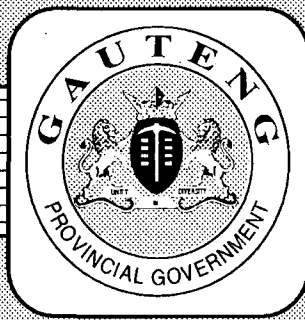


**THE PROVINCE OF  
GAUTENG**



**DIE PROVINSIE  
GAUTENG**

# Provincial Gazette Extraordinary Buitengewone Provinsiale Koerant

Selling price • Verkoopprys: **R2,50**  
Other countries • Buitelands: **R3,25**

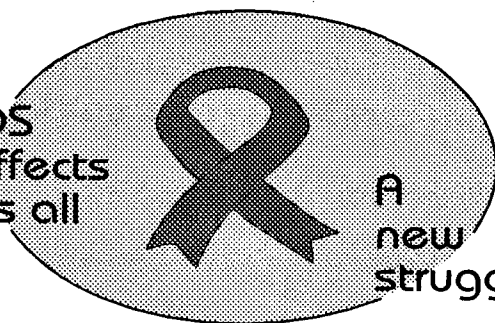
Vol. 9

PRETORIA, 30 MAY  
MEI 2003

No. 201

**We all have the power to prevent AIDS**

AIDS  
affects  
us all



A  
new  
struggle

Prevention is the cure

**AIDS  
HELPLINE**

**0800 012 322**

DEPARTMENT OF HEALTH



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**LOCAL AUTHORITY NOTICES**

**LOCAL AUTHORITY NOTICE 983**

**CITY OF TSHWANE METROPOLITAN MUNICIPALITY**

**PRETORIA AMENDMENT SCHEME 9413**

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 Equestria Extension 26, being an amendment of the Pretoria Town-planning Scheme, 1974.

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

This amendment is known as Pretoria Amendment Scheme 9413.

(K13/2/Equestria x26 (9413))  
..... 2003

**General Manager: Legal Services**  
(Notice No 458/2003)

**PLAASLIKE BESTUURSKENNISGEWING 983**

**STAD TSHWANE METROPOLITAANSE MUNISIPALITEIT**

**PRETORIA WYSIGINGSKEMA 9413**

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 Metropolitaanse Munisipaliteit 'n wysigingskema met betrekking tot die grond in die dorp Equestria uitbreiding 26, synde 'n wysiging van die Pretoria-dorpsbeplanningskema, 1974, goedgekeur het.

Kaart 3 en die skemaklousules van hierdie wysigingskema word deur die Hoofbestuurder: Regsdienste, in bewaring gehou en lê gedurende gewone kantoorure ter insae.

Hierdie wysiging staan bekend as Pretoria-wysigingskema 9413.

(K13/2/Equestria x26)  
..... 2003

**Hoofbestuurder: Regsdienste**  
(Kennisgewing No 458/2003)

**LOCAL AUTHORITY NOTICE 984****CITY OF TSHWANE METROPOLITAN MUNICIPALITY****DECLARATION OF EQUESTRIA EXTENSION 26 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 Equestria Extension 26 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(K13/2/Equestria x26)

**SCHEDULE**

CONDITIONS UNDER WHICH THE APPLICATION MADE BY BUNKER HILLS INVESTMENTS 479 (PTY) LTD AND THE CITY OF TSHWANE METROPOLITAN MUNICIPALITY IN TERMS OF THE PROVISIONS OF PART C OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE NO 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 473 (A PORTION OF PORTION 81) OF THE FARM THE WILLOWS 340 JR, PROVINCE OF GAUTENG, HAS BEEN GRANTED.

**1. CONDITIONS OF ESTABLISHMENT****1.1 NAME**

The name of the township shall be Equestria Extension 26.

**1.2 DESIGN**

The township shall consist of erven as indicated on General Plan SG No 12/2003.

**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.

**1.4 ENDOWMENT**

Payable to the City of Tshwane Metropolitan Municipality.

The township owner shall pay the City of Tshwane Metropolitan Municipality as endowment a total amount of R76 000,00 which amount shall be used by the City of Tshwane Metropolitan Municipality 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 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 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.

## 1.7 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 City of Tshwane Metropolitan Municipality.

## 1.8 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.

## 1.9 COMPLIANCE TO CONDITIONS IMPOSED BY GDACEL

The township owner shall at his own expense comply with all the conditions imposed, by which the Gauteng Department of Agricultural, Conservation, Environment and Land Affairs has granted the applicant exemption from compliance with regulations No 1182 and 1183 promulgated in terms of section 21, 22 and 26 of the Environmental Conservation Act, for the development of this township.

## 1.10 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 erf 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 1.11.1 to 1.11.7 inclusive below.

## 1.11 THE DEVELOPER'S OBLIGATIONS

### 1.11.1 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 erf has been transferred.

### 1.11.2 PROVISION OF ENGINEERING DRAWINGS

The developer must submit to the City of Tshwane Metropolitan Municipality complete engineering drawings in respect of internal sewers and sewer connection points and complete engineering drawings in respect of the internal road and storm water sewers as well as water and electricity services, prior to the commencement of the construction of the said services.

### 1.11.3 PROVISION OF A CERTIFICATE BY A PROFESSIONAL ENGINEER

Before any erf is transferred, the City of Tshwane Metropolitan Municipality must be provided with a certificate by a Professional Engineer 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.

No building plans will be approved before the services are completed and (if applicable) taken over by the divisions of the Service Delivery Department.

### 1.11.4 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 materials with regard to the civil engineering services and the electricity service, which guarantee must be for an amount that is 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.

### 1.11.5 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.

### 1.11.6 APPROVAL OF BUILDING PLANS

Before any erf is transferred, the developer must have building plans approved at the City of Tshwane Metropolitan Municipality in respect of every erf, according to the approved site development plan. The Power of Attorney to transfer the erf must be endorsed by the City of Tshwane Metropolitan Municipality.

No building plans will be approved before the services are completed and (if applicable) taken over by the divisions of the Service Delivery Department.

### 1.11.7 PROOF OF DEED OF 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 erf and the development of the erf 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 each erf. If the buyer himself or herself is to finance the proposed development, satisfactory proof must be provided in respect of this financing.

## 1.12 TRANSFER OF LAND TO THE SECTION 21 COMPANY (HOMEOWNERS' ASSOCIATION)

Erf 577 shall 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/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 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 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 ERVEN 537 TO 545, 548 TO 561 AND 563 TO 569**

**2.1.2.1** The erven shall be subject to a servitude, 1,5m wide, for engineering services (sewer) in favour of the Section 21 Company as indicated on the general plan.

**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.

**2.1.3 ERVEN 560 and 561**

**2.1.3.1** The erven shall be subject to a servitude, 1,5m wide, for engineering services (storm water) on the south-eastern boundary of Erf 560 and north-western boundary of Erf 561, 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 from it.

**2.1.4 ERF 577**

The erf is subject to a servitude of right of way and the use of engineering services in favour of Erven 537 to 576.

**2.1.5 ERVEN 537 TO 576 INCLUSIVE**

Upon transfer, the owner of the erf 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 erf, which condition must be included in the title deed of the portion.

Transfer of the erf to a third party is 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.

**2.1.6 ALL ERVEN**

As this erf (stand, land, etc) forms part of an area which may be subject to dust pollution and noise as a result of open-cast mining activities past, present or future in the vicinity thereof, the owner thereof accepts that inconvenience with regard to dust pollution and noise as a result thereof, may be experienced

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