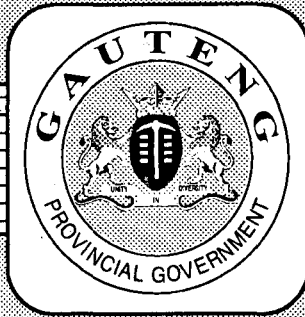


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**THE PROVINCE OF
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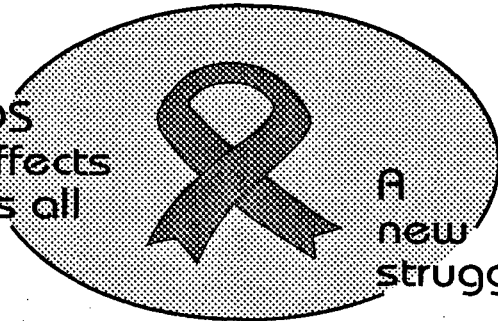
Vol. 8

PRETORIA, 6 MAY
MEI 2002

No. 121

We all have the power to prevent AIDS

AIDS
affects
us all



A
new
struggle

Prevention is the cure

AIDS

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CONTENTS • INHOUD

<i>No.</i>		<i>Page No.</i>	<i>Gazette No.</i>
LOCAL AUTHORITY NOTICES			
562	Town-planning and Townships Ordinance (15/1986): City of Tshwane Metropolitan Municipality: Declaration as approved township: Faerie Glen Extension 70.....	3	121
563	do.: do.: Pretoria Amendment Scheme 8897.....	6	121

LOCAL AUTHORITY NOTICES

LOCAL AUTHORITY NOTICE 562

CITY OF TSHWANE METROPOLITAN MUNICIPALITY

DECLARATION OF FAERIE GLEN EXTENSION 70 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 Metropolitan Municipality hereby declares the Township of Faerie Glen Extension 70 to be an approved township, subject to the conditions as set out in the Schedule hereto.

Permission

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY PAOLO INVESTMENTS (PTY) IN TERMS OF THE PROVISIONS OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE No. 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTIONS 154, 155 AND 156 WHICH WILL BE CONSOLIDATED TO PORTION 157 OF THE FARM VALLEY FARM 379-JR, PROVINCE OF GAUTENG, HAS BEEN GRANTED

1. CONDITIONS OF ESTABLISHMENT

1.1 Name

The name of the township shall be **Faerie Glen Extension 70**.

1.2 Design

The township shall consist of erven, parks and streets as indicated on General Plan SG No. 1948/2002.

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—

a) The following servitude shall not be transferred to the erven in the township:

A servitude of right of way, in perpetuity, 4 (four) square meters wide over portion 61 (a portion of portion 10 of portion "G") of the farm "The Willows" No 23, district Pretoria, in extent 4,1768 (four comma one seven six eight) Hectare, held by Deed of Transfer No 22940/1941; and over the farm "Koedoesnek" No. 25, district Pretoria, in extent 12,840 (twelve comma eight four eight naught) Hectare, held by Certificate of Consolidated Title No 421B/1949, as will more fully appear from Figures A., B., C., d., e., f., g., h., j., k., l., and a., b., c., d., e., f., E., g., h., j., on the respective diagrams annexed to the aforementioned title deeds—All as will more fully appear from Notarial Deed No. 4401/1950-S dated the 1st May 1950 and registered on the 9th June 1950.

1.4 Land for municipal purposes

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

Parks (public open space): Erven 3811.

1.5 Removal of 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 Consolidation of erven

Erven 3808 to 3810 will be consolidated to form Erf 3812 and permission thereto is hereby granted.

1.7 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 City of Tshwane Metropolitan Municipality all existing buildings and structures situated within building line reserves and side spaces or over common boundaries, or dilapidated structures.

1.8 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 City of Tshwane Metropolitan Municipality.

1.9 Removal and/or replacement of Eskom power lines

Should it become necessary to remove and/or replace and existing power lines of Eskom as a result of the establishment of the township, the cost thereof shall be borne by the township owner.

1.10 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 Registration of servitude's

1. Erven 3808 to 3810 is subject to a 2,0 m sewer servitude for municipal purposes in favour of Tshwane Municipality on the south western boundary of the erven.

2. The portion lettered aa, bb, cc, dd, aa as indicated on General Plan LG No. 1948/2002 represent a servitude in favour of Tshwane Municipality for the purposes of a turning circle at the end of Lerato Street.

1.12 Approval of subdivision

Erf 3812 will be subdivided into 52 portions as indicated on General Plan L.G. No. 1948/2002 and permission thereto is hereby granted.

1.13 Restriction on the alienation of land

Regardless of the issuing of a certificate as contemplated in section 82(1)(b) (ii) (cc) of the Town-Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), no portion in the township may be transferred or be dealt with otherwise until the City of Tshwane Metropolitan Municipality certifies that the developer has complied with the provisions of conditions 1.14.1 to 1.14.7 inclusive below.

1.14 The developers' obligations

1.14.1 Association and statutes

The developer must register a section 21 company (homeowners association) in terms of the provisions of the Companies Act, 1973 (Act 61 of 1973). A copy of the registered Deed of Association (CM4) and the Company's Statutes must be submitted to the City of Tshwane Metropolitan Municipality. The Association and Statutes must clearly state that the main objective of the homeowners association is the maintenance of the internal engineering services of the development (i.e. water, sewerage, electricity, and the road and storm water sewers).

The developer is deemed to be a member of the section 21 company, with all the rights and obligations of an ordinary member, until the last portion has been transferred.

1.14.2 Maintenance period and guarantee

A maintenance period of 12 (twelve) months commences when the last of the internal engineering services (i.e. water, sewerage, electricity, and the road and storm water sewers) have been completed. The developer must furnish the section 21 company with a maintenance guarantee, issued by a recognised financial institution, in respect of poor workmanship and/or material with regard to the civil engineering services and the electricity service, which guarantee must be for an amount that equal to 5% of the contract cost of the civil services and 10% of the contract cost of the electrical services, and proof of this must be submitted to the City of Tshwane Metropolitan Municipality.

1.14.3 Completion of the scheme

The developer remains liable for the development of the entire housing scheme in accordance with the approved site development plan, provided that the scheme may also be developed in phases with the consent of the City of Tshwane Metropolitan Municipality, and provided further that the entire development takes place under the supervision of one architectural firm. If another architect or architectural firm is appointed at any stage during the execution of the scheme, the City of Tshwane Metropolitan Municipality must be notified of this without delay.

1.14.4 Provision of engineering drawings

The developer must submit to the City of Tshwane Metropolitan Municipality complete engineering drawing in respect of internal sewers and sewer connection points, which must accompany every building plan, and complete engineering drawings in respect of the internal road and storm water sewers.

1.14.5 Provision of engineering certificates

Before any portion of the development is transferred, the City of Tshwane Metropolitan Municipality must be provided with engineering certificates for water, sewerage, electricity, and the internal road and storm water sewers, in which is certified that the internal engineering services have been completed and that the engineers accept liability for the services. The Municipality may at its own discretion allow an exception in respect of the internal road and storm water sewers. If this is the case, the developer must give the Municipality an undertaking that the developer will complete this service on or before a certain date and must provide the Municipality with a guarantee issued by a recognised financial institution.

1.14.6 Approval of building plans

Before any portion of the development is transferred, the developer must have the building plan approved at the City of Tshwane Metropolitan Municipal, in respect of the portion, except Erf 3811 and Portion 52 of Erf 3812, according to the approved site development plan.

1.14.7 Proof of deed sale and financing

The developer must submit proof that there is a valid and enforceable deed of sale between the developer and the buyer with regard to the sale of the relevant portion and the development of the portion by the developer in accordance with the approved plan. The developer must also provide proof that a loan for the proposed development has been approved in respect of the portion. If the buyer himself or herself is to finance the proposed development, satisfaction proof must be provided in respect of this financing.

1.15. Transfer of land to the section 21 company (homeowners association)

Simultaneously with the registration of any portion in the Deeds Office, Portion 52 of Erf 3812 must be transferred to the homeowners association (Section 21 Company), by and at the expense of the township owner.

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, sewerage, electricity and stormwater) (hereinafter referred to as "the services"), in favour of the local authority, along any two boundaries, excepting a street boundary and, in the case of a pan-handle 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 Metropolitan 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 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 Portions 33 and 34 of Erf 3812

2.1.2.1 The erf shall be subject to a servitude for road purposes (aa, bb, cc, dd, aa turning circle) in favour of the City of Tshwane Metropolitan Municipality, as indicated on the general plan. Upon submission of a certificate by the City of Tshwane Metropolitan Municipality to the Registrar of Deeds in which it is mentioned that such servitude is no longer needed, in condition shall lapse.

2.1.3 Portions 2 to 7, 14 to 21, 29 to 38, 40 and 42 to 51 of Erf 3812

2.1.3.1 The erven shall be subject to a servitude, for engineering services (sewer) in favour of the Section 21 Company as indicated on the general plan.

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.

2.1.4 Portions 37 to 42 of Erf 3812

2.1.4.1 The erven shall be subject to a servitude, 2m for municipal services (sewer) on the south-western boundary abutting on Erf 3811, in favour of the local authority as indicated on general plan.

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 therefrom.

2.1.4.3 The City of Tshwane Metropolitan Municipality shall be entitled to temporarily deposit on the land adjoining the aforesaid servitude, and material it excavates during the laying, maintenance or removal of such services and other works which in its discretion its regards essential, 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.

2.1.5 Portions 2, 13, 16 and 27 of Erf 3812

2.1.5.1 The erven shall be subject to a servitude, 2m for municipal services (water), in favour of the Section 21 Company as indicated on general plan.

2.1.5.2 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.

2.1.6 Portion 52 of Erf 3812

This portion is subject to a servitude of right of way and the use of engineering services in favour of Portions 1 to 51 of Erf 3812.

2.1.7 Portions 1 to 51 of Erf 3812 inclusive

Upon transfer, the owner of the portion must automatically become a member of the section 21 company and remain a member until he or she ceases to be the registered owner of that portion, which condition must be included in the title deed of the portion.

Transfer of the portion to a third party allowed only with the consent of the City of Tshwane Metropolitan Municipality and then only if the development of the dwelling unit has been completed to the satisfaction of the Municipality in accordance with the approved site development plan.

2.1.8 Erven 3808 to 3810

The erven shall be subject to a servitude, 2m wide for municipal services as indicated on General Plan L.G. No 1945/2002.

2.19 Erf 3810

The erf shall be subject to a servitude for municipal services as indicated on General Plan L.G. No. 1945/2002.

LOCAL AUTHORITY NOTICE 563 OF 2002

CITY OF TSHWANE METROPOLITAN MUNICIPALITY

PRETORIA AMENDMENT SCHEME 8897

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 Metropolitan Municipality has approved an amendment scheme with regard to the land in the township of Faerie Glen Extension 70, being an amendment of the Pretoria Town-planning Scheme, 1974.

Map 3 and the scheme clauses of this amendment scheme are filed with the Municipal Manager, and are open to inspection during normal office hours.

This amendment is known as Pretoria Amendment Scheme 8897.

General Manager: Legal Services

IMPORTANT NOTICE

The
Gauteng Provincial Gazette Function
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Postal address:

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Mrs S. M. Milanzi Tel.: (012) 334-4734
 Mrs J. Wehmeyer Tel.: (012) 334-4753
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Subscribers and all other stakeholders are advised to send their advertisements directly to the **Government Printing Works**, two weeks before the 2nd January 2002.

*In future, adverts have to be paid in advance
 before being published in the Gazette.*

HENNIE MALAN

Director: Financial Management
 Office of the Premier (Gauteng)

