

***THE PROVINCE OF
GAUTENG***

***DIE PROVINSIE
GAUTENG***

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LOCAL AUTHORITY NOTICE

LOCAL AUTHORITY NOTICE 271

CITY OF TSHWANE

PRETORIA AMENDMENT SCHEME 9808P

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 Waterkloof Glen Extension 11, 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 9808P.

(13/2/Waterkloof Glen x11 (9808P))
 February 2009

Executive Director: Legal Services
 (Notice No 210/2009)

PLAASLIKE BESTUURSKENNISGEWING 271

STAD TSHWANE

PRETORIA WYSIGINGSKEMA 9808P

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 'n wysigingskema met betrekking tot die grond in die dorp Waterkloof Glen Uitbreiding 11, 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 9808P

(13/2/Waterkloof Glen x11 (9808P))
 Februarie 2009

Uitvoerende Direkteur: Regsdienste
 (Kennisgewing No 210/2009)

CITY OF TSHWANE

DECLARATION OF WATERKLOOF GLEN EXTENSION 11 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 Waterkloof Glen Extension 11 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(13/2/Waterkloof Glen x11 (9808P))

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY THE PROVINCIAL GOVERNMENT OF THE PROVINCE OF GAUTENG: DEPARTMENT OF EDUCATION 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 629 (A PORTION OF PORTION 251) 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 Waterkloof Glen Extension 11.

1.2 DESIGN

The township shall consist of two erven and streets as indicated on General Plan SG No 7479/2008.

1.3 DISPOSAL OF EXISTING CONDITIONS OF TITLE

All erven shall be made subject to existing conditions and servitudes, if any, but excluding the following conditions which do not affect the erven:

- 1.3.1 A.** Portion C of the aforementioned farm GARSFONTEIN No 374, Registration Division JR, district Pretoria (a portion of which is hereby registered) is entitled to the following servitude over Portions D, F:-

"The water of the fountains of the old homestead, and which are on the Portions D and F will be for the benefit of the owners of the portions "C", "D", "F" and "G" by turns as follows:

Nine days for the owner of Portion "F";
Six days for the owner of Portion "D";
Six days for the owner of Portion "C", and
Three days for the owner of Portion "G";

Each one having the right to conduct said water to his land in furrows, and all four must see to the clearing of the fountains and dam. The owner of portions F and D shall not have the right to obstruct the water supply by opening up other waters or fountains, as set forth in Deed of Transfer No 3382/1898"

- 1.3.2** Subject to a servitude for road purposes, in extent 5 465m², in favour of the City Council of Pretoria, as will more fully appear from Notarial Deed of Servitude K144/84S, this servitude only affects Corobay Avenue.

1.4 ENDOWMENT

Payable to the City of Tshwane.

The township owner shall pay to the City of Tshwane as endowment a total amount of **R52 000,00** for an area of 72m² in terms of Regulation 44(1) of the Town-planning and Townships Regulations, to the City of Tshwane.

The amount of this area shall be used by the City of Tshwane 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 STORM-WATER

The township owner shall arrange the storm-water drainage of the township in such a way as to fit in with that of adjacent road and he shall receive and dispose of the storm-water 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 CONSOLIDATION OF ERVEN

The township owner shall at his own expense have Erven 1318 and 1319 in the township consolidated. The City of Tshwane hereby grants its consent to the consolidation in respect of Section 92(2) of Ordinance 15 of 1986.

1.8 DEMOLITION OF BUILDINGS AND STRUCTURES

When required by the City of Tshwane to do so, the township owner shall at his own expense cause to be demolished to the satisfaction of the City of Tshwane 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 City of Tshwane, when required to do so by the City of Tshwane.

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 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, (Act 73 of 1989) or the National Environmental Management Act, 1998 (Act 107 of 1998) and Regulations thereto, as the case may be, for the development of this township.

1.13 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.

1.14 OBLIGATIONS WITH REGARD TO THE CONSTRUCTION AND AESTHETICAL TREATMENT OF COROBAY AND GARSFONTEIN STREETS

Adequate public transport lay-bys shall be provided downstream from the intersection with Corobay Avenue on both approaches along the K50 to the satisfaction of the City of Tshwane.

2. CONDITIONS OF TITLE

2.1 THE ERVEN MENTIONED BELOW SHALL BE SUBJECT TO THE CONDITION 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 City of Tshwane, 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 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.

2.1.2 ERF 1319

- 2.1.2.1 The erf shall be subject to a servitude, 2m wide, for municipal services in favour of the City of Tshwane, as indicated on General Plan SG No 7479/2008.
- 2.1.2.2 The erf shall be subject to a servitude, 3m wide, for stormwater purposes in favour of the City of Tshwane, as indicated on General Plan SG No 7479/2008.
- 2.1.2.3 No buildings or other structures may be erected within the aforesaid servitude areas and no trees with large roots may be planted within the area of such servitudes or within a distance of 2m there from.
- 2.1.2.4 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 essential, 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 main sewer pipelines and other works.

2.1.3 ERF 1318

- 2.1.3.1 The erf shall be subject to a servitude, 2m wide, for electrical purposes in favour of the City of Tshwane, as indicated on General Plan SG No 7479/2008.
- 2.1.3.2 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 therefrom.
- 2.1.3.3 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 essential, 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 main sewer pipelines and other works.

STAD TSHWANE**VERKLARING VAN WATERKLOOF GLEN UITBREIDING 11 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 Waterkloof Glen Uitbreiding 11 tot 'n goedgekeurde dorp, onderworpe aan die voorwaardes uiteengesit in die bygaande Bylae.

(13/2/Waterkloof Glen x11 (9808P))

BYLAE

STAAT VAN VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR DIE PROVINSIALE REGERING VAN DIE GAUTENG PROVINSIE: DEPARTEMENT VAN ONDERWYS 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 629 ('N GEDEELTE VAN GEDEELTE 251) VAN DIE PLAAS GARSTFONTEIN 374JR, GAUTENG, TE STIG, TOEGESTAAN IS.

1. STIGTINGSVOORWAARDES**1.1 NAAM**

Die naam van die dorp is Waterkloof Glen Uitbreiding 11.

1.2 ONTWERP

Die dorp bestaan uit twee erwe en strate soos aangedui op Algemene Plan LG No 7479/2008.

1.3 BESKIKKING OOR BESTAANDE TITELVOORWAARDES

Alle erwe moet onderworpe gemaak word aan bestaande voorwaardes en servitute, as daar is, maar uitgesonderd die volgende voorwaardes wat nie die erwe in die dorp raak nie:

- 1.3.1 A. Portion C of the aforementioned farm GARSFONTEIN No 374, Registration Division JR, district Pretoria (a portion of which is hereby registered) is entitled to the following servitude over Portions D, F:-

"The water of the fountains of the old homestead, and which are on the Portions D and F will be for the benefit of the owners of the portions "C", "D", "F" and "G" by turns as follows:

Nine days for the owner of Portion "F";
Six days for the owner of Portion "D";
Six days for the owner of Portion "C", and
Three days for the owner of Portion "G";

Each one having the right to conduct said water to his land in furrows, and all four must see to the clearing of the fountains and dam. The owner of portions F and D shall not have the right to obstruct the water supply by opening up other waters or fountains, as set forth in Deed of Transfer No 3382/1898"

- 1.3.2 Onderworpe aan 'n servituut van 5 465m² vir paddoeleindes, ten gunste van die Stadsraad van Pretoria, soos meer volledig blyk uit Notariële Akte van Servituut K144/84S, raak hierdie servituut slegs Corobaylaan.

1.4 BEGIFTIGING

Betaalbaar aan die Stad Tshwane.

Die dorpseienaar moet aan die Stad Tshwane, as begiftiging, 'n totale bedrag van **R52 000,00** vir 'n area van 72m² 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-oopruimte-doeleindes.

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 die aanliggende paaie 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 1318 en 1319 in die dorp laat konsolideer. Die Stad Tshwane verleen hiermee ingevolge Artikel 92(2) 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 GAUTENGSE DEPARTEMENT VAN LANDBOU EN OMGEWINGSBEWARING (DLBO)

Die dorpseienaar sal op sy eie koste voldoen aan al die voorwaardes wat opgelê is deur die Gauteng Departement van Landbou en Omgewingsbewaring, insluitend, indien van toepassing, daardie voorwaardes waarop vrystelling verleen is om aan die bepalings van Regulasies 1182 en 1183 gepromulgeer ingevolge Artikels 21, 22 en 26 van die Wet op Omgewingsbewaring, 1989 (Wet No 73 van 1989) of die Nasionale Wet op Omgewingsbewaring, 1998 (Wet 107 van 1998) en Regulasies daartoe, wat ookal die geval mag wees, vir die ontwikkeling van die dorpsgebied.

1.13 NASIONALE ERFENIS HULPBRONNE WET

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

1.14 VERPLIGTINGE MET BETREKKING TOT DIE KONSTRUKSIE EN ESTETIESE HANTERING VAN COROBAYLAAN EN GARSFONTEINWEG

Geskikte inhamme vir openbare vervoer sal stroomaf van die kruising met Corobaylaan op beide toegange langs die K50 tot die bevrediging van die Stad Tshwane verskaf word.

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 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 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 goeëddunke noodsaaklik ag, tydelik te plaas op grond wat aan die voornoemde servituut 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.

2.1.2 ERF 1319

2.1.2.1 Die erf is onderworpe aan 'n servituut, 2m breed, vir munisipale dienste ten gunste van die Munisipaliteit, soos op Algemene Plan LG 7479/2008 aangedui.

2.1.2.2 Die erf is onderworpe aan 'n servituut, 3m breed, vir munisipale dienste (stormwater) ten gunste van die Munisipaliteit, soos op Algemene Plan LG 7479/2008 aangedui.

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

2.1.2.4 Die 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 goeëddunke noodsaaklik ag, tydelik te plaas op grond wat aan die voornoemde servituut grens, en voorts is die Munisipaliteit geregtig op redelike toegang tot genoemde grond vir die voornoemde doel, onderworpe daaraan dat die Munisipaliteit enige skade vergoed wat gedurende die aanleg, onderhoud of verwydering van sodanige hoofriolerings-pyplyne en ander werke veroorsaak word.

2.1.3 ERF 1318

2.1.3.1 Die erf is onderworpe aan 'n servituut, 2m breed, vir elektriese doeleindes ten gunste van die Munisipaliteit, soos op Algemene Plan LG 7479/2008 aangedui.

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

2.1.3.3 Die 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 goeëddunke noodsaaklik ag, tydelik te plaas op grond wat aan die voornoemde servituut grens, en voorts is die Munisipaliteit geregtig op redelike toegang tot genoemde grond vir die voornoemde doel, onderworpe daaraan dat die Munisipaliteit enige skade vergoed wat gedurende die aanleg, onderhoud of verwydering van sodanige hoofriolerings-pyplyne en ander werke veroorsaak word.