

*THE PROVINCE OF  
GAUTENG*

*DIE PROVINSIE  
GAUTENG*

**Provincial Gazette Extraordinary  
Buitengewone Provinsiale Koerant**

**Vol. 15**

**PRETORIA, 28 AUGUST  
AUGUSTUS 2009**

**No. 199**

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**LOCAL AUTHORITY NOTICE**

**LOCAL AUTHORITY NOTICE 1412**

**CITY OF TSHWANE**

**PRETORIA AMENDMENT SCHEME 9812P**

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 has approved an amendment scheme with regard to the land in the township of Willow Park Manor Extension 65, 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 9812P.

(13/2/Willow Park Manor x65 (9812P))  
 \_\_ September 2009

**Executive Director: Legal Services**  
 (Notice No 281/2009)

**PLAASLIKE BESTUURSKENNISGEWING 1412**

**STAD TSHWANE**

**PRETORIA WYSIGINGSKEMA 9812P**

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 'n wysigingskema met betrekking tot die grond in die dorp Willow Park Manor Uitbreiding 65, 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 9812P.

(13/2/Willow Park Manor x65 (9812P))  
 \_\_ September 2009

**Uitvoerende Direkteur: Regsdienste**  
 (Kennisgewing No 281/2009)

**CITY OF TSHWANE**

**DECLARATION OF WILLOW PARK MANOR EXTENSION 65 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 hereby declares the township of Willow Park Manor Extension 65 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(13/2/Willow Park Manor x65 (9812P))

**SCHEDULE**

CONDITIONS UNDER WHICH THE APPLICATION MADE BY UNIQON WONINGS (PROPRIETARY) LIMITED 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 645 (A PORTION OF PORTION 4) 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 Willow Park Manor Extension 65.

**1.2 DESIGN**

The township shall consist of erven and streets as indicated on General Plan SG No 6154/2008.

**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 which does not affect the township or erven in the township:

- B. Subject to a servitude of way-leave for conveyance of electric energy by means of overhead transmission lines and underground cables in favour of the City Council of Pretoria by virtue of Notarial Deed No 1432/1960-S registered on 9<sup>th</sup> December, 1960, as will more fully appear from the said Notarial Deed and diagram annexed thereto.

**1.4 ACCESS**

1.4.1 No ingress from National Route N4 to the township and no egress to National Route N4 from the township shall be allowed; Provided that with the consent of the South African National Road Agency Limited, ingress from and egress to Rooiberg Street within the township may be permitted to ensure access to Portion 165 of the farm The Willows 340 JR.

1.4.2 No ingress from Provincial Road K69 to the township and no egress to Provincial Road K69 from the township shall be allowed.

1.4.3 With exclusion of approved township access and unless the consent in writing of the South African National Roads Agency Limited has been obtained, no ingress from Road P154-1 (K22/R104) to the township and no egress to Road P154-1 (K22/R104) shall be allowed.

1.4.3.1 Ingress from Road P154-1 (K22/R104) to the township and egress to Road P154-1 (K22/R104) from the township shall be restricted to the intersection of Mokwa Street with such road.

1.4.3.2 The township owner shall at his own expense arrange for a geometric lay-out design (scale 1:500) of the ingress and egress points referred to in 1.4.3.1 above and specifications for the construction of the junctions to be compiled and shall submit it to the South African National Roads Agency Limited for approval. After the design and specifications have been approved, the township owner shall construct the entrances at his own expense to the satisfaction of the South African National Roads Agency Limited.

**1.5 RECEIVING AND DISPOSAL OF STORM-WATER**

The township owner shall arrange the storm-water drainage of the township in such a way as to fit in with that of the N4, K69 and P154-1 (K22/R104) and he shall receive and dispose of the storm-water running off or being diverted from these roads.

**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**

1.7.1 The township owner shall at his own expense erect a brick wall or security fence (at least 2.0 m high) on property boundaries bordering on the N4, K69 and Road P154-1 (K22/R104), approved township access excluded, to the satisfaction of the South African National Roads Agency Limited, as and when required by him to do so, and the township owner shall maintain such brick wall or security fence 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 brick wall or security fence rests with the latter.

1.7.2 The township owner shall at his own expense erect a brick wall of at least 2.5 m high, along the western boundary of the township, approved township access excluded, to the satisfaction of the City of Tshwane, and the township owner shall maintain such wall 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 wall rests with the latter.

1.8 DEMOLITION OF BUILDINGS AND STRUCTURES

When required by the City of Tshwane to do so, the township owner shall at his own expense cause to be demolished to the satisfaction of the 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 cause all litter within the township area to be removed to the satisfaction of the City of Tshwane, when required to do so by the 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 establishment of the township, the cost thereof shall be borne by the township owner.

1.12 COMPLIANCE WITH CONDITIONS IMPOSED BY GDACE

The township owner shall at his own expense comply with all the conditions imposed, by which the Gauteng Department of Agriculture, Conservation and Environment (GDACE) 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) or the National Environmental Management Act, 1998 (Act 107 of 1998) and Regulations thereto, as the case may be, for the development of this township.

1.13 LAND TO BE TRANSFERRED TO THE SECTION 21 COMPANY

The following erven shall be transferred to the Section 21 Company within a period of 6 months after proclamation of the township or when the first erven in the township become transferable, whichever the sooner, by and at the expense of the township owner:

- Erven 563 and 564 (Access, access control and essential engineering services)
- Erven 569 and 570 (Street and access purposes)
- Erf 562 (Existing cemetery)
- Erf 565 (Private open space)
- Erven 566, 567 and 568 (Private open space, Stormwater runoff control and management)

1.14 THE DEVELOPER'S OBLIGATIONS

1.14.1 ASSOCIATION AND STATUTES

The developer must register a Section 21 Company in terms of the provisions of the Companies Act, 1973 (Act 61 of 1973). All the owners of erven 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.

The Section 21 Company Deed of Association and Statutes must clearly state that the main objective of the said Company is the maintenance of the internal engineering services of the development. 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.

#### 1.14.2 PROVISION OF ENGINEERING DRAWINGS

The developer must submit to the City of Tshwane 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 systems as well as water and electricity services, prior to the commencement of the construction of the said services.

#### 1.14.3 PROVISION OF A CERTIFICATE BY A PROFESSIONAL ENGINEER

Before any erf is transferred, the City of Tshwane must be provided with a certificate by a Professional Engineer for water, sewerage, electricity, and the internal road and storm water systems, 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 may at its own discretion allow an exception in respect of the internal road and storm water systems. If this is the case, the developer must give the City of Tshwane an undertaking that the developer will complete this service on or before a certain date and must provide the City of Tshwane 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 divisions of the Service Delivery Department.

#### 1.14.4 MAINTENANCE PERIOD AND GUARANTEE

A maintenance period of 12 (twelve) months shall commence when the last of the internal engineering services (i.e. water, sewerage, electricity, and the road and storm water systems) 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.

#### 1.15 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 dealt with otherwise until the City of Tshwane certifies that the developer has complied with the provisions of condition 1.14 above.

#### 1.16 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 K69 (Hans Strijdom Drive) and P154-1 (K22/R104) (Bronkhorstspuit Road), if and when required.

#### 1.17 COMPLIANCE WITH CONDITIONS IMPOSED BY THE DEPARTMENT OF PUBLIC TRANSPORT, ROADS AND WORKS

The township owner shall at his own expense comply with conditions imposed, if any, by which the Gauteng Department of Public Transport, Roads and Works has granted consent for the development.

#### 1.18 COMPLIANCE WITH CONDITIONS IMPOSED BY THE SOUTH AFRICAN NATIONAL ROADS AGENCY LIMITED

The township owner shall at his own expense comply with conditions imposed by which the South African National Road Agency Limited has granted consent for the development.

1.19 OBLIGATIONS WITH REGARD TO THE CONSTRUCTION AND AESTHETICAL TREATMENT OF STREETS

The aesthetical treatment of streets and pedestrian areas shall be in accordance with an Aesthetical and Pedestrian Master Development Plan to the satisfaction of the City of Tshwane.

2. CONDITIONS OF TITLE

2.1 THE ERVEN MENTIONED BELOW SHALL BE SUBJECT TO THE CONDITION 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 EXCEPTION OF ERVEN 563 AND 564 (ACCESS, ACCESS CONTROL AND ESSENTIAL ENGINEERING SERVICES), ERF 562 (CEMETERY), ERF 565 (PRIVATE OPEN SPACE), ERVEN 566, 567 AND 568 (PRIVATE OPEN SPACE, STORMWATER RUNOFF CONTROL AND MANAGEMENT) AND ERVEN 569 TO 570 (STREETS)

2.1.1.1 The erf shall be subject to a servitude, 2 m wide, for municipal services (water, sewer, electricity and stormwater) (hereinafter referred to as 'the services'), in favour of the Section 21 Company, along any two boundaries, except in respect of a street boundary: 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 m from it.

2.1.1.3 The said Section 21 Company shall be entitled to temporarily deposit on the land adjoining the aforesaid servitude, any material it excavates during laying, maintenance or removal of such services and other works which in its discretion it regards necessary, and furthermore the said Section 21 Company shall be entitled to reasonable access to the said property for the aforesaid purpose, subject to the provision that the said Section 21 Company shall make good any damage caused during laying, maintenance or removal of such services and other works.

2.1.2 ERVEN 563 AND 564

2.1.2.1 The erven represent a servitude of right of way and access in favour of Erven 438 to 562 and Erven 565 to 570.

2.1.2.2 The erven represent a servitude area for essential engineering services in favour of the Section 21 Company and/or in favour of City of Tshwane.

2.1.3 ERVEN 438 TO 562 AND ERVEN 565 TO 570

The erven are entitled to a servitude of right of way and access over Erven 563 and 564.

2.1.4 ERVEN 569 AND 570

2.1.4.1 The erven represent a servitude of right of way in favour of Erven 438 to 568.

2.1.4.2 The erven represent a servitude area for essential engineering services in favour of the Section 21 Company and/or in favour of City of Tshwane.

2.1.5 ERVEN 438 TO 568

The erven are entitled to a servitude of right of way over Erven 569 and 570.

**2.1.6 ERVEN 485 AND 510 AND ERVEN 422, 518 AND 526**

The erven are subject to a servitude for stormwater runoff control and management, 5 metres wide, as indicated on the General Plan, in favour of the Section 21 Company and/or in favour of City of Tshwane.

**2.1.7 ERF 509**

2.1.7.1 The erf is subject to a servitude for stormwater runoff control and management, 5 metres wide, as indicated on the General Plan, in favour of the Section 21 Company and/or in favour of City of Tshwane.

2.1.7.2 The erf is subject to a sewer and electrical servitude, 4 metres wide, as indicated on the General Plan, in favour of the Section 21 Company and/or in favour of City of Tshwane.

**2.1.8 ERF 441**

2.1.8.1 The erf is subject to a servitude for stormwater runoff control and management, 5 metres wide, as indicated on the General Plan, in favour of the Section 21 Company and/or in favour of City of Tshwane.

2.1.8.2 The erf is subject to a sewer servitude, 2 metres wide, as indicated on the General Plan, in favour of the Section 21 Company.

**2.1.9 ERF 521**

The erf is subject to a sewer and stormwater servitude, 5 metres wide, as indicated on the General Plan, in favour of the Section 21 Company and/or in favour of City of Tshwane.

**2.1.10 ERF 522**

2.1.10.1 The erf is subject to a sewer and stormwater servitude, 5 metres wide, as indicated on the General Plan, in favour of the Section 21 Company and/or in favour of City of Tshwane.

2.1.10.2 The erf is subject to a sewer and stormwater servitude, 4 metres wide, as indicated on the General Plan, in favour of the Section 21 Company.

**2.1.11 ERVEN 445, 446 AND 447**

The erven are subject to a sewer and stormwater servitude, 5 metres wide, as indicated on the General Plan, in favour of the Section 21 Company and/or in favour of City of Tshwane.

**2.1.12 ERF 448**

2.1.12.1 The erf is subject to a sewer and stormwater servitude, 5 metres wide, as indicated on the General Plan, in favour of the Section 21 Company and/or in favour of City of Tshwane.

2.1.12.2 The erf is subject to a sewer servitude, 2 metres wide, as indicated on the General Plan, in favour of the Section 21 Company.

**2.1.13 ERF 449**

The erf is subject to a sewer and stormwater servitude, 5 metres wide, as indicated on the General Plan, in favour of the Section 21 Company and/or in favour of City of Tshwane.



2.1.14 ERF 454

2.1.14.1 The erf is subject to a stormwater servitude, 3 metres wide, as indicated on the General Plan, in favour of the Section 21 Company.

2.1.14.2 The erf is subject to a sewer servitude, 2 metres wide, as indicated on the General Plan, in favour of the Section 21 Company.

2.1.15 ERF 450

The erf is subject to a sewer and stormwater servitude, 4 metres wide, as indicated on the General Plan, in favour of the Section 21 Company.

2.1.16 ERVEN 451, 452 AND 453

The erven are subject to a sewer servitude, 2 metres wide, as indicated on the General Plan, in favour of the Section 21 Company.

2.1.17 ERVEN 502 TO 506

2.1.17.1 The erven are subject to a sewer servitude, 2 metres wide, as indicated on the General Plan, in favour of the Section 21 Company.

2.1.17.2 The erven are subject to a stormwater servitude, 2 metres wide, as indicated on the General Plan, in favour of the Section 21 Company.

2.1.18 ERF 500

2.1.18.1 The erf is subject to a sewer servitude, 2 metres wide, as indicated on the General Plan, in favour of the Section 21 Company.

2.1.18.2 The erf is subject to a stormwater servitude, 2 metres wide, as indicated on the General Plan, in favour of the Section 21 Company.

2.1.19 ERF 501

The erf is subject to a sewer servitude, 2 metres wide as indicated on the General Plan in favour of the Section 21 Company.

2.1.20 ERVEN 480, 482, 484, 555 AND 558

The erven are subject to a sewer servitude, 2 metres wide, as indicated on the General Plan, in favour of the Section 21 Company.

2.1.21 ERF 479

2.1.21.1 The erf is subject to a sewer and electrical servitude, 4 metres wide, as indicated on the General Plan, in favour of the Section 21 Company and/or in favour of the City of Tshwane.

2.1.21.2 The erf is subject to a stormwater servitude, 2 metres wide, as indicated on the General Plan, in favour of the Section 21 Company.

2.1.22 ERVEN 554 AND 561

The erven are subject to a stormwater servitude, 2 metres wide, as indicated on the General Plan, in favour of the Section 21 Company.

2.1.23 ERVEN 475 AND 483

The erven are subject to a sewer and stormwater servitude, 4 metres wide, as indicated on the General Plan, in favour of the Section 21 Company.

2.1.24 ERF 549

The erf is subject to a stormwater servitude, 2 metres wide, as indicated on the General Plan, in favour of the Section 21 Company.

**2.1.25 ERVEN 543, 551, 552 AND 553**

The erven are subject to a sewer and stormwater servitude, 5 metres wide, as indicated on the General Plan, in favour of the Section 21 Company.

**2.1.26 ERVEN 547 AND 548**

The erven are subject to a sewer servitude, 2 metres wide, as indicated on the General Plan, in favour of the Section 21 Company.

**2.1.27 ERF 546**

The erf is subject to a sewer and stormwater servitude, 4 metres wide, as indicated on the General Plan, in favour of the Section 21 Company.

**2.1.28 ERF 542**

2.1.28.1 The erf is subject to a sewer servitude, 2 metres wide, as indicated on the General Plan, in favour of the Section 21 Company.

2.1.28.2 The erf is subject to a sewer and stormwater servitude, 4 metres wide, as indicated on the General Plan, in favour of the Section 21 Company.

**2.1.29 ERVEN 535 AND 537 TO 540**

The erven are subject to a sewer and stormwater servitude, 4 metres wide, as indicated on the General Plan, in favour of the Section 21 Company.

**2.1.30 ERF 533**

The erf is subject to a sewer and stormwater servitude, 5 metres wide, as indicated on the General Plan, in favour of the Section 21 Company.

**2.1.31 ERF 534**

The erf is subject to a sewer servitude, 2 metres wide, as indicated on the General Plan, in favour of the Section 21 Company.

**2.1.32 ERVEN 527, 528 AND 541**

The erven are subject to a sewer servitude, 2 metres wide, as indicated on the General Plan, in favour of the Section 21 Company.

**2.1.33 ERVEN 455 TO 472 AND 568**

The erven are subject to a sewer servitude, 3 metres wide, as indicated on the General Plan, in favour of the City of Tshwane.

**2.1.34 ERF 565**

The erf is subject to a sewer and stormwater servitude, 5 metres wide, as indicated on the General Plan, in favour of the Section 21 Company and/or in favour of City of Tshwane.

**2.1.35 ERVEN 566, 567 AND 568**

The whole of Erven 566, 567 and 568 represent a servitude for stormwater runoff control and management in favour of City of Tshwane.

**2.2 ERVEN 438 TO 561**

Upon transfer, the owner of each erf must automatically become a member of the Section 21 Company and remain a member until he or she ceases to be the registered owner of that erf, which condition must be included in the title deed of the portion.

2.3 CONDITIONS IMPOSED BY THE SOUTH AFRICAN NATIONAL ROADS AGENCY LIMITED IN TERMS OF THE NATIONAL ROADS ACT 54 OF 1971, AS AMENDED

The erven mentioned below shall be subject to conditions of title as indicated as imposed by the South African National Roads Agency Limited:

Erven 445 to 449, 454, 455, 464 to 472, 521, 522, 565, 566 and 568.

- 2.3.1 No structure or other thing (including anything which is attached to the land on which it stands even though it does not form part of that land) shall be erected, laid or established on the land without the written approval of SANRAL within a distance of 20 metres measured from the N4 as well as from Road P154-1 (K22/R104) road reserve boundary.
- 2.3.2 SANRAL will not be held liable for any damage or diminishment in value of the property arising out of any impact the development hereby approved may have on existing storm water drainage on the property. SANRAL hereby reserves its right to impose any conditions in this regard that it deems reasonable in the circumstances.
- 2.3.3 SANRAL will not be held liable should it be found at any future time that noise emanating from the road presents a problem for the development adjacent to the road and therefore either the developer, land owner or Local Authority will be liable for taking such steps as may be necessary to reduce the noise complained of.