

***THE PROVINCE OF
GAUTENG***

***DIE PROVINSIE
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LOCAL AUTHORITY NOTICE

LOCAL AUTHORITY NOTICE 458

CITY OF TSHWANE

PRETORIA AMENDMENT SCHEME 9606P

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 Pretoria Extension 15, 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 9606P.

(13/2/Pretoria x15 (9606P))
 ___ March 2009

Executive Director: Legal Services
 (Notice No 294/2009)

PLAASLIKE BESTUURSKENNISGEWING 458

STAD TSHWANE

PRETORIA WYSIGINGSKEMA 9606P

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 Pretoria Uitbreiding 15, 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 9606P.

(13/2/Pretoria x15 (9606P))
 ___ Maart 2009

Uitvoerende Direkteur: Regsdienste
 (Kennisgewing No 294/2009)

CITY OF TSHWANE

DECLARATION OF PRETORIA EXTENSION 15 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 Pretoria Extension 15 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(13/2/Pretoria x15 (9606P))

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY ABLAND NORTH (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 476 OF THE FARM ELANDSPOORT 357JR, PROVINCE OF GAUTENG, HAS BEEN GRANTED.

1. CONDITIONS OF ESTABLISHMENT

1.1 NAME

The name of the township shall be Pretoria Extension 15.

1.2 DESIGN

The township shall consist of erven, parks and streets as indicated on General Plan SG No 6899/2005.

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 condition which does not affect the township area:

1.3.1.1 Condition on page 3 of Deed of Transfer T55991/06 that is no longer applicable due to the alignment of Andries Street and reads as follows:

“Specifically subject to the condition that the said portion shall be used as a Public Street.”

1.3.1.2 Condition on page 4 of Deed of Transfer T9687/1930 that do not affect the erven in the township that reads as follows:

“THE churchyard on the property shall not be interfered with and shall remain; and free access shall be granted to all persons who have at present the right to visit same, for which purpose a path twelve (12) feet in breadth shall be pointed out by the purchaser along the lower water furrow.”

1.4 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.

1.5 CONSOLIDATION OF ERVEN

The township owner shall at his own expense have Erven 3527 and 3528 in the township consolidated/notarially tied. The Municipality hereby grants its consent to the consolidation/notarial tying in terms of the provisions of Section 92(2)(a) of Ordinance 15 of 1986.

1.6 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.

1.7 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.

1.8 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.

1.9 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 has been 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 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

2.1.2.1 The erf shall be subject to a servitude, 2m wide, for municipal services (water, sewer, electricity and stormwater) (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

2.1.2.2 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 2m from it.

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

STAD TSHWANE

VERKLARING VAN PRETORIA UITBREIDING 15 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 Pretoria Uitbreiding 15 tot 'n goedgekeurde dorp, onderworpe aan die voorwaardes uiteengesit in die bygaande Bylae.

(13/2/Pretoria x15 (9606P))

BYLAE

STAAT VAN VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR ABLAND NORTH (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 476 VAN DIE PLAAS ELANDSPOORT 357JR. GAUTENG, TE STIG, TOEGESTAAN IS.

1 STIGTINGSVOORWAARDES

1.1 NAAM

Die naam van die dorp is Pretoria Uitbreiding 15.

1.2 ONTWERP

Die dorp bestaan uit erwe, parke en strate soos aangedui op Algemene Plan LG No 6899/2005.

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 die dorp raak nie:

1.3.1.1 Condition on page 3 of Deed of Transfer T55991/06 that is no longer applicable due to the alignment of Andries Street and reads as follows:

“Specifically subject to the condition that the said portion shall be used as a Public Street.”

1.3.1.2 Voorwaarde op bladsy 4 van Akte van Transport T9687/1930 wat nie die erwe in die dorp raak nie wat soos volg lees:

“THE churchyard on the property shall not be interfered with and shall remain; and free access shall be granted to all persons who have at present the right to visit same, for which purpose a path twelve (12) feet in breadth shall be pointed out by the purchaser along the lower water furrow.”

1.4 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.

1.5 KONSOLIDASIE VAN ERWE

Die dorpseienaar moet op eie koste Erwe 3527 en 3528 in die dorp laat konsolideer/notarieel verbind. Die Munisipaliteit verleen hiermee ingevolge Artikel 92(2)(a) van Ordonnansie 15 van 1986, toestemming tot die konsolidasie/notariële verbinding.

1.6 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.

1.7 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.

1.8 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.

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

Die dorpsenaar sal op sy eie koste voldoen aan al die voorwaardes wat opgelê is deur die Gauteng Departement van Landbou en Omgewingsbewaring, insluitend, indien van toepassing, daardie voorwaardes waarop vrystelling verleen is 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), te voldoen, 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):

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 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 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 goeddunke 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.