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GAUTENG*

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LOCAL AUTHORITY NOTICE

LOCAL AUTHORITY NOTICE 2904

CITY OF TSHWANE METROPOLITAN MUNICIPALITY

PRETORIA AMENDMENT SCHEME 9681P

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 Annlin 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 Executive Director: Legal Services, and are open to inspection during normal office hours.

This amendment is known as Pretoria Amendment Scheme 9681P.

(13/2/Annlin x59 (9681P))
 ___ November 2007

Executive Director: Legal Services
 (Notice No 1181/2007)

PLAASLIKE BESTUURSKENNISGEWING 2904

STAD TSHWANE METROPOLITAANSE MUNISIPALITEIT

PRETORIA WYSIGINGSKEMA 9681P

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

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

Hierdie wysiging staan bekend as Pretoria-wysigingskema 9681P.

(13/2/Annlin x59 (9681P))
 ___ November 2007

Uitvoerende Direkteur: Regsdienste
 (Kennisgewing No 1181/2007)

CITY OF TSHWANE METROPOLITAN MUNICIPALITY

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

(13/2/Annlin x59 (9681P))

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY AUTUMN STAR TRADING 910 (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 354 (A PORTION OF PORTION 37) OF THE FARM WONDERBOOM 302JR, PROVINCE OF GAUTENG, HAS BEEN GRANTED.

1. CONDITIONS OF ESTABLISHMENT

1.1 NAME

The name of the township shall be Annlin Extension 59.

1.2 DESIGN

The township shall consist of erven and streets as indicated on General Plan SG No 10577/2005.

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 servitudes which does not affect the township;

1. "VOORMELD gedeelte "a", gedeelte "b", groot 58,2656 hektaar en die resterende gedeelte groot as sulks 228,5270 hektaar, van voormeld gedeelte 2, van gedeelte plaas, gehou respektiewelik onder Sertifikate van Verdelingstitel Nos 2568/1925, 2567/1925 en 2569/1925, gedateer 16 Maart 1925, is onderling geregtig tot en onderworpe aan 'n gesamentlike wa weg wat loop oor die drie gedeeltes vanaf die brug in die Apies Rivier op die resterend gedeelte tot aan die suidelike grens van Gedeelte "a".
2. "A servitude of wayleaver for transmitting electricity, 31 (THIRTY ONE) metres wide, the middle line which is reflected by the line AB on Diagram SG No A7646/72 in favour of the City Council of Pretoria as will more fully appear from Notarial Deed K3106/1974 S."
3. "A stormwater pipeline 4 (FOUR) metres wide in favour of the City Council of Pretoria along the ABCDEF as depicted on Diagram 6078/1977 as will more fully appear from Notarial Deed K338/1982S"
4. "An electricity pipeline servitude 59,66 (Fifty Nine comma Six Six) metres wide, the centre line of which is indicated by the letters d e on Diagram SG No A 8064/1985 in favour of the City Council of Pretoria and as will more fully appear from Notarial Deed K2445/1987 S."
5. "A servitude in perpetuity for stormwater in extent 472 (four hundred and seventy two) square metres as indicated by the figure A B C D E F A on Diagram SG No A 10015/1986 in favour of the City Council of Pretoria with ancillary rights as will more fully appear from Notarial Deed K3812/1992 S."
6. 'n Serwituutgebied, groot 1,7895 hektaar oor Gedeelte 37 van die plaas Wonderboom No 302 JR soos aangetoon deur die figuur ABCDEFGHJKA op Diagram LG No 8792/1992 en soos meer volledig sal blyk uit Notariële Akte van Serwituut K1729/1997/S."

1.3.2 the following servitudes which affects Erven 1854 and 1855 in the township;

1. "A water pipeline 4 (FOUR) metres wide in favour of the City Council of Pretoria along the line ABC and DE and FG and HJK and LM and SU as depicted on Diagram SG 5109/1980 as will more fully appear from Notarial Deed K 337/1982 S."

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 **R88 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 ACCESS

No ingress from Provincial Road K8 to the township and no egress to Provincial Road K8 from the township 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 K8 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 this responsibility is taken over by the City of Tshwane Metropolitan Municipality: Provided that the responsibility of the township owner for the maintenance thereof shall cease when the City of Tshwane Metropolitan Municipality takes over the responsibility for the maintenance of the streets in the township.

1.9 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.

1.10 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.

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 ERVEN 1854 AND 1855

The erven shall be subject to a servitude for a waterpipeline and municipal services, in favour of the municipality, as indicated on plan SG No 10577/2005.

STAD TSHWANE METROPOLITAANSE MUNISIPALITEIT

VERKLARING VAN ANNLIN 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 Annlin Uitbreiding 59 tot 'n goedgekeurde dorp, onderworpe aan die voorwaardes uiteengesit in die bygaande Bylae.

(13/2/Annlin x59 (9681P))

BYLAE

STAAT VAN VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR AUTUMN STAR TRADING 910 (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 354 ('N GEDEELTE VAN GEDEELTE 37) VAN DIE PLAAS WONDERBOOM 302JR, GAUTENG, TE STIG, TOEGESTAAN IS.

1. STIGTINGSVOORWAARDES

1.1 NAAM

Die naam van die dorp is Annlin Uitbreiding 59.

1.2 ONTWERP

Die dorp bestaan uit erwe en strate soos aangedui op Algemene Plan LG No 10577/2005.

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 –

1.3.1 die volgende servitute wat nie die dorp raak nie:

1. "VOORMELD gedeelte "a", gedeelte "b", groot 58,2656 hektaar en die resterende gedeelte groot as sulks 228,5270 hektaar, van voormeld gedeelte 2, van gedeelte plaas, gehou respektiewelik onder Sertifikate van Verdelingstitel Nos 2568/1925, 2567/1925 en 2569/1925, gedateer 16 Maart 1925, is onderling geregtig tot en onderworpe aan 'n gesamentlike wa weg wat loop oor die drie gedeeltes vanaf die brug in die Apies Rivier op die resterend gedeelte tot aan die suidelike grens van Gedeelte "a".
2. "A servitude of wayleaver for transmitting electricity, 31 (THIRTY ONE) metres wide, the middle line which is reflected by the line AB on Diagram SG No A7646/72 in favour of the City Council of Pretoria as will more fully appear from Notarial Deed K3106/1974 S)."

3. "A stormwater pipeline 4(FOUR) metres wide in favour of the City Council of Pretoria along the ABCDEF as depicted on Diagram 6078/1977 as will more fully appear from Notarial Deed K338/1982S"
4. "An electricity pipeline servitude 59,66 (Fifty Nine comma Six Six) metres wide, the centre line of which is indicated by the letters d e on Diagram SG No A 8064/1985 in favour of the City Council of Pretoria and as will more fully appear from Notarial Deed K2445/1987 S."
5. "A servitude in perpetuity for stormwater in extent 472 (four hundred and seventy two) square metres as indicated by the figure A B C D E F A on Diagram SG No A 10015/1986 in favour of the City Council of Pretoria with ancillary rights as will more fully appear from Notarial Deed K3812/1992 S."
6. "n Sewituutgebied, groot 1,7895 hektaar, oor Gedeelte 37 van die plaas Wonderboom No 302-JR soos aangetoon deur die figuur ABCDEFGHJKA op Diagram LG No 8792/1996 en soos meer volledig sal blyk uit Notariële Akte van Sewituut K 1729/1997 S."

1.3.2 die volgende serwituut wat Erwe 1854 en 1855 in die dorp raak;

1. "A water pipeline 4 (FOUR) metres wide in favour of the City Council of Pretoria along the line ABC and DE and FG and HJK and LM and SU as depicted on Diagram SG 5109/1980 as will more fully appear from Notarial Deed K 337/1982 S."

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 **R88 000,00** betaal, welke bedrag deur die Stad Tshwane Metropolitaanse Munisipaliteit aangewend moet word vir die verkryging van grond vir park- en/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 TOEGANG

Geen ingang van Provinsiale Pad K8 tot die dorp en geen uitgang tot Provinsiale Pad K8 uit die dorp word toegelaat nie.

1.6 ONTVANGS VAN EN WEGDOEN MET STORMWATER

Die dorpseienaar moet die stormwaterdreinerings van die dorp so reël dat dit inpas by die van die Pad K8 en hy moet die stormwater wat van die pad afloop of afgelei word, ontvang en daarmee wegdoen.

1.7 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.

1.8 OPRIGTING VAN HEININGS OF ANDER FISIESE VERSPERRINGS

Die dorpseienaar moet op eie koste 'n heining of ander fisiese versperring oprig tot tevredeheid van die Direkteur, Transvaalse Paaiedepartement, soos en wanneer deur hom verlang om dit te doen, en die dorpseienaar moet sodanige heining of fisiese versperring in 'n goeie toestand hou tot tyd en wyl hierdie verantwoordelikheid deur die Stadsraad van Pretoria oorgeneem word: Met dien verstande dat die dorpseienaar se verantwoordelikheid vir die instandhouding daarvan verval sodra die Stadsraad van Pretoria die verantwoordelikheid vir die instandhouding van die strate in die dorp oorneem.

1.9 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.

1.10 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.

1.11 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.

1.12 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 dorpseienaar gedra word.

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):

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 dunnke 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 ERWE 1854 EN 1855

Die erwe is onderworpe aan 'n serwituut vir 'n waterpyplyn en munisipale dienste ten gunste van die munisipaliteit soos aangedui word op plan SG No 10577/2005.
