

**THE PROVINCE OF
GAUTENG**



**DIE PROVINSIE
GAUTENG**

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LOCAL AUTHORITY NOTICE

LOCAL AUTHORITY NOTICE 190

CITY OF TSHWANE

PERI-URBAN AMENDMENT SCHEME 60PU

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 Willow Acres Extension 21, being an amendment of the Peri-Urban Town-planning Scheme, 1975.

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 Peri-Urban Areas Amendment Scheme 60PU.

(13/2/Willow Acres x21 (60PU)
__ January 2015

CHIEF LEGAL COUNSEL
(Notice No 214/2015)

PLAASLIKE BESTUURSKENNISGEWING 190

STAD TSHWANE

PERI-URBAN WYSIGINGSKEMA 60PU

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 Willow Acres Uitbreiding 21, synde 'n wysiging van die Peri-Urban dorpsbeplanningskema, 1975, 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 Peri-Urban wysigingskema 60PU.

(13/2/Willow Acres x21 (60PU)
__ Januarie 2015

HOOFREGSADVISEUR
(Kennisgewing No 214/2015)

CITY OF TSHWANE

DECLARATION OF WILLOW ACRES EXTENSION 21 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 Willow Acres Extension 21 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(13/2/Willow Acres x21 (60PU))

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY SEZIFIN (PROPRIETARY) LIMITED IN TERMS OF THE PROVISIONS OF PART C OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE NO 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON THE REMAINING EXTENT OF PORTION 234 OF THE FARM ZWARTKOPPIES 364JR, PROVINCE OF GAUTENG, HAS BEEN GRANTED

1. CONDITIONS OF ESTABLISHMENT

1.1 NAME

The name of the township shall be Willow Acres Extension 21.

1.2 DESIGN

The township shall consist of erven and streets as indicated on General Plan SG No 1537/2011.

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, but excluding –

1.3.1 the following rights which shall not be passed on to the erven in the township:

- I. Gedeelte 8 van die suidwestelike gedeelte van die plaas Zwartkoppies 364, distrik Pretoria (waarvan die gedeelte hiermee getranspoteer, 'n deel vorm) is onderhewig aan die volgende voorwaardes, naamlik:

Condition 1(a):

“The terms of an order of the Water Court for the district of Pretoria, a copy of which is annexed to Deed of Transfer No 6241/1939 dated 12th September, 1939”

Condition 1(b):

“Specially entitled to the condition that the land hereby transferred is entitled to a reasonable right of way over the remaining extent of the south western portion of the aforesaid farm, measuring as such 927,2730 Hectares, held as aforesaid, to the Donkerhoek main road.”

1.3.2 Condition which does not affect the township

Condition II.

Die eiendom hiermee getranspoteer is onderhewig aan 'n Kraglyn serwituut, 31 meter wyd, soos aangedui deur die lyn abc op kaart L g Nr A 3836/85 en gesedeer aan die Stadsraad van Pretoria, soos meer volledig sal blyk uit Notariële Akte No K 2373/85.

EEN Condition IV.

Die eiendom hiermee getranspoteer is verder geregtig op 'n reg van weg oor die Gedeelte 113 ('n Gedeelte van Gedeelte 12) van die plaas Zwartkoppies No 364 Registrasie Afdeling JR, Provinsie van Gauteng, groot 1,0156 hektaar, 8 meter wyd ewewydug aan die lyne AJ en JH, synde die westelike grens van die serwituut, soos aangedui op LG diagram No 5503/2000.

1.4 ACCEPTANCE AND DISPOSAL OF STORMWATER

The township owner shall arrange for the drainage of the township to fit in with that of Provincial Road K69 and for all storm water running off or being diverted from the road to be received or disposed of.

1.5 DEMOLITION OF BUILDINGS AND STRUCTURES

The township owner shall at his own expense cause all existing buildings and structures situated within the building line reserves, side spaces or over common boundaries or dilapidated structures to be demolished to the satisfaction of the local authority when required by the local authority to do so.

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 local authority, when required to do so by the local authority.

1.7 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.

1.8 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 CONSOLIDATION OF ERVEN

The township owner shall at his own expense have Erven 725 and 726 in the township consolidated. The Tshwane Local Municipality hereby grants its consent to the consolidation in respect of Section 92(1)(b) of Ordinance 15 of 1986.

1.10 LAND TO BE TRANSFERRED TO THE SECTION 21 COMPANY (HOMEOWNERS' ASSOCIATION)

Erf 727 shall be transferred to the Section 21 Company (homeowners' association) within a period of 6 months after proclamation of the township or when the first erven in the township becomes transferable whichever ever the sooner, by and at the expense of the township owner.

A servitude for access and engineering services shall be registered over Erf 727 in favour of all the erven in the township.

The erf may not be transferred thereafter by the Section 21 Company before the consent of the City of Tshwane Metropolitan Municipality first been obtained.

1.11 THE DEVELOPER'S OBLIGATIONS

1.11.1 ASSOCIATION AND STATUTES

The developer must register a Section 21 Company (homeowners' association) in terms of the provisions of the Companies Act, 1973 (Act 61 of 1973). All the owners of erven and/or units in the township must become members of the Section 21 Company. A copy of the registered Deed of Association (CM4) and the Company's Statutes must be submitted to the City of Tshwane Metropolitan Municipality.

The Association and Statutes must clearly state that the main objective of the homeowners' association is the maintenance of the internal engineering services of the development (i.e. water, sewerage, electricity, roads and storm water sewers). The developer is deemed to be a member of the Section 21 Company, with all the rights and obligations of an ordinary member, until the last erf has been transferred.

2. CONDITIONS OF TITLE

2.1 CONDITIONS OF TITLE IMPOSED 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 erven shall be subject to a servitude, 3 metre wide, for municipal services (water/sewerage/electricity/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 pan-handle erf, an additional servitude for municipal purposes, 3 metre 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 3 metre from it.

2.1.1.3 The 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 Tshwane Metropolitan Municipality shall be entitled to reasonable access to the said property for the aforesaid purpose, subject to the provision that the Tshwane Metropolitan Municipality shall make good any damage caused during the laying, maintenance or removal of such services and other works.

2.1.2 ERVEN SUBJECT TO SPECIAL CONDITIONS

In addition to the relevant conditions set out in paragraphs 2.1.1.1, 2.1.1.2 and 2.1.1.3 above, the under mentioned erven shall be subject to the conditions as indicated.

2.1.2.1 ERF 727

The erf is subject to a servitude of right of way and the use of engineering services in favour of Erven 725 and 726, as indicated on the General Plan.

2.1.2.2 ERVEN 725 AND 726

The erven is entitled to a servitude of right of way and the use of engineering services over Erf 727, as depicted on the General Plan.

2.2 CONDITIONS OF TITLE IN FAVOUR OF THIRD PARTIES TO BE REGISTERED/ CREATED ON FIRST REGISTRATION OF THE ERVEN CONCERNED

No erf in the township may be transferred unless the following requirements have been complied with and the following condition and servitude is registered:

- 2.2.1 A servitude of right of way and the use of engineering services must be registered over Erf 727, in favour of Portion 236 of the farm Zwartkoppies 364 Registration Division JR, Gauteng Province, and any successors in title.
 - 2.2.2 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 2 metres there from.
-

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