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GAUTENG***

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# **LOCAL AUTHORITY NOTICE**

## **LOCAL AUTHORITY NOTICE 2316**

### **CITY OF TSHWANE METROPOLITAN MUNICIPALITY**

#### **PRETORIA AMENDMENT SCHEME 9690P**

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 Faerie Glen Extension 80, 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 Executive Director: Legal Services, and are open to inspection during normal office hours.

This amendment is known as Pretoria Amendment Scheme 9690P.

(13/2/Faerie Glen x80 (9690P))  
 \_\_\_\_ September 2007

**Acting Executive Director: Legal Services**  
 (Notice No 840/2007)

## **PLAASLIKE BESTUURSKENNISGEWING 2316**

### **STAD TSHWANE METROPOLITAANSE MUNISIPALITEIT**

#### **PRETORIA WYSIGINGSKEMA 9690P**

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 Faerie Glen Uitberiding 80, synde 'n wysiging van die Pretoria-dorpsbeplanningskema, 1974, goedgekeur het.

Kaart 3 en die skemaklousules van hierdie wysigingskema word deur die Waarnemende Uitvoerende Direkteur: Regsdienste, in bewaring gehou en lê gedurende gewone kantoorure ter insae.

Hierdie wysiging staan bekend as Pretoria-wysigingskema 9690P.

(13/2/Faerie Glen x80 (9690P))  
 \_\_\_\_ September 2007

**Waarnemende Uitvoerende Direkteur: Regsdienste**  
 (Kennisgewing No 840/2007)

### **CITY OF TSHWANE METROPOLITAN MUNICIPALITY**

#### **DECLARATION OF FAERIE GLEN EXTENSION 80 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 Faerie Glen Extension 80 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(13/2/Faerie Glen x80)

#### **SCHEDULE**

CONDITIONS UNDER WHICH THE APPLICATION MADE BY FAERIE GLEN WATERPARK (PTY) LTD IN TERMS OF THE PROVISIONS OF CHAPTER III: PART C OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 165 (A PORTION OF PORTION 1) OF THE FARM VALLEY FARM NO 379JR, PROVINCE OF GAUTENG, HAS BEEN GRANTED.

1. CONDITIONS OF ESTABLISHMENT (CONDITIONS WHICH WILL BE APPLICABLE TO THE APPROVED TOWNSHIP IN TERMS OF SECTION 103 OF ORDINANCE 15 OF 1986)

#### **1.1 NAME**

The name of the township shall be Faerie Glen Extension 80.

**1.2 DESIGN**

The township shall consist of erven, parks and streets as indicated on General Plan SG No 12414/2006.

**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 –

**1.3.1 the following servitude in Deed of Transfer T56403/95 which do not affect the township:**

- "(1) The portion of the said VALLEY FARM shown on Diagram SG No A4677/49 annexed to Certificate of Registered Title T12684/1950 by the figure cbaFGHJJ'K'KLMNOPQRST (of which the property held hereunder forms a portion) is entitled to a servitude of right of way in perpetuity, 12,59 (twelve comma five nine) metres wide over Portion 61 (a Portion of Portion 10 of Portion "G") of the farm "The Willows" No 340, situate in the Registration Division JR, district Pretoria, (formerly No 23), in extent 4,1691 Hectares, held by Deed of Transfer No T22940/41; and over the farm "Koedoesnek" No 341, situate in the Registration Division JR, district Pretoria (formerly No 25), in extent 12,8480 Hectares, held by Certificate of Consolidated Title No T4218/49 as will more fully appear from figures aBCdefghjkl and abcdefEghj on the respective diagrams annexed to the aforementioned title deeds – all as will more fully appear from Notarial Deed No 440/1950 S dated the 1st May 1950, and registered on the 9th June 1950".

**1.4 RECEIVING AND DISPOSAL OF STORMWATER**

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

**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 CONSOLIDATION OF ERVEN**

The township owner shall at his own expense have Erven 3859 and 3860 in the township consolidated. The City of Tshwane Metropolitan Municipality hereby grants its consent to the consolidation in respect of Section 92(1)(b) of Ordinance 15 of 1986.

**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 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.

1.11 COMPLIANCE WITH CONDITIONS IMPOSED BY GDACEL

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

1.12 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.

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, 2m wide, for municipal services (water, sewer, electricity and stormwater) (hereinafter referred to as "the services"), in favour of the local authority, along any two boundaries, except a street boundary and, in the case of a panhandle erf, an additional servitude for municipal purposes, 2m 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 2m 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 3859 AND 3860

The erven shall be notarial tied to Erf 3826, Faerie Glen Extension 65 and to Erf 3855, Faerie Glen Extension 78.

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**STAD TSHWANE METROPOLITAANSE MUNISIPALITEIT**

**VERKLARING VAN FAERIE GLEN UITBREIDING 80 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 Faerie Glen Uitbreiding 80 tot 'n goedgekeurde dorp, onderworpe aan die voorwaardes uiteengesit in die bygaande Bylae.

(13/2/Faerie Glen x80 (9690P))

**BYLAE**

STAAT VAN VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR FAERIE GLEN WATERPARK (PTY) LTD 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 165 ('N GEDEELTE VAN GEDEELTE 1) VAN DIE PLAAS VALLEY FARM NO 379JR, GAUTENG, TE STIG, TOEGESTAAN IS.

**1. STIGTINGSVOORWAARDES****1.1 NAAM**

Die naam van die dorp is Faerie Glen Uitbreiding 80.

**1.2 ONTWERP**

Die dorp bestaan uit erwe, parke en strate, soos aangedui op Algemene Plan LG No 12414/2006.

**1.3 BESKIKKING OOR BESTAANDE TITELVOORWAARDES**

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

1.3.1 die volgende servitute in Akte van Transport T56403/95 wat nie die dorp raak nie:

“(1) The portion of the said VALLEY FARM shown on Diagram SG No A4677/49 annexed to Certificate of Registered Title T12684/1950 by the figure cbaFGHJJ’K’KLMNOPQRST (of which the property held hereunder forms a portion) is entitled to a servitude of right of way in perpetuity, 12,59 (twelve comma five nine) metres wide over Portion 61 (a Portion of Portion 10 of Portion “G”) of the farm “The Willows” No 340, situate in the Registration Division JR, district Pretoria, (formerly No 23), in extent 4,1691 Hectares, held by Deed of Transfer No T22940/41; and over the farm “Koedoesnek” No 341, situate in the Registration Division JR, district Pretoria (formerly No 25), in extent 12,8480 Hectares, held by Certificate of Consolidated Title No T4218/49 as will more fully appear from figures aBCdefghijkl and abcdefEghj on the respective diagrams annexed to the aforementioned title deeds – all as will more fully appear from Notarial Deed No 440/1950 S dated the 1st May 1950, and registered on the 9th June 1950”.

**1.4 ONTVANGS VAN EN WEGDOEN MET STORMWATER**

Die dorpseienaar moet die stormwaterdreinerings van die dorp so reël dat dit inpas by die van die aangrensende pad en hy moet die stormwater wat van die pad afloop of afgelei word, ontvang en daarmee wegdoen.

**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 KONSOLIDASIE VAN ERWE**

Die dorpseienaar moet op eie koste Erwe 3859 en 3860 in die dorp laat konsolideer. Die Stad Tshwane Metropolitaanse Munisipaliteit verleen hiermee ingevolge Artikel 92(1)(b) van Ordonnansie 15 van 1986, toestemming tot die konsolidasie.

**1.7 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.

**1.8 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.

1.9 VERSKUIWING EN/OF VERWYDERING VAN ESKOM KRAGLYNE

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

1.10 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 verwyder, moet die koste daarvan deur die dorpseienaar gedra word.

1.11 VOLDOENING AAN VOORWAARDES OP GELÊ DEUR DIE GAUTENGSE DEPARTEMENT VAN LANDBOU, BEWARING, OMGEWING EN GRONDSAKE (DLBOG)

Die dorpseienaar sal op sy eie koste voldoen aan al die voorwaardes wat opgelê is deur (DLBOG) met die aansoek om vrystelling om aan die bepalings van Regulasie 1182 en 1183 gepromulgeer ingevolge artikel 21, 22 en 26 van die Wet op Omgevingsbewaring, 1989 (Wet No 73 van 1989) vir die ontwikkeling van die dorpsgebied.

1.12 NASIONALE ERFENIS HULPBRONNE WET

Die dorpseienaar sal op sy eie koste voldoen aan die bepalings van die Nasionale Erfenis Wet, Wet 25 of 1999.

2. TITELVOORWAARDES

2.1 DIE ERWE HIERONDER GENOEM, IS ONDERWORPE AAN DIE VOORWAARDES SOOS AANGEDUI, OP GELÊ 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 serwituut, 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 serwituut vir munisipale doeleindes, 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 serwituut mag afsien.

2.1.1.2 Geen geboue of ander strukture mag binne die voornoemde serwituutgebied opgerig word nie en geen grootwortelbome mag binne die gebied van sodanige serwituut 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 goeë dunnke noodsaaklik ag, tydelik te plaas op grond wat aan die voornoemde serwituut grens, en voorts is die Stad Tshwane Metropolitaanse Munisipaliteit geregtig op redelike toegang tot genoemde 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 ERWE 3859 EN 3860

Die erwe moet notariëel verbind word met Erf 3826, Faerie Glen Uitbreiding 65 en met Erf 3855, Faerie Glen Uitbreiding 78.