

***THE PROVINCE OF
GAUTENG***

***DIE PROVINSIE
GAUTENG***

**Provincial Gazette Extraordinary
Buitengewone Provinsiale Koerant**

Vol. 14

PRETORIA, 11 APRIL 2008

No. 98

CONTENTS • INHOUD

<i>No.</i>	<i>Page No.</i>	<i>Gazette No.</i>
LOCAL AUTHORITY NOTICE		
934 Town-planning and Townships Ordinance (15/1986): City of Tshwane Metropolitan Municipality: Pretoria Amendment Scheme 9744P	3	98

LOCAL AUTHORITY NOTICE

LOCAL AUTHORITY NOTICE 934

CITY OF TSHWANE METROPOLITAN MUNICIPALITY

PRETORIA AMENDMENT SCHEME 9744P

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 Pretoriuspark Extension 34, being an amendment of the Pretoria Town-planning Scheme, 1974.

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

This amendment is known as Pretoria Amendment Scheme 9744P.

(13/2/Pretoriuspark x34 (9744P))
 ___ April 2008

Executive Director: Legal Services
 (Notice No 470/2008)

PLAASLIKE BESTUURSKENNISGEWING 934

STAD TSHWANE METROPOLITAANSE MUNISIPALITEIT

PRETORIA WYSIGINGSKEMA 9744P

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 Pretoriuspark Uitbreiding 34, synde 'n wysiging van die Pretoria-dorpsbeplanningskema, 1974, goedgekeur het.

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

Hierdie wysiging staan bekend as Pretoria-wysigingskema 9744P.

(13/2/Pretoriuspark x34 (9744P))
 ___ April 2008

Uitvoerende Direkteur: Regsdienste
 (Kennisgewing No 470/2008)

CITY OF TSHWANE METROPOLITAN MUNICIPALITY

DECLARATION OF PRETORIUSPARK EXTENSION 34 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 Pretoriuspark Extension 34 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(13/2/Pretoriuspark x34)

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY E.B. SHELF INVESTMENTS NO 181 (PROPRIETARY) LIMITED 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 THE REMAINING EXTENT OF PORTION 196 (A PORTION OF PORTION 130) OF THE FARM GARSTFONTEIN 374JR, PROVINCE OF GAUTENG, HAS BEEN GRANTED.

1. CONDITIONS OF ESTABLISHMENT

1.1 NAME

The name of the township shall be Pretoriuspark Extension 34.

1.2 DESIGN

The township shall consist of erven as indicated on General Plan SG No 4620/2007.

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 servitudes which do not affect the township;

1. The right of way servitude ("reg van oorpas") in favour of the General Public vide SG Diagram A5504/52 registered under Notarial Deed of Servitude No 1185/1959S that only affects Erf 1705 in the township.

- 2(c) The aforesaid property, together with portion "E" of portion of the said farm GARSFONTEIN originally held under Certificate of Partition Title No 5239/1926 and a portion of the portion of the said farm GARSFONTEIN No 374 measuring 440,0690 hectares, are jointly subject to a servitude of water rights in favour of the northern Portion of the said farm, as will more fully appear from Deed of Servitude No 43/1894".

- "3 Die Resterende Gedeelte van Gedeelte 130 van gesegde GARSFONTEIN No. 374 geleë in die Registrasie Afdeling J.R. distrik Pretoria, groot as suks 83,6073 hektaar, gehou onder Sertifikaat van Verenigde Titel Nr 20901/1949 gedateer die 13de dag van Julie 1949, waarvan die eiendom hieronder getranspoteer 'n gedeelte uitmaak is kragtens 'n Bevel van die Waterhof gedateer 4de Maart 1947 en Ooreenkoms gedateer 17 Maart 1947, geregtig op sekere waterregte meer volledig uiteengesit in gesegde Ooreenkoms geregistreer onder Nr 242/1947-S op die 16de April 1947."

1.4 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.

1.5 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.

1.6 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.

1.7 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.

1.8 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.

1.9 COMPLIANCE WITH CONDITIONS IMPOSED BY GDACE

The township owner shall at his own expense comply with all the conditions imposed, by the Gauteng Department of Agriculture, Conservation and Environment, as well as any other applicable provisions, in terms of the provisions of the Environment Conservation Act, 73 of 1989 or the National Environmental Management Act, 107 of 1998 as the case may be.

1.10 LAND FOR MUNICIPAL PURPOSES

The following erf shall be transferred to the City of Tshwane Metropolitan Municipality by and at the expense of the township owner:

Park (public open space): Erf 1706

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 ERF 1705

2.1.1.1 The erven shall be subject to a servitude, 2m wide, for municipal services (water, sewer, electricity and storm-water) (hereinafter referred to as "the services"), in favour of the City of Tshwane Metropolitan Municipality, along any two boundaries, excepting a street boundary and, in the case of a panhandle erf, an additional servitude for municipal purposes, 2 m 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 m 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 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 services and other works.

2.1.2 ERVEN 1705 AND 1706

These erven are subject to a sewerage servitude, 3 meter wide, in favour of the City of Tshwane Metropolitan Municipality as more fully depicted on General Plan, by figure c,d,e,f,g,h,j.

STAD TSHWANE METROPOLITAANSE MUNISIPALITEIT

VERKLARING VAN PRETORIUSPARK UITBREIDING 34 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 Pretoriuspark Uitbreiding 34 tot 'n goedgekeurde dorp, onderworpe aan die voorwaardes uiteengesit in die bygaande Bylae.

(13/2/Pretoriuspark x34)

BYLAE

STAAT VAN VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR E.B. SHELF INVESTMENTS NO 181 (PROPRIETARY) LIMITED 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 DIE RESTERENDE GEDEELTE VAN GEDEELTE 196 ('N GEDEELTE VAN GEDEELTE 130) VAN DIE PLAAS GARSTFONTEIN 374JR, GAUTENG, TE STIG, TOEGESTAAN IS

1. STIGTINGSVOORWAARDES**1.1 NAAM**

Die naam van die dorp is Pretoriuspark Uitbreiding 34.

1.2 ONTWERP

Die dorp bestaan uit erwe soos aangedui op Algemene Plan LG No 4620/2007.

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 –

1.3.1 die volgende serwitute wat nie die dorp raak nie:

1. The right of way servitude ("reg van oorpas") in favour of the General Public vide SG Diagram A5504/52 registered under Notarial Deed of Servitude No 1185/1959S that only affects Erf 1705 in the township.

- 2(c) The aforesaid property, together with portion "E" of portion of the said farm GARSFONTEIN originally held under Certificate of Partition Title No 5239/1926 and a portion of the portion of the said farm GARSFONTEIN No 374 measuring 440,0690 hectares, are jointly subject to a servitude of water rights in favour of the northern Portion of the said farm, as will more fully appear from Deed of Servitude No 43/1894".

- "3 Die Resterende Gedeelte van Gedeelte 130 van gesegde GARSFONTEIN No. 374 geleë in die Registrasie Afdeling J.R. distrik Pretoria, groot as sulks 83,6073 hektaar, gehou onder Sertifikaat van Verenigde Titel Nr 20901/1949 gedateer die 13de dag van Julie 1949, waarvan die eiendom hieronder getransporeer 'n gedeelte uitmaak is kragtens 'n Bevel van die Waterhof gedateer 4de Maart 1947 en Ooreenkoms gedateer 17 Maart 1947, geregtig op sekere waterregte meer volledig uiteengesit in gesegde Ooreenkoms geregistreer onder Nr 242/1947-S op die 16de April 1947."

1.4 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.

1.5 SLOPING VAN GEBOUE EN STRUKTURE

Die dorpseienaar moet op eie koste alle bestaande geboue en strukture wat binne boulynsreserwes 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.

1.6 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.

1.7 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.

1.8 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.

1.9 VOLDOENING AAN VOORWAARDES OPGELÊ DEUR DIE GAUTENG DEPARTEMENT VAN LANDBOU EN OMGEWINGSBEWARING

Die dorpseienaar sal op sy eie koste voldoen aan al die voorwaardes opgelê deur die Gautengse Departement van Landbou en Omgewingsbewing, asook enige ander toepaslike voorwaardes soos vervat in die Wet op Omgewingsbewing, 1989 (Wet 73 van 1989), of die Nasionale Wet op Omgewingsbewing, 1998 (Wet 107 van 1998), wat ookal die geval mag wees.

1.10 GROND VIR MUNISIPALE DOELEINDES

Die volgende erf moet deur en op koste van die dorpseienaar aan die Stad Tshwane Metropolitaanse Munisipaliteit oorgedra word:

Parke (openbare oopruimte): Erf 1706.

2. TITELVOORWAARDES

2.1 DIE ERWE HIERONDER GENOEM, IS ONDERWORPE AAN DIE VOORWAARDES SOOS AANGEDUI, OPGELÊ DEUR DIE STAD TSHWANE METROPOLITAANSE MUNISIPALITEIT INGEVOLGE DIE BEPALINGS VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986 (ORDONNANSIE 15 VAN 1986):

2.1.1 ERF 1705

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 dunde 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 1705 EN 1706

Die erwe is onderworpe aan 'n riool serwituut, 3 meter breed, ten gunste van die Stad Tshwane Metropolitaanse Munisipaliteit, soos meer volledige aangedui op die algemene plan deur figuur c,d,e,f,g,h,j.