

***THE PROVINCE OF
GAUTENG***

***DIE PROVINSIE
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LOCAL AUTHORITY NOTICE

LOCAL AUTHORITY NOTICE 2431

CITY OF TSHWANE METROPOLITAN MUNICIPALITY

PRETORIA AMENDMENT SCHEME 9683P

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 Andeon Extension 15, 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 Executive Director: Legal Services, and are open to inspection during normal office hours.

This amendment is known as Pretoria Amendment Scheme 9683P.

(13/2/Andeon x15 (9683P))
___ September 2007

Acting Executive Director: Legal Services
(Notice No 1171/2007)

PLAASLIKE BESTUURSKENNISGEWING 2431

PRETORIA WYSIGINGSKEMA 9683P

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 Andeon Uitbreiding 15, synde 'n wysiging van die Pretoria-dorpsbeplanningskema, 1974, goedgekeur het.

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

Hierdie wysiging staan bekend as Pretoria-wysigingskema 9683P.

(13/2/Andeon x15 (9683P))
___ September 2007

Waarnemende Uitvoerende Direkteur: Regsdienste
(Kennisgewing No 1171/2007)

CITY OF TSHWANE METROPOLITAN MUNICIPALITY

DECLARATION OF ANDEON EXTENSION 15 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 Andeon Extension 15 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(13/2/Andeon x15 (9683P))

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY INVICTA KONSTRUKSIE BK IN TERMS OF THE PROVISIONS OF CHAPTER III: PART A AND C OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE NO 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 273 (A PORTION OF PORTION 151) AND PORTION 200 (A PORTION OF PORTION 151) OF THE FARM ZANDFONTEIN 317JR, PROVINCE OF GAUTENG, HAS BEEN GRANTED.

1. CONDITIONS OF ESTABLISHMENT

1.1 NAME

The name of the township shall be Andeon Extension 15.

1.2 DESIGN

1.2 DESIGN

The township shall consist of erven and streets as indicated on General Plan SG No 9818/2006.

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 servitudes which do not affect the township:

- (i) Servitude in terms of Notarial Deed K 658/1957S registered on 3 July 1957:

"The owner of the said property or any portion thereof shall be obliged to receive all stormwater discharged from any existing or future Public Road including its culverts and from any future alteration of such Public Road and its culverts, and the owner shall have no claim whatsoever against the Government of the Republic of South Africa or its servants for any damage caused by such water."

- (ii) Servitude in terms of Notarial Deed No.658/1957S registered on 2 July 1957:

"The owner of the said property or any portion thereof shall be obliged to receive all stormwater discharged from any existing or future Provincial Road including its culverts and from any future alteration of such Provincial Road and its culverts, and the owner shall have no claim whatsoever against the Government of the Republic of South Africa or its servants for any damage caused by such water."

1.3.2 the following servitude which shall not be transferred to the erven in the township:

"GERECHTIGD tot de rechten van weg zoals aangetoond op die Generale Plan van de Verdeeling van de Westelike gedeelte van die plaats "Zandfontein" Nr. 317, Registratie Afdeling J.R., distrik Pretoria, gevijld in de Registratie Kantoor te Pretoria."

1.4 ENDOWMENT

Payable to the City of Tshwane Metropolitan Municipality.

The township owner shall pay to the City of Tshwane Metropolitan Municipality endowment for an area of **2 184m²** in terms of Regulation 44(1) of the Town-planning and Townships Regulations. The amount of this area shall be used by the City of Tshwane Metropolitan Municipality for the acquisition of land for park and/or public open space purposes.

The said endowment amount shall be payable in accordance with the provisions of section 81 of the Town-planning and Townships Ordinance, 1986 (Ordinance 15 of 1986).

1.5 RECEIVING AND DISPOSAL OF STORMWATER

The township owner shall arrange the stormwater drainage of the township in such a way as to fit in with that of Fred Messenger Avenue and he shall receive and dispose of the storm-water running off or being diverted from the road.

1.6 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.

1.7 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.

1.8 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.

1.9 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.

1.10 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.

1.11 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 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, (Act 73 of 1989) for the development of this township.

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, 2 metre wide, for municipal services (water, sewerage, 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, 2 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 2 metre 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 ERF 700

2.1.2.1 The erf shall be subject to a servitude (3m wide) for municipal services (stormwater) 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 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 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 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.

STAD TSHWANE METROPOLITAANSE MUNISIPALITEIT

VERKLARING VAN ANDEON UITBREIDING 15 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 Andeon Uitbreiding 15 tot 'n goedgekeurde dorp, onderworpe aan die voorwaardes uiteengesit in die bygaande Bylae.

(13/2/Andeon x15 (9683P))

BYLAE

STAAT VAN VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR INVICTA KONSTRUKSIE BK INGEVOLGE DIE BEPALINGS VAN HOOFSTUK III: DEEL A EN C VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986 (ORDONNANSIE NO 15 VAN 1986), OM TOESTEMMING OM 'N DORP OP GEDEELTE 273 ('N GEDEELTE VAN GEDEELTE 151) EN GEDEELTE 200 ('N GEDEELTE VAN GEDEELTE 151) VAN DIE PLAAS ZANDFONTEIN 317JR, GAUTENG, TE STIG, TOEGESTAAN IS.

1. STIGTINGSVOORWAARDES

1.1 NAAM

Die naam van die dorp is Andeon Uitbreiding 15.

1.2 ONTWERP

Die dorp bestaan uit erwe en strate soos aangedui op Algemene Plan LG No. 9818/2006.

1.3 BESKIKKING OOR BESTAANDE TITELVOORWAARDES

Alle erwe moet onderworpe gemaak word aan bestaande voorwaardes en servitude, as daar is, met inbegrip van die voorbehoud van die regte op minerale, maar uitgesonderd -

1.3.1 die volgende servitude wat nie die dorp raak nie:

- (i) Servitude in terms of Notarial Deed K 658/1957S registered on 3 July 1957:

"The owner of the said property or any portion thereof shall be obliged to receive all stormwater discharged from any existing or future Public Road including its culverts and from any future alteration of such Public Road and its culverts, and the owner shall have no claim whatsoever against the Government of the Republic of South Africa or its servants for any damage caused by such water."

- (ii) Servitude in terms of Notarial Deed No.658/1957S registered on 2 July 1957:

"The owner of the said property or any portion thereof shall be obliged to receive all stormwater discharged from any existing or future Provincial Road including its culverts and from any future alteration of such Provincial Road and its culverts, and the owner shall have no claim whatsoever against the Government of the Republic of South Africa or its servants for any damage caused by such water."

- 1.3.2 die volgende servituut wat nie aan die erwe in die dorp oorgedra moet word nie;

"GERECHTIGD tot de rechten van weg zoals aangetoond op die Generale Plan van de Verdeeling van de Westelijke gedeelte van die plaats "Zandfontein" Nr. 317, Registratie Afdeling J.R., distrik Pretoria, gevijld in de Registratie Kantoor te Pretoria."

1.4 BEGIFTIGING

Betaalbaar aan die Stad Tshwane Metropolitaanse Munisipaliteit.

Die dorpseienaar moet aan die Stad Tshwane Metropolitaanse Munisipaliteit, begiftiging vir 'n area van **2 184m²** in terme van Regulasie 44(1) van die Dorpsbeplanning en Dorpe Regulasie, betaal, welke bedrag deur die Stad Tshwane Metropolitaanse Munisipaliteit aangewend moet word vir die verkryging van grond vir park- en/of openbare-oopruimtedoeleindes.

Die genoemde begiftigingsbedrag is betaalbaar kragtens die bepaling van artikel 81 van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986).

1.5 ONTVANGS VAN EN WEGDOEN MET STORMWATER

Die dorpseienaar moet die stormwaterdreinerings van die dorp so reël dat dit inpas by die van Fred Messenger-weg en hy moet die stormwater wat van die pad afloop of afgelei word, ontvang en daarmee wegdoen.

1.6 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.

1.7 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.

1.8 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.

1.9 VERSKUIWING EN/OF VERWYDERING VAN ESKOM KRAGLYNE

Indien dit as gevolg van die stigting van die dorp nodig word om enige bestaande kraglyne van Eskom te verskuif, moet die koste daarvan deur die dorpseienaar gedra word.

1.10 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.

1.11 VOLDOENING AAN VOORWAARDES OPGELEË DEUR DIE GAUTENGSE DEPARTEMENT VAN LANDBOU, BEWARING EN DIE OMGEWING (DLBO)

Die dorpseienaar sal op sy eie koste voldoen aan al die voorwaardes wat opgelê is deur Departement van Landbou, Bewaring en die Omgewing met die aansoek om vrystelling om aan die bepalings van Regulasie 1182 en 1183 gepromulgeer ingevolge artikel 21, 22 en 26 van die Wet op Omgewingsbewaring, 1989 (Wet No 73 van 1989) vir die ontwikkeling van die dorpsgebied.

2. TITELVOORWAARDES

2.1 DIE ERWE HIERONDER GENOEM, IS ONDERWORPE AAN DIE VOORWAARDES SOOS AANGEDUI, OPGELEË 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 servituut, 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 servituut 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 servituut mag afsien.

2.1.1.2 Geen geboue of ander strukture mag binne die voornoemde servituutgebied opgerig word nie en geen grootwortelbome mag binne die gebied van sodanige servituut 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 goeë dunnke noodsaaklik ag, tydelik te plaas op grond wat aan die voornoemde servituut 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 ERF 700

2.1.2.1 Die erf is onderworpe aan 'n servituut, 3m breed, vir munisipale dienste (stormwater) 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 servituutgebied opgerig word nie en geen grootwortelbome mag binne die gebied van sodanige servituut 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 goeë dunnke noodsaaklik ag, tydelik te plaas op grond wat aan die voornoemde servituut 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 hoofrioleringspyple en ander werke veroorsaak word.
