

**THE PROVINCE OF
GAUTENG**



**DIE PROVINSIE
GAUTENG**

Provincial Gazette Extraordinary Buitengewone Provinsiale Koerant

Vol. 19

PRETORIA, 4 JUNE 2013
JUNIE

No. 146

We all have the power to prevent AIDS

AIDS
affects
us all



A
new
struggle

Prevention is the cure

**AIDS
HELPLINE**

0800 012 322

DEPARTMENT OF HEALTH

N.B. The Government Printing Works will not be held responsible for the quality of "Hard Copies" or "Electronic Files" submitted for publication purposes



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*No.**Page
No. Gazette
 No.***LOCAL AUTHORITY NOTICE**

726 Town-planning and Townships Ordinance (15/1986): City of Tshwane: Tshwane Amendment Scheme 370T 3 146

LOCAL AUTHORITY NOTICE

LOCAL AUTHORITY NOTICE 726

CITY OF TSHWANE

TSHWANE AMENDMENT SCHEME 370T

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 The Orchards Extension 85, being an amendment of the Tshwane Town-planning Scheme, 2008.

Map 3 and the scheme clauses of this amendment scheme are filed with the Chief Legal Counsel, and are open to inspection during normal office hours.

This amendment is known as Tshwane Amendment Scheme 370T.

(13/2/The Orchards x85 (370T))
 ___ June 2013

Chief Legal Counsel
 (Notice No 385/2013)

PLAASLIKE BESTUURSKENNISGEWING 726

STAD TSHWANE

TSHWANE WYSIGINGSKEMA 370T

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 The Orchards Uitbreiding 85, synde 'n wysiging van die Tshwane dorpsbeplanningskema, 2008, goedgekeur het.

Kaart 3 en die skemaklousules van hierdie wysigingskema word deur die Hoofregsadviseur, in bewaring gehou en lê gedurende gewone kantoorure ter insae.

Hierdie wysiging staan bekend as Tshwane wysigingskema 370T.

(13/2/The Orchards x85 (370T))
 ___ Junie 2013

Hoofregsadviseur
 (Kennisgewing No 385/2013)

CITY OF TSHWANE

DECLARATION OF THE ORCHARDS EXTENSION 85 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 The Orchards Extension 85 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(13/2/The Orchards x85 (370T))

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY SAFDEV LAND 1 (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 520 OF THE FARM HARTEBEESTHOEK 303JR, PROVINCE OF GAUTENG, HAS BEEN GRANTED

1. CONDITIONS OF ESTABLISHMENT

1.1 NAME

The name of the township shall be The Orchards Extension 85.

1.2 DESIGN

The township consists of erven and streets as indicated on General Plan SG No 2773/2011.

All erven shall be made subject to existing conditions and servitudes, if any, including the reservation of rights to minerals, but excluding-

1.3.1 the following conditions which do not affect the township area:

- "C the property hereby transferred is subject to a servitude in favour of the City Council of Pretoria to convey electricity over the property together with ancillary rights and subject to conditions, as will more fully appear from Notarial Deed K515/1968S."
- "D The property hereby transferred is subject to a servitude in favour of ELECTRICITY SUPPLY COMMISSION to convey electricity over the property together with ancillary rights and subject to conditions as will more fully appear from Notarial Deed K1071/1973S as amplified by Notarial Deed K2495/1974S."
- "E The property hereby transferred is subject to a servitude in favour of the South African Gas Distribution Corporation Limited No 64/06005/06 to convey gas over the property by means of an underground Pipeline, 6 (six) metres in width of which the centre line is indicated by the line ABCDEF on Diagram SG No 6870/1996, with ancillary rights and subject to conditions as will more fully appear from Notarial Deed of Servitude No K2142/1998 S with the said Diagram attached thereto."
- "F the property hereby transferred is subject to a servitude in favour of the The South African Gas Distribution Corporation Limited No 64/06005/06 to conduct works for Cathodic Protection with regard to an underground Pipeline to convey gas, 1 (one) metre in width of which the centre line is indicated by the line GHJKL,MNPQ and RST and 2 (two) metres in width of which the centre line is indicated by the line NY and 12 (twelve) square metres in extent, indicated by the figure UWWX on Diagram SG No 6870/1996, with ancillary rights and subject to conditions as will more fully appear from Notarial Deed of Servitude No K2143/1998S with the said diagram attached thereto."

1.3.2 the following rights and conditions which shall not be passed on to the erven in the township:

- "B Die vorige Gedeelte B van voormelde plaas (gehou kragtens Transportakte T166/1895 waarvan die gedeelte van hierdie eiendom aangedui deur die figuur abfghijklmnMLKPEFGHJa, aangetoon op kaart LG Nr A.2486/19948, aangeheg by Sertifikaat van Verenigde Titel T.3693/1957, 'n deel uitmaak, en die vorige Gedeelte C van voormelde plaas (gehou kragtens Transportakte T167/1895) waarvan die gedeelte van hierdie eiendom aangedui deur die figure bdef en nMLKPDCq aangetoon op voormelde Kaart LG Nr A2486/1948, 'n deel uitmaak, is elk onderhewig aan en geregtig tot die volgende voorwaardes:
- (a) "Gerechtigd tot een een-vierde (1/4de) aandeel in het water van de grote dam gelegen op het resterende gedeelte van gedeelte gemerkt "A" der bovergenoemde plaats groot als zodanig 320,2887 Hektaar en vroeger behorende aan Petrus Albertus Horn onder Akte van Transport T18/1895.
- (b) DAT de eigenaar van gezegde gedeelte van gedeelte gemerkt "A" slechts gerechtigd zal zijn tot 'n een-vierde (1/4) aandeel in het water van gezegde grote dam; doch zal hij, de eigenaar van gezegde resterende gedeelte van gedeelte "A" niet het recht hebben enig water bovenkant gezegde dam uit te keren of te belemmeren.
- (c) Dat het overige drie-vierde (3/4de) gedeelte van het water van de gezegde dam gelegen op het resterend gedeelte van gedeelte "A" als voorzegt vrij sal moeten lopen in een watervoor zoals die tans bestaat naar het Noordoostelike gedeelte van voormelde gedeelte gemerkte "A groot 343,9518 Hektaar vroeger behorende aan Okker Jacobus Venter onder Akte van Transport T182/1895; en

- (d) Dat de eigeenaar van genoemd Noordoostelike gedeelte van gedeelte gemerkt "A" gerechtigd zal sijn een-vierde ($\frac{1}{4}$ de) van het water van de gemelde dam uit de genoemde watervoor te keren ter benutting van sijn lande; doch zal hij, de eigeenaar van genoemd Noordoostelike gedeelte van gedeelte gemerkt "A" echter verpligt en gehoude sijn de overige helft van het water vrij te laten lopen in een watervoor naar de opstal of ander goed gelegen plek op gedeelte gemerkt "B" en dat de eigeenaar daarvan gerechtigd sijn tot gebruik van de helft van gemeld helft der water dwz to een-vierde van het water, en daarna de overige een-vierde der water, te laten lopen naar gedeelte gemerkt "C".

1.4 LAND FOR MUNICIPAL PURPOSES

Erf 9799 shall be transferred to the local authority by and at the expense of the township owner as Public Open spaces.

1.5 REMOVAL OR REPLACEMENT OF MUNICIPAL OR TELKOM SERVICES

If, by reason of the establishment of the township, it should become necessary to remove or replace any existing municipal services, the cost thereof shall be borne by the township owner.

1.6 OBLIGATIONS IN REGARD TO ESSENTIAL SERVICES

The township owner shall within such period as the local authority may determine, fulfil it's obligations in respect of the provision of water, electricity and sanitary services and the installation of systems therefor, as previously agreed upon between the township owner and the local authority.

2. CONDITIONS OF TITLE

2.1 THE ERVEN WITH THE EXCEPTION OF THE ERVEN MENTIONED IN CLAUSE 2(4) SHALL BE SUBJECT TO THE FOLLOWING CONDITIONS IMPOSED BY THE LOCAL AUTHORITY IN TERMS OF THE PROVISIONS OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986

- 2.1.1 The erf is subject to a servitude, 2m wide, in favour of the local authority, for sewerage and other municipal purposes, along any two boundaries other than a street boundary and in the case of a panhandle erf, an additional servitude for municipal purposes 2m wide across the access portion of the erf, if and when required by the local authority: Provided that the local authority may dispense with any such servitude.
- 2.1.2 No building or other structure shall be erected within the aforesaid servitude area and no large-rooted trees shall be planted within the area of such servitude or within 2m thereof.
- 2.1.3 The local authority shall be entitled to deposit temporarily on the land adjoining the aforesaid servitude such material as may be excavated by it during the course of the construction, maintenance or removal of such sewerage mains and other works as it in its discretion may deem necessary and shall further be entitled to reasonable access to the said land for the aforesaid purpose subject to any damage done during the process of the construction, maintenance or removal of such sewerage mains and other works being made good by the local authority.

