

**THE PROVINCE OF
GAUTENG**



**DIE PROVINSIE
GAUTENG**

Provincial Gazette Extraordinary Buitengewone Provinsiale Koerant

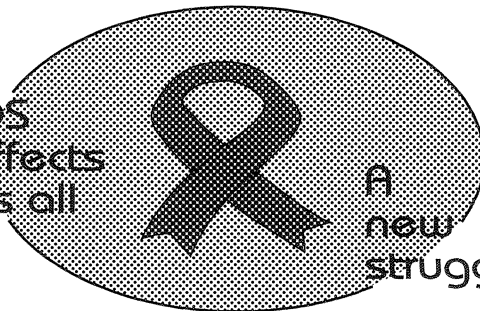
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JULIE 2013

No. 211

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

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LOCAL AUTHORITY NOTICE

LOCAL AUTHORITY NOTICE 958

PRETORIA AMENDMENT SCHEME 9824P

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 Die Wilgers Extension 79, being an amendment of the Pretoria Town-planning Scheme, 1974.

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 Pretoria Amendment Scheme 9824P.

(13/2/Die Wilgers x79 (9824P))
__ July 2013

(Notice No 398/2013)

Chief Legal Counsel

PLAASLIKE BESTUURSKENNISGEWING 958

STAD TSHWANE

PRETORIA WYSIGINGSKEMA 9824P

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 Die Wilgers Uitbreiding 79, synde 'n wysiging van die Pretoria-dorpsbeplanningskema, 1974, 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 Pretoria-wysigingskema 9824P.

(13/2/Die Wilgers x79 (9824P))
__ Julie 2013

(Kennisgewing No 398/2013)

Hoofregsadviseur

CITY OF TSHWANE

DECLARATION OF DIE WILGERS EXTENSION 79 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 Die Wilgers Extension 79 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(13/2/Die Wilgers x79 (9824P))

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY WILLMEG INVESTMENTS (PTY) LTD IN TERMS OF THE PROVISIONS OF CHAPTER IV OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE NO 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 604 (PREVIOUSLY KNOWN AS A PART OF 162) 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 Die Wilgers Extension 79.

1.2 DESIGN

The township shall consist of erven, parks and streets as indicated on General Plan SG No 7429/2008.

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, including –

1.3.1 the following Conditions D, E and F which affect all the erven in the township:

- “D. Subject to a servitude for road building purposes and municipal services in favour of the City of Tshwane Metropolitan Municipality, with ancillary rights, as will more fully appear from Deed of Cession of Servitude K4269/2008S with diagram annexed.”
- “E. Subject further to the following condition imposed by the City of Tshwane, City Planning, Development and Regional Services Department:
- The treatment of all waste water on this property must be by means of a suction tank, or similar system to the satisfaction of the City of Tshwane Metropolitan Municipality. No french drain or septic tank system will be accepted; except where an existing system exists.”
- “F. By virtue of notarial deed of servitude K5696/2009S dated 25 January 2008 the within mentioned property is subject to a servitude of right of way and services twelve (12) metres wide along the entire length of the western boundary as depicted by the figure ApqHA in diagram SG no 13102/2007 in favour of the remaining extent of Portion 162 of the Farm The Willows No 340 measuring 6,6857 (Three comma Six Eight Five Seven) hectares as will more fully appear in the said deed.”

but excluding –

1.3.2 the following Conditions A and C which will not be passed onto erven in the township due to locality:

- “A. The former Remaining Extent of Portion 7 of Portion G, measuring 14,2307 (Fourteen comma Two Three Nil Seven) Hectares, (of which that portion of the property hereby transferred, indicated by the figure ABCFGHJKLDEA on Diagram SG No. A.6454/69, annexed to Certificate of Consolidated Title No. 40907/1970, forms a portion), is entitled to a servitude of right of way in perpetuum over Portion a of Portion 7 of Portion G of the farm THE WILLOWS No, 340, J.R., measuring 2 755 square metres, as will more fully appear from Deed of Transfer No, 17162/1938, made in favour of Rex Valentine Hall on 27th September, 1938. Insofar as the former Remaining Extent of Portion 95 of the farm THE WILLOWS No 340, JR, indicated by the figure ABDFGHJKLDEA on the said Diagram SG No A.6454/69, may be entitled to the said right of way over the former Portion 160 of the said farm, indicated by the figure LKJHGFL on the said Diagram SG No A.6454, the said servitude has lapsed by merger.”
- “C. The former Portion 34 (a Portion of Portion 22) (formerly Portion a of Portion 7 of Portion G) of the farm THE WILLOWS No 340, Registration Division J.R., measuring 2 755 square metres (of which that Portion of the property hereby transferred, indicated by the figure rstuvwr on the said Diagram SG No 13102/2007, forms a portion) is subject to a servitude of right of way in perpetuum in favour of the Remaining Extent of Portion 7 of Portion G of the farm THE WILLOWS, measuring 14,2307 (Fourteen comma Two Three Nil Seven) Hectares, with the exception of a strip of ground over a width of 6,30 metres along the Western boundary of the said Portion a of Portion 7 of Portion G of the said farm THE WILLOWS marked GH on Diagram S.G. No. A 3870/38, attached to Deed of Transfer No . 17162/38. Insofar as the former Portion 160 of the farm THE WILLOWS No 340, Registration Division JR, indicated by figure rstuvwr on the said Diagram SG No 13102/2007 may be subject to the said right of way in favour of the former Remaining Extent of Portion 95, measuring 5,4340 hectares, of the said farm indicated by the figure ABCDEFtrwvuGHA on the said diagram SG No 13102/2007, the said servitude has lapsed by merger.”

- 1.4 ACCESS
- No ingress from Provincial Road K34 to the township and no egress to Provincial Road K34 from this township shall be allowed along line BCDEF as shown on the layout plan.
- 1.5 RECEIVING AND DISPOSAL OF STORM-WATER
- The township owner shall arrange the storm-water drainage of the township in such a way as to fit in with that of Denneboom Road and he shall receive and dispose of the storm-water running off or being diverted from the road.
- 1.6 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.
- 1.7 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.
- 1.8 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 K34 (Lynnwood Road).
- 1.9 CONSOLIDATION OF ERVEN
- The applicant shall at his own expense have Erven 1364 and 1365 in the township consolidated. The City of Tshwane Metropolitan Municipality hereby grants its consent to the consolidation in respect of Ordinance 15 of 1986.
- 1.10 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.
- 1.11 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 Metropolitan Municipality, when required to do so by the Municipality.
- 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 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.

1.15 NATIONAL HERITAGE RESOURCES ACT

The township owner shall at his own expense comply with the provisions of the National Heritage Resources Act, 25 of 1999 and that any conditions that may affect the township are incorporated in these conditions as amendments to these conditions.

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 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, 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 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.

2.1.2 ERVEN 1364 AND 1365

2.1.2.1 The erf shall be subject to a servitude (2m wide) for municipal services (storm-water) along the eastern side of the layout plan 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 from it.

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 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 main sewer pipelines and other works.

2.1.3 ERF 1365

2.1.3.1 The part of the Erf 1365 represented by Figure jhGcj on General Plan 7429/2008 shall be retained as a natural conservation private open space for the habitat of the Juliana's Golden Mole. No buildings or structures shall be erected on this area. A fence or wall, which shall include a gate, shall be erected along line cjh, with a wall foundation of at least 600mm deep prior to commencement of any construction on the remainder of the erf.

2.2 CONDITIONS/SERVITUDES TO BE CREATED IN FAVOUR OF A PROPERTY OUTSIDE THE TOWNSHIP

2.2.1 ERVEN 1364 AND 1365

2.2.1.1 The erf shall be subject to a servitude (12m wide) for access and services along the western side of the layout plan in favour of the Remainder of Portion 162 of the farm the Willows 340 JR as indicated on the General Plan.

2.3 CONDITIONS/SERVITUDES TO BE CREATED IN FAVOUR THE CITY OF TSHWANE METROPOLITAN MUNICIPALITY

2.3.1 ERVEN 1364 AND 1365

2.3.1.1 The erf shall be subject to a servitude (12m wide) for access and services along the western side of the layout plan in favour the City of Tshwane Metropolitan Municipality as indicated on the General Plan.

2.3.1.2 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.

2.3.1.3 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 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 main sewer pipelines and other works.

