

***THE PROVINCE OF
GAUTENG***

***DIE PROVINSIE
GAUTENG***

**Provincial Gazette Extraordinary
Buitengewone Provinsiale Koerant**

Vol. 15

**PRETORIA, 15 DECEMBER 2009
DECEMBER**

No. 279

IMPORTANT NOTICE

The Government Printing Works will not be held responsible for faxed documents not received due to errors on the fax machine or faxes received which are unclear or incomplete. Please be advised that an "OK" slip, received from a fax machine, will not be accepted as proof that documents were received by the GPW for printing. If documents are faxed to the GPW it will be the sender's responsibility to phone and confirm that the documents were received in good order.

Furthermore the Government Printing Works will also not be held responsible for cancellations and amendments which have not been done on original documents received from clients.

CONTENTS • INHOUD

Page *Gazette*
No. *No.*

No.

LOCAL AUTHORITY NOTICES

2008	Town-planning and Townships Ordinance (15/1986): City of Tshwane: Pretoria Amendment Scheme 9777P	3	279
2009	do.: do.: Pretoria Amendment Scheme 9777P	9	279

LOCAL AUTHORITY NOTICES

LOCAL AUTHORITY NOTICE 2008

CITY OF TSHWANE

PRETORIA AMENDMENT SCHEME 9778P

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 Pretoriuspark Extension 23, 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 9778P.

(13/2/Pretoriuspark x23 (9778P))
 ___ December 2009

Executive Director: Legal Services
 (Notice No 686/2009)

PLAASLIKE BESTUURSKENNISGEWING 2008

STAD TSHWANE

PRETORIA WYSIGINGSKEMA 9778P

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 Pretoriuspark Uitbreiding 23, 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 9778P.

(13/2/Pretoriuspark x23 (9778P))
 ___ Desember 2009

Uitvoerende Direkteur: Regsdienste
 (Kennisgewing No 686/2009)

=====

CITY OF TSHWANE

DECLARATION OF PRETORIUSPARK EXTENSION 23 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 Pretoriuspark Extension 23 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(13/2/Pretoriuspark x23)

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY ATTFUND 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 THE REMAINING EXTENT OF PORTION 611 OF THE FARM GARSTFONTEIN 374JR, PROVINCE OF GAUTENG, HAS BEEN GRANTED.

1. CONDITIONS OF ESTABLISHMENT

1.1 NAME

The name of the township shall be Pretoriuspark Extension 23.

1.2 DESIGN

The township shall consist of erven and streets as indicated on General Plan SG No 14043/2007.

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 shall not be passed on to the erven in township, viz;

"B 4. Die Resterende Gedeelte 130 van gesegde plaas GARSFONTEIN Nr 374, geleë in die Registrasie afdeling JR distrik Pretoria, groot as sulks 83,6073 hektaar, gehou onder Sertifikaat van Verenigde Titel Nr 20901/1946, gedateer die 13de dag van Julie 1946, waarvan die eiendom hieronder getransporeer 'n gedeelte uitmaak is kragtens 'n bevel van die Waterhof gedateer die 4de Maart 1947 en Ooreenkoms gedateer 17 Maart 1947, geregtig op sekere waterregte meer volledig uiteengesit in geselde Ooreenkoms geregistreer onder Nr 242/1947 S op die 16de April 1947." and

1.3.2 the following condition, which affect a part of Philadelphia Road only, and which shall thus not affect the erven in township, viz:

"6. and further subject to the following condition –

By virtue of Notarial Deed of amendment K1500/2006S and Notarial Deed of Servitude and Cancellation of Servitude and Cancellation of Servitude K7110/2004S dated 10th September 2004, the within-mentioned property is subject to a servitude of right of way over the property in favour of the General Public 1,0098 hectares in extent as shown by the figure AcdefghiHA on diagram SG No 2753/2005 annexed to Deed of Transfer T24024/2006."

1.4 ACCESS

No ingress from Provincial Road K50 (Garstfontein Road) to the township and no egress to Provincial Road K50 (Garstfontein Road) 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 K50 (Garstfontein Road) and he shall receive and dispose of the stormwater running off or being diverted from the road.

1.6 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.

1.7 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 K50 (Garstfontein Road)."

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

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

1.9 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.

1.10 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 City of Tshwane 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, when required to do so by the City of Tshwane.

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 WITH CONDITIONS IMPOSED BY GDACE

The township owner shall at his own expense comply with all the conditions imposed, by the Gauteng Department of Agriculture, Conservation and Environment, 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.

1.15 CONSOLIDATION OF ERVEN

The township owner shall at his own expense have Erven 1707 and 1708 in the township consolidated. The City of Tshwane hereby grants its consent to the consolidation in respect of Section 92(1)(b) of Ordinance 15 of 1986.

1.16 CONSOLIDATED ERF (ERVEN 1707 AND 1708)

The township owner shall at his own expense have the consolidated erf (Erven 1707 and 1708) notarially tied with the consolidated erf (Erven 1710 and 1711) in the adjacent township, Pretoriuspark Extension 35.

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 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 erven shall be subject to a servitude, 2m wide, for municipal services (water, sewer, electricity and storm-water) (hereinafter referred to as "the services"), in favour of the City of Tshwane, along any two boundaries, excepting a street boundary and, in the case of a panhandle erf, an additional servitude for municipal purposes, 2 m 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 m from it.

2.1.1.3 The 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 Municipality shall be entitled to reasonable access to the said property for the aforesaid purpose, subject to the provision that the Municipality shall make good any damage caused during the laying, maintenance or removal of such services and other works.

STAD TSHWANE

VERKLARING VAN PRETORIUSPARK UITBREIDING 23 TOT GOEDGEKEURDE DORP

Ingevolge artikel 103 van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie No 15 van 1986), verklaar die Stad Tshwane hierby die dorp Pretoriuspark Uitbreiding 23 tot 'n goedgekeurde dorp, onderworpe aan die voorwaardes uiteengesit in die bygaande Bylae.

(13/2/Pretoriuspark x23 (9778P))

BYLAE

STAAT VAN VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR ATTFUND LIMITED 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 DIE RESTERENDE GEDEELTE VAN GEDEELTE 611 VAN DIE PLAAS GARSTFONTEIN 374JR, GAUTENG, TE STIG, TOEGESTAAN IS

1. STIGTINGSVOORWAARDES

1.1 NAAM

Die naam van die dorp is Pretoriuspark Uitbreiding 23.

1.2 ONTWERP

Die dorp bestaan uit erwe en strate soos aangedui op Algemene Plan LG No 14043/2007.

1.3 BESKIKKING OOR BESTAANDE TITELVOORWAARDES

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

1.3.1 die volgende voorwaarde wat nie aan die erwe in die dorp oorgedra moet word nie:

“B 4. Die Resterende Gedeelte 130 van gesegde plaas GARSTFONTEIN Nr 374, geleë in die Registrasie afdeling JR distrik Pretoria, groot as sulks 83,6073 hektaar, gehou onder Sertifikaat van Verenigde Titel Nr 20901/1946, gedateer die 13de dag van Julie 1946, waarvan die eiendom hieronder getransporeer 'n gedeelte uitmaak is kragtens 'n bevel van die Waterhof gedateer die 4de Maart 1947 en Ooreenkoms gedateer 17 Maart 1947, geregtig op sekere waterregte meer volledig uiteengesit in geselde Ooreenkoms geregistreer onder Nr 242/1947 S op die 16de April 1947.” and

- 1.3.2 die volgende voorwaarde, wat slegs 'n deel van Philadelphaweg raak, en wat dus nie die erwe in die dorp sal raak nie, viz:

"6. and further subject to the following condition –

By virtue of Notarial Deed of amendment K1500/2006S and Notarial Deed of Servitude and Cancellation of Servitude and Cancellation of Servitude K7110/2004S dated 10th September 2004, the within-mentioned property is subject to a servitude of right of way over the property in favour of the General Public 1,0098 hectares in extent as shown by the figure AdefghiHA on diagram SG No 2753/2005 annexed to Deed of Transfer T24024/2006."

1.4 TOEGANG

Geen ingang van Provinsiale Pad K50 (Garstfonteinweg) tot die dorp en geen uitgang tot Provinsiale Pad K50 (Garstfonteinweg) 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 K50 (Garstfonteinweg) en hy moet die stormwater wat van die pad afloop of afgelei word, ontvang en daarmee wegdoen.

1.6 OPRIGTING VAN HEINING OF ANDER FISIESE VERSPERRING

Die dorpseienaar 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 dorpseienaar 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.

1.7 DEPARTEMENT VAN OPENBARE VERVOER, PAAIE EN WERKE: AKOESTIESE AFSKERMINGSMAATREËLS

Die aansoeker sal verantwoordelik wees vir enige kostes met betrekking tot die oprigting van akoestiese afskermingsmaatreëls langs Pad K50 (Garstfonteinweg).

1.8 VOLDOENING AAN VOORWAARDES OPGELê DEUR DIE DEPARTEMENT VAN OPENBARE VERVOER, PAAIE EN WERKE

Die dorpseienaar sal op sy eie koste voldoen aan al die voorwaardes wat opgelê is deur Departement van Openbare Vervoer, Paaie en Werke, vir die ontwikkeling van die dorpsgebied.

1.9 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.

1.10 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.

1.11 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.

1.12 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 dorpseienaar 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 dorpseienaar gedra word.

1.14 VOLDOENING AAN VOORWAARDES OPGELÊ DEUR DIE GAUTENG DEPARTEMENT VAN LANDBOU EN OMGEWINGSBEWARING

Die dorpseienaar moet, vir die ontwikkeling van hierdie dorp, op eie koste aan al die voorwaardes voldoen wat deur die Gautengse Departement van Landbou, Bewaring en Omgewing opgelê is, met inbegrip van, indien van toepassing, sodanige voorwaardes waarvoor vrystelling van voldoening aan Regulasie nr 1182 en 1183 verleen is wat ingevolge artikel 21, 22 en 26 van die Wet op Omgewingsbewaring, 1989 (Wet 73 van 1989) afgekondig is, of die Nasionale Wet op Omgewingsbestuur, 1998 (Wet 107 van 1998) en die regulasies daarby, na gelang van die geval, vir die ontwikkeling van die dorpsgebied.

1.15 KONSOLIDASIE VAN ERWE

Die dorpseienaar moet op eie koste Erwe 1707 en 1708 in die dorp laat konsolideer. Die Stad Tshwane verleen hiermee ingevolge Artikel 92(1)(b) van Ordonnansie 15 van 1986, toestemming tot die konsolidasie.

1.16 DIE GEKONSOLIDEERDE ERF (ERWE 1707 EN 1708)

Die dorpseienaar moet op eie koste die gekonsolideerde erf (Erwe 1707 en 1708) notarieël verbind met die gekonsolideerde erf (Erwe 1710 en 1711) in die aangrensende dorp, Pretoriuspark Uitbreiding 35.

2. TITELVOORWAARDES

2.1 DIE ERWE HIERONDER GENOEM, IS ONDERWORPE AAN DIE VOORWAARDES SOOS AANGEDUI, OPGELÊ DEUR DIE STAD TSHWANE 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 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 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 dunde noodsaaklik ag, tydelik te plaas op grond wat aan die voornoemde serwituut grens, en voorts is die Munisipaliteit geregtig op redelike toegang tot genoemde grond vir die voornoemde doel, onderworpe daaraan dat die Munisipaliteit enige skade vergoed wat gedurende die aanleg, onderhoud of verwydering van sodanige dienste en ander werke veroorsaak word.

LOCAL AUTHORITY NOTICE 2009**CITY OF TSHWANE****PRETORIA AMENDMENT SCHEME 9777P**

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 Pretoriuspark Extension 35, 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 9777P.

(13/2/Pretoriuspark x35 (9777P))
__ December 2009

Executive Director: Legal Services
(Notice No 687/2009)

PLAASLIKE BESTUURSKENNISGEWING 2009**STAD TSHWANE****PRETORIA WYSIGINGSKEMA 9777P**

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 Pretoriuspark Uitbreiding 35, 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 9777P.

(13/2/Pretoriuspark x35 (9777P))
__ Desember 2009

Uitvoerende Direkteur: Regsdienste
(Kennisgewing No 687/2009)

CITY OF TSHWANE**DECLARATION OF PRETORIUSPARK EXTENSION 35 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 Pretoriuspark Extension 35 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(13/2/Pretoriuspark x35 (9777P))

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY ATTFUND 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 626 (A PORTION OF PORTION 611) OF THE FARM GARSTFONTEIN 374JR, PROVINCE OF GAUTENG, HAS BEEN GRANTED.

1. CONDITIONS OF ESTABLISHMENT**1.1 NAME**

The name of the township shall be Pretoriuspark Extension 35.

1.2 DESIGN

The township shall consist of erven and streets as indicated on General Plan SG No 14044/2007.

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 shall not be passed on to the erven in township, viz;

"3. Entitled to the free and undisturbed use of the water arising on Portion E of Portion of the farm Garstfontein as held under Certificate of Partition Title No 5329/1926 dated 22nd May 1926. The owners or owner of the said Portion E shall allow the said water furrow from the hour 6pm to the hour 6am each day."

1.4 ACCESS

No ingress from Provincial Road K50 (Garstfontein Road) to the township and no egress to Provincial Road K50 (Garstfontein Road) 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 K50 (Garstfontein Road) and he shall receive and dispose of the stormwater running off or being diverted from the road.

1.6 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.

1.7 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 K50 (Garstfontein Road)."

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

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

1.9 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.

1.10 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 City of Tshwane 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, when required to do so by the City of Tshwane.

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 WITH CONDITIONS IMPOSED BY GDACE

The township owner shall at his own expense comply with all the conditions imposed, by the Gauteng Department of Agriculture, Conservation and Environment, 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.

1.15 CONSOLIDATION OF ERVEN

The township owner shall at his own expense have Erven 1710 and 1711 in the township consolidated. The City of Tshwane hereby grants its consent to the consolidation in respect of Section 92(1)(b) of Ordinance 15 of 1986.

1.16 CONSOLIDATED ERF (ERVEN 1710 AND 1711)

The township owner shall at his own expense have the consolidated erf (Erven 1710 and 1711) notorially tied with the consolidated erf (Erven 1707 and 1708) in the adjacent township, Pretoriuspark Extension 23.

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 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 erven shall be subject to a servitude, 2m wide, for municipal services (water, sewer, electricity and storm-water) (hereinafter referred to as "the services"), in favour of the City of Tshwane, along any two boundaries, excepting a street boundary and, in the case of a panhandle erf, an additional servitude for municipal purposes, 2m 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 m from it.

2.1.1.3 The 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 Municipality shall be entitled to reasonable access to the said property for the aforesaid purpose, subject to the provision that the Municipality shall make good any damage caused during the laying, maintenance or removal of such services and other works.

STAD TSHWANE**VERKLARING VAN PRETORIUSPARK UITBREIDING 35 TOT GOEDGEKEURDE DORP**

Ingevolge artikel 103 van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie No 15 van 1986), verklaar die Stad Tshwane hierby die dorp Pretoriuspark Uitbreiding 35 tot 'n goedgekeurde dorp, onderworpe aan die voorwaardes uiteengesit in die bygaande Bylae.

(13/2/Pretoriuspark x35 (9777P))

BYLAE

STAAT VAN VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR ATTFUND LIMITED 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 626 ('N GEDEELTE VAN GEDEELTE 611) VAN DIE PLAAS GARSTFONTEIN 374JR, GAUTENG, TE STIG, TOEGESTAAN IS

1. STIGTINGSVOORWAARDES**1.1 NAAM**

Die naam van die dorp is Pretoriuspark Uitbreiding 35.

1.2 ONTWERP

Die dorp bestaan uit erwe en strate soos aangedui op Algemene Plan LG No 14044/2007.

1.3 BESKIKKING OOR BESTAANDE TITELVOORWAARDES

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

1.3.1 die volgende voorwaarde wat nie aan die erwe in die dorp oorgedra moet word nie:

“3. Entitled to the free and undisturbed use of the water arising on Portion E of Portion of the farm Garstfontein as held under Certificate of Partition Title No 5329/1926 dated 22nd May 1926. The owners or owner of the said Portion E shall allow the said water furrow from the hour 6pm to the hour 6am each day.”

1.4 TOEGANG

Geen ingang van Provinsiale Pad K50 (Garstfonteinweg) tot die dorp en geen uitgang tot Provinsiale Pad K50 (Garstfonteinweg) 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 K50 (Garstfonteinweg) en hy moet die stormwater wat van die pad afloop of afgelei word, ontvang en daarmee wegdoen.

1.6 OPRIGTING VAN HEINING OF ANDER FISIESE VERSPERRING

Die dorpseienaar 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 dorpseienaar 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.

- 1.7 DEPARTEMENT VAN OPENBARE VERVOER, PAAIE EN WERKE: AKOESTIESE AFSKERMINGSMAATREËLS
- Die aansoeker sal verantwoordelik wees vir enige kostes met betrekking tot die oprigting van akoestiese afskermingsmaatreëls langs Pad K50 (Garstfonteinweg).
- 1.8 VOLDOENING AAN VOORWAARDES OPGELÊ DEUR DIE DEPARTEMENT VAN OPENBARE VERVOER, PAAIE EN WERKE
- Die dorpseienaar sal op sy eie koste voldoen aan al die voorwaardes wat opgelê is deur Departement van Openbare Vervoer, Paaie en Werke, vir die ontwikkeling van die dorpsgebied.
- 1.9 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.
- 1.10 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 tevredenheid van die Stad Tshwane Metropolitaanse Munisipaliteit wanneer die Stad Tshwane Metropolitaanse Munisipaliteit dit vereis.
- 1.11 VERWYDERING VAN ROMMEL
- Die dorpseienaar moet op eie koste alle rommel binne die dorpsgebied laat verwyder tot tevredenheid 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 dorpseienaar 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 dorpseienaar gedra word.
- 1.14 VOLDOENING AAN VOORWAARDES OPGELÊ DEUR DIE GAUTENG DEPARTEMENT VAN LANDBOU EN OMGEWINGSBEWARING
- Die dorpseienaar moet, vir die ontwikkeling van hierdie dorp, op eie koste aan al die voorwaardes voldoen wat deur die Gautengse Departement van Landbou, Bewaring en Omgewing opgelê is, met inbegrip van, indien van toepassing, sodanige voorwaardes waarvoor vrystelling van voldoening aan Regulasie nr 1182 en 1183 verleen is wat ingevolge artikel 21, 22 en 26 van die Wet op Omgewingsbewaring, 1989 (Wet 73 van 1989) afgekondig is, of die Nasionale Wet op Omgewingsbestuur, 1998 (Wet 107 van 1998) en die regulasies daarby, na gelang van die geval, vir die ontwikkeling van die dorpsgebied.
- 1.15 KONSOLIDASIE VAN ERWE
- Die dorpseienaar moet op eie koste Erwe 1710 en 1711 in die dorp laat konsolideer. Die Stad Tshwane verleen hiermee ingevolge Artikel 92(1)(b) van Ordonnansie 15 van 1986, toestemming tot die konsolidasie.
- 1.16 DIE GEKONSOLIDEERDE ERF (ERWE 1710 EN 1711)
- Die dorpseienaar moet op eie koste die gekonsolideerde erf (Erwe 1710 en 1711) notarieël verbind met die gekonsolideerde erf (Erwe 1707 en 1708) in die aangrensende dorp, Pretoriuspark Uitbreiding 23.

2. TITELVOORWAARDES

2.1 DIE ERWE HIERONDER GENOEM, IS ONDERWORPE AAN DIE VOORWAARDES SOOS AANGEDUI, OPGELEË DEUR DIE STAD TSHWANE 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 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 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 dunde noodsaaklik ag, tydelik te plaas op grond wat aan die voornoemde serwituut grens, en voorts is die Munisipaliteit geregtig op redelike toegang tot genoemde grond vir die voornoemde doel, onderworpe daaraan dat die Munisipaliteit enige skade vergoed wat gedurende die aanleg, onderhoud of verwydering van sodanige dienste en ander werke veroorsaak word.
