

***THE PROVINCE OF
GAUTENG***

***DIE PROVINSIE
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IMPORTANT NOTICE

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CONTENTS • INHOUD

No.

*Page
No. Gazette
 No.*

LOCAL AUTHORITY NOTICE

643 Town-planning and Townships Ordinance (15/1986): City of Tshwane: Pretoria Amendment Scheme 9497 P 3 130

LOCAL AUTHORITY NOTICE

LOCAL AUTHORITY NOTICE 643

CITY OF TSHWANE

PRETORIA AMENDMENT SCHEME 9497P

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 Kirkney Extension 28, 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 9497P.

(13/2/Kirkney x28 (9497P))
__ March 2012

Executive Director: Legal Services
(Notice No 288/2012)

PLAASLIKE BESTUURSKENNISGEWING 643

STAD TSHWANE

PRETORIA WYSIGINGSKEMA 9497P

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 Kirkney Uitbreiding 28, synde 'n wysiging van die Pretoria-dorpsbeplanningskema, 1974, goedgekeur het.

Kaart 3 en die skemaklausules 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 9497P.

(13/2/Kirkney x28 (9497P))
__ Maart 2012

Uitvoerende Direkteur: Regsdienste
(Kennisgewing No 288/2012)

CITY OF TSHWANE**DECLARATION OF KIRKNEY EXTENSION 28 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 Kirkney Extension 28 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(13/2/Kirkney x28 (9497P))

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY THE SOUTH AFRICAN BREWERIES 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 PORTION 266 OF THE FARM ZANDFONTEIN 317JR, PROVINCE OF GAUTENG, HAS BEEN GRANTED

1. CONDITIONS OF ESTABLISHMENT**1.1 NAME**

The name of the township shall be Kirkney Extension 28.

1.2 DESIGN

The township shall consist of erven and streets as indicated on General Plan SG No 31/2004.

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 Servitude for General Municipal Purposes registered in terms of Deed of Cession of Servitude No K2256/2000S and shown on Servitude Diagram SG No 10347/1999, which affects Erf 794 in the township only.
- 1.3.2 The Servitude for Sewer Purposes registered in terms of Deed of Cession of Servitude No K3769/2001S and shown on Servitude Diagram SG No 800/2001, which affects Erf 794 in the township only.
- 1.3.3 The Servitude for Stormwater purposes registered in terms of Deed of Cession of Servitude No K3769/2001S and shown on Servitude Diagram SG No 801/2001, which affects Erf 794 in the township only.
- 1.3.4 The following conditions in Deed of Transfer No T152053/02 which do not affect the erven and streets in the township –

"Geregtig tot die reg van weg aangetoon op die algemene plan van die gesegde Westelike gedeelte van die gesegde plaas, geliasseer in die Akte kantoor te Pretoria." ; and

"The property hereby transferred shall be entitled to the right-of-way as indicated on the General Plan of the Western Portion of the said farm filed in the Deeds Office, Pretoria."

1.4 ACCESS

No ingress from Road PWV 9 to the township and no egress to Road PWV 9 from the township shall be permitted.

Access to and egress from the township shall be to the satisfaction of the local authority.

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 Road PWV 9 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 ERECTION OF FENCE OR OTHER PHYSICAL BARRIER

The township owner shall at his own expense erect a fence or other physical barrier to the satisfaction of the Head of the Department: Gauteng Provincial Government: Department of Public Transport, Roads and Works, as and when required by him to do so, and the township owner shall maintain such fence or physical barrier in a good state of repair until such time as the erven in the township are transferred to ensuing landowners, after which the responsibility for the maintenance of such fence or physical barrier rests with the latter.

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.

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 ERVEN 794 and 795**

2.1.1.1 The erf is 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 Municipality, along any two boundaries other than a street boundary and in the case of a panhandle erf, an additional servitude for municipal purposes, 2m wide, across the access portion of the erf, if and when required by the Municipality: Provided that the Municipality may waive such servitude.

2.1.1.2 No building or other structure may be erected within the aforesaid servitude area and no large rooted trees may be planted within the area of such servitude or within 2m thereof.

2.1.1.3 The Municipality shall be entitled to deposit temporarily on the land adjoining the aforesaid servitude such material as may be excavated by it during the course of the construction maintenance or removal of such sewerage mains and other works as it in its discretion may deem necessary and shall further be entitled to reasonable access to the said land for aforesaid purposes, subject to any damage done during the process of the construction, maintenance or removal of such sewerage mains and other construction works, being made good by the Municipality.

2.1.2 ERF 794

2.1.2.1 The erf shall be subject to a servitude, 3m wide, for municipal services (electrical cable), in favour of the local authority, as indicated on General Plan SG NO 31/2004.

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 2m from it.

2.1.2.3 The 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.

2.1.3.1 The erf shall be subject to a servitude, 2m wide, for municipal services (water pipeline), in favour of the local authority, as indicated on General Plan SG NO 31/2004.

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 from it.

- 2.1.3.3 The 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.
- 2.1.4.1 The erf shall be subject to a servitude, 5m wide, for municipal services (stormwater), in favour of the local authority, as indicated on General Plan SG NO 31/2004.
- 2.1.4.2 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.
- 2.1.4.3 The 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.
- 2.1.4.4 The owner shall not be entitled to transfer the property without the prior written consent of the Local Authority, which consent will only be granted once the prospective owner or his successor in title has irrevocably and in writing bound himself to the terms and condition(s) pertaining to the encroachment of an existing servitude in favour of the Local Authority.
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