

***THE PROVINCE OF
GAUTENG***

***DIE PROVINSIE
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LOCAL AUTHORITY NOTICE

LOCAL AUTHORITY NOTICE 1453

CITY OF TSHWANE

PRETORIA AMENDMENT SCHEME 9726P

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 has approved an amendment scheme with regard to the land in the township of Brummeria Extension 18, 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 9726P.

(13/2/Brummeria x18 (9726P))
19 June 2008

Executive Director: Legal Services
(Notice No 604/2008)

PLAASLIKE BESTUURSKENNISGEWING 1453

STAD TSHWANE

PRETORIA WYSIGINGSKEMA 9726P

Hierby word ingevoige die bepalings van artikel 125(1) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986), bekend gemaak dat die Stad Tshwane 'n wysigingskema met betrekking tot die grond in die dorp Brummeria Uitbreiding 18, 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 9726P.

(13/2/Brummeria x18 (9726P))
19 Junie 2008

Uitvoerende Direkteur: Regsdienste
(Kennisgewing No 604/2008)

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CITY OF TSHWANE

DECLARATION OF BRUMMERIA EXTENSION 18 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 hereby declares the township of Brummeria Extension 18 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(13/2/Brummeria x18 (9726P))

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY BRUMMERIA PROPERTIES (PROPRIETARY) LIMITED IN TERMS OF THE PROVISIONS OF CHAPTER III: PART A AND C OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE NO 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 71 OF THE FARM HARTEBEESTPOORT 328JR, PROVINCE OF GAUTENG, HAS BEEN GRANTED.

1. CONDITIONS OF ESTABLISHMENT

1.1 NAME

The name of the township shall be Brummeria Extension 18.

1.2 DESIGN

The township shall consist of erven and streets as indicated on General Plan SG No 4023/2007.

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 affect a street in the township only:

- A. PORTION 5 of Portion H, whereof Portion 71 of portion "a" is hereby transferred, is subject and entitled to the below mentioned servitudes and rights:

- a) Subject to a servitude of right of way not exceeding 6,30meters wide in favour of Portions 3 and 4 and the Remaining Extent of Portion "H" aforesaid along the line EF and the continuation thereof shown on the diagram aforesaid. Portion 5 annexed to Deed of Transfer no. 3000/1921 and in the General Plan filed with Deed of Transfer no 2998/1921, and entitled to a similar servitude of right of way over the remaining extent, measuring as such 23,1242 (twenty two comma one two four two) hectares of the said Portion "H", such right of way to be for foot and wheeled traffic.
- b) Subject to a right-of-way leave and right of way in favour of the Town Council of Pretoria for the purpose of conveying electricity across the said property as will more fully appear from Notarial Deed no 270/1931S.

1.4 ENDOWMENT

Payable to the City of Tshwane.

The township owner shall pay endowment for an area of **1 248m²** in terms of Regulation 44(1) of the Town-planning and Townships Regulations, to the Municipality. The amount for this endowment shall be used by the 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 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 Samson Crescent and he shall receive and dispose of the stormwater running off or being diverted from the road.

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 CONSOLIDATIO OF ERVEN

The township owner shall at his own expense have Erven 116 and 117 in the township consolidated. The City of Tshwane hereby grants its consent to the consolidation in respect of Section 92(1)(b) of Ordinance 15 of 1986.

1.8 DEMOLITION OF BUILDINGS AND STRUCTURES

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

1.9 REMOVAL OF LITTER

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

1.10 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.

1.11 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 COMPLIANCE WITH CONDITIONS IMPOSED BY GDACE

The township owner shall at his own expense comply with all the conditions imposed by which the Gauteng Department of Agricultural, Conservation and Environment, 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, 1989 (Act 73 of 1989) for the development of this township.

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 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 storm-water) (hereinafter referred to as "the services"), in favour of the City of Tshwane / Section 21 Company, along any two boundaries, excepting 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 / Section 21 Company 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 / Section 21 Company shall be entitled to reasonable access to the said property for the aforesaid purpose, subject to the provision that the City of Tshwane / Section 21 Company shall make good any damage caused during the laying, maintenance or removal of such services and other works.

2.1.2 ERF 117

2.1.2.1 The erf shall be subject to a servitude, 2m wide, along its eastern boundary for municipal services (stormwater), in favour of the local authority.

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 from it.

2.1.2.3 The City of Tshwane 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 shall be entitled to reasonable access to the said property for the aforesaid purpose, subject to the provision that the City of Tshwane shall make good any damage caused during the laying, maintenance or removal of such services and other works.

STAD TSHWANE

VERKLARING VAN BRUMMERIA UITBREIDING 18 TOT GOEDGEKEURDE DORP

Ingevolge artikel 103 van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie No 15 van 1986), verklaar die Stad Tshwane hierby die dorp Brummeria Uitbreiding 18 tot 'n goedgekeurde dorp, onderworpe aan die voorwaardes uiteengesit in die bygaande Bylae.

(13/2/Brummeria x18 (9726P))

BYLAE

STAAT VAN VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR BRUMMERIA PROPERTIES (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 GEDEELTE 71 VAN DIE PLAAS HARTEBEESTPOORT 328JR, GAUTENG, TE STIG, TOEGESTAAN IS

1. STIGTINGSVOORWAARDES

1.1 NAAM

Die naam van die dorp is Brummeria Uitbreiding 18.

1.2 ONTWERP

Die dorp bestaan uit erwe en strate soos aangedui op Algemene Plan LG No 4023/2007.

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 wat slegs 'n straat in die dorp raak:

A. PORTION 5 of Portion H, whereof Portion 71 of portion "a" is hereby transferred, is subject and entitled to the below mentioned servitudes and rights:

- a) Subject to a servitude of right of way not exceeding 6,30meters wide in favour of Portions 3 and 4 and the Remaining Extent of Portion "H" aforesaid along the line EF and the continuation thereof shown on the diagram aforesaid. Portion 5 annexed to Deed of Transfer no. 3000/1921 and in the General Plan filed with Deed of Transfer no 2998/1921, and entitled to a similar servitude of right of way over the remaining extent, measuring as such 23,1242 (twenty two comma one two four two) hectares of the said Portion "H", such right of way to be for foot and wheeled traffic.
- b) Subject to a right-of-way leave and right of way in favour of the Town Council of Pretoria for the purpose of conveying electricity across the said property as will more fully appear from Notarial Deed no 270/1931S.

1.4 BEGIFTIGING

Betaalbaar aan die Stad Tshwane.

Die dorpseienaar moet aan die Stad Tshwane, begiftiging vir 'n area van **1 248m²** in terme van Regulasie 44(1) van die Dorpsbeplanning en Dorpe Regulasie, betaal, welke bedrag deur die Stad Tshwane 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 ONTVANGS VAN EN WEGDOEN MET STORMWATER

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

1.6 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.

1.7 KONSOLIDASIE VAN ERWE

Die dorpseienaar moet op eie koste Erwe 116 en 117 in die dorp laat konsolideer. Die Stad Tshwane verleen hiermee ingevolge Artikel 92(1)(b) van Ordonnansie 15 van 1986, toestemming tot die konsolidasie.

1.8 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 tevreidenheid van die Stad Tshwane wanneer die Stad Tshwane dit vereis.

1.9 VERWYDERING VAN ROMMEL

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

1.10 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.

1.11 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.

1.12 VOLDOENING AAN VOORWAARDES OPGELê DEUR DIE GAUTENG DEPARTEMENT VAN LANDBOU EN OMGEWINGSBEWARING

Die dorpseienaar sal op sy eie koste voldoen aan al die voorwaardes wat opgelê is deur die Gauteng Departement van Landbou en Omgewingsbewaring, 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 Omgewingsbewaring, 1989 (Wet No 73 van 1989) vir die ontwikkeling van die dorpsgebied.

2. TITELVOORWAARDES

2.1 DIE ERWE HIERONDER GENOEM, IS ONDERWORPE AAN DIE VOORWAARDES SOOS AANGEDUI, OPGELê DEUR DIE STAD TSHWANE 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 / Artikel 21 Maatskappy 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 / Artikel 21 Maatskappy 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 goeëdunke noodsaaklik ag, tydelik te plaas op grond wat aan die voornoemde serwituut grens, en voorts is die Stad Tshwane / Artikel 21 Maatskappy geregtig op redelike toegang tot genoemde grond vir die voornoemde doel, onderworpe daaraan dat die Stad Tshwane / Artikel 21 Maatskappy enige skade vergoed wat gedurende die aanleg, onderhoud of verwydering van sodanige dienste en ander werke veroorsaak word.

2.1.2 ERF 117

2.1.2.1 Die erf is onderworpe aan 'n serwituut, 2 meter breed, langs die oostelike grens vir munisipale dienste (stormwater), ten gunste van die plaaslike bestuur.

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 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 goeëdunke noodsaaklik ag, tydelik te plaas op grond wat aan die voornoemde serwituut grens, en voorts is die Stad Tshwane geregtig op redelike toegang tot genoemde grond vir die voornoemde doel, onderworpe daaraan dat die Stad Tshwane enige skade vergoed wat gedurende die aanleg, onderhoud of verwydering van sodanige dienste en ander werke veroorsaak word.
