

**THE PROVINCE OF  
GAUTENG**



**DIE PROVINSIE VAN  
GAUTENG**

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**PROCLAMATION • PROKLAMASIE**

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**PROCLAMATION 34 OF 2017****CITY OF TSHWANE****TSHWANE AMENDMENT SCHEME 3911T**

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 Kirkney Extension 45, 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 Legal and Secretariat Services, and are open to inspection during normal office hours.

This amendment is known as Tshwane Amendment Scheme 3911T.

(13/2/Kirkney x45 (3911T))  
FEBRUARY 2017

**GROUP LEGAL AND SECRETARIAT SERVICES** —  
(Notice 216/2017)

**PROKLAMASIE 34 VAN 2017****STAD TSHWANE****TSHWANE WYSIGINGSKEMA 3911T**

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 Kirkney Uitbreiding 45, synde 'n wysiging van die Tshwane dorpsbeplanningskema, 2008, goedgekeur het.

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

Hierdie wysiging staan bekend as Tshwane wysigingskema 3911T.

(13/2/Kirkney x45 (3911T))  
FEBRUARIE 2017

**GROEP REGS- EN SEKRETARIAAT DIENSTE** —  
(Kennisgewing 216/2017)

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**CITY OF TSHWANE****DECLARATION OF KIRKNEY EXTENSION 45 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 Kirkney Extension 45 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(13/2/Kirkney x45 (3911T))

## SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY KIRKNEY SECURITISATION (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 318 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 Kirkney Extension 45.

## 1.2 DESIGN

The township shall consist of erven and streets as indicated on SG Diagram Number 683/2015.

## 1.3 DISPOSAL OF EXISTING CONDITIONS OF TITLE

All erven shall be made subject to existing conditions and servitudes, if any, but excluding the following which are reflected in the township title because of ancillary rights, but shall not be passed onto the title deeds of the erven in the township because of location:

1. Portion 41 (a Portion of Portion 17) of the farm Zandfontein 317 which portion forms a component of Portion 318 as contained in T92498/2013:

B. Subject to a powerline servitude in favour of Eskom Holdings Limited with ancillary rights, more fully set out in Notarial Deed of Servitude No K3771/2012S.

2. Portion 42 (a Portion of Portion 17) of the farm Zandfontein 317 which portion forms a component of Portion 318 as contained in T92498/2013:

C. Subject to a powerline servitude in favour of Eskom Holdings Limited with ancillary rights, more fully set out in Notarial Deed of Servitude No K3771/2012S.

## 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 to do so, the township owner shall at his own expense cause to be demolished to the satisfaction of the 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, when required to do so by the Municipality.

## 1.7 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.

## 1.8 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.

## 1.9 COMPLIANCE WITH CONDITIONS IMPOSED BY GDARD

The township owner shall at his own expense comply with all the conditions imposed, by which the Gauteng Department of Agriculture and Rural Development 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) or the National Environmental Management Act, 1998 (Act 107 of 1998) and Regulations thereto, as the case may be, for the development of this township.

## 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

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, 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 City of Tshwane shall be entitled to reasonable access to the said property for the aforesaid purpose, subject to the provision that the City of Tshwane shall make good any damage caused during the laying, maintenance or removal of such services and other works.

#### 2.1.2 ERVEN 1230 and 1237

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, 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 2m 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 City of Tshwane shall be entitled to reasonable access to the said property for the aforesaid purpose, subject to the provision that the City of Tshwane shall make good any damage caused during the laying, maintenance or removal of such main sewer pipelines and other works.

2.1.3 ERVEN 1230 to 1238

2.1.3.1 The erf shall be subject to a servitude 3m wide for municipal services (sewer) 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 2m 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 City of Tshwane shall be entitled to reasonable access to the said property for the aforesaid purpose, subject to the provision that the City of Tshwane shall make good any damage caused during the laying, maintenance or removal of such main sewer pipelines and other works.

2.1.4 ERVEN 1255 and 1267

2.1.4.1 The erf shall be subject to a servitude 3m wide for municipal services (stormwater and sewer) in favour of the City of Tshwane, as indicated on the general plan.

2.1.4.2 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 therefrom.

2.1.4.3 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 City of Tshwane shall be entitled to reasonable access to the said property for the aforesaid purpose, subject to the provision that the City of Tshwane shall make good any damage caused during the laying, maintenance or removal of such main sewer pipelines and other works.



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