

**THE PROVINCE OF  
GAUTENG**



**DIE PROVINSIE VAN  
GAUTENG**

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**PROVINCIAL NOTICES • PROVINSIALE KENNISGEWINGS**


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**PROVINCIAL NOTICE 397 OF 2018****CITY OF TSHWANE****PRETORIA AMENDMENT SCHEME 9752P**

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 Lotus Gardens Extension 9, being an amendment of the Pretoria Town-planning Scheme, 1974.

Map 3 and the scheme clauses of this amendment scheme are filed with the Group Head: Economic Development and Spatial Planning, and are open to inspection during normal office hours.

This amendment is known as Pretoria Amendment Scheme 9752P.

(CPD 9/2/4/2-9752P) & CPD 9/1/1/1-LGSx9 023)

(13/2/Lotus Gardens x9 (9752P)

\_\_ APRIL 2018

**CITY OF TSHWANE METROPOLITAN MUNICIPALITY**

(Notice 173/2018)

**PROVINSIALE KENNISGEWING 397 VAN 2018****STAD TSHWANE****PRETORIA WYSIGINGSKEMA 9752P**

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 Lotus Gardens Uitbreiding 9, synde 'n wysiging van die Pretoria-dorpsbeplanningskema, 1974, goedgekeur het.

Kaart 3 en die skemaklousules van hierdie wysigingskema word deur die Groep Hoof: Ekonomiese Ontwikkeling en Ruimtelike Beplanning, in bewaring gehou en lê gedurende gewone kantoorure ter insae.

Hierdie wysiging staan bekend as Pretoria-wysigingskema 9752P.

(CPD 9/2/4/2-9752P) & CPD 9/1/1/1-LGSx9 023)

(13/2/Lotus Gardens x9 (9752P))

\_\_ APRIL 2018

**STAD TSHWANE METROPOLITAANSE MUNISIPALITEIT**

(Kennisgewing 173/2018)

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**CITY OF TSHWANE**
**DECLARATION OF LOTUS GARDENS EXTENSION 9 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 Lotus Gardens Extension 9 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(CPD 9/2/4/2-9752P) & CPD 9/1/1/1-LGSx9 023)

(13/2/Lotus Gardens x9 (9752P))

## SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY THE CITY OF TSHWANE METROPOLITAN MUNICIPALITY, IN TERMS OF THE PROVISIONS OF CHAPTER 4 OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE NO 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 516 (A PORTION OF PORTION 6) 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 Lotus Gardens Extension 9.

## 1.2 DESIGN

The township shall consist of erven and streets as indicated on General Plan SG No 3305/2007.

## 1.3 DISPOSAL OF EXISTING CONDITIONS OF TITLE

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

1.3.1 Excluding the following conditions and servitudes, which do not affect the township due to the locality:

A. SUBJECT to the conditions and stipulations of the Town Lands Ordinance 1904.

B. Die voormalige resterende gedeelte van gedeelte 6 van die gemelde plaas groot 3308,7324 ('n gedeelte waarvan hierkragtens getranspoteer word) is kragtens Notariële Akte K 628/1968 S gedateer 15 FEBRUARIE 1968 en 5 MAART 1968 onderhewig aan 'n servituut vir 'n kraglyn en skakelkas met meegaande regte ten gunste van die REPUBLIEK VAN SUID-AFRIKA soos meer volledig sal blyk uit genoemde Notariële Akte.

C. THE former remaining extent of portion 6 of the said farm in extent 3103,2795 hectares (a portion whereof is hereby transferred) is by virtue of Notarial Deed K 1276/1977S dated 23rd MARCH 1977, subject to servitude in perpetuity together with ancillary rights along a strip of ground 2493 square metres in extent as indicated by the figure A B C D E F J K on diagram SG No A 6406/1973 annexed thereto as will more fully appear on reference to the said notarial deed registered on 18 APRIL 1977.

D. DIE voormalige resterende gedeelte van gedeelte 6 van die gemelde plaas groot 3015,9551 hektaar ('n gedeelte waarvan hierkragtens getranspoteer word) is kragtens Akte van Sessie K 3335/1997 S gedateer 1 NOVEMBER 1977, onderhewig aan –

(a) 'n PYPLYNSERWITUUT aangedui deur die lyn A B C op kaart LG Nr A 2137/1974 met bykomende regte ten gunste van die REPUBLIEK VAN SUID-AFRIKA in sy ADMINISTRASIE VAN SPOORWEE EN HAWENS.

(b) 'n PYPLYNSERWITUUT aangedui deur die lyn A B C D E F G H J K L op kaart LG Nr A 2393/1974 met bykomende regte ten gunste van die REPUBLIEK VAN SUID-AFRIKA in sy ADMINISTRASIE VAN SPOORWEE EN HAWENS.

E. DIE voormalige resterende gedeelte van gedeelte 6 van die gemelde plaas groot 2797,5346 hektaar ('n gedeelte waarvan hierkragtens getranspoteer word) is kragtens Notariële Akte K 1386/1983 S onderhewig aan die reg aan E S K O M verleen om elektrisiteit oor die eiendom te vervoer tesame met bykomende regte en onderworpe aan voorwaardes soos meer volledig sal blyk uit gesegde akte en kaart geregistreer op 24 MEI 1983.

- F. DIE voormalige resterende gedeelte van gedeelte 6 van die gemelde plaas groot 1766,4013 hektaar ('n gedeelte waarvan hierkragtens getranspoteer word) is kragtens Notariële Akte K 476/1988 S gedateer 1 FEBRUARIE 1988, onderhewig aan 'n waterpypleiding serwituut soos aangedui deur die figuur A B C D E F op kaart LG Nr A 568/1976 ten gunste van die RAND WATERRAAD soos meer volledig sal blyk uit Notariële Akte.
- G. DIE resterende gedeelte van gedeelte 6 van die plaas PRETORIA TOWN AND TOWNLANDS 351, groot 1309,7584 hektaar (waarvan 'n gedeelte hierkragtens getranspoteer word) is –
- (a) KRAGTENS Notariële Akte K 94/1998 S gedateer 3 JULIE 1997, onderhewig aan 'n permanente serwituutgebied vir die installing en oprigting van 'n pyplyn en werke 6 (ses) meter wyd waarvan die middellyn aangedui word deur die lyn A B C D E, F G H en J K L M N P Q R S T U V W X Y Z op kaart LG No 2219/1997 met meegaande regte en 'n tydelike serwituutgebied vir die duur en die konstruksie van die pyplyn en werke ten gunste van die SUID-AFRIKAANSE GASDISTRIBUSIE-KORPORASIE BEPERK (1964/006005/06) soos meer volledig sal blyk uit die gemelde Notariële Akte.
- (b) KRAGTENS Notariële Akte K 95/1998 S gedateer 11 NOVEMBER 1997 onderhewig aan 'n permanente serwituutgebied vir die installing en oprigting van 'n drukverminderingstasie, pyplyn en werke met meegaande regte, welke –
- A. PYPLYN en werke 6 (SES) meter wyd is en waarvan die middellyn aangedui word deur die lyne A B C, D E F G H J K L M en N P Q en
- B. die DRUKVERMINDERINGSTASIE en werk 1794 vierkante meter groot is, aangedui deur die figuur R S T U op kaart LG No 4107/1997
- sowel as 'n tydelike serwituut vir die duur van die konstruksie van die pyplyn en werke ten gunste van die SUID-AFRIKAANSE GASDISTRIBUSIEKORPORASIE BEPERK (1964/006005/06) soos meer volledig sal blyk uit die gemelde Notariële Akte.
- H. By Notarial Deed of Servitude Number K7855/2004S dated 14 September 2004, The Remaining Extent 6 of the farm Pretoria Town & Townlands No 351JR is subject to a Servitude the rights in perpetuity with ancillary rights in favor of Rand Water Board to convey and transmit water over the mentioned property by means of pipelines already laid and which may hereafter be laid along a strip of ground 4,4409 hectares in extent, as depicted by the figures abcdefa as will more fully appear on Diagram SG 1421/2016.”

#### 1.4 ACCESS

No ingress to the township and no egress from the township shall be allowed along line ABC as indicated on the lay-out plan.

#### 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 developer.

#### 1.6 DEMOLITION OF BUILDINGS AND STRUCTURES

When required by the City of Tshwane Metropolitan Municipality to do so, the developer 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.

1.7 REMOVAL OF LITTER

The developer 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.

1.8 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 developer.

1.9 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 developer.

1.10 COMPLIANCE WITH CONDITIONS IMPOSED BY GDACE

The developer shall at his own expense comply with all the conditions imposed by the Gauteng Department of Agriculture, Conservation and Environment (GDACE), as well as any other applicable provisions, in terms of the provisions of the Environment Conservation Act, 73 of 1989 or the National Environmental Management Act, 107 of 1998 (as the case may be).

2. CONDITIONS OF TITLE

ALL ERVEN SHALL BE SUBJECT TO THE CONDITIONS AS INDICATED BELOW, 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 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.
- 2.2 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.
- 2.3 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 the 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 the services and other works.



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