

**THE PROVINCE OF
GAUTENG**



**DIE PROVINSIE
GAUTENG**

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DEPARTMENT OF HEALTH

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LOCAL AUTHORITY NOTICE

LOCAL AUTHORITY NOTICE 191

CITY OF TSHWANE

TSHWANE AMENDMENT SCHEME 376T

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 Magalieskruin Extension 79, 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 376T.

(13/2/Magalieskruin x79 (376T))
__ February 2014

CHIEF LEGAL COUNSEL
(Notice No 227/2014)

PLAASLIKE BESTUURSKENNISGEWING 191

STAD TSHWANE

TSHWANE WYSIGINGSKEMA 376T

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 Magalieskruin Uitbreiding 79, 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 376T.

(13/2/Magalieskruin x79 (376T))
__ Februarie 2014

HOOFREGSADVISEUR
(Kennisgewing No 227/2014)

CITY OF TSHWANE

DECLARATION OF MAGALIESKRUIN 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 Magalieskruin Extension 79 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(13/2/Magalieskruin x79 (376T))

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY PJJ VAN VUUREN BELEGGINGS (PTY) LTD, UNDER 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 588 (A PORTION OF PORTION 5) OF THE FARM HARTEBEESTFONTEIN 324JR, GAUTENG) 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 Magalieskruin Extension 79.

1.2 DESIGN

The township shall consist of erven and streets as indicated on General Plan SG No 114/2013.

1.3 DISPOSAL OF EXISTING CONDITIONS OF TITLE

All erven shall be made subject to the existing conditions and servitudes, where applicable, but excluding:

1.3.1 The following condition that does not affect the township:

Condition A in Deed of Transfer T41602/2012:

"A. GEDEELTE 10 van die plaas HARTEBEESTFONTEIN 324, Registrasie Afdeling JR, Transvaal; en die resterende gedeelte van Gedeelte E van die gemelde plaas (Waarvan die hoewe hieronder getranspoteer 'n deel uitmaak) groot as sodanig 426,1381 Hektaar, is wederkerig onderworpe aan en geregtig tot die reg van weë 12,59 meter wyd soos aangetoon op Kaart SG No A2596/42, geheg aan Transportakte No 24553/1942, gedateer die 7de dag van Desember 1942."

1.3.2 The following conditions that do affect the township:

1.3.2.1 Condition B in Deed of Transfer T41602/2012 that affects Stephan Road only:

"B. FURTHER SUBJECT to the conditions of establishment in terms whereof the owner or his successors in title of holding 89 shall be entitled to conduct or lead water by means of a pipeline over the holding and shall have the right of access to the holding for the purpose of laying and maintaining the said pipeline, which servitude runs along the line A B on diagram SG No A 1711/51."

1.3.2.2 Condition D in Deed of Transfer T41602/2012 that affects Braam Pretorius Street only:

"D. In terms of Notarial Deed of Servitude K315/1986S the within-mentioned property is subject to a water pipeline servitude 6 (six) metres wide, the Northern boundary of which is indicated by the line ECF on diagram SG No A6773/1984, as will more fully appear from the said Notarial Deed of Servitude."

1.3.2.3 Condition E in Deed of Transfer T41602/2012 that affects Erf 1026 and Braam Pretorius Street only:

"E. In terms of Notarial Deed of Servitude K348/1988S the within-mentioned property is subject to a sewer pipeline servitude 2 (two) metres wide, the Eastern boundary of which is indicated by the line AB on diagram SG No A8162/1987 and the North-Western boundary of which is indicated by the line CD on the said diagram, as will more fully appear from the said Notarial Deed of Servitude."

1.4 ENDOWMENT

Payable to the City of Tshwane Metropolitan Municipality.

The township owner shall pay endowment a total amount of **R390 000** for an area of **1 070m²** in terms of Regulation 44(1) of the Town-planning and Townships Regulations, to the City of Tshwane Metropolitan Municipality. The amount of this area 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 CONSOLIDATION OF ERVEN

The township owner shall at his own expense have Erven 1026 and 1027 in the township consolidated. The City of Tshwane Metropolitan Municipality hereby grants its consent to the consolidation in respect of Section 92(2) (a) of Ordinance 15 of 1986.

1.7 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.

1.8 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.

1.9 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.

1.10 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.

1.11 COMPLIANCE WITH CONDITIONS IMPOSED BY GDARD

The township owner shall at his own expense comply with all the conditions imposed, by which 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, (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.

1.12 NATIONAL HERITAGE RESOURCE ACT:

The township owner shall at his own expense comply with the provisions of the National Heritage Resource Act, 25 of 1999.

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 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.

