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LOCAL AUTHORITY NOTICE

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CITY OF TSHWANE METROPOLITAN MUNICIPALITY

PRETORIA AMENDMENT SCHEME 9556P

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 Metropolitan Municipality has approved an amendment scheme with regard to the land in the township of Faerie Glen Extension 77, being an amendment of the Pretoria Town-planning Scheme, 1974.

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

This amendment is known as Pretoria Amendment Scheme 9556P.

(13/2/Faerie Glen x77 (9556P))
 ____ January 2007

Acting Head: Legal and Secretarial Services
 (Notice No 393/2007)

PLAASLIKE BESTUURSKENNISGEWING 130

STAD TSHWANE METROPOLITAANSE MUNISIPALITEIT

PRETORIA WYSIGINGSKEMA 9556P

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 Metropolitaanse Munisipaliteit 'n wysigingskema met betrekking tot die grond in die dorp Faerie Glen Uitberiding 77, synde 'n wysiging van die Pretoria-dorpsbeplanningskema, 1974, goedgekeur het.

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

Hierdie wysiging staan bekend as Pretoria-wysigingskema 9556P.

(13/2/Faerie Glen x77 (9556P))
 ____ Januarie 2007

Waarnemende Hoof: Regs- en Sekretariële Dienste
 (Kennisgewing No 393/2007)

CITY OF TSHWANE METROPOLITAN MUNICIPALITY

DECLARATION OF FAERIE GLEN EXTENSION 77 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 Metropolitan Municipality hereby declares the Township of Faerie Glen Extension 77 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(13/2/Faerie Glen x77)

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY FAERIE GLEN WATERPARK (PTY) LTD IN TERMS OF THE PROVISIONS OF PART C OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 2 OF THE FARM HARTEBEE'S FARM 751JR, PROVINCE OF GAUTENG, HAS BEEN GRANTED.

1. CONDITIONS OF ESTABLISHMENT (CONDITIONS WHICH WILL BE APPLICABLE TO THE APPROVED TOWNSHIP IN TERMS OF SECTION 103 OF ORDINANCE 15 OF 1986)

1.1 NAME

The name of the township shall be Faerie Glen Extension 77.

1.2 DESIGN

The township shall consist of erven and streets as indicated on General Plan SG No 2708/2005.

1.3 DISPOSAL OF EXISTING CONDITIONS OF TITLE

All erven shall be made subject to existing conditions and servitudes in Title Deeds T33874/2001 and T38561/2001, if any, including the reservation of the rights to minerals, but excluding –

- 1.3.1 a servitude in favour of a portion of the farm Valley Farm registered under Notarial Deed No 440/1950S that affects only streets in the township (Condition 1 in Title Deed T33874/2001):

"That portion of the said VALLEY FARM shown in Diagram SG No A4677/1949 annexed to Certificate of Registered Title R12684/1950 by the figure cbaFGHJJ'K'KLMNOPQRST (of which the property held hereunder forms a portion) is entitled to a servitude of right of way in perpetuity, 12,59 (twelve comma five nine) meters wide over Portion 61 (a portion of Portion 10 of Portion "G") of the farm the Willows No. 340, situated in the Registration Division J.R. district Pretoria, (formerly No. 23) in extent 4,1691 Hectares, held by Deed of Transfer T22940/1941; and over the farm, "Koedoesnek" 341, situated in the Registration Division J.R. district Pretoria (formerly No. 25), in extent 12,8480 Hectares held by Certificate of Consolidated Title No. T4218/1949 as will more fully appear from figures aBCdefghjkl and abcdefEghj on the respective diagrams annexed to the aforementioned title deeds - all as will more fully appear from Notarial Deed No 440/1950S dated the 1st May 1950 and registered on the 9th June 1950."

1.4 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.

1.5 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 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.

1.6 REMOVAL OF LITTER

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

1.7 REMOVAL AND/OR REPLACEMENT 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.

1.8 COMPLIANCE WITH CONDITIONS IMPOSED BY GDACEL

The township owner shall at his own expense comply with all the conditions imposed, by which the Gauteng Department of Agriculture, Conservation, Environment and Land Affairs has granted the applicant exemption from compliance with regulations No 1182 and 1183 promulgated in terms of Sections 21, 22 and 26 of the Environmental Conservation Act, for the development of this township.

1.9 CONSOLIDATION OF ERVEN

The township owner shall at his own expense have Erven 3850 and 3851 in the township consolidated for which consolidation approval is hereby granted by the City of Tshwane Metropolitan Municipality in terms of section 92(2)(a) of the Town Planning and Township Ordinance, 1986 (Ordinance 15 of 1986).

2. CONDITIONS OF TITLE

2.1 THE ERVEN MENTIONED BELOW SHALL BE SUBJECT TO THE CONDITIONS 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 stormwater) (hereinafter referred to as "the services"), in favour of the local authority, along any two boundaries, except 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.

2.1.2 ERVEN 3850 AND 3851

2.1.2.1 The erven shall be subject to a pipeline servitude 3 meters wide in favour of the City of Tshwane Metropolitan Municipality, as indicated on the General Plan.

2.1.2.2 No buildings or other structures may be erected within the above servitude area and no trees with large roots may be planted within the area of this servitude or within a distance of 2m from it.

2.1.2.3 The City of Tshwane Metropolitan Municipality is entitled to temporarily deposit on the land adjoining the above servitude any material which it excavates while installing, maintaining or removing these services, and while carrying out other works which in its discretion it considers necessary. Further, the City of Tshwane Metropolitan Municipality is entitled to reasonable access to the indicated land for the above purpose, subject to the provision that the City of Tshwane Metropolitan Municipality is to make good any damage caused while installing, maintaining or removing these services and carrying out other works.

2.1.3 ERVEN 3850 AND 3851

The erf shall be notarial tied to Erf 3826, Faerie Glen Extension 65 and to Erf 3855, Faerie Glen Extension 78.

STAD TSHWANE METROPOLITAANSE MUNISIPALITEIT

VERKLARING VAN FAERIE GLEN UITBREIDING 77 TOT GOEDGEKEURDE DORP

Ingevolge artikel 103 van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie No 15 van 1986), verklaar die Stad Tshwane Metropolitaanse Munisipaliteit hierby die dorp Faerie Glen Uitbreiding 77 tot 'n goedgekeurde dorp, onderworpe aan die voorwaardes uiteengesit in die bygaande Bylae.

(13/2/Faerie Glen x77 (9556P))

BYLAE

STAAT VAN VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR FAERIE GLEN WATERPARK (PTY) LTD INGEVOLGE DIE BEPALINGS VAN DEEL C VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986 (ORDONNANSIE NO 15 VAN 1986), OM TOESTEMMING OM 'N DORP GEDEELTE 2 VAN DIE PLAAS HARTEBEEES FARM 751JR, GAUTENG, TE STIG, TOEGESTAAN IS.

1. STIGTINGSVOORWAARDES

1.1 NAAM

Die naam van die dorp is Faerie Glen Uitbreiding 77.

1.2 ONTWERP

Die dorp bestaan uit erwe en strate soos aangedui op Algemene Plan LG No 2708/2005.

1.3 BESKIKKING OOR BESTAANDE TITELVOORWAARDES

Alle erwe moet onderworpe gemaak word aan bestaande voorwaardes en servitute in Akte van Transporte T33874/2001 en T38561/2001, as daar is, met inbegrip van die voorbehoud van die regte op minerale, maar uitgesonderd –

- 1.3.1 'n servituut ten gunste van 'n gedeelte van die plaas Valley Farm geregistreer onder Notariële Akte No 440/1950S wat slegs strate in die dorp raak (Voorwaarde 1 in Akte van Transport T33874/2001):

"That portion of the said VALLEY FARM shown in Diagram SG No A4677/1949 annexed to Certificate of Registered Title R12684/1950 by the figure cbaFGHJJ'K'KLMNOPQRST (of which the property held hereunder forms a portion) is entitled to a servitude of right of way in perpetuity, 12,59 (twelve comma five nine) meters wide over Portion 61 (a portion of Portion 10 of Portion "G") of the farm the Willows No. 340, situated in the Registration Division J.R. district Pretoria, (formerly No. 23) in extent 4,1691 Hectares, held by Deed of Transfer T22940/1941; and over the farm, "Koedoesnek" 341, situated in the Registration Division J.R. district Pretoria (formerly No. 25), in extent 12,8480 Hectares held by Certificate of Consolidated Title No. T4218/1949 as will more fully appear from figures aBCdefghjkl and abcdefEghj on the respective diagrams annexed to the aforementioned title deeds - all as will more fully appear from Notarial Deed No 440/1950S dated the 1st May 1950 and registered on the 9th June 1950."

1.4 VERSKUIWING EN/OF VERWYDERING VAN MUNISIPALE DIENSTE

Indien dit as gevolg van die stigting van die dorp nodig word om enige bestaande munisipale dienste te verskuif of te vervang, moet die koste daarvan deur die dorpseienaar gedra word.

1.5 SLOPING VAN GEBOUE EN STRUKTURE

Die dorpseienaar moet op eie koste alle bestaande geboue en strukture wat binne boulynreserwes en kantruimtes of oor gemeenskaplike grense gelê is, of bouvallige strukture laat sloop tot tevredeheid van die Stad Tshwane Metropolitaanse Munisipaliteit wanneer die Stad Tshwane Metropolitaanse Munisipaliteit dit vereis.

1.6 VERWYDERING VAN ROMMEL

Die dorpseienaar moet op eie koste alle rommel binne die dorpsgebied laat verwyder tot tevredeheid van die Stad Tshwane Metropolitaanse Munisipaliteit wanneer die Stad Tshwane Metropolitaanse Munisipaliteit dit vereis.

1.7 VERSKUIWING EN/OF VERWYDERING VAN TELKOM DIENSTE

Indien dit as gevolg van die stigting van die dorp nodig word om enige bestaande dienste van TELKOM te verskuif en/of te verwyder, moet die koste daarvan deur die dorpseienaar gedra word.

1.8 VOLDOENING AAN VOORWAARDES OPGELÉ DEUR DIE GAUTENGSE DEPARTEMENT VAN LANDBOU, BEWARING, OMGEWING EN GRONDSAKE (DLBOG)

Die dorpseienaar sal op sy eie koste voldoen aan al die voorwaardes wat opgelé is deur (DLBOG) met die aansoek om vrystelling om aan die bepalinge van Regulasie 1182 en 1183 gepromulgeer ingevolge artikel 21, 22 en 26 van die Wet op Omgevingsbewaring, 1989 (Wet No 73 van 1989) vir die ontwikkeling van die dorpsgebied.

1.9 KONSOLIDASIE VAN ERWE

Die dorpseienaar moet op eie koste Erwe 3850 en 3851 in die dorp laat konsolideer. Die Stad Tshwane Metropolitaanse Munisipaliteit verleen hiermee ingevolge Artikel 92(2)(a) van Ordonnansie 15 van 1986, toestemming tot die konsolidasie.

2. TITELVOORWAARDES

2.1 DIE ERWE HIERONDER GENOEM, IS ONDERWORPE AAN DIE VOORWAARDES SOOS AANGEDUI, OPGELÉ DEUR DIE STAD TSHWANE METROPOLITAANSE MUNISIPALITEIT INGEVOLGE DIE BEPALINGS VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986 (ORDONNANSIE 15 VAN 1986):

2.1.1 ALLE ERWE

2.1.1.1 Die erf is onderworpe aan 'n serwituut, 2 meter breed, vir munisipale dienste (water, riool, elektrisiteit, stormwater) (hierna "die dienste" genoem), ten gunste van die Stad Tshwane Metropolitaanse Munisipaliteit langs enige twee grense, uitgesonderd 'n straatgrens en, in die geval van 'n pypsteelerf, 'n addisionele serwituut vir munisipale doeleindes, 2 meter breed, oor die toegangsgedeelte van die erf, indien en wanneer die plaaslike bestuur dit verlang. Met dien verstande dat die plaaslike bestuur van enige sodanige serwituut mag afsien.

2.1.1.2 Geen geboue of ander strukture mag binne die voornoemde serwituutgebied opgerig word nie en geen grootwortelbome mag binne die gebied van sodanige serwituut of binne 'n afstand van 2 meter daarvan geplant word nie.

2.1.1.3 Die Stad Tshwane Metropolitaanse Munisipaliteit is daarop geregtig om enige materiaal wat deur hom uitgegrawe word tydens die aanleg, onderhoud of verwydering van sodanige dienste en ander werke wat hy na goedgekeurde noodsaaklik ag, tydelik te plaas op grond wat aan die voornoemde serwituut grens, en voorts is die Stad Tshwane Metropolitaanse Munisipaliteit geregtig op redelike toegang tot genoemde grond vir die voornoemde doel, onderworpe daaraan dat die Stad Tshwane Metropolitaanse Munisipaliteit enige skade vergoed wat gedurende die aanleg, onderhoud of verwydering van sodanige dienste en ander werke veroorsaak word.

2.1.2 ERWE 3850 EN 3851

2.1.2.1 Die erf is onderworpe aan 'n pyplyn serwituut, 3 meter breed, ten gunste van die Stad Tshwane Metropolitaanse Munisipaliteit, soos op die algemene plan aangedui.

2.1.2.2 Geen geboue of ander strukture mag binne die voornoemde serwituutgebied opgerig word nie en geen grootwortelbome mag binne die gebied van sodanige serwituut of binne 'n afstand van 2m daarvan geplant word nie.

2.1.2.3 Die Stad Tshwane Metropolitaanse Munisipaliteit is daarop geregtig om enige materiaal wat deur hom uitgegrawe word tydens die aanleg, onderhoud of verwydering van munisipale dienste en ander werke wat hy na goedgekeurde noodsaaklik ag, tydelik te plaas op grond wat aan die voornoemde serwituut grens, en voorts is die Stad Tshwane Metropolitaanse Munisipaliteit geregtig op redelike toegang tot genoemde grond vir die voornoemde doel, onderworpe daaraan dat die Stad Tshwane Metropolitaanse Munisipaliteit enige skade vergoed wat gedurende die aanleg, onderhoud of verwydering van sodanige munisipale dienste en ander werke veroorsaak word.

2.1.3 ERWE 3850 EN 3851

Die erf moet notarieel verbind word met Erf 3826, Faerie Glen Uitbreiding 65 en Erf 3855, Faerie Glen Uitbreiding 78.