

***THE PROVINCE OF
GAUTENG***



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LOCAL AUTHORITY NOTICES • PLAASLIKE OWERHEIDS KENNISGEWINGS**LOCAL AUTHORITY NOTICE 560 OF 2022****CITY OF TSHWANE****TSHWANE AMENDMENT SCHEME 426T**

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 Hammanskraal West Extension 8, being an amendment of the Tshwane Town-planning Scheme, 2008.

Map 3 and the scheme clauses of this amendment scheme are filed with the Economic Development and Spatial Planning Department, and are open to inspection during normal office hours.

This amendment is known as Tshwane Amendment Scheme 426T.

(CPD 9/1/1/1-HMK West x8 0099)
(CPD 9/2/4/2-426T)

CITY OF TSHWANE METROPOLITAN MUNICIPALITY

APRIL 2022
(Notice 109/2022)

CITY OF TSHWANE**DECLARATION OF HAMMANSKRAAL WEST EXTENSION 8 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 Hammanskraal West Extension 8 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(CPD 9/1/1/1-HMK West x8 0099)
(CPD 9/2/4/2-426T)

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY NAD PROPERTY INCOME FUND (PTY) LTD, REG NO: 1995/009910/07, UNDER THE PROVISIONS OF CHAPTER III OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTIONS 65 (A PORTION OF PORTION 2) OF THE FARM HAMMANSKRAAL 112JR, PROVINCE OF GAUTENG, HAS BEEN GRANTED

1. CONDITIONS OF ESTABLISHMENT**1.1 NAME**

The name of the township is Hammanskraal West Extension 8.

1.2 DESIGN

The township shall consist of erven, parks and streets as indicated on General Plan SG Nr 3146/2013.

1.3 DISPOSAL OF EXISTING CONDITIONS OF TITLE

1.3.1 All erven shall be made subject to existing conditions and servitudes, if any;

1.3.2 Excluding the following which do not affect the township due to its locality;

“B. A Portion measuring approximately 7 733 square meters of the former Remaining Extent of Portion 2 of the farm Hamanskraal 112, Registration Division JR Transvaal measuring 1382,2956 hectares (of which a portion is hereby transferred) has been expropriated by the South African Railways and Harbours.”

- “C. Die voormalige Resterende Gedeelte van die gesegde plaas Hamanskraal 112, groot 1288,8549 hektaar (‘n gedeelte waarvan hiermee getranspoteer word) is onderhewig aan die reg aan Eskom verleen om elektrisiteit oor genoemde eiendom te vervoer tesame met bykomende regte en onderworpe aan voorwaardes soos meer volledig blyk uit Notariele Akte K283/1989S.”
- “D. Die Resterende Gedeelte van Gedeelte 2 van gesegde plaas Hamanskraal 112, groot 1177,9428 hektaar, (‘n gedeelte waarvan hiermee getranspoteer word), is onderhewig aan ‘n servituut van pypleiding 3,00 meter wyd aangedui deur die lyn ABCDEFGH op Kaart LG No A5892/1991 met bykomende regte ten gunste van die Sentrum vir Teologie en Diens, soos meer volledig sal blyk uit Notariele Akte No K6967/1992S.”
- “E. Die Resterende Gedeelte van Gedeelte 2 van gesegde plaas Hamanskraal 112, groot 1177,9428 hektaar, (‘n gedeelte waarvan hiermee getranspoteer word), is onderhewig aan die reg aan BECOR verleen om elektrisiteit oor genoemde eiendom te vervoer tesame met bykomende regte en onderworpe aan voorwaardes soos meer volledig blyk uit Notariele Akte K4670/1994S.”

1.3.3 Excluding the following which only affects Erf 13301:

- “A. The former Remaining Extent of Portion 2 of the farm Hamanskraal 112, Registration Division JR, Transval, measuring 1439,2132 hectares (a portion whereof is hereby transferred) is subject to servitude of pump site and pipeline and certain ancillary rights thereto but not subject to trading rights in favour of Portion 17 (a Portion of Portion 2) of the said farm, as will appear from Deed of Transfer T28412/1959.”

1.4 LAND FOR MUNICIPAL PURPOSES

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

None

1.5 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.

1.6 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 Municipality all existing buildings and structures situated within building line reserves and side spaces or over common boundaries, or dilapidated structures.

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 Metropolitan Municipality, 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 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.

1.10 COMPLIANCE WITH CONDITIONS IMPOSED BY GDARD

The township owner shall at his own expense comply with all the conditions imposed, by which the Gauteng Department of Agriculture and Rural Development, 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.

1.11 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.

1.12 COMPLIANCE WITH CONDITIONS IMPOSED BY THE DEPARTMENT OF PUBLIC TRANSPORT, ROADS AND WORKS

The township owner shall at his own expense comply with all the conditions imposed, by which the Gauteng Department of Public Transport, Roads and Works, has granted consent for the development.

1.13 DEPARTMENT OF PUBLIC TRANSPORT, ROADS AND WORKS: ACOUSTIC SCREENING MEASURES

The applicant shall be responsible for any costs involved in the erection of acoustic screening along Road D2575.

1.14 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 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.

1.15 ACCESS

Unless the consent in writing of Head of Department: Gauteng Provincial Government Department of Public Transport, Roads and Works has been obtained, no ingress from Road D2757 to the township and no egress to Road D2757 shall be allowed.

1.16 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 D2757 and he shall receive and dispose of the stormwater running off or being diverted from the road.

1.17 CONSOLIDATION OF ERVEN

The township owner shall at his own expense have Erf 1 (13300) and 2 (13301) in the township consolidated. The City of Tshwane Metropolitan Municipality hereby grants its consent to the consolidation in respect of Section 92(2) of Ordinance 15 of 1986.

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 ERVEN 13300 AND 13301

2.1.1.1 A servitude, 2m wide, for municipal services (water, sewer, electricity and stormwater) (hereinafter referred to as "the services"), in favour of the Municipality, 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 Municipality: Provided that the Municipality 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 3m from thereof.

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

2.1.2 ERF 13300

A Road Reserve Servitude in favour of the Municipality as indicated by the figure ABkmnA on General Plan SG No 3146/2013.

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