

***THE PROVINCE OF  
GAUTENG***

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**IMPORTANT NOTICE**

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# **LOCAL AUTHORITY NOTICE**

## **LOCAL AUTHORITY NOTICE 533**

### **CITY OF TSHWANE**

#### **PRETORIA AMENDMENT SCHEME 9840P**

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 Mahube Valley Extension 24, 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 9840P.

(13/2/Mahube Valley x24 (9840P))  
\_\_\_ April 2010

**Acting Executive Director: Legal Services**  
(Notice No 281/2010)

## **PLAASLIKE BESTUURSKENNISGEWING 533**

### **STAD TSHWANE**

#### **PRETORIA WYSIGINGSKEMA 9840P**

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 Mahube Valley Uitbreiding 24, 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 9840P.

(13/2/Mahube Valley x24 (9840P))  
\_\_\_ April 2010

**Waarnemende Uitvoerende Direkteur: Regsdienste**  
(Kennisgewing No 281/2010)

### **CITY OF TSHWANE**

#### **DECLARATION OF MAHUBE VALLEY EXTENSION 24 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 Mahube Valley Extension 24 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(13/2/Mahube Valley x24 (9840P))

### **SCHEDULE**

CONDITIONS UNDER WHICH THE APPLICATION MADE BY KIRON HOUSING MANAGEMENT (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 173 (A PORTION OF PORTION 155) OF THE FARM FRANSPOORT 332JR, PROVINCE OF GAUTENG, HAS BEEN GRANTED

1. CONDITIONS OF ESTABLISHMENT

1.1 NAME

The name of the township shall be Mahabu Valley Extension 24.

1.2 DESIGN

The township shall consist of erven, parks and streets as indicated on General Plan SG No 5507/2008.

1.3.1 the following servitudes which does not affect the township due to their location;

- a) The former Remaining Extent of Portion 1 (Bayonne) of the Farm Franspoort 332 measuring 8553052 hectares (of which the figure ABCDEFGHJKLMNPQRSTUVWXYZ A'B'C'D'E'F'G'H'J'K'L'M'N'P'Q'A' excluding the figure R'S' mid spruit T'U'R' forms a portion), is subject to the following conditions:

SUBJECT to a servitude of right of way 15,74 metres wide in favour of the General Public as will more fully appear from Notarial Deed Number A 21/1951S registered on 9 January 1951.

- c) The Servitude of Right of Way in favour of the General Public as will more fully appear from Notarial Deed Number 523/1961S registered on 30 January 1961.
- d) The servitude area for purposes of storm water indicated by the figure ABCDEF on diagram SG Number 10694/2000, By virtue of Notarial Deed K 2355/2001 S, over the Remaining Extent of Portion 155 of the Farm Franspoort 332 JR measuring 377,9424 hectares as will more fully appear with reference to the said Notarial Deed.

1.4 LAND FOR MUNICIPAL PURPOSES

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

Parks (public open space): Erf 6465

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 roads 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 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 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 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.

1.10 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 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.

1.12 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 CONDITION 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 WITH THE EXCEPTION OF THE ERF REFERRED TO IN CLAUSE 1.4

2.1.1 The erf shall be subject to a servitude, 2 m wide, for municipal services (water, sewer, electricity and storm-water) (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.

2.1.2 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.

2.1.3 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 MAHUBE VALLEY UITBREIDING 24 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 Mahube Valley Uitbreiding 24 tot 'n goedgekeurde dorp, onderworpe aan die voorwaardes uiteengesit in die bygaande Bylae.

(13/2/Mahube Valley x24 (9840P))

**BYLAE**

STAAT VAN VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR KIRON HOUSING MANAGEMENT (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 173 ('N GEDEELTE VAN GEDEELTE 155) VAN DIE PLAAS FRANSPPOORT 332JR, GAUTENG, TE STIG, TOEGESTAAN IS.

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

Die naam van die dorp is Mahube Valley Uitbreiding 24.

**1.2 ONTWERP**

Die dorp bestaan uit erwe, parke en strate soos aangedui op Algemene Plan LG No 5507/2008.

**1.3 BESKIKKING OOR BESTAANDE TITELVOORWAARDES**

Alle erwe moet onderworpe gemaak word aan bestaande voorwaardes en servitute, as daar is, maar uitgesonderd -

1.3.1 die volgende servitute wat nie die dorp raak nie, as gevolg van die ligging;

- a) *the former Remaining Extent of Portion 1 (Bayonne) of the Farm Franspoort 332 measuring 8553052 hectares (of which the figure ABCDEFGHJKLMNPQRSTUVWXYZ A'B'C'D'E'F'G'H'I'J'K'L'M'N'P'Q'A' excluding the figure R'S' mid spruit T'U'R' forms a portion), is subject to the following conditions:*

*SUBJECT to a servitude of right of way 15,74 metres wide in favour of the General Public as will more fully appear from Notarial Deed Number A 21/1951S registered on 9 January 1951.*

- c) *The Servitude of Right of Way in favour of the General Public as will more fully appear from Notarial Deed Number 523/1961S registered on 30 January 1961.*
- d) *The servitude area for purposes of storm water indicated by the figure ABCDEF on diagram SG Number 10694/2000, By virtue of Notarial Deed K 2355/2001 S, over the Remaining Extent of Portion 155 of the farm Franspoort 332 JR measuring 377,9424 hectares as will more fully appear with reference to the said Notarial Deed.*

**1.4 GROND VIR MUNISIPALE DOELEINDES**

Die volgende erf moet deur en op koste van die dorpseienaar aan die plaaslike bestuur oorgedra word:

Parke (openbare oopruimte): Erf 6465.

**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 aangrensende 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 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.

1.8 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.

1.9 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.

1.10 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 OPGELEË DEUR DIE GAUTENGSE DEPARTEMENT VAN LANDBOU, BEWARING EN OMGEWING

Die dorpseienaar moet, vir die ontwikkeling van hierdie dorp, op eie koste aan al die voorwaardes voldoen wat deur die Gautengse Departement van Landbou, Bewaring en Omgewing opgelê is, met inbegrip van, indien van toepassing, sodanige voorwaardes waarvoor vrystelling van voldoening aan Regulasie nr 1182 en 1183 verleen is wat ingevolge artikel 21, 22 en 26 van die Wet op Omgewingsbewaring, 1989 (Wet 73 van 1989) afgekondig is, of die Nasionale Wet op Omgewingsbestuur, 1998 (Wet 107 van 1998) en die regulasies daarby, na gelang van die geval.

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, OPGELEË DEUR DIE STAD TSHWANE INGEVOLGE DIE BEPALINGS VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986 (ORDONNANSIE 15 VAN 1986):

2.1.1 ALLE ERWE MET UITSONDERING VAN DIE ERWE GENOEM IN KLOUSULE 1.4

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 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 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 dinge noodsaaklik ag, tydelik te plaas op grond wat aan die voornoemde serwituut 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 dienste en ander werke veroorsaak word.
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