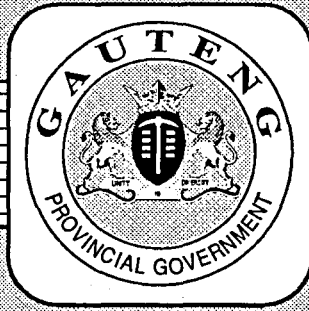


**THE PROVINCE OF
GAUTENG**



**DIE PROVINSIE
GAUTENG**

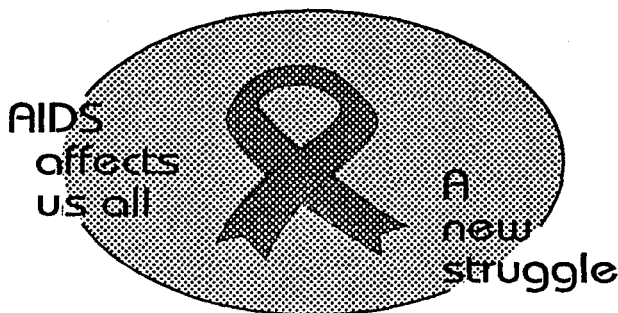
**Provincial Gazette Extraordinary
Buitengewone Provinsiale Koerant**

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PRETORIA, 10 AUGUST
AUGUSTUS 2006

No. 290

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DEPARTMENT OF HEALTH



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LOCAL AUTHORITY NOTICE

LOCAL AUTHORITY NOTICE 2263

CITY OF TSHWANE METROPOLITAN MUNICIPALITY

PRETORIA AMENDMENT SCHEME 9586P

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 Magalieskruin Extension 59, 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 Head: Legal and Secretarial Services, and are open to inspection during normal office hours.

This amendment is known as Pretoria Amendment Scheme 9586P.

(13/2/Magalieskruin x59 (9586P))
 __ August 2006

Acting Head: Legal and Secretarial Services
 (Notice No 949/2006)

PLAASLIKE BESTUURSKENNISGEWING 2263

STAD TSHWANE METROPOLITAANSE MUNISIPALITEIT

PRETORIA WYSIGINGSKEMA 9586P

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 Magalieskruin Uitbreiding 59, synde 'n wysiging van die Pretoria-dorpsbeplanningskema, 1974, goedgekeur het.

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

Hierdie wysiging staan bekend as Pretoria-wysigingskema 9586P.

(13/2/Magalieskruin x59 (9586P))
 __ Augustus 2006

Waarnemende Hoof: Regs- en Sekretariële Dienste
 (Kennisgewing No 949/2006)

CITY OF TSHWANE METROPOLITAN MUNICIPALITY

DECLARATION OF MAGALIESKRUIIN EXTENSION 59 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 Magalieskruin Extension 59 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(13/2/Magalieskruin x59)

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY VIKING PONY TRADING 108 (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 435 (A PORTION OF PORTION 5) OF THE FARM HARTEBEESTFONTEIN 324JR, PROVINCE OF GAUTENG, HAS BEEN GRANTED.

1. CONDITIONS OF ESTABLISHMENT

1.1 NAME

The name of the township shall be Magalieskruin Extension 59.

1.2 DESIGN

The township shall consist of erven and streets as indicated on General Plan SG No 5272/2005.

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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 servitude over the Remainder of Holding 81 registered in terms of SG number 11387/995 which affects Mezereon Place in the township only.
- 1.3.2 the servitude over the Remainder of Holding 81 registered in terms of SG number 629/2001 which affects Mezereon Place in the township only.
- 1.3.3 The servitude, as more fully appear in Condition B in Deed of Transfer T24580/2004, which does not affect the township:

"GEDEELTE 10 van die plaas HARTEBEESFONTEIN No 324, Registrasie Afdeling JR en die resterende gedeelte van Gedeelte E van die gemelde plaas (waarvan die hoewe hieronder getranspoteer 'n deel uitmaak) groot as sodanig 426,1381 hektaar is wederkerig onderworpe aan en geregtig tot die reg van weë 12,59 meter wyd soos aangetoon op Kaart SG No A.2596/42 geheg aan Akte van Transport T24553/1942 gedateer die 7 de dag van Desember 1942."

1.4 ACCESS

No ingress from Provincial Road K14 (Zambezi Drive) to the township and no egress to Provincial Road K14 (Zambezi Drive) from the township shall be allowed.

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 Road K14 (Zambezi Drive) 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 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.

1.8 DEPARTMENT OF PUBLIC TRANSPORT, ROADS AND WORKS: ACOUSTIC SCREENING MEASURES

The applicant shall be responsible for any costs involved in the erection of acoustic screening along Road K14 (Zambezi Drive).

1.9 CONSOLIDATION OF ERVEN

The township owner shall at his own expense have Erven 891 and 892 in the township consolidated. The City of Tshwane Metropolitan Municipality hereby grants its consent to the consolidation in respect of Section 92(2)(a) of Ordinance 15 of 1986.

1.10 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.

1.11 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.

1.12 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.

1.13 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.

1.14 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.

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**

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 892

The erf shall be subject to a 7.5 metre wide servitude for road purposes in favour of the City of Tshwane Metropolitan Municipality, as indicated on plan SG No 5272/2005. Upon submission of a certificate by the City of Tshwane Metropolitan Municipality to the Registrar of Deeds in which it is mentioned that such servitude is no longer needed, the condition shall lapse.

STAD TSHWANE METROPOLITAANSE MUNISIPALITEIT**VERKLARING VAN MAGALIESKRUIN UITBREIDING 59 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 Magalieskruin Uitbreiding 59 tot 'n goedgekeurde dorp, onderworpe aan die voorwaardes uiteengesit in die bygaande Bylae.

(13/2/Magalieskruin x59)

BYLAE

STAAT VAN VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR VIKING PONY TRADING 108 (PTY) LTD INGEVOLGE DIE BEPALINGS VAN HOOFSTUK III: DEEL C VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986 (ORDONNANSIE NO. 15 VAN 1986), OM TOESTEMMING OM 'N DORP OP GEDEELTE 435 ('N GEDEELTE VAN GEDEELTE 5) VAN DIE PLAAS HARTEBEESTFONTEIN 324JR, GAUTENG, TE STIG, TOEGESTAAN IS.

1. STIGTINGSVOORWAARDES**1.1 NAAM**

Die naam van die dorp is Magalieskruin Uitbreiding 59.

1.2 ONTWERP

Die dorp bestaan uit erwe en strate soos aangedui op Algemene Plan LG No. 5272/2005.

1.3 BESKIKKING OOR BESTAANDE TITELVOORWAARDES

Alle erwe moet onderworpe gemaak word aan bestaande voorwaardes en servitute, as daar is, met inbegrip van die voorbehoud van die regte op minerale, maar uitgesonderd –

1.3.4 die servituut oor die Restant van Hoewe 81 geregistreer in terme van SG nommer 11387/995 wat slegs Mezereon Place in die dorp raak.

1.3.5 die servituut oor die Restant van Hoewe 81 geregistreer in terms van SG nommer 629/2001 wat slegs Mezereon Place in die dorp raak.

1.3.6 The servitude, as more fully appear in Condition B in Deed of Transfer T24580/2004, which does not affect the township:

“GEDEELTE 10 van die plaas HARTEBEESTFONTEIN No 324, Registrasie Afdeling JR en die resterende gedeelte van Gedeelte E van die gemelde plaas (waarvan die hoewe hieronder getranspoteer 'n deel uitmaak) groot as sodanig 426,1381 hektaar is wederkerig onderworpe aan en geregtig tot die reg van weë 12,59 meter wyd soos aangetoon op Kaart SG No A.2596/42 geheg aan Akte van Transport T24553/1942 gedateer die 7 de dag van Desember 1942.”

1.4 TOEGANG

Geen ingang van Provinsiale Pad K14 (Zambezi-rylaan) tot die dorp en geen uitgang tot Provinsiale Pad K14 (Zambezi-rylaan) uit die dorp word toegelaat nie.

1.5 ONTVANGS VAN EN WEGDOEN MET STORMWATER

Die dorpseienaar moet die stormwaterdreinerings van die dorp so reël dat dit inpas by die van die Pad K14 (Zambezi-rylaan) en hy moet die stormwater wat van die pad afloop of afgelei word, ontvang en daarmee wegdoen.

1.6 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.

1.7 OPRIGTING VAN HEINING OF ANDER FISIESE VERSPERRING

Die dorpsenaar moet op eie koste 'n heining of ander fisiese versperring oprig tot tevredeheid van die Hoof van die Departement: Gauteng Provinsiale Regering: Departement van Openbare Vervoer, Paaie en Werke, soos en wanneer deur hom verlang om dit te doen en die dorpsenaar moet sodanige heining of fisiese versperring in 'n goeie toestand hou tot tyd en wyl die erwe in die dorp aan die daaropvolgende grondeienaars oorgedra word, waarna die verantwoordelikheid vir die instandhouding van sodanige heining of fisiese versperring by hulle berus.

1.8 DEPARTEMENT VAN OPENBARE VERVOER, PAAIE EN WERKE: AKOESTIEK-AFSKERMINGSMAATREËLS

Die aansoeker sal verantwoordelik wees vir enige koste betrokke by die oprigting van akoestiekskerms langs Pad K14 (Zambezi-rylaan).

1.9 KONSOLIDASIE VAN ERWE

Die dorpsenaar moet op eie koste Erwe 891 en 892 in die dorp laat konsolideer. Die Stad Tshwane Metropolitaanse Munisipaliteit verleen hiermee ingevolge Artikel 92(2)(a) van Ordonnansie 15 van 1986, toestemming tot die konsolidasie.

1.10 SLOPING VAN GEBOUE EN STRUKTURE

Die dorpsenaar 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.

1.11 VERWYDERING VAN ROMMEL

Die dorpsenaar 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.

1.12 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 dorpsenaar gedra word.

1.13 VERSKUIWING EN/OF VERWYDERING VAN TELKOM DIENSTE

Indien dit as gevolg van die stigting van die dorp nodig word om enige bestaande dienste van TELKOM te verskuif en/of te verwyder, moet die koste daarvan deur die dorpsenaar gedra word.

1.14 VOLDOENING AAN VOORWAARDES OPGELÊ DEUR DIE GAUTENGSE DEPARTEMENT VAN LANDBOU, BEWARING EN DIE OMGEWING (DLBO)

Die dorpsenaar sal op sy eie koste voldoen aan al die voorwaardes wat opgelê is deur Departement van Landbou, Bewaring en die Omgewing 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 VOORWAARDES SOOS AANGEDUI, OPGELÊ DEUR DIE STAD TSHWANE METROPOLITAANSE MUNISIPALITEIT INGEVOLGE DIE BEPALINGS VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986 (ORDONNANSIE 15 VAN 1986):

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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 goeëdunke 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 892

Die erf is onderworpe aan 'n 7,5 meter breë serwituut vir paddoeleindes ten gunste van die Stad Tshwane Metropolitaanse Munisipaliteit, soos op plan SG No 5272/2005 aangedui. By die indiening van 'n serwituutkaart deur die Stad Tshwane Metropolitaanse Munisipaliteit aan die Registrateur van Aktes waarin vermeld word dat sodanige serwitute nie meer benodig word nie, verval die voorwaardes.
