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GOVERNMENT GAZETTE

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CAPE TOWN, 2ND JUNE, 1972.

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KAAPSTAD, 2 JUNIE 1972.

DEPARTMENT OF THE PRIME MINISTER.

DEPARTEMENT VAN DIE EERSTE MINISTER.

No. 922. 2nd June, 1972.

No. 922. 2 Junie 1972.

It is hereby notified that the State President has assented to the following Act which is hereby published for general information:—

Hierby word bekend gemaak dat die Staatspresident sy goedkeuring gegee het aan die onderstaande Wet wat hierby ter algemene inligting gepubliseer word:—

No. 53 of 1972: Church Square, Pretoria, Development Act, 1972.

No. 53 van 1972: Wet op die Ontwikkeling van Kerkplein, Pretoria, 1972.

Wet No. 53, 1972

WET OP DIE ONTWIKKELING VAN KERKPLEIN,
PRETORIA, 1972.

WET

Om die ontwikkeling van Kerkplein, Pretoria, en van sekere persele aangrensend daaraan en in die onmiddellike omgewing daarvan onderhewig te maak aan die goedkeuring van die Minister van Openbare Werke; en om vir bykomstige aangeleenthede voorsiening te maak.

*(Afrikaanse teks deur die Staatspresident geteken.)
(Goedgekeur op 19 Mei 1972.)*

DAAR WORD BEPAAL deur die Staatspresident, die Senaat en die Volksraad van die Republiek van Suid-Afrika, soos volg:—

Woordomskrivings.

1. Tensy uit die samehang anders blyk, beteken in hierdie Wet—

- (i) „Minister”, die Minister van Openbare Werke; (ii)
- (ii) „Sekretaris”, die Sekretaris van Openbare Werke; (iii)
- (iii) „stadsraad”, die Stadsraad van Pretoria. (i)

Verbod op die ontwikkeling van Kerkplein, Pretoria, en aangrensende persele sonder die voorafgaande goedkeuring van die Minister van Openbare Werke.

2. (1) Met ingang vanaf die datum van inwerkingtreding van hierdie Wet—

- (a) word geen verandering aan die beplanning, uitleg of aanleg van die stuk grond bekend as Kerkplein, in die stad Pretoria, en nader omskryf in Bylae A by hierdie Wet, aangebring nie; en
- (b) word geen gebou of ander struktuur op 'n perseel, of gedeelte daarvan, wat geleë is binne die gebied omskrywe in Bylae B by hierdie Wet opgerig, vergroot, argitektonies verander of gesloop nie,

behalwe met die voorafverkreë skriftelike goedkeuring van die Minister.

(2) Die Minister kan sy in subartikel (1) bedoelde goedkeuring na goeddunke weerhou of verleen, en as hy dit verleen, kan hy die voorwaardes oplê wat hy goedvind, met inbegrip van voorwaardes in verband met hoogtebeperkings, argitektoniese afwerkings, argitektoniese style, of enige ander aangeleentheid wat na sy oordeel ter sake is.

(3) 'n Bepaling van 'n dorpsaanleg- of dorpsbeplanning-skema wat onbestaanbaar is met 'n voorwaarde kragtens subartikel (2) deur die Minister opgelê, verval in die mate van dié onbestaanbaarheid.

(4) Die Minister weerhou of verleen sy in subartikel (1) bedoelde goedkeuring slegs nadat hy die skriftelike advies van die Stadsraad verkry en oorweeg het en nadat hy oorleg gepleeg het met 'n komitee, deur die Minister aangestel, bestaande uit 'n beampite in die Departement van Openbare Werke wat as voorsitter optree, 'n verteenwoordiger van die Hoofstadsbeplanningskomitee, die Stadsklerk van Pretoria, die Direkteur van Argitektdienste in die Departement van Openbare Werke, die Direkteur van Geboue in die Departement van Pos- en Telegraafwese, die Direkteur van Werke in die Transvaalse Provinsiale Administrasie, die Direkteur van Kultuursake in die Departement van Nasionale Opvoeding, 'n beampite in die Departement van Beplanning en twee praktiserende argitekte

CHURCH SQUARE, PRETORIA, DEVELOPMENT ACT
1972.

Act No. 53, 1972

ACT

To make the development of Church Square, Pretoria, and of certain sites bordering thereon and in the immediate vicinity thereof subject to the approval of the Minister of Public Works; and to provide for incidental matters.

(Afrikaans text signed by the State President.)
(Assented to 19th May, 1972.)

BE IT ENACTED by the State President, the Senate and the House of Assembly of the Republic of South Africa, as follows:—

1. In this Act, unless the context otherwise indicates—
 - (i) "City Council" means the City Council of Pretoria;
 - (iii)
 - (ii) "Minister" means the Minister of Public Works; (i)
 - (iii) "Secretary" means the Secretary for Public Works. (ii)

Definitions.

2. (1) With effect from the date on which this Act comes into operation—
 - (a) no alteration may be effected to the planning, lay-out or design of the piece of land known as Church Square, in the City of Pretoria, and more fully described in Schedule A to this Act; and
 - (b) no building or other structure on any site, or portion thereof, situated within the area described in Schedule B to this Act, may be erected, extended, architecturally adapted or demolished,

Prohibition on the development of Church Square, Pretoria, and adjoining sites without the prior approval of the Minister of Public Works.

without the prior written approval of the Minister having been obtained.

(2) The Minister may in his discretion withhold or grant his approval referred to in subsection (1), and if he grants it, he may impose such conditions as he may deem fit, including conditions relating to height restrictions, architectural finishes, styles of architecture or any other matter which in his opinion is relevant.

(3) Any provision of any lay-out or town planning scheme which is inconsistent with any condition imposed by the Minister under subsection (2) shall, to the extent of such inconsistency, lapse.

(4) The Minister may withhold or grant his approval referred to in subsection (1) only after he has obtained and considered the written advice of the City Council and after he has consulted a committee, appointed by the Minister, consisting of an officer in the Department of Public Works who shall act as chairman, a representative of the Capital Planning Committee, the Town Clerk of Pretoria, the Director of Architectural Services in the Department of Public Works, the Director of Buildings in the Department of Posts and Telegraphs, the Director of Works in the Transvaal Provincial Administration, the Director of Cultural Affairs in the Department of National Education, an officer in the Department of Planning and two practising

Wet No. 53, 1972

WET OP DIE ONTWIKKELING VAN KERKPLEIN,
PRETORIA, 1972.

in Pretoria wat deur die Suid-Afrikaanse Raad vir Argitekte benoem word: Met dien verstande dat die Minister kan optree sonder dat sodanige advies van die Stadsraad verkry is indien dit nie binne negentig dae nadat die Stadsraad daarom gevra is, aan die Minister verstrek word nie.

Strafbepalings.

3. (1) Iemand wat artikel 2 (1) oortree, of wat 'n voorwaarde kragtens artikel 2 (2) opgelê, oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens eenduisend rand of met gevangenisstraf vir 'n tydperk van hoogstens een jaar of met sowel sodanige boete as sodanige gevangenisstraf, en, in die geval van 'n voortdurende misdryf, met 'n boete van minstens vyftig rand vir elke dag wat die misdryf voortduur.

(2) Ondanks andersluidende wetsbepalings is 'n landdroshof bevoeg om enige straf in subartikel (1) voorgeskryf, op te lê.

Geen vergoeding betaalbaar nie.

4. Geen vergoeding van welke aard ook al is aan iemand betaalbaar nie as gevolg van die verlening of weerhouding van 'n in artikel 2 (1) bedoelde goedkeuring of as gevolg van die oplegging van 'n voorwaarde kragtens artikel 2 (2).

Opheffing van serwitute.

5. (1) Alle serwitute wat kragtens Kroongrondbrief No. 1103 van 1905 teen die onbelemmerde gebruik of ontwikkeling van die in artikel 2 (1) bedoelde Kerkplein geregistreer is, word hierby opgehef.

(2) Die nodige endossement op genoemde Kroongrondbrief om aan subartikel (1) gevolg te gee word deur die Registrateur van Aktes, Pretoria, aangebring, vry van die betaling van kantoorgelde, seëlregte en hereregte.

Aansoek om goedkeuring.

6. 'n Aansoek om 'n in artikel 2 (1) bedoelde goedkeuring moet gerig word aan die Sekretaris in die vorm wat die Minister van tyd tot tyd voorskryf en moet vergesel gaan van die stukke en besonderhede wat die Minister verlang.

Wet bind die Staat.

7. Hierdie Wet bind die Staat.

Kort titel.

8. Hierdie Wet heet die Wet op die Ontwikkeling van Kerkplein, Pretoria, 1972.

Bylae A.

KERKPLEIN.

'n Sekere stuk grond bekend as „Kerkplein” geregistreer onder No. 942A, geleë aan Kerk- en Paul Krugerstraat in die stad van Pretoria, groot 2,8144 hektaar, gehou deur die Stadsraad van Pretoria kragtens Kroongrondbrief No. 1103/1905 gedateer 26 Augustus 1905 en geregistreer op 12 Oktober 1905.

Bylae B.

GEBIEDSBEPALING.

(a) Die gebied begrens deur en geleë binne die volgende strate:

Andriesstraat aan die ooste;
Pretoriusstraat aan die suide;
Bosmanstraat aan die weste; en
Vermeulenstraat aan die noorde.

(b) Die gebied bestaande uit:

resterende gedeelte van erf 227, gedeelte 1 en resterende gedeelte van erf 231, erf 232, erf 457, resterende gedeelte van erf 458, erf 460, gedeeltes 1 tot 5 van erf 461, erf 462, gedeelte 1 en resterende gedeelte van erf 2692, erf 2718, erf 2931, gedeelte 1 en resterende gedeelte van erf 2961, en die gedeelte van erf 2999 wat voorheen bekend was as erf 225 en erf 226,

geleë in die stadsgebied van Pretoria, Transvaal.

CHURCH SQUARE, PRETORIA, DEVELOPMENT ACT,
1972.

Act No. 53, 1972

architects in Pretoria nominated by the South African Council for Architects: Provided that the Minister may act without such advice having been obtained from the City Council if it is not submitted to him within ninety days after the City Council was asked therefor.

3. (1) Any person who contravenes section 2 (1) or contravenes or fails to comply with a condition imposed under section 2 (2) shall be guilty of an offence and liable on conviction to a fine not exceeding one thousand rand or to imprisonment for a period not exceeding one year or to both such fine and such imprisonment, and, in the case of a continuing offence, to a fine of not less than fifty rand for every day during which the offence is continued. Penalties.

(2) Notwithstanding anything in any other law contained, a magistrate's court shall have jurisdiction to impose any punishment prescribed in subsection (1).

4. No compensation whatsoever shall be payable to any person as a result of the granting or withholding of any approval referred to in section 2 (1) or as a result of the imposition of any condition under section 2 (2). No compensation payable.

5. (1) All servitudes registered under Crown Grant No. 1103 of 1905 against the unrestricted use or development of Church Square referred to in section 2 (1), are hereby cancelled. Cancellation of servitudes.

(2) The necessary endorsement on the said Crown Grant to give effect to subsection (1) shall be made by the Registrar of Deeds, Pretoria, without payment of office fees, stamp duty and transfer duty.

6. Any application to obtain an approval referred to in section 2 (1), shall be addressed to the Secretary in the form prescribed by the Minister from time to time and shall be accompanied by all such documents and particulars as the Minister may require. Application for approval.

7. This Act shall bind the State. Act binds the State.

8. This Act shall be called the Church Square, Pretoria, Development Act, 1972. Short title.

Schedule A.

CHURCH SQUARE.

Certain piece of land known as Church Square registered under No. 942A, situated on Church and Paul Kruger Streets in the City of Pretoria, in extent 2,8144 hectare, held by the City Council of Pretoria under Crown Land Grant No. 1103/1905 dated 26th August, 1905, and registered on 12th October, 1905.

Schedule B.

AREA DESCRIPTION.

- (a) The area bounded by and within the following streets:
Andries Street to the East;
Pretorius Street to the South;
Bosman Street to the West; and
Vermeulen Street to the North.
- (b) The area comprising:
remaining extent of erf 227, portion 1 and remaining extent of erf 231, erf 232, erf 457, remaining extent of erf 458, erf 460, portions 1 to 5 of erf 461, erf 462, portion 1 and remaining extent of erf 2692, erf 2718, erf 2931, portion 1 and remaining extent of erf 2961, and the portion of erf 2999 formerly known as erf 225 and erf 226,
situated in the municipal area of Pretoria, Transvaal.

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