

**THE PROVINCE OF  
GAUTENG**



**DIE PROVINSIE VAN  
GAUTENG**

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**PROCLAMATION • PROKLAMASIE**

**PROCLAMATION 11 OF 2017**

**CITY OF TSHWANE**

**PRETORIA AMENDMENT SCHEME 9696P**

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 27, being an amendment of the Pretoria Town-planning Scheme, 1974.

Map 3 and the scheme clauses of this amendment scheme are filed with the SED: Group Legal Services, and are open to inspection during normal office hours.

This amendment is known as Pretoria Amendment Scheme 9696P.

(13/2/Pretoriuspark x27 (9696P)  
NOVEMBER 2016

**SED: GROUP LEGAL SERVICES** \_\_\_\_\_  
(Notice 267/2016)

**PROKLAMASIE 11 VAN 2017**

**STAD TSHWANE**

**PRETORIA WYSIGINGSKEMA 9696P**

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 27, synde 'n wysiging van die Pretoria-dorpsbeplanningskema, 1974, goedgekeur het.

Kaart 3 en die skemaklousules van hierdie wysigingskema word deur die SUD: Groep Regsdienste, in bewaring gehou en lê gedurende gewone kantoorure ter insae.

Hierdie wysiging staan bekend as Pretoria-wysigingskema 9696P.

(13/2/Pretoriuspark x27 (9696P))  
NOVEMBER 2016

**SUD: GROEP REGSDIENSTE** \_\_\_\_\_  
(Kennisgewing 267/2016)

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**CITY OF TSHWANE**

**DECLARATION OF PRETORIUSPARK EXTENSION 27 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 27 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(13/2/Pretoriuspark x27 (9696P))

**SCHEDULE**

CONDITIONS UNDER WHICH THE APPLICATION MADE BY PJJ VAN VUUREN BELEGGINGS (PTY) 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 617 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 27.

## 1.2 DESIGN

The township shall consist of erven, parks and streets as indicated on the General Plan SG No 9770/2006.

## 1.3 PROVISION AND INSTALLATION OF ENGINEERING SERVICES

The township owner shall, at its 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, 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 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:

### 1.4.1 The following conditions that do not affect the township:

#### 1.4.1.1 Condition 2 in Deed of Transfer T7132/2006:

“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 indicted by the figure PHn1N on Diagram SG No 2239/2000, in favour of RAND WATER BOARD, as will more fully appear from the said Notarial Deed”.

#### 1.4.1.2 Condition 3 in Deed of Transfer T7132/2006:

“By virtue of Notarial Deed of Servitude K 3425/98S, dated 7<sup>th</sup> 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 Metres in extent, as depicted by the figure ABCD on Diagram No 9449/1992.”

#### 1.4.1.3 Condition 5(a) in Deed of Transfer T7132/2006:

“By virtue of Notarial Deed of Setrvutude K4137/2002 S dated 27 May 2002 the withinmentioned property is subject to the following servitude in favour of the City of Tshwane Metropolitan Municipality namely:

- (a) ‘n Ondergrondse elektriese kabelserwituut, 3,00 meter wyd, die Noord-oostelike grens van welke serwituut wat aangedui word deur die lyn ab en bc en die Oostelike grens wat aangedui word deur die lyn cd en de, op Kaart LG Nr 2239/2000.

As will more fully appear from the said notarial deed”

#### 1.4.1.4 Condition 2 in Deed of transfer T121345/2003:

“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 the 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.”

1.4.1.5 Condition 3 in Deed of transfer T121345/2003:

“By virtue of Notarial Deed of Servitude K3425/98S, dated 7<sup>th</sup> of 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 Metres in extent, as depicted by figure ABCD on Diagram SG no 9449/1992.”

1.4.1.6 Conditions 4(a) and 4(c) in Deed of transfer T121345/2003:

“Kragtens Notatiële 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, waarvan die hartlyn van die serwituut aangedui word deur lyn ab’ op diagram LG 4857/2000.
- ‘(c) VERDER onderhewig aan ‘n pyplynserwituut ten gunste van die City of Tshwane, welke serwituut aangedui word deur die figuur CDEC op diagram LG 4857/2000.”

1.4.2 The following conditions that do affect the township:

1.4.2.1 Condition 5(b) in Deed of Transfer T7132/2006 which affects Erf 1677 and a street:

“By virtue of Notarial Deed of Servitude K4137/2002, dated 27 May 2002, the withinmentioned property is subject to the following servitude in favour of the City of Tshwane, namely;-

- ‘(b) ‘n Oorhoofse elektriese kraglyn en waterpyplynserwituut, 31meter wyd, die hartlyn van welke serwituut aangedui word deur die lyn j’jkl op Kaart LG Nr 2239/2000.

As will more fully appear from the said notarial deed”

1.4.2.2 Condition 5(c) in Deed of Transfer T7132/2006 which affects Erf 1677:

“By virtue of Notarial Deed of Servitude K4137/2002, dated 27 May 2002, the withinmentioned property is subject to the following servitude in favour of the City of Tshwane, namely;-

- (b) ‘n Pyplynserwituutgebied, 2 meter wyd, die hartlyn van welke serwituutgebied aangedui word deur die lyn m1C op Kaart LG Nr 2239/2000.

As will more fully appear from the said notarial deed”

1.4.2.3 Condition 4(b) in Deed of Transfer T121345/2003 which affects Belsa Street:

“Kragtens Notatiële Akte van Serwituut K7074/2001S is die eiendom onderhewig aan die volgende serwitut:

- (c) “VERDER onderhewig aan ‘n pyplynserwituut, 5 meter breed, ten gunste van die City of Tshwane, waarvan die Suid-westelike grens aangedui word deur lyn CEF GHJ op diagram LG 4857/2000.”

1.4.3 Including the following conditions which do affect all the erven in the township:

#### 1.4.3.1 Condition 4 in Deed of Transfer T7132/2006:

“By Notarial Deed No. K 4136/2002 dated 27 May 2002, the within mentioned property is subject to a servitude of Right of Way in favour of the City of Tshwane. The said route of the servitude is to be determined by the owner and the Municipality”

#### 1.4.3.2 Condition 5 in Deed of Transfer T121345/2003:

“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, welke serwituut se roete nog bepaal staan te word”

### 1.5 LAND FOR MUNICIPAL PURPOSES

The following erven shall, prior to or simultaneously with registration of transfer of the first erf or unit in the township be transferred to the City of Tshwane by and at the expense of the township owner:

Municipal: Erf 1677  
Public open space: Erf 1686

The township owner shall, at its own costs and to the satisfaction of the Municipality, remove all refuse, building rubble and/or other materials from Erven 1677 and 1686, prior to the transfer of the erf/erven in the name of the City of Tshwane.

### 1.6 ACCESS

Unless the consent in writing of the Head of the Department: Gauteng Provincial Government: Department of Public Transport, Roads and Works has been obtained, no ingress from Road K54 to the township and no egress to Road K54 shall be allowed.

1.6.1 Ingress from Provincial Road K54 to the township and egress to Provincial Road K54 from the township shall be restricted to the intersection of the access road into the township with K54.

1.6.2 The township owner shall at his own expense arrange for a geometric lay-out design (scale 1:500) of the ingress and egress points referred to in (a) above and specifications for the construction of the junctions to be compiled and shall submit it to the Head of the Department: Gauteng Provincial Government: 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 the Department: Department of Public Transport, Roads and Works.

1.6.3 The township owner shall at his own expense comply with all the conditions imposed, by which the Gauteng Department of Roads and Transport (hereafter referred to as Gautrans) has granted consent for the development.

### 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 K54.

#### 1.9 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 Road K54 and he shall receive and dispose of the storm-water running off or being diverted from the road.

#### 1.10 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.

#### 1.11 DEMOLITION OF BUILDINGS AND STRUCTURES

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

#### 1.12 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, when required to do so by the City of Tshwane.

#### 1.13 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.

#### 1.14 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.

#### 1.15 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) for the development of this township.

#### 1.16 RESTRICTION ON THE TRANSFER OF AN ERF/ERVEN TO A NON PROFIT COMPANY

1.16.1 Erven 1678, 1679, 1680, 1681, 1682, 1683, 1684, 1685, 1687 and 1688 shall, prior to or simultaneously with registration of the first transfer of an erf/unit in the township and at the costs of the township owner, be transferred only to the non-profit company (homeowner's association) which organization shall have full responsibility for the functioning and proper maintenance of the said erven and the engineering services within the said erven.

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

#### 1.16.2 ERVEN 1670, 1671, 1672, 1673, 1674, 1675 AND 1676

Upon transfer, the owner of the erf and the owners of units on the property shall automatically become a member of the non-profit company (home-owner's association) and remain a member until he or she ceases to be the registered owner of that erf/unit, which condition shall be included in the title deed of the portion.

## 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 IN TERMS OF THE PROVISIONS OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986)

2.1.1 ALL ERVEN WITH THE EXCEPTION OF THE ERVEN 1678, 1679, 1680, 1681, 1682, 1677, 1686, 1683, 1684 1685, 1687 AND 1688

2.1.1.1 The erf shall be subject to a servitude, 2 m wide, for municipal services (water, sewer, electricity and storm-water) (hereinafter referred to as "the services"), in favour of the City of Tshwane, 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 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 ERF 1673

2.1.2.1 The erf shall be subject to a servitude, 2 metres wide for municipal services (storm water), along the south-eastern boundary of the erf, in favour of the City of Tshwane, 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 2 m therefrom.

2.1.2.3 The City of Tshwane 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 1674

2.1.3.1 The erf shall be subject to a servitude, 3 metres wide for municipal services (storm water), along the entire southern boundary of the erf, in favour of the City of Tshwane, 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 2 m therefrom.

2.1.3.3 The City of Tshwane 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 ERF 1675

The erf shall be subject to a servitude of Right of Way (5 m wide) in favour of the General Public, along the southern boundary of the erf, as indicated on the general plan. The servitude shall be landscaped and maintained to the satisfaction of the Municipality.

#### 2.2 CONDITIONS OF TITLE IMPOSED IN FAVOUR OF THIRD PARTIES 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 conditions have been registered:

ERVEN 1670, 1671, 1672, 1673, 1674, 1675 AND 1676:

Upon transfer, the owner of the erf and the owners of units on the property shall automatically become a member of the non-profit company (home-owner's association) and remain a member until he or she ceases to be the registered owner of that erf/unit, which condition shall be included in the title deed of the portion.





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