

***THE PROVINCE OF
GAUTENG***



***DIE PROVINSIE VAN
GAUTENG***

Provincial Gazette Provinsiale Koerant

EXTRAORDINARY • BUITENGEWOON

Selling price • Verkoopprys: **R2.50**
Other countries • Buitelands: **R3.25**

Vol. 23

PRETORIA
3 OCTOBER 2017
3 OKTOBER 2017

No. 241

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ISSN 1682-4525



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CONTENTS

		<i>Gazette No.</i>	<i>Page No.</i>
	PROCLAMATION • PROKLAMASIE		
150	Town-planning and Townships Ordinance (15/1986): Andeon Extension 28.....	241	3
150	Ordonnansie op Dorpsbeplanning en Dorpe (15/1986): Andeon Uitbreiding 28	241	3

PROCLAMATION • PROKLAMASIE**PROCLAMATION 150 OF 2017****CITY OF TSHWANE****PRETORIA AMENDMENT SCHEME 13201P**

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 Andeon Extension 28, 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 Legal and Secretariat Services, and are open to inspection during normal office hours.

This amendment is known as Pretoria Amendment Scheme 13201P.

(13/2/Andeon x28 (13201P))
___ OCTOBER 2017

GROUP LEGAL AND SECRETARIAT SERVICES
(Notice 251/2017)

PROKLAMASIE 150 VAN 2017**STAD TSHWANE****PRETORIA WYSIGINGSKEMA 13201P**

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 Andeon Uitbreiding 28, synde 'n wysiging van die Pretoria-dorpsbeplanningskema, 1974, 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 Pretoria-wysigingskema 13201P.

(13/2/Andeon x28 (13201P))
___ OKTOBER 2017

GROEP REGS EN SEKRETARIAAT DIENSTE
(Kennisgewing 251/2017)

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CITY OF TSHWANE**DECLARATION OF ANDEON EXTENSION 28 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 Andeon Extension 28 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(13/2/Andeon x28 (13201P))

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY INVICTA CONSTRUCTION CC, 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 293 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 28.

1.2 DESIGN

The township shall consist of erven, parks and streets as indicated on General Plan SG No 9122/2008.

1.3 DISPOSAL OF EXISTING CONDITIONS OF TITLE

- 1.3.1 All erven shall be made subject to existing conditions and servitudes, if any, including the following conditions or servitudes which shall be passed on to the erven in the township:

Condition 1.A. in Deed of Transfer No. T16684/2016:

- "A. SUBJECT to the following condition as will more fully appear from Notarial Deed Nr 658/1957S registered on the 2nd day of July 1957:

"The owner of the said property or any portion thereof shall be obliged to receive all storm-water or other discharged thereon 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 Republic of South Africa or its servants for any damage caused by such water".

- 1.3.2 All erven shall be made subject to existing conditions and servitudes, if any, excluding the following servitude which affects Fred Messenger Avenue in the township only:

A servitude for road purposes as indicated by Servitude Diagram SG No A4137/1982.

1.4 ENDOWMENT

As sufficient open space has been provided for in the township, no endowment will be payable to the Municipality.

1.5 ACCESS

Access to the township shall be designed, constructed and maintained to the satisfaction of the Municipality.

1.6 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 adjacent roads and he shall receive and dispose of the storm water running off or being diverted from the road.

The Service Report containing the stormwater design proposal shall be submitted to the Municipality for approval at the time of the application, i.e. before Township Proclamation.

1.7 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.

1.8 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 City of Tshwane all existing buildings and structures situated within building line reserves and side spaces or over common boundaries, or dilapidated structures.

1.9 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 City of Tshwane.

1.10 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.

1.11 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.

1.12 COMPLIANCE WITH CONDITIONS IMPOSED BY GDARD

The township owner shall at his own expense comply with all the conditions imposed by the Gauteng Department of Agriculture and Rural Development, 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.

1.13 NATIONAL HERITAGE RESOURCE ACT

The township owner shall at his own expense comply with the provisions of the National Heritage Resource Act, 25 of 1999.

1.14 CONSOLIDATION OF ERVEN

The township owner shall, at its own costs, after proclamation of the township but prior to development of any erf in the township, consolidate Erven 705 and 706 to the satisfaction of the Municipality. The Municipality hereby grants its consent for the consolidation in terms of Section 92(1)(b) of the Ordinance 15 of 1986, which consolidation shall come into operation on proclamation of the township and subject to the section 82 certificate being issued by the Municipality.

2. CONDITIONS TO BE COMPLIED WITH BEFORE THE ERVEN IN THE TOWNSHIP BECOME REGISTRABLE

2.1 INSTALLATION OF INTERNAL AND EXTERNAL SERVICES

A certificate issued in terms of section 82 of the Town Planning and Townships Ordinance (Ordinance 15 of 1986) shall be lodged with the first transfer or with any other act of registration such as the issuing of a Certificate of Title.

The township applicant shall install and provide internal engineering services in the township as provided for in the services agreement.

The Local Authority shall install and provide external engineering services for the township as provided for in the services agreement.

2.2 RESTRICTIONS ON THE ALIENATION OF LAND

Regardless the issuing of a certificate as contemplated in section 82(1)(b)(ii)(cc) of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), no erf in the township shall be transferred or be dealt with otherwise until the Municipality certifies that the developer has complied with the provisions of condition 2.3.

2.3 THE DEVELOPER'S OBLIGATIONS

2.3.1 PROVISION OF ENGINEERING DRAWINGS

The developer shall submit to the Municipality complete engineering drawings in respect of internal sewers and sewer connection points and complete engineering drawings in respect of the internal road and storm water sewers as well as water and electricity services, prior to the commencement of the construction of the said services.

2.3.2 PROVISION OF A CERTIFICATE BY A PROFESSIONAL ENGINEER

Before any erf is transferred, the Municipality shall be provided with a certificate by a Professional Engineer for water, sewerage, electricity, and the internal road and storm water sewers, in which it is certified that the internal engineering services have been completed and that the engineers accept liability for the services.

The Municipality may at its own discretion allow an exception in respect of the internal road and storm water sewers. If this is the case, the developer shall give the Municipality an undertaking that the developer will complete this service on or before a certain date and shall provide the Municipality with a guarantee issued by a recognized financial institution.

No building plans shall be approved before the services are completed and (if applicable) taken over by the divisions of the Public Works and Infrastructure Development Department.

2.3.3 MAINTENANCE PERIOD AND GUARANTEE

A maintenance period of 12 (twelve) months commences when the last of the internal engineering services (i.e. water, sewerage, electricity, and the road and stormwater services) have been completed. The developer must submit proof to the Municipality that:

2.3.3.1 the Municipality has been furnished with a maintenance guarantee, issued by a recognised financial institution, in respect of poor workmanship and/or materials with regard to the sewer and water services, which guarantee must be for an amount that is equal to 10% of the contract cost of these services, prior to the commence date of the contract.

3. CONDITIONS OF TITLE

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)

3.1 ALL ERVEN

- 3.1.1 The erf shall be subject to a servitude, 2 m wide, for municipal services (water, sewer, electricity and stormwater) (hereinafter referred to as "the services"), in favour of the Municipality, 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 Municipality: Provided that the Municipality may waive any such servitude.
- 3.1.2 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 thereof.
- 3.1.3 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.

3.2 ERVEN 705 AND 706

- 3.2.1 The erf shall be subject to a stormwater and sewer servitude (3m wide) in favour of the City of Tshwane as depicted on the General Plan.
- 3.2.2 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 thereof.
- 3.2.3 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 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.

Printed by the Government Printer, Bosman Street, Private Bag X85, Pretoria, 0001,
for the **Gauteng Provincial Administration**, Johannesburg.

Contact Centre Tel: 012-748 6200. eMail: info.egazette@gpw.gov.za
Publications: Tel: (012) 748 6053, 748 6061, 748 6065