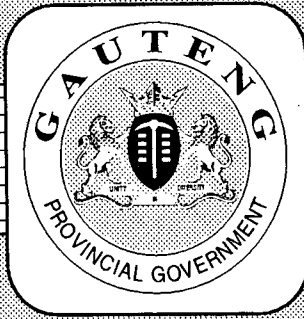


**THE PROVINCE OF
GAUTENG**



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**Provincial Gazette Extraordinary
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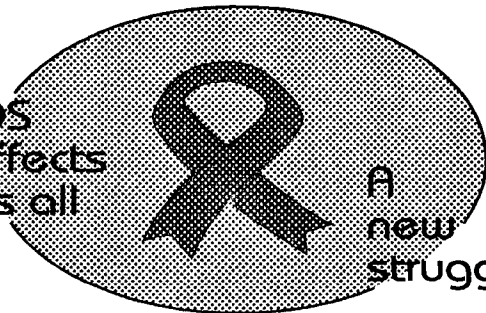
Vol. 11

**PRETORIA, 7 FEBRUARY
FEBRUARIE 2005**

No. 46

We all have the power to prevent AIDS

AIDS
affects
us all



A
new
struggle

Prevention is the cure

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DEPARTMENT OF HEALTH



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LOCAL AUTHORITY NOTICE

LOCAL AUTHORITY NOTICE 272

CITY OF TSHWANE METROPOLITAN MUNICIPALITY

PRETORIA AMENDMENT SCHEME 9517

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 Sterrewag Extension 2, 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 9517.

(K13/2/Sterrewag x2 (9517))
 __ February 2005

Acting General Manager: Legal Services
 (Notice No 358/2005)

PLAASLIKE BESTUURSKENNISGEWING 272

STAD TSHWANE METROPOLITAANSE MUNISIPALITEIT

PRETORIA WYSIGINGSKEMA 9517

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 Sterrewag Uitbreiding 2, 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 9517.

(K13/2/Sterrewag x2 (9517))
 __ Februarie 2005

Waarnemende Hoofbestuurder: Regsdienste
 (Kennisgewing No 358/2005)

CITY OF TSHWANE METROPOLITAN MUNICIPALITY

DECLARATION OF STERREWAG EXTENSION 2 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 Sterrewag Extension 2 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(K13/2/Sterrewag x2)

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY WATERKLOOF GOLF ESTATE (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 136 OF THE FARM GROENKLOOF 358JR, PROVINCE OF GAUTENG, HAS BEEN GRANTED.

1. CONDITIONS OF ESTABLISHMENT

1.1 NAME

The name of the township shall be Sterrewag Extension 2.

1.2 DESIGN

The township shall consist of erven, parks and streets as indicated on General Plan SG No 7074/2004.

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 conditions in the Title Deed which does not affect the township area;

A. Die Resterende Gedeelte van Gedeelte 2 van die genoemde plaas GROENKLOOF, groot as sodanig 1526,8339 Hektaar, waarvan die eiendom hiermee getranspoteer 'n gedeelte uitmaak, is onderhewig aan die volgende:

"By Notarial Deed No K 1183/1958 S registered on the 25th October 1958, the right has been granted to ESKOM to convey electricity over the said property together with ancillary rights and subject to conditions as more fully set out in aforesaid Notarial Deed which said Notarial Deed was partially cancelled by virtue of Notarial Deed of Cancellation K 1726/89 S and as will more fully appear from the said Notarial Deed."

B. Die Resterende Gedeelte van Gedeelte 2 van die genoemde plaas GROENKLOOF, groot as sodanig 1501,3868 Hektaar, waarvan die eiendom hiermee getranspoteer 'n gedeelte uitmaak is onderhewig aan die volgende voorwaarde:

"By Notarial Deed No K 226/1964 S dated 14th February, 1964 and registered on 20th February, 1964 the said property is subject to a right to convey water over the property by means of a pipe line in favour of Peri-Urban Areas Health Board as will more fully appear from the said Notarial Deed and which servitude is indicated by the figures c d e d g h j k c and l m n p q r l on the annexed diagram S G No A 1501/1934", which condition only affects Erf 143 in the township.

C. Die Resterende Gedeelte van Gedeelte 2 van die genoemde plaas GROENKLOOF, groot as sodanig 1501,3868 Hektaar, waarvan die eiendom hiermee getranspoteer 'n gedeelte uitmaak is onderhewig aan die volgende:

"By virtue of Notarial Deed of Servitude No K 368/1965 S dated the 19th and 24th December 1964, registered on the 12th day of April 1965, the said property is subject to the right in favour of ESCOM to convey electricity over the said property with ancillary rights and subject to conditions as more fully set out in aforesaid Notarial Deed."

D. Die Resterende Gedeelte van Gedeelte 2 van die genoemde plaas GROENKLOOF, groot as sodanig 1392,1087 Hektaar, waarvan die eiendom hiermee getranspoteer 'n gedeelte uitmaak is onderhewig aan die volgende:

"By Notarial Deed No K 90/1973 dated the 24th day of October, 1972 and registered on the 23rd January 1973, the said property is subject to:

1. A servitude of sewerage pipeline;
2. A servitude of sewerage pipeline;
3. A servitude of pumpstation area;

In favour of the City Council of Verwoerdburg together with ancillary rights as will more fully appear from the said Notarial Deed and Diagram annexed thereto."

E. Kragtens Notariële Akte van Sessie van Serwituut NO K3734/77S is 'n:

- (a) Pyplynservituut groot 3 meter wyd;
- (b) Pyplynservituut groot 3 meter wyd;
- (c) Pyplynservituut groot 3 meter wyd;
- (d) Pyplynservituut groot 3 meter wyd;
- (e) Pyplynservituut groot 3 meter wyd;
- (f) Pyplynservituut groot 3 meter wyd;

Gesedeer aan die Republiek van Suid-Afrika (in sy Administrasie van Spoorweë en Hawens) en soos meer volledig sal blyk uit gesegde Notariële Akte met Kaart daarby aangeheg; welke serwituut kragtens Notariële Akte van Kansellasië en Vervanging van Serwituut No K1322/88 S gedateer 20 April 1988 gedeeltelik gekanselleer en vervang met 'n pyplynserwituut 6 meter wyd oor binnegemelde eiendom, soos meer volledig sal blyk uit gesegde Notariële Akte en aangehegte kaart en geregistreer op 3 Mei 1988 en welke serwituut aangedui word deur lyn s t u v synde die middellyn van die genoemde serwituut op die hier aangehegte Kaart S G No A1501/1994; which condition only affects erf 143 in the township.

F. kragtens Notariële Akte van Serwituut No K 2869/87 S geregistreer op 25 Junie 1987 is die reg aan ESKOM verleen om elektrisiteit oor die hierinvermelde eiendom te vervoer, tesame met bykomende regte, en onderworpe aan voorwaardes, soos meer volledig sal blyk uit gesegde Notariële Akte.

(b) The following servitudes which does not affect the township area:

- (i) The Remainder of Portion 114 of the farm Groenkloof 358-JR is subject to a 2 meter servitude for services (sewer) in favour of the Section 21 Company as shown on the SG Diagram No 7072/2004.
- (ii) The Remainder of Portion 114 of the farm Groenkloof 358-JR is subject to a 3,3 meter servitude for services (electricity) in favour of the Section 21 Company as shown on the SG Diagram No 7072/2004.

1.4 ENDOWMENT

No endowment is payable to the City of Tshwane Metropolitan Municipality.

1.5 ACCESS

Ingress from Provincial Road K103 to the township and egress to Provincial Road K103 from the township shall be restricted to the approved access with the said road.

Unless the consent in writing of the Head of the Department: Gauteng Provincial Government: Department of Public Transport, Roads and Works as well as the City of Tshwane Metropolitan Municipality has been obtained, no ingress from Road K103 to the township and no egress to Road K103 shall be allowed.

1.6 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 Road K103 and he shall receive and dispose of the stormwater running off or being diverted from the road.

1.7 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.

1.8 ERECTION OF FENCE OR OTHER PHYSICAL BARRIER

The township owner shall at his own expense erect a fence or other physical barrier to the satisfaction of the Head of the Department: Gauteng Provincial Government: Department of Public Transport, Roads and Works, as and when required by him to do so, and the township owner shall maintain such fence or physical barrier in a good state of repair until such time as the erven in the township are transferred to ensuing landowners, after which the responsibility for the maintenance of such fence or physical barrier rests with the latter.

1.9 PRECAUTIONARY MEASURES

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

- (a) water will not dam up, that the entire surface of the township area is drained properly and that streets are sealed effectively with tar, cement or bitumen; and

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

1.10 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.

1.11 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.

1.12 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.

1.13 COMPLIANCE TO CONDITIONS IMPOSED BY GDACEL

The township owner shall at his own expense comply with all the conditions imposed by the Gauteng Department of Agricultural, Conservation, Environment and Land Affairs including if applicable those by which exemption has been granted 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.

1.14 OBLIGATIONS IN REGARD TO ESSENTIAL SERVICES

The township owner shall within such period as the local authority may determine, fulfil its obligations in respect of the provision of water, electricity and sanitary services and the installation of systems therefor, as previously agreed upon between the township owner and the local authority.

1.15 THE DEVELOPER'S OBLIGATIONS

1.15.1 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). 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 homeowners' association is the maintenance of the internal engineering services of the development (ie water, sewerage, electricity, and the road and stormwater 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.

1.15.2 PROVISION OF ENGINEERING DRAWINGS

The developer must submit to the 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.

1.15.3 PROVISION OF A CERTIFICATE BY A PROFESSIONAL ENGINEER

Before any erf is transferred, the 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 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 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 recognized financial institution.

1.15.4 MAINTENANCE PERIOD AND GUARANTEE

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

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

Erf 143 shall be transferred to the homeowners' association (Section 21 Company) by and at the expense of the township owner.

1.17 SECTION 21 DRAINAGE PLAN

A complete section 21 drainage plan has to be submitted to the Executive Director: City Planning and Development (City Development Control Division) by the responsible engineer. These drainage plans need also to be placed on each separate building plan. These plans have to indicate the Section 21 Company drainage connection points as well as drainage site layout.

1.18 TRANSFER OF SERVICES

The services must be transferred to the Section 21 Company after the completion thereof.

1.19 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 1.15, to 1.18 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 ALL ERVEN WITH THE EXCEPTION OF ERF 143

2.1.1.1 The erf shall be subject to a servitude, 2m wide, for services (water, sewer, electricity and stormwater) (hereinafter referred to as "the services"), in favour of the section 21 company, along any two boundaries, excepting a street boundary and, in the case of a panhandle erf, an additional servitude for services, 2m wide, over the entrance portion of the erf, if and when required by the section 21 company: Provided that the section 21 company 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 Section 21 Company 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 Section 21 Company shall be entitled to reasonable access to the said property for the aforesaid purpose, subject to the provision that the Section 21 Company shall make good any damage caused during the laying, maintenance or removal of such services and other works.

2.1.2 ALL ERVEN WITH THE EXCEPTION OF ERF 143

2.1.2.1 As the erf forms part of an area which may be subject to damage caused to buildings by golf equipment, due to the proximity of a golf course, precautions to the satisfaction of the City of Tshwane Metropolitan Municipality must be taken before the approval of any building plans on the erf.

2.1.2.2 The erf is entitled to a servitude of right of way over Erf 143 for access purposes.

2.1.3 ERF 143

The erf shall be subject to a servitude for road purposes in favour of all the members of the section 21 company as well as all the members of the Monument Golf Club as indicated on the general plan

2.1.4 Erven 83 – 87, 89 – 90, 93 – 98, 101 – 119, 122 – 128 and 137 – 142.

The erf shall be subject to a 2 meter wide servitude for municipal services (sewer) in favour of the Section 21 Company as indicated on the general plan.

2.1.5 ERVEN 89, 95 and 102

The erf shall be subject to a 2 meter wide servitude for municipal services (stormwater) in favour of the Section 21 Company as indicated on the general plan.

2.1.6 ERF 143

The erf shall be subject to a servitude for electrical services in favour of all the erven in Sterrewag extension 3 township as indicated on the General Plan No 7074/2004.
