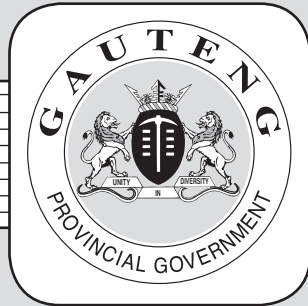


**THE PROVINCE OF
GAUTENG**



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GAUTENG**

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PROCLAMATION • PROKLAMASIE

PROCLAMATION 1 OF 2018**CITY OF TSHWANE****TSHWANE AMENDMENT SCHEME 3489T**

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 Arcadia Extension 11, being an amendment of the Tshwane Town-planning Scheme, 2008.

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

This amendment is known as Tshwane Amendment Scheme 3489T.

(13/2/Arcadia x11 (3489T)
___ DECEMBER 2017

GROUP LEGAL AND SECRETARIAT SERVICES
(Notice 277/2017)

PROKLAMASIE 1 VAN 2018**STAD TSHWANE****TSHWANE WYSIGINGSKEMA 3489T**

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 Arcadia Uitbreiding 11, synde 'n wysiging van die Tshwane dorpsbeplanningskema, 2008, goedgekeur het.

Kaart 3 en die skemaklousules van hierdie wysigingskema word deur die Groep hoof: Regs- en Sekretariaat Dienste, in bewaring gehou en lê gedurende gewone kantoorure ter insae.

Hierdie wysiging staan bekend as Tshwane wysigingskema 3489T.

(13/2/Arcadia x11 (3489T))
__ DESEMBER 2017

GROEP REGS- EN SEKRETARIAAT DIENSTE
(Kennisgewing 277/2017)

=====

CITY OF TSHWANE**DECLARATION OF ARCADIA EXTENSION 11 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 Arcadia Extension 11 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(13/2/Arcadia x11 (3489T))

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY THE TRUSTEES FOR THE TIME BEING OF THE MPI TRUST, UNDER THE PROVISIONS OF CHAPTER III: PART C OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 485 OF THE FARM ELANDSPOORT 357JR, PROVINCE OF GAUTENG, HAS BEEN GRANTED

1. CONDITIONS OF ESTABLISHMENT

1.1 NAME

The name of the township shall be Arcadia Extension 11.

1.2 DESIGN

The township consists of erven as indicated on General Plan SG No 3341/2015.

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 ACCESS

Access to or ingress into the town shall be provided to the satisfaction of the local authority from Kirkness Street or any other street to the satisfaction of the local authority.

1.5 ACCEPTANCE AND DISPOSAL OF STORMWATER

The township owner shall arrange for the drainage of the township to fit in with that of the adjacent roads and all stormwater running off or being diverted from the roads shall be received and disposed of, to the satisfaction of the local authority.

1.6 REFUSE REMOVAL

1.6.1 The township owner shall at his own expense have all litter within the township area removed to the satisfaction of the City of Tshwane, when required to do so by the City of Tshwane Metropolitan Municipality.

1.6.2 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.

1.7 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.

1.8 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.

1.9 CONSOLIDATION OF ERVEN

The township owner shall, at its own costs, after proclamation of the township but prior to the development of any erf in the township, consolidate Erven 1586 to 1589 to the satisfaction of the local authority. The local authority hereby grants its consent for the consolidation of Erven 1586 to 1589 in terms of Section 92(1)(b) of Ordinance 15 of 1986, 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.

2. DISPOSAL OF EXISTING CONDITIONS OF TITLE

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

With reference to Certificate of Consolidated Title T56806/2015 and Deed of Transfer T56807/2015 in respect of Portion 485 of the farm Elandspoort 357 JR, Gauteng Province.

2.1 Excluding the following servitudes/conditions which do not affect the township due to location:

D. DIE voormalige GEDEELTE 483 ('n gedeelte van gedeelte 414) van die plaas ELANDSPOORT 357, Registrasie Afdeling JR, Provinsie van Gauteng; (waarvan die eiendom hiermee geregistreer deel vorm) aangedui deur die figure C,D,E,F,G,H,J,f,d,C op Konsolidasie Diagram SG Nommer 561/2014, is onderhewig aan die volgende voorwaarde:

(1) KRAGTENS Notariële Akte van Serwituut van Reg van Weg K2497/94-S gedateer 9 Mei 1994, is die eiendom hierkragens gehou onderhewig aan 'n Serwituut van Reg van Weg ten gunste van die STADSRAAD VAN PRETORIA, welke serwituut aangedui word deur die figure G a b c d e f g h F op Kaart S.G. No. A 650/1994 en soos meer volledig sal blyk uit die gesegde Notariële Akte.

2.2 Including the following servitudes/conditions which affect all erven in the township:

A. (a) SUBJECT to all rights and servitudes, which now affect or may at any time hereafter be found to affect the Title to the land hereby transferred.

(b) SUBJECT to the conditions that all roads, already made over this land by lawful Authority, shall remain free and unencumbered.

B. DIE voormalige GEDEELTE 418 van die plaas ELANDSPOORT 357, Registrasie Afdeling JR, Provinsie van Gauteng; (waarvan die eiendom hiermee geregistreer deel vorm) aangedui deur die figure A,B, circular curve C,d,f,K,L,M,N,P,A op Konsolidasie Diagram S.G. Nommer 561/2014 hierby aangeheg, is onderhewig aan die volgende voorwaardes opgelê en afdwingbaar deur die STADSRAAD VAN PRETORIA, diese Opvolgers in Titel en Regverkrygendes:

- (a) DIE Transportnemer onderneem om die sport Rugby, en wat daarmee gepaard gaan, en daarmee enige ander geskikte sport, op die Eiendomme te beoefen, of toe te laat dat ander instansies dit beoefen, asook enige ander gebruike, wat voortspruitend uit enige Dorpsaanleg-skema, toegeken mag word. Die Transportnemer, of sy Huurders, is daarop geregtig om enige toepaslike wettige besigheid, soos toelaatbaar, onder die STADSRAAD VAN PRETORIA se Stadsbeplanningskema van 1974, die Ordonnansie op Lisensies (Ordonnansie 19 van 1974), of enige toepaslike Wetgewing, te bedryf.
- (b) INDIEN, in die uitsluitlike oordeel van die STADSRAAD VAN PRETORIA, die Transportnemer nie meer die Eiendomme vir die doeleindes, in Paragraaf 1 hierbo vermeld, aanwend nie, moet die Transportnemer die Eiendomme, op sy koste, aan die STADSRAAD VAN PRETORIA terugtransporteer, indien die STADSRAAD VAN PRETORIA dit sou vereis, in welke geval die Transportnemer slegs geregtig sal wees op vergoeding vir bestaande verbeteringe en verbeteringe wat na oordrag aan die Transportnemer, met goedkeuring van die STADSRAAD VAN PRETORIA, aangebring is, en wat nuttig is.
- (c) DIE Transportnemer mag nie die Eiendomme, of 'n Gedeelte daarvan, verkoop of met 'n Verband beswaar, sonder die skriftelike toestemming van die STADSRAAD VAN PRETORIA nie, welke toestemming nie onredelikerwys weerhou sal word nie.
- C. Die voormalige Gedeelte 418 van die plaas Elandspoort 357, Registrasie Afdeling JR, Provinsie van Gauteng; (waarin die eiendom hiermee getranspoteer deel vorm) aangedui deur die figure A,B circular curve C, d, f, K, L, M, N, P, A op konsolidasie Diagram SG Nommer 561/2014, is onderhewig aan die volgende voorwaardes opgelê en afgedwing deur die Stadsraad van Pretoria, diese opvolgers in titel of regsverkrygendes:

The property hereby transferred is subject to certain storm water drain in favour of CITY COUNCIL OF PRETORIA.

- E. By virtue of Notarial Deed of Servitude K3421/2015-S the within mentioned property is subject to a perpetual servitude for access purposes as well as for public motor vehicle parking purposes in favour of the Remainder of Portion 414 of the farm Elandspoort 357, Registration Division JR, Province of Gauteng, measuring 9,9480 (nine comma nine four zero) hectares, subject to the following conditions:
- (a) A minimum of 1000 (one thousand) parking bays will be established on the within mentioned property for the benefit of the general public, that can be utilised by spectators attending sporting events or other events being hosted, but subject to the following conditions:
- (i) The parking bays will only be available after office hours that will imply after 17:00 on weekdays and from 17:00 on Fridays up until 06:00 on Monday mornings.
- (ii) 60% (sixty percent) of the parking bays will be established on the within mentioned property, although available for the general public, will be agreed with the owner of the Remainder of Portion 414 of the farm Elandspoort 357 for the benefit of spectators attending to any sport events or other events on the dominant property.
- The remainder of the parking bays will remain available for the general public to attend sporting events or other events on the Remainder of Portion 414 of the farm Elandspoort 357 measuring 9,9480 (nine comma nine four eight zero) hectares.
- (iii) The remainder of the parking bays will remain available for the general public to attend sporting events or other events.

As will more fully appear from the aforesaid Notarial Deed of Servitude.

- II (a) The Blue Bulls Rugby Union must consent to the transfer of the above properties;
- (b) The Blue Bulls Rugby Union will not be entitled to withhold its consent if the successor-in-title of the purchase provides adequate security that this condition will also be imposed against the successors-in-title of the purchaser.”

2.3 Including the following entitlements which must be passed onto all erven in the township:

- F By virtue of Notarial Deed of Servitude K3423/2015-S the within mentioned property entitled to be a perpetual praedial servitude for access purposes as well as for motor vehicle parking purposes together with ancillary rights, in extent 6443 (six four four three)square metres over the Remaining Extent of Portion 414 of the farm Elandspoort 357, Registration Division JR , Province Gauteng , in extent 9,9480 (nine comma nine four eight zero) hectares, which servitude area is indicated by the figure ABCDEFGH on Diagram SG 460/2015 annexed to the aforesaid Deed of Servitudes.

3. CONDITIONS OF TITLE

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.

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Contact Centre Tel: 012-748 6200. eMail: info.egazette@gpw.gov.za
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