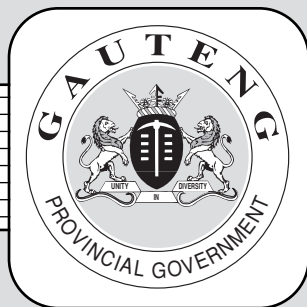


**THE PROVINCE OF
GAUTENG**



**DIE PROVINSIE
GAUTENG**

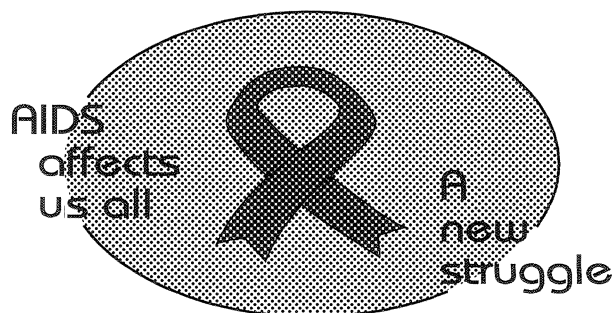
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PRETORIA, 11 JULY
JULIE 2014

No. 185

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DEPARTMENT OF HEALTH

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CONTENTS • INHOUD*No.**Page
No. Gazette
 No.***LOCAL AUTHORITY NOTICE**

960 Town-planning and Townships Ordinance (15/1986): Tshwane Amendment Scheme 382T..... 3 185

LOCAL AUTHORITY NOTICE

LOCAL AUTHORITY NOTICE 960

CITY OF TSHWANE

TSHWANE AMENDMENT SCHEME 382T

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 Atteridgeville Extension 45, 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 382T.

(13/2/Atteridgeville x45 (382T))
11 July 2014

(Notice No 302/2014)

CHIEF LEGAL COUNSEL

PLAASLIKE BESTUURSKENNISGEWING 960

STAD TSHWANE

TSHWANE WYSIGINGSKEMA 382T

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 Atteridgeville Uitbreiding 45, 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 382T.

(13/2/Atteridgeville x45 (382T))
11 Julie 2014

HOOFREGSADVISEUR
(Kennisgewing No 302/2014)

CITY OF TSHWANE

DECLARATION OF ATTERIDGEVILLE EXTENSION 45 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 Atteridgeville Extension 45 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(13/2/Atteridgeville x45 (382T))

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY SAFARI INVESTMENTS RSA 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 495 (A PORTION OF PORTION 294) OF THE FARM PRETORIA TOWN AND TOWNLANDS 351JR, PROVINCE OF GAUTENG, HAS BEEN GRANTED

1. CONDITIONS OF ESTABLISHMENT

1.1 NAME

The name of the township shall be Atteridgeville Extension 45.

1.2 DESIGN

The township shall consist of erven and streets as indicated on General Plan SG No 5521/2009.

1.3 PROVISION AND INSTALLATION OF ENGINEERING SERVICES

The township owner shall, at its cost and to the satisfaction of the local authority, design, provide and construct all engineering services, including the internal roads and the storm-water reticulation, within the boundaries of the township, to the satisfaction of the local authority. If external services are not available or the existing services are not sufficient to accommodate the township, special arrangements shall have to be made after consultation with the applicable departments to the satisfaction of the local authority.

1.4 GAUTENG PROVINCIAL GOVERNMENT CONDITIONS

1.4.1 Should the development of the township not been commenced with before 29 August 2014, the application to establish the township shall be resubmitted to the Gauteng Department of Agriculture and Rural Development for exemption/authorisation in terms of the National Environmental Management Act, 1998 (Act 107 of 1998), as amended.

1.4.2 (a) Should the development of the township not have been completed before 13 May 2018, the application to establish the township shall be resubmitted to the Department of Public Transport, Roads and Works for reconsideration.

(b) If however, before the expiry date mentioned in (i) above, circumstances change in such a manner that roads and/or PWV routes under the control of the said Department are affected by the proposed layout of the township, the township owner shall resubmit the application for the purpose of fulfillment of the requirements of the controlling authority in terms of the provisions of Section 48 of the Gauteng Transport Infrastructure Act, 2001 (Act 8 of 2001).

(c) The township owner shall, before or during development of the township, erect a physical barrier which is in compliance with the requirements of the said Department along the lines of no access as indicated on the approved layout plan of the township, No. CPD/ATT X45/02. The erection of such a physical barrier and the maintenance thereof, shall be done to the satisfaction of the said Department.

(d) The township owner shall comply with the conditions of the Department as set out in the Department's letter dated 13 May 2008.

1.5 CONDITIONS IMPOSED BY THE GAUTENG DEPARTMENT OF AGRICULTURE AND RURAL DEVELOPMENT (GDARD)

The township owner shall at his own costs comply with and strictly adhere to all the conditions and/or requirements imposed by the Gauteng Department of Agriculture and Rural Development, 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, 1989 (Act 73 of 1989) or the National Environmental Act, 1998 (Act 107 of 1998) as amended and the Regulations thereto, as the case may be for the development of this township.

1.6 CONDITIONS IMPOSED BY NATIONAL AND REGIONAL ROADS AUTHORITIES

The township owner shall, at its own cost, comply with and strictly adhere to all the conditions and/or requirements imposed by the Department of Roads and Transport (Gauteng Provincial Government) and where applicable as imposed by the local authority.

1.7 ACCESS

1.7.1 Access to and egress from the township shall be provided to the satisfaction of the local authority (Tshwane Roads and Stormwater Department) and/or the Gauteng Department of Public Transport, Roads and Works.

1.7.2 Ingress from Road K30 (Maunde Street) to the township and egress to Road K30 from the township shall be restricted to the intersection of Umkhombe Street with Road K30.

1.7.3 The township owner shall at his own expense arrange for a geometric layout design (scale 1:500) of the ingress and egress points referred to in (b) above and specifications for the construction of the junctions to be compiled and shall submit it to the Head of Department, Gauteng Department of Public Transport, Roads and Works, for approval. After the design and specifications have been approved, the township owner shall construct the entrances at his own expense to the satisfaction of the Head of Department, Gauteng Department of Public Transport, Roads and Works.

1.8 ACCEPTANCE 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 K30 and all stormwater running off or being diverted from the road shall be received and disposed of to the satisfaction of the local authority.

1.9 REFUSE REMOVAL

1.9.1 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.

1.9.2 The township owner shall provide sufficient refuse collection points in the township and shall make arrangements to the satisfaction of the local authority for the removal of all refuse.

1.10 REMOVAL OR REPLACEMENT OF EXISTING SERVICES

If, by reason of the establishment of the township, it should be necessary to remove or replace any existing municipal, TELKOM and/or ESKOM services, the cost of such removal or replacement shall be borne by the township owner. For purposes of removal or replacement the township owner shall, at its own costs, protect the services by means of the registration of servitudes in favour of the City of Tshwane, should it be deemed necessary.

1.11 DEMOLITION OF BUILDINGS AND STRUCTURES

The township owner shall, at its own costs, cause all existing buildings/structures situated within the building line reserves, side spaces, or over common boundaries to be demolished to the satisfaction of the local authority, when requested thereto by the local authority or where buildings/structures are dilapidated.

1.12 CONSOLIDATION OF ERVEN

The township owner shall, at its own costs, after proclamation of the township but prior to the development of any erf/unit in the township, consolidate Erven 16249 and 16250 to the satisfaction of the local authority. The local authority hereby grants its consent for the consolidation of Erven 16249 and 16250 in terms of Section 92(1)(b) of the Ordinance, which consolidation shall only come into operation on proclamation of the township and subject to the Section 82 certificate being issued by the City of Tshwane. A right-of-way servitude in favour of the general public shall be registered over the consolidated erf in accordance with the splays required by the Gauteng Department of Public Transport, Roads and Works.

1.13 ENDOWMENT

No endowment is payable to the City of Tshwane Metropolitan Municipality.

1.14 OBLIGATIONS WITH REGARD TO THE CONSTRUCTION AND AESTHETICAL TREATMENT OF MAUNDE STREET (K30) AND UMKHOMBE STREET

1.14.1 Provision shall be made for pedestrian movement along the northern side of Maunde Street and along the western side of Umkhombe Street to the satisfaction of the City of Tshwane Metropolitan Municipality.

1.14.2 The sidewalk and entrances along Umkhombe Street shall be landscaped and planted with trees to the satisfaction of the City of Tshwane Metropolitan Municipality.

1.14.3 Public transport lay-bys with adequate space for two (2) taxis shall be provided in the township downstream from the Umkhombe Road access along both approaches in the K30 (Maunde Street) to the satisfaction of the City of Tshwane Metropolitan Municipality.

1.14.4 A 16m building line shall apply along the boundary of K30 (Maunde Street).

1.15 OBLIGATIONS WITH REGARD TO ENGINEERING SERVICES AND RESTRICTIONS REGARDING THE ALIENATION OF ERVEN

1.15.1 The township owner shall, at its own costs and to the satisfaction of the local authority, design, provide and construct all engineering services including the internal roads and the stormwater reticulation, within the boundaries of the township. Erven and/or units in the township may not be alienated or transferred into the name of a purchaser nor shall a Certificate of Registered Title be registered in the name of the township owner, prior to the local authority certifying to the Registrar of Deeds that these engineering services had been provided and installed;

1.15.2 The township owner shall, within such period as the local authority may determine, fulfil its obligations in respect of the provision of electricity, water and sanitary services as well as the construction of roads and stormwater drainage and the installation of systems therefor, as previously agreed upon between the township owner and the local authority. Erven and/or units in the township may not be registered, alienated or transferred into the name of a purchaser nor shall a Certificate of Registered Title be registered in the name of the township owner, prior to the local authority certifying to the Registrar of Deeds that sufficient guarantees/cash contributions in respect of the supply of engineering services by the township owner, have been submitted or paid to the said local authority; and

1.15.3 Notwithstanding the provisions of clause 3A and 3B hereunder, the township owner shall, at its costs and to the satisfaction of the local authority, survey and register all servitudes required to protect the engineering services provided, constructed and/or installed as contemplated in (a) above. Erven and/or units in the township may not be alienated or transferred into the name of a purchaser neither shall a Certificate of Registered Title be registered in the name of the township owner, prior to the local authority certifying to the Registrar of Deeds that these engineering services had been or will be protected to the satisfaction of the local authority.

2. DISPOSAL OF EXISTING CONDITIONS OF TITLE

All erven shall be made subject to existing conditions and servitudes, if any.

A. Excluding the following which do not affect the erven in the township due to locality:

(a) Condition A in Certificate of Registered Title about to be registered:

“By virtue of Notarial Deed K1276/1977 S dated 23rd March 1977 the Remaining Extent of Portion 6 of the said farm, measuring 3103,2795 Hectares (a portion whereof is hereby transferred) is subject to a servitude in perpetuity together with ancillary rights along a strip of ground 2493 square metres in extent as indicated by the figure ABCDEFJK on diagram A6406/73 annexed thereto as will more fully appear from reference to the said Notarial Deed registered on 18 April 1977.”

(b) Condition E2 in Certificate of Registered Title about to be registered:

“subject to a perpetual servitude for pipeline purposes, 9 metres wide, in favour of the City of Tshwane Metropolitan Municipality, the southern, western and southern boundaries whereof are respectively represented by the lines AB, BC and CD on diagram SG 7911/1992 as created in and will more fully appear from Notarial Deed K2296/2006S.”

B. Excluding the following which only affect Maunde Street:

(a) Condition C in Certificate of Registered Title about to be registered:

“Onderworpe aan 'n serwituut van Reg van Weg ten gunste van die Stadsraad van Pretoria, 32 meter wyd, oor die eiendom hiermee getransporteer, die noordelike grenslyn van welke serwituut aangedui word deur die lyn geletter hgfeJKLM op Kaart L.G. 7705/2004.”

- (b) Condition D in Certificate of Registered Title about to be registered:

“Onderworpe aan ‘n Serwituut van waterpypleiding en elektrisiteitsgeleiding, ten gunste van die Stadsraad van Pretoria, 6 meter wyd, oor die eiendom hiermee getransporteer, die area van welke serwituut aangedui word deur die figuur geletter HJdc op Kaart L.G. 7705/2004.”

- (c) Condition B in Certificate of Registered Title about to be registered:

“Onderworpe aan ‘n serwituut vir rioleringsdoeleindes, ten gunste van die STADSRAAD VAN PRETORIA, 6 meter wyd, oor die eiendom hiermee getransporteer, die middellyn van welke serwituut aangedui word deur die lyn ab op Kaart L.G. 7705/2004.”

- C. Excluding the following which will not be passed on to the owners of erven in the township:

- (a) Condition E1 in Certificate of Registered Title about to be registered:

“entitled to a servitude of right of way having an area of 1.573 square metres over the remaining extent of the farm Atteridgeville 607 which servitude is indicated by the figure ABCDEFG on diagram SG2230/2005 as created in and will more fully appear from Notarial Deed K2295/2006S.”

3. CONDITIONS OF TITLE

- A. Conditions of Title imposed in favour of the local authority in terms of the provisions of the Town-planning and Townships Ordinance, 1986 (Ordinance 15 of 1986)

3.1 ALL ERVEN

- 3.1.1 Each 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.
- 3.1.2 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.
- 3.1.3 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 process 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.

3.2 ERVEN 16249 AND 16250

- 3.2.1 Each erf is subject to a servitude 3m wide for municipal services (stormwater) in favour of the local authority, as indicated on the General Plan.
- 3.2.2 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.
- 3.2.3 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 process 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.

- B. Conditions of Title to be registered/created on the first registration of the erven concerned.

No erf in the township shall be transferred nor shall a Certificate of Registered Title be registered, unless the following condition has been registered:

ALL ERVEN

As this township forms part of an area which may be subject to dust pollution and noise as a result of dumping site 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.
