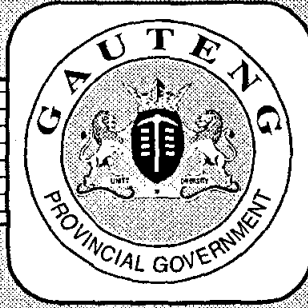


**THE PROVINCE OF
GAUTENG**



**DIE PROVINSIE
GAUTENG**

**Provincial Gazette Extraordinary
Buitengewone Provinsiale Koerant**

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

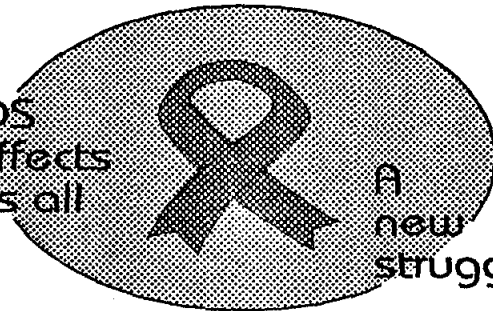
Vol. 11

PRETORIA, 18 OCTOBER 2005
OKTOBER

No. 444

We all have the power to prevent AIDS

AIDS
affects
us all



A
new
struggle

Prevention is the cure

**AIDS
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DEPARTMENT OF HEALTH



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LOCAL AUTHORITY NOTICE

LOCAL AUTHORITY NOTICE 2556

CITY OF TSHWANE METROPOLITAN MUNICIPALITY

PRETORIA AMENDMENT SCHEME 9595P

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 152, being an amendment of the Pretoria Town-planning Scheme, 1974.

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 Pretoria Amendment Scheme 9595P.

(13/2/Equestria x152 (9595P))
 ___ October 2005

Head: Legal and Secretarial Services
 (Notice No 959/2005)

PLAASLIKE BESTUURSKENNISGEWING 2556

STAD TSHWANE METROPOLITAANSE MUNISIPALITEIT

PRETORIA WYSIGINGSKEMA 9595P

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 152, synde 'n wysiging van die Pretoria-dorpsbeplanningskema, 1974, 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 Pretoria-wysigingskema 9595P.

(13/2/Equestria x152 (9595P))
 ___ Oktober 2005

Hoof: Regs- en Sekretariële Dienste
 (Kennisgewing No 959/2005)

CITY OF TSHWANE METROPOLITAN MUNICIPALITY

DECLARATION OF EQUESTRIA EXTENSION 152 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 152 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(13/2/Equestria x152 (9595P))

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY DWELLING DEVELOPMENTS (PTY) LTD IN TERMS OF THE PROVISIONS OF CHAPTER III: PART C OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE NO 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 539 (A PORTION OF PORTION 81) OF THE FARM THE WILLOWS 340JR, PROVINCE OF GAUTENG, HAS BEEN GRANTED.

1. CONDITIONS OF ESTABLISHMENT

1.1 NAME

The name of the township shall be Equestria Extension 152.

1.2 DESIGN

The township shall consist of erven, parks and streets as indicated on General Plan SG No 5282/2005.

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 -

1.3.1 the following condition 3 in Deed of Transfer T80768/03 which affects Erf 944 in the township only;

"3. SUBJECT to a servitude for sewerage purposes 2.00 metres wide, the centre line of which is indicated by the line ABC on diagram SG No 1254/1998, in favour of the City Council of Pretoria as will appear from Notarial Deed of Servitude No K325/1999 S and endorsed on Deed of Transfer No T227/1997."

1.3.2 the following condition 4 in Deed of Transfer No 80768/03 which affects Furrow Road in the Township only:

"4. SUBJECT to a servitude 2.13 metres wide, running parallel along the western boundary as will appear from Diagram SG A 3162/1947 in favour of the City Council of Pretoria as will appear from Notarial Deed of Servitude K2213/2003S and endorsed on Deed of Transfer No T225/1997."

1.4 LAND FOR MUNICIPAL PURPOSES

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

Parks (public open space): Erf 944.

1.5 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 adjacent roads and he shall receive and dispose of the stormwater running off or being diverted from the road.

1.6 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.

1.7 FILLING IN OF EXISTING SOIL DISTURBANCE

The township owner shall, when required to do so by the local authority, at his own expense have the existing disturbed soil, affecting some erven, filled in and compacted to the satisfaction of the City of Tshwane Metropolitan Municipality.

1.8 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.

1.9 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.

1.10 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.

1.11 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.

1.12 COMPLIANCE TO CONDITIONS IMPOSED BY GDACE

The township owner shall at his own expense comply with all the conditions imposed, by which the Gauteng Department of Agricultural, Conservation and Environment has granted the applicant exemption from compliance with regulations No 1182 and 1183 promulgated in terms of sections 21, 22 and 26 of the Environmental Conservation Act, 1989 (Act 73 of 1989) for the development of this township.

1.13 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 and that any conditions that may affect the township are incorporated in these conditions as amendments to these conditions.

1.14 THE DEVELOPER'S OBLIGATIONS**1.14.1. LAND TO BE TRANSFERRED TO THE SECTION 21 COMPANY (HOME-OWNERS' ASSOCIATION)**

Erf 943 shall be transferred to the Section 21 Company (home-owners association) by and at the expense of the township owner.

1.14.2 ASSOCIATION OF STATUTES

The developer must register a Section 21 Company (home-owners' association) in terms of the provisions of the Companies Act, 1973 (Act 61 of 1973). All the owners of units in the township must become members of the Section 21 Company. 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 home- owners' association is the maintenance of the internal engineering services of the development (i.e. water, sewerage, electricity and the road and stormwater sewers), where applicable. The developer is deemed to be a member, with all rights and obligations of an ordinary member, until the last erf has been transferred.

1.14.3 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 stormwater sewers as well as water and electricity services, prior to the commencement of the construction of the said services.

1.14.4 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 stormwater sewers, in which it is certified that the internal engineering services have been completed and that the engineers accept liability for the services. The City of Tshwane Metropolitan Municipality may at its own discretion allow an exception in respect of the internal road and stormwater sewers. If this is the case, the developer must give the City of Tshwane Metropolitan Municipality an undertaking that the developer will complete the service on or before a certain date and must provide the City of Tshwane Metropolitan Municipality with a guarantee issued by a recognized 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.

1.14.5 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 stormwater 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 services, 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.

1.14.6 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.

1.14.7 TRANSFER OF THE REMAINDER OF THE TOWNSHIP TO THE SECTION 21 COMPANY

The township owner must at his own expense transfer the Remainder of the township into the name of the Section 21 Company simultaneously with the transfer or registration of the last erf in the township from the General Plan.

1.14.8 ERF 943

A servitude of right of way and services in favour of the Remainder of the township must be registered over Erf 943.

1.14.9 ERF 910, 911 AND 912

The erf shall be subject to a servitude, 2m wide, for engineering services (electricity), in favour of the Section 21 Company, as indicated on the General Plan which servitude lies on exactly the same position as the municipal servitude for sewerage purposes, created in paragraph 3.1.1 of the conditions of establishment. The City of Tshwane Metropolitan Municipality hereby consents to the creation of this servitude and to the encroachment on its said sewerage servitude subject to the electrical servitude containing a provision that the Section 21 Company will repair any damage caused by them in maintenance works to the Municipality's sewerage servitude pipes or works, and that the Section 21 Company will not move or in any way interfere with any municipal pipes or works in such area without the Municipality's prior written consent.

1.14.10 ERF 921

The erf shall be subject to a stormwater servitude 3 m wide as indicated on the General plan in favour of the Section 21 Company, which servitude lies on exactly the same position as the municipal servitude for sewerage purposes, created in paragraph 3.1.2 of the conditions of establishment. The City of Tshwane Metropolitan Municipality hereby consents to the creation of this servitude and to the encroachment on its said sewerage servitude subject to the stormwater servitude containing a provision that the Section 21 Company will repair any damage caused by them in maintenance works to the Municipality's sewerage servitude pipes or works, and that the Section 21 Company will not move or in any way interfere with any municipal pipes or works in such area without the Municipality's prior written consent.

1.14.11 CERTIFICATE OF COMPLIANCE

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 may be transferred or otherwise dealt with until the City of Tshwane Metropolitan Municipality certifies that the developer has complied with the provisions of conditions 2.14.2 inclusive above.

2. CONDITIONS OF TITLE

2.1 THE ERVEN MENTIONED BELOW SHALL BE SUBJECT TO THE CONDITIONS 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 ERVEN 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 937, 938, 939, 940, 941, 942 AND 943

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 921

2.1.2.1 The erf shall be subject to a servitude (3 m wide) along the southern boundary for municipal services (sewerage) 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 2m therefrom.

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 provision 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.

