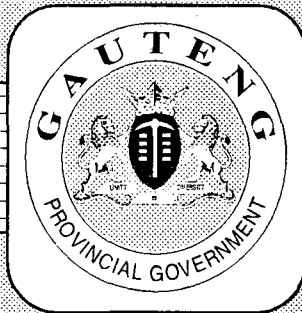


**THE PROVINCE OF  
GAUTENG**



**DIE PROVINSIE  
GAUTENG**

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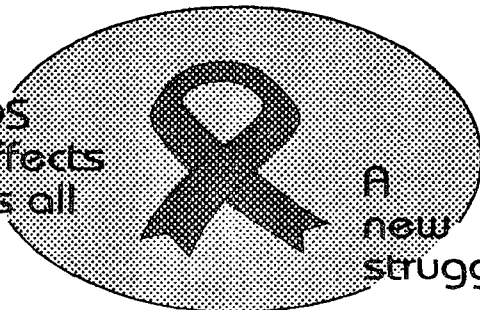
Vol. 11

PRETORIA, 5 SEPTEMBER 2005

No. 371

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

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struggle

Prevention is the cure

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(i.e. CORNER OF PAUL KRUGER AND PROES STREETS)  
with effect from 3 May 2005.**

For enquiries and information:

**Mr M Z Montjane  
Tel: (012) 334-4653  
Cell: 083 640 6121**

**LOCAL AUTHORITY NOTICE**

**LOCAL AUTHORITY NOTICE 2177**

**CITY OF TSHWANE METROPOLITAN MUNICIPALITY**

**PERI-URBAN AMENDMENT SCHEME 1PU**

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 Peach Tree Extension 1, being an amendment of the Peri-Urban Town-planning Scheme, 1975.

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

This amendment is known as Peri-Urban Amendment Scheme 1PU.

(16/3/1/801)  
 \_\_ September 2005

**Head: Legal and Secretarial Services**  
 (Notice No 861/2005)

**PLAASLIKE BESTUURSKENNISGEWING 2177**

**STAD TSHWANE METROPOLITAANSE MUNISIPALITEIT**

**PERI-URBAN WYSIGINGSKEMA 1PU**

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 Peach Tree Uitbreiding 1, synde 'n wysiging van die Peri-Urban dorpsbeplanningskema, 1975, goedgekeur het.

Kaart 3 en die skemaklousules van hierdie wysigingskema word deur die Hoof: Regs- en Sekretariële Dienste, in bewaring gehou en lê gedurende gewone kantoorure ter insae.

Hierdie wysiging staan bekend as Peri-Urban wysigingskema 1PU.

(16/3/1/801)  
 \_\_ September 2005

**Hoof: Regs- en Sekretariële Dienste**  
 (Kennisgewing No 861/2005)

**CITY OF TSHWANE METROPOLITAN MUNICIPALITY**

**DECLARATION OF PEACH TREE EXTENSION 1 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 Peach Tree Extension 1 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(16/3/1/801)

**SCHEDULE**

CONDITIONS UNDER WHICH THE APPLICATION MADE BY GARDENER ROSS GOLF AND COUNTRY ESTATE (PROPRIETARY) LIMITED UNDER THE PROVISIONS SECTION A AND C OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE NO 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON A PORTION 921 (A PORTION OF PORTION 332) OF THE FARM KNOPJESLAAGTE 385JR, PROVINCE OF GAUTENG, HAS BEEN GRANTED.

**1. CONDITIONS OF ESTABLISHMENT**

**1.1 NAME**

The name of the township shall be Peach Tree Extension 1.

## 1.2 DESIGN

The township shall consist of erven and streets as indicated on General Plan SG No 8735/2004.

## 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 –

a) the following servitudes which do not affect the township area:

(i) Die voormalige Resterende Gedeelte 228 (gedeelte van Gedeelte 6) van die plaas KNOPJESLAAGTE 385 Registrasie Afdeling J R aangedui deur die figuur c,d,M1,N1,P1,Q1,R1,S1,c en e,X,f, B1,C1,E1,e op kaart LG No 8734/2004 is onderhewig aan die volgende voorwaarde:

a) By Notarial Deed no. K1272/1971-S the right has been granted to ESKOM to convey electricity over the property hereby conveyed together with ancillary rights, and subject to conditions as will more fully appear on reference to the said Notarial Deed.

b) The following servitude which only affects a street, Ernie Els Boulevard, in the township:

Kragtens Notariële Akte No. K4066/1990S gedateer 15de Augustus 1990, is die binne gemele eiendom onderhewig aan 'n Serwituut van pyleiding en waterleiding, 3 meter wyd, aangedui deur die figure A1. F op kaart L.G. no 8734/2004 ten gunste van "Local Government Affairs Council" en sy opvolger in titel, nou City of Tshwane Metropolitan Municipality, soos meer volledig sal blyk uit gemelde Notariële akte.

## 1.4 ACCESS

Ingress from Road K52 to the township and egress from Road K52 from the township shall be restricted to the intersection of Ernie Els Boulevard with the said road.

## 1.5 ACCEPTANCE AND DISPOSAL OF STORMWATER

The township owner shall arrange for the drainage of the township to fit in with that of the proposed Provincial Road K52 and for all stormwater running off or being diverted from the road to be received and disposed of.

## 1.6 PRECAUTIONARY MEASURES

The township owner shall at own expense make arrangements with the local authority in order to ensure that -

1.6.1 water will not accumulate to the effect that the entire surface of the dolomite area/s is drained properly and that streets are sealed effectively with tar, cement or bitumen; and

1.6.2 trenches and excavations for foundations, pipes cables or for any other purposes, are properly refilled with damp soil in layers not thicker than 150mm, and compacted until the same grade of compaction as that of the surrounding material is obtained.

## 1.7 ERVEN 394, 705, 706, 791-801, 803-806, 808-822

The erven shall be transferred to a company registered in terms of Section 21 of the Companies Act, 1973 or to a legal similar entity which company or entity shall be administered by a Members Association.

## 1.8 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 Municipality certifies that the developer has complied with the provisions of conditions (9)(i)-(iv) inclusive below.

## 1.9 THE DEVELOPER'S OBLIGATIONS

### 1.9.1 ASSOCIATION AND STATUTES

The developer must register a section 21 company (homeowner's association) in terms of provisions of the Companies Act, 1973 (Act 61 of 1973). A copy of the registered Deed of Association (CM4) and the Company Statutes must be submitted to the City of Tshwane Metropolitan Municipality.

Association and Statutes must clearly state that the main objective of the homeowner's association is the maintenance of the internal engineering services of the development (i.e. water, sewerage, electricity, and the road and storm water sewers and parks according to the agreement with CTMM and proof that the said Section 21 Company has accepted its obligations in this regard must be submitted to the local authority). 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.

### 1.9.2 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.

### 1.9.3 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 division of the Service Delivery Department.

### 1.9.4 MAINTENANCE PERIOD AND GUARANTEE

A maintenance period of 12 (twelve) months commences when the last of the internal engineering service (ie 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 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.

## 2. CONDITIONS OF TITLE

- A. THE UNDERMENTIONED ERVEN SHALL BE SUBJECT TO THE CONDITIONS AS INDICATED, IMPOSED BY THE LOCAL AUTHORITY IN TERMS OF THE PROVISIONS OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986.

**2.1 ALL ERVEN**

2.1.1 The erf is subject to a servitude, 2m wide, in favour of the local authority, for sewerage and other municipal purposes, 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 local authority: Provided that the local authority may dispense with any such servitude. Where the erf is actually affected by a Council sewer line it must be protected by a 3 metre wide servitude.

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

2.1.3 The local authority 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 the aforesaid purpose subject to any damage done during the process of the construction, maintenance or removal of such sewerage mains and other works being made good by the local authority.

**2.2 ERF 439, 513, 549, 586, 596 AND 602**

The erf is subject to a servitude, 3m wide for services as indicated on the General Plan in favour of the local authority.

**2.3 ERVEN 705, 706, 795-805 AND 807-822**

The erf is subject to a general servitude for services as indicated on the General Plan in favour of the local authority.

**2.4 ERF 704**

The erf is subject to a servitude, 6m wide for municipal services in favour of the local authority as indicated on the General Plan.

**2.5 ERF 802**

The township owner shall not dispose of or transfer the erf and/or alter the use of the erf or conduct any activity within the 1:50 year flood line without the permission of the local authority first have been obtained, which permission may be refused at the full discretion of the local authority.

**2.6 ERVEN 395-682, 684-703, 707-790**

Any owner of an erf, or any subdivision thereof, or any interest therein, shall become and shall remain a member of the Home Owners Association (Section 21 Company) and be subject to its memorandum and Articles of Association until it ceases to be an owner as aforesaid. No erf or any subdivision thereof, or interest therein, or any unit thereon, shall be transferred to any person who has not committed itself to the satisfaction of the Home Owners Association to become a member of the Home Owners Association.

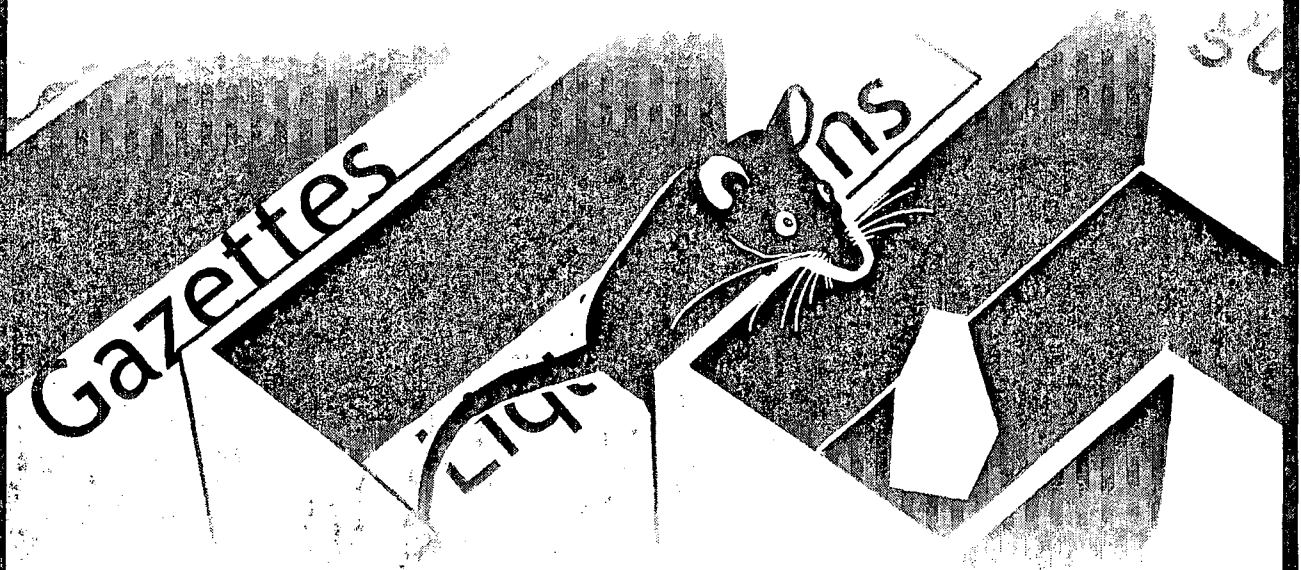
**B. CONDITIONS IMPOSED BY THE REGIONAL DIRECTOR: MINERAL AND ENERGY AFFAIRS FOR THE GAUTENG REGION IN TERMS OF SECTION 68(1) OF THE MINERALS ACT, 1991****1. ERVEN 431-444, 739, 740, 799 AND 802**

As this erf (stand, land, etc) is situated in an area where nearby open cast mining operations and activities incidental thereto are being conducted and the owner thereof accepts that inconvenience with regard to dust pollution and noise as a result of such mining operations and activities, may be experienced and no liability shall devolve upon the State, Tshwane Metropolitan Council, or its employees.



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