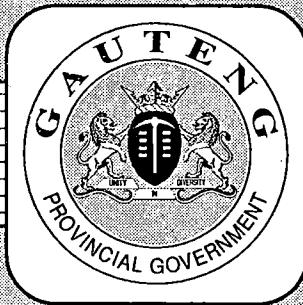


**THE PROVINCE OF  
GAUTENG**



**DIE PROVINSIE  
GAUTENG**

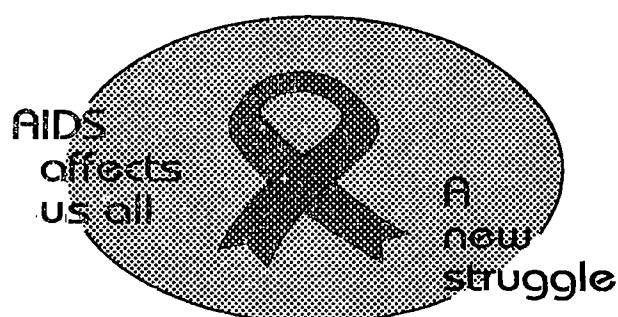
# **Provincial Gazette Extraordinary Buitengewone Provinciale Koerant**

**Vol. 12**

PRETORIA, 31 JULY JULIE 2006

**No. 276**

**We all have the power to prevent AIDS**



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## LOCAL AUTHORITY NOTICES

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### LOCAL AUTHORITY NOTICE 2199

#### CITY OF TSHWANE METROPOLITAN MUNICIPALITY

#### PRETORIA AMENDMENT SCHEME 9611P

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 Montana Tuine Extension 47, being an amendment of the Pretoria Town-planning Scheme, 1974.

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

This amendment is known as Pretoria Amendment Scheme 9611P.

(13/2/Montana Tuine x47 (9611P))  
\_\_\_\_\_  
July 2006

**Acting Head: Legal and Secretarial Services**  
(Notice No 926/2006)

**PLAASLIKE BESTUURSKENNISGEWING 2199****STAD TSHWANE METROPOLITAANSE MUNISIPALITEIT****PRETORIA WYSIGINGSKEMA 9611P**

Hierby word ingevolge die bepalings 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 Montana Tuine Uitbreiding 47, synde 'n wysiging van die Pretoria-dorpsbeplanningskema, 1974, goedgekeur het.

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

Hierdie wysiging staan bekend as Pretoria-wysigingskema 9611P.

(13/2/Montana Tuine x47 (9611P))      **Waarnemende Hoof: Regs- en Sekretariële Dienste**  
 \_\_\_\_\_ Julie 2006      (Kennisgewing No 926/2006)

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**CITY OF TSHWANE METROPOLITAN MUNICIPALITY****DECLARATION OF MONTANA TUINE EXTENSION 47 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 Montana Tuine Extension 47 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(13/2/Montana Tuine x47)

**SCHEDULE**

CONDITIONS UNDER WHICH THE APPLICATION MADE BY ABSA PROPERTY DEVELOPMENT (PTY) LTD 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 444 (A PORTION OF PORTION 44) OF THE FARM HARTEBEESTFONTEIN 324JR, PROVINCE GAUTENG, HAS BEEN GRANTED.

**1. CONDITIONS OF ESTABLISHMENT****1.1 NAME**

The name of the township shall be Montana Tuine Extension 47.

**1.2 DESIGN**

The township shall consist of erven, parks and streets as indicated on General Plan SG No 12510/2004.

**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 –

1.3.1 the following conditions and servitudes in Title Deed T125957/2001 which do not affect the township;

- a. Gedeelte 'B' van die plaas Hartebeestfontein 592, (waarvan die gedeelte getransporteer, 'n gedeelte uitmaak) is spesiaal onderhewig aan die volgende kondisies:

"Het gedeelte hieronder gehouden is onderworpen aan een servituut ten gunste van de eigenaar van gedeelte 12 ('n gedeelte van Gedeelte 'E') zoals gehouden onder Akte van Transport No. T.24560/1942, geregistreerd op die 7de Oktober 1942 om water te leiden door een voorvoerende van die fontein naar die tans bestaande dam op het gedeelte hieronder gehouden en voor dit doel om een watervoer te maken van een punt tussen gemelde dam en fontein uit die voor en van daar in een noordwestelike richting naar die naaste redelike bereikbaar plaats op die lyn van gedeelte 12.

De eigenaar van gedeelte 12 sal gerechtigd zyn tot volle, vrye en ongehinderde vloei van het water komende uit voorzegde fontein, die op die kaart van dit gedeelte 'B' gemerk is, door zulk watervoer gedurende twee achtereenvolgende dagen uit elke 8 dagen, en sy zullen gerechtigd zyn tot de nodige toegang langs die oevers van gemelde voorvoer voor het doel om dezelve te alle redelike tyden te maken, onderhouden, repareren en schoon te maken met het recht aan hun om de nodige grond en klippen te nemen voor zulke reparatie en onderhoud en om het water naar hun eigendom te voeren. Zy zullen echter verplicht zyn op hunne eigene kosten en rekening gezegde watervoer te onderhouden in een schoon en gezonde toestand en vry van schadelike onkruiden, en sy zullen niet toelaten dat enige iets gedaan of nagelaten wordt die de mogenheid geeft de gezegde dam te benadelen of te beschadigen en in het gebruik van hun rechten zullen sy behoorlik zorg dragen dat geen schade veroorzaakt wordt aan hekken, omheinings gebouwen of landen van het gedeelte hierboven vermeld en zullen sy niet gerechtigd zyn om obstrukties of veranderingen te maken op gezegde watervoer.

In geval enige veranderingen gemaakt worden voor versterking, behoud of vergroting van gezegde fontein sal de kosten ervan pro rata gedragen worden doot die eigenaren van het gedeelte 'B' hieronder en gedeelte 12 in verhouding tot hun aandeel in het water doch voordat een der eigenaren zulke verbeteringen of vergroting doet, zal hy die andere eigenaren een maand vooruit kennis geven en zulke laatsgenoemde eigenaren kunnen dan besluiten of sy hun deel willen doen, of slechts de dan bestaande water gebruiken, in welk geval die eigenaar die de verbeteringen aanbrengt gerechtigd sal zyn tot alle verdere water door hem also veroorzaakt.

De andere eigenaren hetzy van gedeelte 12 of van het gedeelte hieronder gehouden kunnen axter delen in zulke vermeerderde water zodra sy hun deel van de onkosten betalen.

In geval er geen water in die fontein is en een der eigenaren opent die fontein verder totdat hy water krygt, sal hy gerechtigd zyn ertoé tot die eerste daarop volgende regen".

- b. Servitude No. K 3483/1986-S: Servitude for sewer pipeline in favour of the City of Tshwane Metropolitan Municipality, vide diagram SG No A 2076/1985.
- c. Servitude No. K4937/1995-S: Servitude of right of way for sewer and storm-water pipelines in favour of Tshwane Municipality vide diagram SG No A11013/1994.
- d. Servitude No. K4936/1995-S: Servitude of right of way for sewer and storm-water pipelines in favour of Tshwane Municipality vide diagram SG No A4442/1994.

- e. Servitude No. K4938/1995-S: Servitude of right of way for sewer and storm water pipelines in favour of Tshwane municipality vide diagram SG No A4441/1994.
- f. The following servitude only affects erven 1266 to 1273.  
Servitude K2478/1996-S: Servitude for sewer pipeline in favour of Tshwane Municipality vide diagram S.G. No. 6256/1995.
- g. Servitude No. K6296/1999-S: Servitude for sewer purposes in favour of Tshwane Municipality vide diagram SG No 6836/1998. Servitude for electrical purposes in favour of Tshwane Municipality, vide diagrams S.G. No 8824/1998 and SG No 6837/1998 and servitude for road purposes in favour of Tshwane Municipality vide diagram SG No 6838/1998.
- h. Servitude No. K6297/1999-S: Servitude for sewerage purposes in favour of Tshwane Municipality vide diagram SG No 6885/1999.
- i. Servitude No. K3261/2000-S: Servitude of right of way and for Municipal purposes with ancillary rights in favour of Tshwane Municipality vide diagram SG No 6839/1998.
- j. Servitude No. K5897/2000-S: Servitude of right of way and for general municipal purposes in favour of Tshwane Municipality vide diagram S.G. No. 1632/2000. Servitude of right of way and for general municipal purposes in favour of Tshwane Municipality vide diagram S.G. No. 1638/1998. Servitude of right of way and for general municipal purposes in favour of Tshwane Municipality vide diagram S.G. No. 1633/2000. servitude of right of way and for general municipal purposes in favour of Tshwane Municipality vide diagram S.G. No. 5933/1998 and Servitude for stormwater drainage in favour of Tshwane Municipality vide diagram S.G. No. 5934/1998.
- k. Servitude No. K513/2001-S: Servitude for general municipal purposes in favour of Tshwane Municipality vide diagram S.G. No. 6522/2000.
- l. Right of way servitude vide diagram S.G no 4821/ 1995 in notarial deed K6165/97S.

#### 1.4 LAND FOR MUNICIPAL PURPOSES

Erf 1263 shall be transferred to the Municipality by and at the expense of the township owner:

#### 1.5 RECEIVING AND DISPOSAL OF STORMWATER

The township owner shall arrange the stormwater drainage of the township in such a way as to fit in with that of adjacent roads and he shall receive and dispose of the stormwater running off or being diverted from the roads.

#### 1.6 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.

#### 1.7 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.

#### 1.8 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.

**1.9 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.

**1.10 RESTRICTION ON THE ALIENATION AND DEVELOPMENT OF ERVEN**

The township owner shall not alienate or develop any erven within the township and no transfer of erven shall be permitted until the Municipality is satisfied that all requirements regarding access, roads, road improvements and traffic control measures in and around the proposed development have satisfactorily been complied with.

**1.11 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.

**1.12 GEOTECHNICAL REPORT**

No structures shall be erected on this site prior to the appointment of a professional engineer, who must design, specify and supervise structural measures to be implemented according to the structure type.

**1.13 ACCESS**

No access to Breedt Street from any road in the township shall be allowed unless such access is provided in accordance with the Access Management Plan and written consent for such access has been obtained from the Strategic Executive Officer: Service Delivery, or its successor in title.

**1.14 COMPLIANCE WITH CONDITIONS IMPOSED BY THE GAUTENG DEPARTMENT OF AGRICULTURE, CONSERVATION AND ENVIRONMENT (GDACE)**

The conditions imposed in the Record of Decision, issued on 10 June 2003 by the Gauteng Department of Agriculture, Conservation and Environment in terms of section 22 of the Environmental Conservation Act, 1989 (Act 73 of 1989) shall be complied with by the owner of the township at his own expense.

**1.15 ASSOCIATION AND STATUTES**

The developer must register a section 21 company (homeowners' association) in terms of the provisions of the Companies Act, 1973 (Act 61 of 1973). All the owners of the erven in the township must become members of the section 21 company. A copy of the registered Deed of Association (CM4) and the Company's Statutes must be submitted to the City of Tshwane Metropolitan Municipality.

**1.16 TRANSFER OF LAND TO THE SECTION 21 COMPANY (HOMEOWNERS' ASSOCIATION)**

Erven 1388 to 1390 shall be transferred to the homeowners' association (Section 21 Company) by and at the expense of 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 erven 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 ERVEN 1288, 1324, 1191 AND 1230
- 2.1.2.1 The erven shall be subject to a stormwater servitude, 2 metres wide, in favour of the City of Tshwane Metropolitan Municipality, as indicated on the general plan.
- 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.

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### LOCAL AUTHORITY NOTICE 2200

#### CITY OF TSHWANE METROPOLITAN MUNICIPALITY

#### PRETORIA AMENDMENT SCHEME 9644P

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 Montana Tuine Extension 52, being an amendment of the Pretoria Town-planning Scheme, 1974.

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

This amendment is known as Pretoria Amendment Scheme 9644P.

(13/2/Montana Tuine x52 (9644P))  
\_\_\_\_\_  
July 2006

**Acting Head: Legal and Secretarial Services**  
(Notice No 927/2006)

**PLAASLIKE BESTUURSKENNISGEWING 2200****STAD TSHWANE METROPOLITAANSE MUNISIPALITEIT****PRETORIA WYSIGINGSKEMA 9644P**

Hierby word ingevolge die bepalings 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 Montana Tuine Uitbreiding 52, synde 'n wysiging van die Pretoria-dorpsbeplanningskema, 1974, goedgekeur het.

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

Hierdie wysiging staan bekend as Pretoria-wysigingskema 9644P.

(13/2/Montana Tuine x52 (9644P))      **Waarnemende Hoof: Regs- en Sekretariële Dienste**  
 \_\_\_\_\_ Julie 2006      (Kennisgewing No 927/2006)

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**CITY OF TSHWANE METROPOLITAN MUNICIPALITY****DECLARATION OF MONTANA TUINE EXTENSION 52 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 Montana Tuine Extension 52 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(13/2/Montana Tuine x52)

**SCHEDULE**

**CONDITIONS UNDER WHICH THE APPLICATION MADE BY ABSA PROPERTY DEVELOPMENT (PTY) LTD 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 483 (A PORTION OF PORTION 44) OF THE FARM HARTEBEESTFONTEIN 324JR, PROVINCE GAUTENG, HAS BEEN GRANTED.**

**1. CONDITIONS OF ESTABLISHMENT****1.1 NAME**

The name of the township shall be Montana Tuine Extension 52.

**1.2 DESIGN**

The township shall consist of erven, parks and streets as indicated on General Plan SG No 2702/2006.

### 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 the conditions/servitudes that do not influence the township:

#### 1.3.1 The following servitudes in Title Deed T125957/2001 which do not affect the township;

- a. Gedeelte 'B' van die plaas Hartebeestfontein 592, (waarvan die gedeelte getransporteer, 'n gedeelte uitmaak) is spesiaal onderhewig aan die volgende kondisies:

"Het gedeelte hieronder gehouden is onderworpen aan een servituit ten gunste van de eigenaar van gedeelte 12 ('n gedeelte van Gedeelte 'E') zoals gehouden onder Akte van Transport No. T.24560/1942, geregistreerd op de 7de Oktober 1942 om water te leiden door een voorvoerende van de fontein naar de tans bestaande dam op het gedeelte hieronder gehouden en voor dit doel om een watervoer te maken van een punt tussen gemelde dam en fontein uit die voor en van daar in een noordwestelike richting naar de naaste redelike bereikbaar plaats op die lyn van gedeelte 12.

De eigenaar van gedeelte 12 sal gerechtigd zyn tot volle, vrye en ongehinderde vloei van het water komende uit voorzagde fontein, die op die kaart van dit gedeelte 'B' gemerk is, door zulk watervoer gedurende twee achtereenvolgende dagen uit elke 8 dagen, en sy zullen gerechtigd zyn tot de nodige toegang langs de oevers van gemelde voorvoer voor het doel om dezelve te alle redelike tyden te maken, onderhouden, repareren en schoon te maken met het recht aan hun om de nodige grond en klippen te nemen voor zulke reparatie en onderhoud en om het water naar hun eigendom te voeren. Zy zullen echter verplicht zyn op hunne eigene kosten en rekening gezegde watervoer te onderhouden in een schoon en gezonde toestand en vry van schadelike onkruiden, en sy zullen niet toelaten dat enige iets gedaan of nagelaten wordt die de mogenlikheid geeft de gezegde dam te benadelen of te beschadigen en in het gebruik van hun rechten zullen sy behoorlik zorg dragen dat geen schade veroorzaakt wordt aan hekken, omheiningsgebouwen of landen van het gedeelte hierboven vermeld en zullen sy niet gerechtigd zyn om obstructions of veranderingen te maken op gezegde watervoer.

In geval enige veranderingen gemaakt worden voor versterking, behoud of vergroting van gezegde fontein sal de kosten ervan pro rata gedragen worden doot die eigenaren van het gedeelte 'B' hieronder en gedeelte 12 in verhouding tot hun aandeel in het water doch voordat een der eigenaren zulke verbeteringen of vergroting doet, sal hy de andere eigenaren een maand vooruit kennis geven en zulke laatsgenoemde eigenaren kunnen dan besluiten of sy hun deel willen doen, of slechts de dan bestaande water gebruiken, in welk geval die eigenaar die de verbeteringen aanbrengt gerechtigd zal zyn tot alle verdere water door hem also veroorzaakt.

De andere eigenaren hetzy van gedeelte 12 of van het gedeelte hieronder gehouden kunnen axter delen in zulke vermeerderde water zodra sy hun deel van de onkosten betalen.

In geval er geen water in die fontein is en een der eigenaren opent die fontein verder totdat hy water krygt, sal hy gerechtigd zyn ertoé tot die eerste daarop volgende regen".

- b. Die Resterende Gedeelte van Gedeelte 44 van die plaas HARTEBEST-FONTEIN 324, Registrasie Afdeling J.R., Provincie Gauteng, groot 353,0689 Hektaar ('n gedeelte waarvan hiermee gertansporteer word) is onderhewig aan 'n rioolpulpynservituit 4 meter wyd ten gunste van die Stadsraad van Pretoria waarvan die lyn ABCDEF op servituitkaart L.G. A2076/1985 die hartlyn voorstel soos meer volledig sal blyk uit Notariële Akte Nr. K 3483 / 1986 S.
- c. Die Resterende Gedeelte van Gedeelte 44 van die plaas HARTEBEEST-FONTEIN 324, Registrasie Afdeling JR, Provincie Gauteng, groot 311,7524 hektaar ('n gedeelte waarvan hiermee getransporteer word) is:

- (i) Onderhewig aan 'n serwituit van reg-van-weg, 5 meter wyd vir die lê van riool- en stormwaterpype, ten gunste van die Stadsraad van Pretoria, die middellyn waarvan aangedui word deur die lyn ABC op L.G. kaart nr. A11013/94 soos meer volledig sal blyk uit Notariële Akte nr. K4937/1995 S.
- (ii) Onderhewig aan 'n serwituit van reg-van-weg, 5 meter wyd vir die lê van riool- en stormwaterpype, ten gunste van die Stadsraad van Pretoria, die middellyn waarvan aangedui word deur die lyn ABCD op L.G. kaart nr. A4441/94 soos meer volledig sal blyk uit Notariële Akte nr. K4938/1995 S.
- (iii) Onderhewig aan 'n serwituit van reg van weg vir die lê van riool- en stormwaterpype ten gunste van die Stadsraad van Pretoria.
  - (aa) 4 meter wyd waarvan die lyn AB de middellyn voorstel;
  - (bb) 3 meter wyd waarvan die lyn AC die suidelike grens voorstel;
  - (cc) 16,5 meter wyd waarvan die lyn DEFGHJKLMNPQRSTUWV die westelike grens voorstel;
 op kaart LG A4442/94 soos meer volledig sal blyk uit Notariële Akte Nr K4936/1995S.
- d. En verder onderhewig aan 'n rioolserwituit, 2 meter wyd ten gunste van die Stadsraad van Pretoria, waarvan die lyne ABCDE en DFGH op Kaart LG 6256/1995 die hartlyn voorstel soos meer volledig sal blyk uit Notariële Akte Nr K2478/1996 S.
- e. Servitude No. K6296/1999-S: Servitude for sewer purposes in favour of Tshwane Municipality vide diagram SG No 6836/1998. Servitude for electrical purposes in favour of Tshwane Municipality, vide diagrams SG No 8824/1998 and SG No 6837/1998 and servitude for road purposes in favour of Tshwane Municipality vide diagram SG No 6838/1998.
- f. A servitude of right-of-way and for municipal purposes 2 (two) metres wide in favour of the City Council of Pretoria as indicated by the figures ABCDA on diagram L.G. No. 6839/1998 together with ancillary rights as will more fully appear from Notarial Deed K3261/2000 S.
- g. Servitude No K5897/2000S: Servitude of right of way and for general municipal purposes in favour of Tshwane Municipality vide diagram S.G. No. 1632/2000. Servitude of right of way and for general municipal purposes in favour of Tshwane Municipality vide diagram S.G. No. 1638/1998. Servitude of right of way and for general municipal purposes in favour of Tshwane Municipality vide diagram S.G. No. 1633/2000. servitude of right of way and for general municipal purposes in favour of Tshwane Municipality vide diagram S.G. No. 5933/1998 and Servitude for stormwater drainage in favour of Tshwane Municipality vide diagram S.G. No. 5934/1998.
- h. Servitude No K513/2001S: Servitude for general municipal purposes in favour of Tshwane Metropolitan Municipality vide diagram SG No 6522/2000.
- i. Subject to 3 (three) servitudes for sewerage purposes 3 (three) metres wide over the property in favour of the City of Tshwane Metropolitan Municipality, the centre line of the first servitude is depicted by the figure AB, the centre of the second servitude is depicted by the figure CDE and the southern boundary of the third servitude is depicted by the figure FG on diagram L.G. No. 6885/1999 as will more fully appear from Notarial Deed of Servitude K6297/99S with diagram attached.

#### 1.4 RECEIVING AND DISPOSAL OF STORMWATER

The township owner shall arrange the stormwater drainage of the township in such a way as to fit in with that of adjacent roads and he shall receive and dispose of the stormwater running off or being diverted from the roads.

**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.

**1.10 COMPLIANCE WITH CONDITIONS IMPOSED BY THE GAUTENG DEPARTMENT OF AGRICULTURE, CONSERVATION AND ENVIRONMENT (GDACE)**

The township owner shall at his own expense comply with all the conditions imposed by the Gauteng Department of Agriculture, Conservation and Environment including, if applicable, those by which exemption has been granted from compliance with regulations No 1182 and 1183 promulgated in terms of Sections 21, 22 and 26 of the Environmental Conservation Act, 1989 (Act 73 of 1989), for the development of this township.

**1.11 NATIONAL HERITAGE RESOURCE ACT**

The township owner shall at his own expense comply with the provisions of the National Heritage Resource Act, 25 of 1999 and that any conditions that may affect the township are incorporated in these conditions as amendments to these conditions.

**1.12 TRANSFER OF LAND TO THE SECTION 21 COMPANY (HOMEOWNERS' ASSOCIATION)**

Erven 1681, 1682, 1683 and 1684 shall be transferred to the Section 21 Company (homeowners' association) by and at the expense of the township owner.

**1.13 THE DEVELOPER'S OBLIGATIONS****1.13.1 ASSOCIATION AND STATUTES**

The developer must register a section 21 company (homeowners' association) in terms of the provisions of the Companies Act, 1973 (Act 61 of 1973). All the owners of the erven in the township must become members of the section 21 company. A copy of the registered Deed of Association (CM4) and the Company's Statutes must be submitted to the City of Tshwane Metropolitan Municipality.

**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 erven 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 1640**

- 2.1.2.1 The erf shall be subject to a servitude, 2 metres wide, for municipal services (stormwater) in favour of the City of Tshwane Metropolitan Municipality, as indicated on the general plan.
- 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 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 provision that the Municipality shall make good any damage caused during the laying, maintenance or removal of such main sewer pipelines and other works.

**2.1.3 ERVEN 1639 UP TO AND INCLUDING 1680**

- 2.1.3.1 Every owner of the erf, or owner of any subdivision thereof, or owner of any unit thereon shall automatically become and shall remain a member of the Zambezi Country Estate Home Owners Association (Registration No. 2005/016517/08)(Association incorporated in terms of Section 21 of the Companies Act No. 61 of 1973 as amended) ("the Company") and be subject to the Memorandum and Articles of Association of the Company until he ceases to be an owner as aforesaid.
- 2.1.3.2 Neither the erf, nor subdivision thereof nor any unit thereon, shall be transferred to any person who has not bound himself to the satisfaction of the Company to become a member of the Company.

- 2.1.3.3 The owner of the erf, or owner of any subdivision thereof, or any unit thereon, shall not be entitled to transfer the erf or any subdivision thereof, or any interest therein, or any unit thereon, without a clearance certificate from the Company that the provisions of the Articles of Association of the Company have been complied with.
- 2.1.3.4 For the purposes of the afore going any reference to "owner" shall also include a homeowners' association or a body corporate which may come into being in the case of a subdivision of the erf or the opening of a sectional title register in respect of the erf, as the case may be.
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# IMPORTANT NOTICE

The  
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## NEW PARTICULARS ARE AS FOLLOWS:

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Pretoria

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**HENNIE MALAN**

Director: Financial Management  
Office of the Premier (Gauteng)

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