

***THE PROVINCE OF
GAUTENG***

***DIE PROVINSIE
GAUTENG***

**Provincial Gazette Extraordinary
Buitengewone Provinsiale Koerant**

Vol. 18

**PRETORIA, 21 MARCH
MAART 2012**

No. 80

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LOCAL AUTHORITY NOTICE

LOCAL AUTHORITY NOTICE 370

CITY OF TSHWANE

PRETORIA AMENDMENT SCHEME 9857P

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 Equestria Extension 25, 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 9857P.

(13/2/Equestria x25 (9857P))
 ___ March 2012

Executive Director: Legal Services
 (Notice No 261/2012)

PLAASLIKE BESTUURSKENNISGEWING 370

STAD TSHWANE

PRETORIA WYSIGINGSKEMA 9857P

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 Equestria Uitbreiding 25, 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 9857P.

(13/2/Equestria x25 (9857P))
 ___ Maart 2012

Uitvoerende Direkteur: Regsdienste
 (Kennisgewing No 261/2012)

CITY OF TSHWANE

DECLARATION OF EQUESTRIA EXTENSION 25 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 Equestria Extension 25 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(13/2/Equestria x25 (9857P))

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY EXAREX INVESTMENTS CLOSE CORPORATION 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 477 (A PORTION OF PORTION 81) 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 Equestria Extension 25.

1.2 DESIGN

The township shall consist of erven and streets as indicated on General Plan SG No 11563/2003.

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 of minerals.

1.4 ENDOWMENT

Payable to the City of Tshwane Metropolitan Municipality.

The township owner shall pay to the City of Tshwane Metropolitan Municipality as endowment a total amount of **R94 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 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.

1.6 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.

1.7 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 Metropolitan Municipality, when required to do so by the City of Tshwane Metropolitan Municipality.

1.8 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.

1.9 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.

1.10 COMPLIANCE WITH CONDITIONS IMPOSED BY GDACEL

The township owner shall at his own expense comply with all the conditions imposed, by which the Gauteng Department of Agriculture, Conservation, Environment and Land Affairs has 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, for the development of this township.

1.11 CONSOLIDATION OF ERVEN

Erven 582 and 583 shall be consolidated, and permission thereto is hereby granted.

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**

2.1.1.1 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 local authority, 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 2m 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 ERF 583

The abovementioned erf is subject to a stormwater servitude in favour of the City of Tshwane Metropolitan Municipality vide servitude diagram SG No 776/2003 registered under Notarial Deed of Servitude K6572/2004S. The same servitude is also indicated by figure gBefg on General Plan SG No 11563/2003.

2.1.3 ALL ERVEN

As this erf (stand, land, etc) forms part of an area which may be subject to dust pollution and noise as a result of open-cast mining activities past, present or future in the vicinity thereof, the owner thereof accepts that inconvenience with regard to dust pollution and noise as a result thereof, may be experienced.

STAD TSHWANE**VERKLARING VAN EQUESTRIA UITBREIDING 25 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 Equestria Uitbreiding 25 tot 'n goedgekeurde dorp, onderworpe aan die voorwaardes uiteengesit in die bygaande Bylae.

(13/2/Equestria x25 (9857P))

BYLAE

STAAT VAN VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR EXAREX INVESTMENTS CLOSE CORPORATION INGEVOLGE DIE BEPALINGS VAN HOOFSTUK III: DEEL A EN C VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986 (ORDONNANSIE NO 15 VAN 1986), OM TOESTEMMING OM 'N DORP OP GEDEELTE 477 ('N GEDEELTE VAN GEDEELTE 81) VAN DIE PLAAS THE WILLOWS NO 340JR, GAUTENG, TE STIG, TOEGESTAAN IS.

1. STIGTINGSVOORWAARDES

1.1 NAAM

Die naam van die dorp is Equestria Uitbreiding 25.

1.2 ONTWERP

Die dorp bestaan uit erwe en strate soos aangedui op Algemene Plan LG No 11563/2003.

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.

1.4 BEGIFTIGING

Betaalbaar aan die Stad Tshwane.

Die dorpseienaar moet aan die Stad Tshwane, as begiftinging, 'n totale bedrag van **R94 000,00** betaal, welke bedrag deur die Stad Tshwane 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 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.

1.6 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 wanneer die Stad Tshwane 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 wanneer die Stad Tshwane dit vereis.

1.8 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.

1.9 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.

1.10 VOLDOENING AAN VOORWAARDES OPGELÊ DEUR DIE GAUTENGSE DEPARTEMENT VAN LANDBOU, BEWARING EN OMGEWINGSKE (DLBO)

Die dorpseienaar sal op sy eie koste voldoen aan al die voorwaardes wat opgelê is deur die Gauteng Departement van Landbou, Bewaring en Omgewingsake (DLBO) met die aansoek om vrystelling om aan die bepalings van Regulasie 1182 en 1183 gepromulgeer ingevolge Artikels 21, 22 en 26 van die Wet op Omgewingsbewing, 1989 (Wet No 73 van 1989) vir die ontwikkeling van die dorpsgebied.

1.11 KONSOLIDASIE VAN ERWE

Die dorpseienaar moet op eie koste Erwe 582 en 583 in die dorp laat konsolideer. Die Stad Tshwane Metropolitaanse Munisipaliteit verleen hiermee ingevolge Artikel 92(1)(b) van Ordonnansie 15 van 1986, toestemming tot die konsolidasie.

2. TITELVOORWAARDES

2.1 DIE ERWE HIERONDER GENOEM, IS ONDERWORPE AAN DIE VOORWAARDES SOOS AANGEDUI, OP GELË 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 Munisipaliteit langs enige twee grese, 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 goeëdoel 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.

2.1.2 ERF 583

Die bogemelde erf is onderhewig aan 'n stormwater serwituut ten gunste van die Stad Tshwane Metropolitaanse Munisipaliteit vide serwituut diagram LG No 776/2003 geregistreer kragtens Akte van Notariële Serwituut K6572/2004S, welke serwituut ook aangetoon word deur figuur gBefg op Algemene Plan LG No 11563/2003.

2.1.3 ALLE ERWE

Aangesien hierdie erf (standplaas, grond ens) deel vorm van 'n gebied wat blootgestel mag wees aan stofbesoedeling en geraas as gevolg van oop-groef myn aktiwiteite in die verlede, huidige of toekoms in die omgewing daarvan, aanvaar die eienaar dat ongerief ten opsigte van stofbesoedeling en geraas as gevolg daarvan ondervind mag word.