

**THE PROVINCE OF
GAUTENG**



**DIE PROVINSIE
GAUTENG**

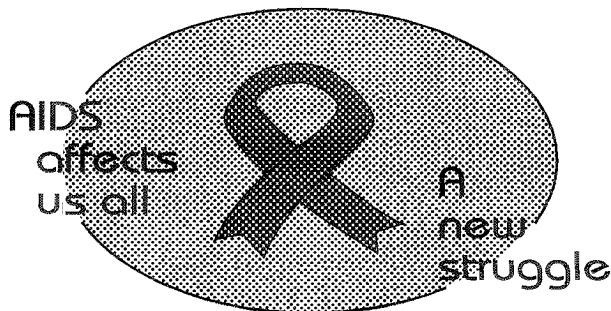
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DEPARTMENT OF HEALTH

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LOCAL AUTHORITY NOTICE

LOCAL AUTHORITY NOTICE 382

CITY OF TSHWANE

PRETORIA AMENDMENT SCHEME 9491P

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 Pretoriuspark Extension 16, 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 9491P.

(13/2/Pretoriuspark x16 (9491P))
 ___ July 2012

Chief Legal Counsel
 (Notice No 404/2012)

PLAASLIKE BESTUURSKENNISGEWING 382

STAD TSHWANE

PRETORIA WYSIGINGSKEMA 9491P

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 Pretoriuspark Uitbreiding 16, 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 9491P.

(13/2/Pretoriuspark x16 (9491P))
 ___ Julie 2012

Hoofregsadviseur
 (Kennisgewing No 404/2012)

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CITY OF TSHWANE

DECLARATION OF PRETORIUSPARK EXTENSION 16 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 Pretoriuspark Extension 16 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(13/2/Pretoriuspark x16 (9491P))

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY PJJ VAN VUUREN BELEGGINGS (PTY) LIMITED 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 583 OF THE FARM GARSTFONTEIN 374JR, PROVINCE OF GAUTENG, HAS BEEN GRANTED

1. CONDITIONS OF ESTABLISHMENT

1.1 NAME

The name of the township shall be Pretoriuspark Extension 16.

1.2 DESIGN

The township shall consist of erven, parks and streets as indicated on General Plan SG No 1007/2004.

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, but excluding -

1.3.1 The following conditions that do not affect the township:

1.3.1.1 Condition C i. up to and including iii. in Deed of Transfer T16165/2003:

“C Die voormalige gedeelte 482 (aangedui deur die figuur ABaghLMNPQA op LG No 6793/2002) en gedeelte 483 (aangedui deur die figuur hgjJKh op LG No 6793/2002) (gedeeltes van gedeelte 321) van die plaas Garstfontein 374, Registrasie Afdeling JR, Provinsie van Gauteng, is onderhewig aan die volgende voorwaardes:

- i. Subject to a powerline servitude 31 (THIRTY ONE) meters wide, whereof the line su on diagram SG no 6793/2002 annexed hereto represents the centre line of the servitude in favour of the City Council of Pretoria as will more fully appear from Deed of Cession of Servitude K1380/1985 S with diagram annexed thereto.
- ii. Subject to a servitude in favour of the Rand Water Board, a body incorporated under the provisions of the Rand Water Board Statutes Act 17 of 1950, to convey and transmit water over the former PORTION 321 (a portion of portion 284) of the farm GARSTFONTEIN 374, registration Division JR Province of Gauteng by means of pipelines already laid and which may be laid along a strip of ground 9318 square meters as indicated by the figure qrtJq on diagram SG 6793/2002 annexed hereto as will more fully appear from Notarial Deed of Servitude K7663/1995 S.
- iii. Subject to a 30 (THIRTY) meters wide servitude for roads and engineering services in favour of the City Council of Pretoria of which the line JKhLMNPQA on diagram SG 6793/2002 annexed hereto represents the north-western boundary of the servitude.”

1.3.1.2 Condition E in Deed of Transfer T16165/2003:

“E. Die voormalige gedeelte 482 (gedeelte van gedeelte 321) van die plaas Garstfontein 374 Registrasie Afdeling JR, Provinsie van Gauteng, is onderhewig aan die volgende voorwaarde:

- i. Onderhewig aan 'n serwituuat vir algemene munisipale en publieke doeleindes ten gunste van die City of Tshwane Metropolitan Municipality waarvan die Serwituuat gebied, groot 4719 vierkante meter, aangedui word deur die figuur wxyza'b'd'e'f'g'h'j'k'l'm'n'p'q'w' op diagram LG no 6793/2002, soos meer volledig sal blyk uit Serwituuat Akte No K11/2002 S.”

1.3.1.3 Condition F in Deed of Transfer T16165/2003:

“F. Die voormalige gedeelte 483 (gedeelte van gedeelte 321) van die plaas Garstfontein 374 Registrasie Afdeling JR, Provinsie van Gauteng, is onderhewig aan die volgende voorwaarde:

- ii. Onderhewig aan 'n serwituut vir algemene munisipale en publieke doeleindes ten gunste van die Stad Tshwane Metropolitaanse Munisipaliteit waarvan die Serwituutgebied, groot 5548 vierkante meter, aangedui word deur die figuur r's't'u'v'w'x'y'z'a''r' op diagram LG no 6793/2002, soos meer volledig sal blyk uit Serwituut Akte No K12/2002 S."

1.3.1.4 Condition 2 in Deed of Transfer T121345/2003:

- "2. In terms of Notarial Deed K7429/1997S, the withinmentioned Property is subject to a Servitude in perpetuity, in respect of pipeline already laid, to convey and transmit water over the Property, along a strip of ground, 2,5887 Hectares in extent, as indicated by figure AcKL on the annexed Diagram SG No 4857/2000, in favour of RAND WATER BOARD, as will more fully appear from the said Notarial Deed."

1.3.1.5 Condition 3 in Deed of Transfer T121345/2003:

- "3. BY virtue of Notarial Deed of Servitude K3425/98S, dated 7th May 1998, the withinmentioned Property is subject to a Servitude in perpetuity, to convey and transmit water by means of pipelines, laid along a strip of ground 278 Square Meters in extent, as depicted by figure ABCD on Diagram SG No 9449/1992."

1.3.1.6 Condition 4 in Deed of Transfer T121345/2003:

- "4. Kragtens Notariële Akte van Serwituut K7074/2001S, is die eiendom onderhewig aan die volgende serwitute."
 - (a) Onderhewig aan 'n oorhoofse Elektriese kraglyn serwituut, 31 meter wyd, ten gunste van die City of Tshwane Metropolitaanse Munisipaliteit, waarvan die hartlyn van die serwituut aangedui word deur die lyn ab' op diagram LG 4857/2000.
 - (b) VERDER onderhewig aan 'n pyplynserwituut, 5 meter breed, ten gunste van die City of Tshwane Metropolitaanse Munisipaliteit, waarvan die Suidwestelike grens aangedui word deur die lyn CEF GHJ op diagram LG 4857/2000.
 - (c) VERDER onderhewig aan 'n pyplynserwituut ten gunste van die City of Tshwane Metropolitaanse Munisipaliteit, welke serwituut aangedui word deur die lyn CDEC op diagram LG 4857/2000.

1.3.1.7 Condition 5 in Deed of Transfer T121345/2003:

- "5. Kragtens Notariële Akte van Serwituut K7075/2001S is die eiendom onderhewig aan 'n serwituut van Reg van Weg ten gunste van die City of Tshwane Metropolitaanse Munisipaliteit, welke serwituut se roete nog bepaal staan te word."

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 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.

1.6 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.

1.7 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.

1.8 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 LAND TO BE TRANSFERRED TO THE SECTION 21 COMPANY

The following erven shall be transferred to the Section 21 Company by and at the expense of the township owner:

Erven 1371 and 1372.

1.10 ENDOWMENT

No endowment is payable in accordance with the provisions of Section 81 of the Town-planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), provided that Pretoriuspark Extension 17 be proclaimed within 18 months of the proclamation of the other phases of Pretoriuspark Extension 16.

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 1317

2.1.2.1 The erf shall be subject to a servitude, 3 metres wide, for municipal services (stormwater), 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 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 1318

2.1.3.1 The erf shall be subject to a servitude, 2 metres wide, for municipal services (electricity), in favour of the City of Tshwane Metropolitan Municipality, as indicated on the general plan.

2.1.3.2 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.

2.1.3.3 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 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.

2.1.4 ERVEN 1297 UP TO AND INCLUDING 1370

A Section 21 Company (home owners association) must be registered. The owners of all the abovementioned erven must be members of the Section 21 Company.
