROVINCE OF
GAUTENG**



**DIE PROVINSIE
GAUTENG**

Provincial Gazette Extraordinary Buitengewone Proviniale Koerant

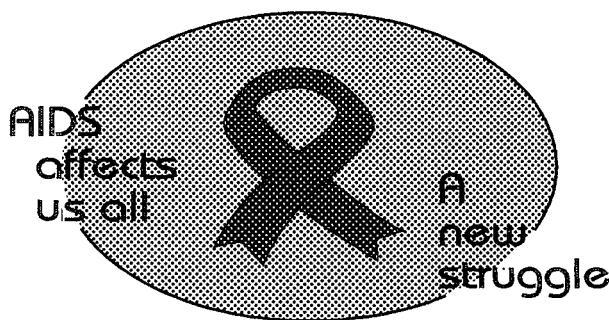
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Vol. 11

PRETORIA, 29 JULY JULIE 2005

No. 315

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LOCAL AUTHORITY NOTICE

LOCAL AUTHORITY NOTICE 1757

CITY OF TSHWANE METROPOLITAN MUNICIPALITY

PRETORIA AMENDMENT SCHEME 9521

It is hereby notified in terms of the provisions of section 125(1) of the Town-planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), that the City of Tshwane Metropolitan Municipality has approved an amendment scheme with regard to the land in the township of Magalieskruin Extension 61, being an amendment of the Pretoria Town-planning Scheme, 1974.

Map 3 and the scheme clauses of this amendment scheme are filed with the Head: Legal and Secretarial Services, and are open to inspection during normal office hours.

This amendment is known as Pretoria Amendment Scheme 9521.

(K13/2/Magalieskruin x61 (9521))
— July 2005

Head: Legal and Secretarial Services
(Notice No 756/2005)

PLAASLIKE BESTUURSKENNISGEWING 1757

STAD TSHWANE METROPOLITAANSE MUNISIPALITEIT

PRETORIA WYSIGINGSKEMA 9521

Hierby word ingevolge die bepальings van artikel 125(1) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986), bekend gemaak dat die Stad Tshwane Metropolitaanse Munisipaliteit 'n wysigingskema met betrekking tot die grond in die dorp Magalieskruin Uitbreiding 61, synde 'n wysiging van die Pretoria-dorpsbeplanningskema, 1974, goedgekeur het.

Kaart 3 en die skemaklusules van hierdie wysigingskema word deur die Hoof: Regs- en Sekretariële Dienste, in bewaring gehou en lê gedurende gewone kantoorure ter insae.

Hierdie wysiging staan bekend as Pretoria-wysigingskema 9521.

(K13/2/Magalieskruin x61 (9521))
— Julie 2005

Hoof: Regs- en Sekretariële Dienste
(Kennisgewing No 756/2005)

CITY OF TSHWANE METROPOLITAN MUNICIPALITY

DECLARATION OF MAGALIESKRUIN EXTENSION 61 AS APPROVED TOWNSHIP

In terms of section 103 of the Town-planning and Townships Ordinance, 1986 (Ordinance No. 15 of 1986), the City of Tshwane Metropolitan Municipality hereby declares the Township of Magalieskruin Extension 61 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(K13/2/Magalieskruin x61)

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY PRETORIA NOORD ONDERNEMINGS CC IN TERMS OF THE PROVISIONS OF CHAPTER III: PART C OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE NO 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 128 (A PORTION OF PORTION 5) OF THE FARM HARTEBEESTFONTEIN 324 REGISTRATION DIVISION JR, PROVINCE OF GAUTENG, HAS BEEN GRANTED.

1. CONDITIONS OF ESTABLISHMENT

1.1 NAME

The name of the township shall be Magalieskruin Extension 61.

1.2 DESIGN

The township shall consist of erven and streets as indicated on General Plan SG No 11792/2003.

1.3 DISPOSAL OF EXISTING CONDITIONS OF TITLE

All erven shall be made subject to existing conditions and servitudes, if any, including the reservation of the rights to minerals, but excluding -

- a) the following servitude which does not affect the erven and streets in the township;

"Gedeelte 10 van die plaas Hartebeestfontein Nr 324JR, Registrasie Afdeling JR, Pretoria en die Resterende gedeelte van Gedeelte E van die gemelde plaas (waarvan die plaas hieronder getransporteer, 'n deel uitmaak) groot 426,1381 hektaar, is wederkerig onderworpe aan en geregtig tot die reg van weë 12,59 meter soos aangetoon op Kaart LG Nr A2596/1942, geheg aan Akte van Transport T24553/1942, gedateer die 7de dag van Desember 1942."

- b) the following servitude affects Erf 867 and Besembiesie Road in the township only;

"Onderhewig aan 'n serwituit vir stormwaterdreinering ten gunste van die Stadsraad van Pretoria, groot 281 vierkante meter, soos aangedui deur figuur ABCDEFGHI op die Kaart LG No a101/1996 soos meer ten volle sal blyk uit Akte van Sessie K3657/1997S."

- c) the following servitude affects Braam Pretorius Street in the township only;

By virtue of Notarial Deed of Servitude K.....S a servitude area in extent 1379 (ONE THOUSAND THREE HUNDRED AND SEVENTY NINE) square metres, as indicated by the figure ABCDA on Servitude Diagram SG No 13609/1997, for purposes of a road, has been granted in favour of the City of Tshwane Metropolitan Municipality, as will more fully appear from the said Notarial Deed.

- d) the following servitude which affects Erf 866 in the township only:

By virtue of Notarial Deed of Servitude K.....S a servitude for an electrical substation has been granted in favour of the City of Tshwane Metropolitan Municipality, along a route to be determined, as will more fully appear from the said Notarial Deed.

1.4 ENDOWMENT

Payable to the City of Tshwane Metropolitan Municipality.

The township owner shall pay the City of Tshwane Metropolitan Municipality as endowment a total amount of R135 000,00 which amount shall be used by the City of Tshwane Metropolitan Municipality for the acquisition of land for park and/or public open space purposes.

The said endowment amount shall be payable in accordance with the provisions of section 81 of the Town-planning and Townships Ordinance, 1986 (Ordinance 15 of 1986).

1.5 REMOVAL OR REPLACEMENT OF MUNICIPAL SERVICES

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

1.6 DEMOLITION OF BUILDINGS AND STRUCTURES

When required by the City of Tshwane Metropolitan Municipality to do so, the township owner shall at his own expense cause to be demolished to the satisfaction of the City of Tshwane Metropolitan Municipality all existing buildings and structures situated within building line reserves and side spaces or over common boundaries, or dilapidated structures.

1.7 REMOVAL OF LITTER

The township owner shall at his own expense have all litter within the township area removed to the satisfaction of the City of Tshwane Metropolitan Municipality, when required to do so by the City of Tshwane Metropolitan Municipality.

1.8 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.

1.9 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.

2. CONDITIONS OF TITLE**2.1 THE ERVEN MENTIONED BELOW SHALL BE SUBJECT TO THE CONDITIONS AS INDICATED, LAID DOWN BY THE CITY OF TSHWANE METROPOLITAN MUNICIPALITY IN TERMS OF THE PROVISIONS OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986):****2.1.1 ALL ERVEN**

2.1.1.1 The erf shall be subject to a servitude, 2 metre wide, for municipal services (water, sewerage, electricity and stormwater) (hereinafter referred to as "the services"), in favour of the local authority, along any two boundaries, excepting a street boundary and, in the case of a panhandle erf, an additional servitude for municipal purposes, 2 metre wide, over the entrance portion of the erf, if and when required by the local authority: Provided that the local authority may waive any such servitude.

2.1.1.2 No buildings or other structures may be erected within the aforesaid servitude area and no trees with large roots may be planted within the area of such servitude or within a distance of 2 metre from it.

2.1.1.3 The City of Tshwane Metropolitan Municipality shall be entitled to temporarily deposit on the land adjoining the aforesaid servitude, any material it excavates during the laying, maintenance or removal of such services and other works which in its discretion it regards necessary, and furthermore the City of Tshwane Metropolitan Municipality shall be entitled to reasonable access to the said property for the aforesaid purpose, subject to the provision that the City of Tshwane Metropolitan Municipality shall make good any damage caused during the laying, maintenance or removal of such services and other works.

2.1.2 ERF 865

2.1.2.1 The erf shall be subject to a servitude, 5,5m x 8,5m for municipal services (electrical sub station)(hereinafter referred to as "the service) in favour of the City of Tshwane Metropolitan Municipality.

2.1.2.2 No buildings or other structures may be erected within the aforesaid servitude area and no trees with large roots may be planted within the area of such servitude or within a distance of 2 metre there from.

2.1.2.3 The City of Tshwane Metropolitan Municipality shall be entitled to temporarily deposit on the land adjoining the aforesaid servitude, any material it excavates during the laying, maintenance or removal of such services and other works which in its discretion it regards essential, and furthermore the City of Tshwane Metropolitan Municipality shall be entitled to reasonable access to the said property for the aforesaid purpose, subject to the provisions that the City of Tshwane Metropolitan Municipality shall make good any damage caused during the laying, maintenance or removal of such main sewer pipelines and other works.

STAD TSHWANE METROPOLITAANSE MUNISIPALITEIT**VERKLARING VAN MAGALIESKRUIN UITBREIDING 61 TOT GOEDGEKEURDE DORP**

Ingevolge artikel 103 van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie No 15 van 1986), verklaar die Stad Tshwane Metropolitaanse Munisipaliteit hierby die dorp Magalieskruin Uitbreiding 61 tot 'n goedgekeurde dorp, onderworpe aan die voorwaardes uiteengesit in die bygaande Bylae.

(K13/2/Magalieskruin x61)

BYLAE

STAAT VAN VOORWAARDES WAAROP DIE AANSOEK GEDOEËN DEUR PRETORIA NOORD ONDERNEMINGS CC INGEVOLGE DIE BEPALINGS VAN HOOFSTUK III: DEEL C VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986 (ORDONNANSIE NO. 15 VAN 1986), OM TOESTEMMING OM 'N DORP OP GEDEELTE 128 ('N GEDEELTE VAN GEDEELTE 5) VAN DIE PLAAS HARTEBEESTFONTEIN 324 REGISTRASIE AFDELING JR, GAUTENG, TE STIG, TOEGESTAAN IS.

1. STIGTINGSVOORWAARDES

1.1 NAAM

Die naam van die dorp is Magalieskruin Uitbreiding 61.

1.2 ONTWERP

Die dorp bestaan uit erwe en strate soos aangedui op Algemene Plan LG No. 11792/2003.

1.3 BESKIKKING OOR BESTAANDE TITELVOORWAARDES

Alle erwe moet onderworpe gemaak word aan bestaande voorwaardes en serwitute, as daar is, met inbegrip van die voorbehoud van die regte op minerale, maar uitgesonderd -

- a) die volgende serwituit wat nie die erwe en strate in die dorp raak nie;

"Gedeelte 10 van die plaas Hartebeestfontein Nr 324JR, Registrasie Afdeling JR, Pretoria en die Resterende gedeelte van Gedeelte E van die gemelde plaas (waarvan die plaas hieronder getransporteer, 'n deel uitmaak) groot 426,1381 hektaar, is wederkerig onderworpe aan en geregtig tot die reg van weé 12,59 meter soos aangetoon op Kaart LG Nr A2596/1942, geheg aan Akte van Transport T24553/1942, gedateer die 7de dag van Desember 1942."

- b) die volgende serwituit wat slegs Erf 867 en Besembiesieweg in die dorp raak;

"Onderhewig aan 'n serwituit vir stormwaterdreinering ten gunste van die Stadsraad van Pretoria, groot 281 vierkante meter, soos aangedui deur figuur ABCDEFGHI op die Kaart LG No a101/1996 soos meer ten volle sal blyk uit Akte van Sessie K3657/1997S."

- c) die volgende serwituit wat slegs Braam Pretorius Straat in die dorp raak;

"By virtue of Notarial Deed of Servitude K.....S a servitude area in extent 1379 (ONE THOUSAND THREE HUNDRED AND SEVENTY NINE) square metres, as indicated by the figure ABCDA on Servitude Diagram SG No 13609/1997, for purposes of a road, has been granted in favour of the City of Tshwane Metropolitan Municipality, as will more fully appear from the said Notarial Deed."

- d) die volgende serwituit wat slegs Erf 866 in die dorp raak;

"By virtue of Notarial Deed of Servitude K.....S a servitude for an electrical substation has been granted in favour of the City of Tshwane Metropolitan Municipality, along a route to be determined, as will more fully appear from the said Notarial Deed."

1.4 BEGIFTIGING

Betaalbaar aan die Stad Tshwane Metropolitaanse Munisipaliteit.
Die dorpseienaar moet aan die Stad Tshwane Metropolitaanse Munisipaliteit, as begiftiging, 'n totale bedrag van R135 000,00 betaal, welke bedrag deur die Stad Tshwane Metropolitaanse Munisipaliteit aangewend moet word vir die verkryging van grond vir park- en/of openbare-oopruimtedoeleindes.

Die genoemde begiftigingsbedrag is betaalbaar kragtens die bepalings van artikel 81 van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986).

1.5 VERSKUIWING EN/OF VERWYDERING VAN MUNISIPALE DIENSTE

Indien dit as gevolg van die stigting van die dorp nodig word om enige bestaande munisipale dienste te verskuif of te vervang, moet die koste daarvan deur die dorpseienaar gedra word.

1.6 SLOPING VAN GEBOUE EN STRUKTURE

Die dorpseienaar moet op eie koste alle bestaande geboue en strukture wat binne boulynreserwes en kantruimtes of oor gemeenskaplike grense gelê is, of bouvallige strukture laat sloop tot tevredenheid van die Stad Tshwane Metropolitaanse Munisipaliteit wanneer die Stad Tshwane Metropolitaanse Munisipaliteit dit vereis.

1.7 VERWYDERING VAN ROMMEL

Die dorpseienaar moet op eie koste alle rommel binne die dorpsgebied laat verwyder tot tevredenheid van die Stad Tshwane Metropolitaanse Munisipaliteit wanneer die Stad Tshwane Metropolitaanse Munisipaliteit dit vereis.

1.8 VERSKUIWING EN/OF VERWYDERING VAN ESKOM KRALGLYNE

Indien dit as gevolg van die stigting van die dorp nodig word om enige bestaande kralgelyne van Eskom te verskuif, moet die koste daarvan deur die dorpseienaar gedra word.

1.9 VERSKUIWING EN/OF VERWYDERING VAN TELKOM DIENSTE

Indien dit as gevolg van die stigting van die dorp nodig word om enige bestaande dienste van TELKOM te verskuif en/of te verwijder, moet die koste daarvan deur die dorpseienaar gedra word.

2. TITELVOORWAARDES**2.1 DIE ERWE HIERONDER GENOEM, IS ONDERWORPE AAN DIE VOORWAARDES SOOS AANGEDUI, OPGELEË DEUR DIE STAD TSHWANE METROPOLITAANSE MUNISIPALITEIT INGEVOLGE DIE BEPALINGS VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986 (ORDONNANSIE 15 VAN 1986):****2.1.1 ALLE ERWE**

2.1.1.1 Die erf is onderworpe aan 'n serwituit, 2 meter breed, vir munisipale dienste (water, riool, elektrisiteit, stormwater) (hierna "die dienste" genoem), ten gunste van die Stad Tshwane Metropolitaanse Munisipaliteit langs enige twee grense, uitgesonderd 'n straatgrens en, in die geval van 'n pypsteelerf, 'n addisionele serwituit vir munisipale doelesindes, 2 meter breed, oor die toegangsgedeelte van die erf, indien en wanneer die plaaslike bestuur dit verlang: Met dien verstande dat die plaaslike bestuur van enige sodanige serwituit mag afsien.

2.1.1.2 Geen geboue of ander strukture mag binne die voornoemde serwituitgebied opgerig word nie en geen grootwortelbome mag binne die gebied van sodanige serwituit of binne 'n afstand van 2 meter daarvan geplant word nie.

2.1.1.3 Die Stad Tshwane Metropolitaanse Munisipaliteit is daarop geregtig om enige materiaal wat deur hom uitgegrawe word tydens die aanleg, onderhoud of verwydering van sodanige dienste en ander werke wat hy na goeddunke noodsaaklik ag, tydelik te plaas op grond wat aan die voornoemde serwituit grens, en voorts is die Stad Tshwane Metropolitaanse Munisipaliteit geregtig op redelike toegang tot gênoemde grond vir die voornoemde doel, onderworpe daaraan dat die Stad Tshwane Metropolitaanse Munisipaliteit enige skade vergoed wat gedurende die aanleg, onderhoud of verwydering van sodanige dienste en ander werke veroorsaak word.

2.1.2 ERF 865

2.1.2.1 Die erf is onderworpe aan 'n serwituit, 5,5m x 8,5m, vir munisipale dienste (elektriese substasie) (hierna "die dienste" genoem) ten gunste van die Stad Tshwane Metropolitaanse Munisipaliteit.

2.1.2.2 Geen geboue of ander strukture mag binne die voornoemde serwituitgebied opgerig word nie en geen grootwortelbome mag binne die gebied van sodanige serwituit of binne 'n afstand van 2m daarvan geplant word nie.

2.1.2.3 Die Stad Tshwane Metropolitaanse Munisipaliteit is daarop geregtig om enige materiaal wat deur hom uitgegrawe word tydens die aanleg, onderhoud of verwydering van munisipale dienste en ander werke wat hy na goeddunke noodsaaklik ag, tydelik te plaas op grond wat aan die voornoemde serwituit grens, en voorts is die Stad Tshwane Metropolitaanse Munisipaliteit geregtig op redelike toegang tot gênoemde grond vir die voornoemde doel, onderworpe daaraan dat die Stad Tshwane Metropolitaanse Munisipaliteit enige skade vergoed wat gedurende die aanleg, onderhoud of verwydering van sodanige munisipale dienste en ander werke veroorsaak word.
