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IMPORTANT NOTICE

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LOCAL AUTHORITY NOTICE

LOCAL AUTHORITY NOTICE 837

CITY OF TSHWANE

PRETORIA AMENDMENT SCHEME 9820P

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 Mahube Valley Extension 21, 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 Executive Director: Legal Services, and are open to inspection during normal office hours.

This amendment is known as Pretoria Amendment Scheme 9820P.

(13/2/Mahube Valley x21 (9820P))
 __ June 2011

Acting Executive Director: Legal Services
 (Notice No 357/2011)

PLAASLIKE BESTUURSKENNISGEWING 837

STAD TSHWANE

PRETORIA WYSIGINGSKEMA 9820P

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 Mahube Valley Uitbreiding 21, synde 'n wysiging van die Pretoria-dorpsbeplanningskema, 1974, goedgekeur het.

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

Hierdie wysiging staan bekend as Pretoria-wysigingskema 9820P.

(13/2/Mahube Valley x21 (9820P))
 __ Junie 2011

Waarnemende Uitvoerende Direkteur: Regsdienste
 (Kennisgewing No 357/2011)

CITY OF TSHWANE

DECLARATION OF MAHUBE VALLEY EXTENSION 21 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 Mahube Valley Extension 21 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(13/2/Mahube Valley x21 (9820P))

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY THE KIRON HOUSING MANAGEMENT (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 186 (A PORTION OF PORTION 155) OF THE FARM FRANSPORT 332JR, PROVINCE OF GAUTENG, HAS BEEN GRANTED

1. CONDITIONS OF ESTABLISHMENT

1.1 NAME

The name of the township shall be Mahube Valley Extension 21.

1.2 DESIGN

The township shall consist of erven, streets and park as indicated on General Plan SG No 7658/2008.

1.3 DISPOSAL OF EXISTING CONDITIONS OF TITLE

All erven shall be made subject to existing conditions and servitudes, if any, but excluding –

1.3.1 the following conditions which does not affect this township:

- D The former Remaining Extent of Portion 1 (Bayonne) of the Farm Franspoort 332 measuring 8553052 hectares (of which the figure ABCDEFGHJKLMNPQRSTUVWXYZA'B'C'D'E'F'G'H'J'K'L'M'N'P'Q' A excluding the figure R'S' mid spruit T'U'R' forms a portion), is subject to the following conditions:

SUBJECT to a servitude of right of way 15,74 metres wide in favour of the General Public as will more fully appear from Notarial Deed Number A 21/1951S registered on 9 January 1951.

- E The former Remaining Extent of the said farm Franspoort 332, measuring as such 721,2193 (seven two one comma two one nine three) hectares of which the figure ABCDEFGHJKLMNPQR STUWXYZA'B'C'D'E'F'G'H'J'K'L'M'N'P'Q'A is SUBJECT to a Servitude of Right of Way in favour of the General Public as will more fully appear from Notarial Deed Number 523/1961S Registered on 30 January 1961.

- F By virtue of Notarial Deed K 2355/2001 S the within mentioned property is subject to a servitude area for purposes of storm water indicated by the figure ABCDEF on diagram SG Number 10694/2000 over the Remaining Extent of Portion 155 of the Farm Franspoort 332 JR measuring 377,9424 hectares as will more fully appear with reference to the said Notarial Deed.

- G The following erven shall be subject to a servitude 15m wide in favour of Rand Water Board by virtue of Notarial Deed of Servitude which affects erven 6550 to 6560 and erven 6591 to 6613 in the township only.

1.3.2 The following conditions which shall be transferred to the erven in the township:

- A.
1. Specially subject to the reservation in favour of Louisa Katharina Boshoff, born Groenewald on 27 August 1860 widow, her successors or assigns of all the Mineral Rights of the said property and all rights which by Law appertain or attach thereto : together with the following further reservations, rights and privileges, namely:

- (a) The said Louisa Catharina Boshoff shall have the sole and exclusive right to prospect and mine on the said property for precious stones, minerals, metals, coal, lime and other mineral deposits and for that purpose shall be entitled to sink shafts and boreholes, to construct dams, lay pipe and electric lines, erect buildings and machinery and to carry on prospecting and/or mining operations unobstructed; subject to the further terms, rights and privileges as are embodied and contained in clauses (b), (c), (d) and (e) hereof.
- (b) The said Louisa Catharina Boshoff shall be entitled to as much of the surface water on the said property as shall not strictly be required by the owner of the said land for agricultural purposes and/or watering of stock. The said Louisa Catharina Boshoff shall furthermore be entitled to all water developed by her through boring or conserved in dams or reservoirs for the purpose of her prospecting and/or mining purposes.

- (c) The said Louisa Catharina Boshoff shall be entitled to expropriate such surface area (not exceeding 42,8266 (FOUR TWO comma EIGHT TWO SIX SIX) hectares) of the said property and the natural timber as she shall require for the purpose of prospecting and/or mining operations on the said property and shall furthermore be entitled to pasturage and water for such cattle and other animals as she may require therefore.
- (d) In case any surface area is expropriated by the said Louisa Catharina Boshoff as under clause (c) hereof she shall compensate the owner of the said land for the value of the ground so expropriated as also for damage or injury to buildings, crops, plantations, natural timber and all other improvements which the owner of the said land may directly suffer through the aforesaid prospecting and/or mining operations; the value of which ground and the amount of which compensation or damages shall, in the case of disagreement between the parties be decided by arbitration.
- (e) The said Louisa Catharina Boshoff shall be obliged to fill up or properly and securely fence in, all holes and cuttings made by her prospecting and/or mining operations on the said property, which are not situated on any surface area expropriated by her as aforesaid.

Which rights to minerals are held under Certificate of Mineral Rights Number 329/1940S, dated 15 March 1940; issued in respect of the southern portion known as Bayonne of the said farm Franspoort No 332 measuring as such 898,9047 hectares.

1.4 LAND FOR MUNICIPAL PURPOSES

The following erf/erven shall be transferred to the City of Tshwane Metropolitan Municipality by and at the expense of the township owner:

Parks (public open space): Erf 6765

1.5 ACCESS

No ingress from Provincial Roads K-69 and K-54 to the township and no egress to Provincial Roads K-69 and K-54 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 K-54 and K-69 and he shall receive and dispose of the storm water 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 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.

1.9 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 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 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 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.

1.13 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.

1.14 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.

1.15 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 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, (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.

1.16 NATIONAL HERITAGE RESOURCE ACT

The township owner shall at his own expense comply with the provisions of the National Heritage Resource Act, 25 of 1999.

1.17 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 K-69 and K-54 Drive/Road/Street).

1.18 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, Roads and Works, has granted consent for the development.

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 THE EXCEPTION OF THE ERVEN REFERRED TO IN CLAUSE 1.4

2.1.1.1 The erf shall be subject to a servitude, 2 m wide, for municipal services (water, sewer, electricity and storm-water) (hereinafter referred to as "the services"), in favour of the City of Tshwane Metropolitan Municipality 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 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 6561 AND 6590

2.1.2.1 The erven shall be subject to a servitude (2m wide) for stormwater services in favour of the City of Tshwane Metropolitan Municipality, as indicated on the General plan.

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 therefrom.

2.1.2.3 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 essential, 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 main sewer pipelines and other works.