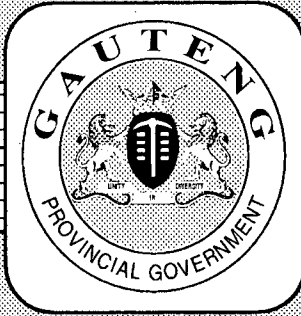


**THE PROVINCE OF
GAUTENG**



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Provincial Gazette Extraordinary Buitengewone Provinsiale Koerant

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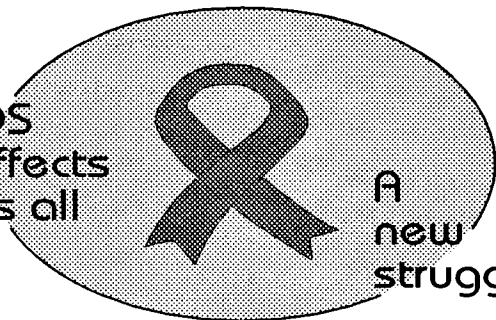
Vol. 9

PRETORIA, 20 NOVEMBER 2003

No. 503

We all have the power to prevent AIDS

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LOCAL AUTHORITY NOTICES

LOCAL AUTHORITY NOTICE 2438

CITY OF TSHWANE METROPOLITAN MUNICIPALITY

PRETORIA AMENDMENT SCHEME 9439

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 Elarduspark Extension 27, 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 General Manager: Legal Services, and are open to inspection during normal office hours.

This amendment is known as Pretoria Amendment Scheme 9439.

(K13/2/Elarduspark x27 (9439))
20 November 2003

Acting General Manager: Legal Services
(Notice No 834/2003)

PLAASLIKE BESTUURSKENNISGEWING 2438

STAD TSHWANE METROPOLITAANSE MUNISIPALITEIT

PRETORIA WYSIGINGSKEMA 9439

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 Elarduspark Uitbreiding 27, synde 'n wysiging van die Pretoria-dorpsbeplanningskema, 1974, goedgekeur het.

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

Hierdie wysiging staan bekend as Pretoria-wysigingskema 9439.

(K13/2/Elarduspark x27)
20 November 2003

Waarnemende Hoofbestuurder: Regsdienste
(Kennisgewing No 834/2003)

LOCAL AUTHORITY NOTICE 2439

CITY OF TSHWANE METROPOLITAN MUNICIPALITY

DECLARATION OF ELARDUSPARK EXTENSION 27 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 Elarduspark Extension 27 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(K13/2/Elarduspark x27)

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY DIRK JOHANNES ALBERTUS GOUWS 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 THE REMAINDER OF PORTION 55 OF THE FARM WATERKLOOF 378JR, PROVINCE OF GAUTENG, HAS BEEN GRANTED.

1. CONDITIONS OF ESTABLISHMENT

1.1 NAME

The name of the township shall be Elarduspark Extension 27.

1.2 DESIGN

The township shall consist of erven, parks and streets as indicated on General Plan SG No 2372/2003.

1.3 DISPOSAL OF EXISTING CONDITIONS OF TITLE

All erven shall be made subject to existing conditions and servitudes, if any, and Conditions A, B, C(a), (b) and (c) contained in Title Deed T10206/1962, as well as the servitude for stormwater over a 2m wide strip on the western side of line AB as indicated on the plan SG No A10566/86 as contained in Notarial Deed K816/88S, which affect the township.

Including condition F in deed of Transfer T29117/2003 which refers to a servitude for water purposes measuring 2047 (TWO THOUSAND FOURTY SEVEN) square metres as indicated by the figure ABCDEFGH on diagram SG No 10044/1998 was expropriated and ceded to the GREATER PRETORIA METROPOLITAN COUNCIL by virtue of Notarial Deed of Cession K203/1999 which affects erf 1935 only.

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 R196 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 CONSOLIDATION OF ERVEN

The township owner shall at his own expense have Erven 1935 and 1936 in the township consolidated. The City of Tshwane Metropolitan Municipality hereby grants its consent to the consolidation in respect of Section 92(1)(b) of Ordinance 15 of 1986.

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 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.

1.10 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.

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, 2 metre 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 panhandle erf, an additional servitude for municipal purposes, 2 metre 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 2 metre 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 ERF 1935

- 2.1.2.1 The erf shall be subject to a servitude, 3 metres wide, for municipal services (stormwater) in favour of the City of Tshwane Metropolitan Municipality, 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 2 metre there from.
- 2.1.2.3 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 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 provisions that the City of Tshwane Metropolitan Municipality shall make good any damage caused during the laying, maintenance or removal of such main sewer pipelines and other works.

2.1.3 ERF 1936

- 2.1.3.1 The erf shall be subject to a servitude, 2 metres wide, for municipal services (stormwater) in favour of the City of Tshwane Metropolitan Municipality, 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 2 metre there from.
- 2.1.3.3 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 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 provisions that the City of Tshwane Metropolitan Municipality shall make good any damage caused during the laying, maintenance or removal of such main sewer pipelines and other works.

2.1.4 ERF 1936

The erf shall be subject to a servitude for road purposes (varied widths) in favour of the General Public, as indicated on the general plan.

PLAASLIKE BESTUURSKENNISGEWING 2439**STAD TSHWANE METROPOLITAANSE MUNISIPALITEIT****VERKLARING VAN ELARDUSPARK UITBREIDING 27 TOT GOEDGEKEURDE DORP**

Ingevolge artikel 103 van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie No 15 van 1986), verklaar die Stad Tshwane Metropolitaanse Munisipaliteit hierby die dorp Elarduspark Uitbreiding 27 tot 'n goedgekeurde dorp, onderworpe aan die voorwaardes uiteengesit in die bygaande Bylae.

(K13/2/Elarduspark x27)

BYLAE

STAAT VAN VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR DIRK JOHANNES ALBERTUS GOUWS INGEVOLGE DIE BEPALINGS VAN DEEL C VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986 (ORDONNANSIE NO. 15 VAN 1986), OM TOESTEMMING OM 'N DORP OP DIE RESTANT VAN GEDEELTE 55 VAN DIE PLAAS WATERKLOOF 378 JR, GAUTENG, TE STIG, TOEGESTAAN IS.

1. STIGTINGSVOORWAARDES**1.1 NAAM**

Die naam van die dorp is Elarduspark Uitbreiding 27.

1.2 ONTWERP

Die dorp bestaan uit erwe, parke en strate soos aangedui op Algemene Plan LG No 2372/2003.

1.3 BESKIKKING OOR BESTAANDE TITELVOORWAARDES

Alle erwe moet onderworpe gemaak word aan bestaande voorwaardes en serwitute, as daar is, en Voorwaardes A, B, C(a), (b) en (c) vervat in Akte van Transport T10206/1962, asook die serwituut vir stormwater oor 'n 2m wye strook aan die westekant van lyn AB soos aangedui op plan LG No A10566/86 soos vervat in die Notariële Akte K816/88S, wat die dorp raak.

Insluitende Voorwaarde F soos vervat in Titelakte T29117/2003 wat verwys na 'n serwituut vir waterdoeleindes, ongeveer 2 047m² (TWEË DUISEND SEWE EN VEERTIG) soos aangedui deur figuur ABCDEFGH soos vervat in diagram LG No 10044/1998 was onteien en gesedeer na die GROTER PRETORIA METROPOLITAANSE SUBSTRUKTUUR by wyse van Notariële Akte van Sessie K203/1999 wat slegs Erf 1935 affekteer.

1.4 BEGIFTIGING

Betaalbaar aan die Stad Tshwane Metropolitaanse Munisipaliteit.

Die dorpseienaar moet aan die Stad Tshwane Metropolitaanse Munisipaliteit, as begiftiging, 'n totale bedrag van R196 000,00 betaal, welke bedrag deur die Stad Tshwane Metropolitaanse Munisipaliteit aangewend moet word vir die verkryging van grond vir parken/of openbare-oopruimtedoeleindes.

Die genoemde begiftigingsbedrag is betaalbaar kragtens die bepalings van artikel 81 van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986).

1.5 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.

1.6 KONSOLIDASIE VAN ERWE

Die dorpseienaar moet op eie koste Erwe 1935 en 1936 in die dorp laat konsolideer. Die Stad Tshwane Metropolitaanse Munisipaliteit verleen hiermee ingevolge Artikel 92(1)(b) van Ordonnansie 15 van 1986, toestemming tot die konsolidasie.

1.7 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 tevredeheid van die Stad Tshwane Metropolitaanse Munisipaliteit wanneer die Stad Tshwane Metropolitaanse Munisipaliteit dit vereis.

1.8 VERWYDERING VAN ROMMEL

Die dorpseienaar moet op eie koste alle rommel binne die dorpsgebied laat verwyder tot tevredeheid van die Stad Tshwane Metropolitaanse Munisipaliteit wanneer die Stad Tshwane Metropolitaanse Munisipaliteit dit vereis.

1.9 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.

1.10 VOLDOENING AAN VOORWAARDES OPGELê DEUR DIE GAUTENGSE DEPARTEMENT VAN LANDBOU, BEWARING, OMGEWING EN GRONDSAKE (DLBOG)

Die dorpseienaar sal op sy eie koste voldoen aan al die voorwaardes wat opgelê is deur (DLBOG) met die aansoek om vrystelling om aan die bepalings van Regulasie 1182 en 1183 gepromulgeer ingevolge artikel 21, 22 en 26 van die Wet op Omgewingsbewaring, 1989 (Wet No 73 van 1989) vir die ontwikkeling van die dorpsgebied.

2. TITELVOORWAARDES

2.1 Die erwe hieronder genoem, is onderworpe aan die voorwaarde soos aangedui, opgelê deur die Stad Tshwane Metropolitaanse Munisipaliteit ingevolge die bepalings van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986):

2.1.1 ALLE ERWE

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 Stad Tshwane Metropolitaanse 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 Stad Tshwane Metropolitaanse 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 dunske noodsaaklik ag, tydelik te plaas op grond wat aan die voornoemde serwituut grens, en voorts is die Stad Tshwane Metropolitaanse Munisipaliteit geregtig op redelike toegang tot genoemde grond vir die voornoemde doel, onderworpe daaraan dat die Stad Tshwane Metropolitaanse Munisipaliteit enige skade vergoed wat gedurende die aanleg, onderhoud of verwydering van sodanige dienste en ander werke veroorsaak word.

2.1.2 ERF 1935

2.1.2.1 Die erf is onderworpe aan 'n serwituut, 3 meter wyd, vir munisipale dienste (stormwater) ten gunste van die Stad Tshwane Metropolitaanse Munisipaliteit, soos op die algemene plan aangedui.

2.1.2.2 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 2m daarvan geplant word nie.

2.1.2.3 Die Stad Tshwane Metropolitaanse Munisipaliteit is daarop geregtig om enige materiaal wat deur hom uitgegrawe word tydens die aanleg, onderhoud of verwydering van munisipale dienste en ander werke wat hy na goeë dunske noodsaaklik ag, tydelik te plaas op grond wat aan die voornoemde serwituut grens, en voorts is die Stad Tshwane Metropolitaanse Munisipaliteit geregtig op redelike toegang tot genoemde grond vir die voornoemde doel, onderworpe daaraan dat die Stad Tshwane Metropolitaanse Munisipaliteit enige skade vergoed wat gedurende die aanleg, onderhoud of verwydering van sodanige munisipale dienste en ander werke veroorsaak word.

2.1.3 ERF 1936

2.1.3.1 Die erf is onderworpe aan 'n serwituut, 2 meter wyd, vir munisipale dienste (stormwater) ten gunste van die Stad Tshwane Metropolitaanse Munisipaliteit, soos op die algemene plan aangedui.

2.1.3.2 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 2m daarvan geplant word nie.

2.1.3.3 Die Stad Tshwane Metropolitaanse Munisipaliteit is daarop geregtig om enige materiaal wat deur hom uitgegrawe word tydens die aanleg, onderhoud of verwydering van munisipale dienste en ander werke wat hy na goeëdoel noodsaaklik ag, tydelik te plaas op grond wat aan die voornoemde serwituut grens, en voorts is die Stad Tshwane Metropolitaanse Munisipaliteit geregtig op redelike toegang tot genoemde grond vir die voornoemde doel, onderworpe daaraan dat die Stad Tshwane Metropolitaanse Munisipaliteit enige skade vergoed wat gedurende die aanleg, onderhoud of verwydering van sodanige munisipale dienste en ander werke veroorsaak word.

2.1.4 ERF 1936

Die erf is onderworpe aan 'n serwituut vir paddoeleindes (verskeie wydtes) ten gunste van die Algemene Publiek, soos op die algemene plan aangedui.
