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LOCAL AUTHORITY NOTICE

LOCAL AUTHORITY NOTICE 455

CITY OF TSHWANE

PRETORIA AMENDMENT SCHEME 9740P

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 Willow Park Manor Extension 56, being an amendment of the Pretoria Town-planning Scheme, 1974.

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

This amendment is known as Pretoria Amendment Scheme 9740P.

(13/2/Willow Park Manor x56 (9740P)
__ March 2009

Executive Director: Legal Services
(Notice No 168/2009)

PLAASLIKE BESTUURSKENNISGEWING 455

STAD TSHWANE

PRETORIA WYSIGINGSKEMA 9740P

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 Willow Park Manor Uitbreiding 56, synde 'n wysiging van die Pretoria-dorpsbeplanningskema, 1974, goedgekeur het.

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

Hierdie wysiging staan bekend as Pretoria-wysigingskema 9740P.

(13/2/Willow Park Manor x56 (9740P))
__ Maart 2009

Uitvoerende Direkteur: Regsdienste
(Kennisgewing No 168/2009)

CITY OF TSHWANE

DECLARATION OF WILLOW PARK MANOR EXTENSION 56 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 Willow Park Manor Extension 56 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(13/2/Willow Park Manor x56 (9740P))

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY BERGKRIEK PROPERTIES CLOSE CORPORATION 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 590 OF THE FARM THE WILLOWS 340JR, PROVINCE OF GAUTENG, HAS BEEN GRANTED.

1. CONDITIONS OF ESTABLISHMENT

1.1 NAME

The name of the township shall be Willow Park Manor Extension 56.

1.2 DESIGN

The township shall consist of erven and streets as indicated on General Plan SG No 7249/2007.

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 Condition B(j) in Deed of Transfer T145480/2004, which only affects a road in the township

"'n Serwituut vir algemene munisipale doeleindes groot 2137 vierkante meter soos aangedui deur figuur ABCDE op LG 9920/90 is onteien en gesedeer aan Stadsraad van Pretoria kragtens Akte van Sessie K2188/91S.

1.3.2 Condition A(b) in Deed of Transfer T4307/2007, which does not affect the erven in the township

"The right in favour of THE CITY OF TSHWANE METROPOLITAN MUNICIPALITY (CITY OF PRETORIA) to convey electricity over the said property subject to the conditions as set out in Notarial Deed No 384/1935S."

1.4 ENDOWMENT

The township owner shall pay an endowment for an area of **2 304m²** in terms of Regulation 44(1) of the Town Planning and Township Regulations to the Municipality. The amount of this area shall be used by the Municipality for the acquisition of land for park and/ or public open space purposes.

The said endowment 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 STORM-WATER

The township owner shall arrange the storm-water drainage of the township in such a way as to fit in with that of Bush Road 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 CONSOLIDATION OF ERVEN

The township owner shall at his own expense have the erven in the township consolidated, for which consolidation approval is hereby extended by the City of Tshwane Metropolitan Municipality in terms of the provisions of Section 92(2) of Ordinance 15 of 1986.

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.

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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 GDACE

The township owner shall at his own expense comply with all the conditions imposed by the Gauteng Department of Agriculture, Conservation and Environment as well as any applicable provisions, in terms of the provisions of the Environmental Conservation Act, 73 of 1989 or the National Environmental Management Act, 107 of 1998 as the case may be.

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 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 City of Tshwane, 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.

2.1.2.1 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 ERF 339

2.1.2.1 The erf is subject to a 3 metre wide servitude for municipal services (sewer and 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 above servitude area and no trees with large roots may be planted within the area of this servitude or within a distance of 2m of it.

2.1.2.3 The City of Tshwane shall be entitled to temporarily deposit on the land adjoining the above servitude, any material 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 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 while installing, maintaining or removing these services and carrying out other works.

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STAD TSHWANE

VERKLARING VAN WILLOW PARK MANOR UITBREIDING 56 TOT GOEDGEKEURDE DORP

Ingevolge artikel 103 van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie No 15 van 1986), verklaar die Stad Tshwane hierby die dorp Willow Park Manor Uitbreiding 56 tot 'n goedgekeurde dorp, onderworpe aan die voorwaardes uiteengesit in die bygaande Bylae.

(13/2/Willow Park Manor x56 (9740P))

BYLAE

STAAT VAN VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR BERGKRIEK PROPERTIES CLOSE CORPORATION INGEVOLGE DIE BEPALINGS VAN HOOFSTUK III: DEEL C VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986 (ORDONNANSIE NO 15 VAN 1986), OM TOESTEMMING OM 'N DORP OP GEDEELTE 590 VAN DIE PLAAS THE WILLOWS 340JR, GAUTENG, TE STIG, TOEGESTAAN IS

1. STIGTINGSVOORWAARDES

1.1 NAAM

Die naam van die dorp is Willow Park Manor Uitbreiding 56.

1.2 ONTWERP

Die dorp bestaan uit erwe en strate soos aangedui op Algemene Plan LG No 7249/2007.

1.3 BESKIKKING OOR BESTAANDE TITELVOORWAARDES

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

1.3.1 Voorwaarde B(j) in Akte van Transport T145480/2004, wat slegs 'n straat in die dorp raak -

"'n Serwituut vir algemene munisipale doeleindes groot 2137 vierkante meter soos aangedui deur figuur ABCDE op LG 9920/90 is onteien en gesedeer aan Stadsraad van Pretoria kragtens Akte van Sessie K2188/91S.

1.3.2 Voorwaarde A(b) in Akte van Transport T4307/2007, wat nie die erwe in die dorp raak nie -

"The right in favour of THE CITY OF TSHWANE METROPOLITAN MUNICIPALITY (CITY OF PRETORIA) to convey electricity over the said property subject to the conditions as set out in Notarial Deed No 384/1935S."

1.4 BEGIFTIGING

Die dorpseienaar moet aan die Stad Tshwane, begiftiging vir 'n area van **2 304m²** in terme van Regulasie 44(1) van die Dorpsbeplanning en Dorpe Regulasie, betaal, welke bedrag deur die Stad Tshwane aangewend moet word vir die verkryging van grond vir park- en/of openbare-oopruimtedoeleindes.

Die genoemde begiftigingsbedrag is betaalbaar kragtens die bepalings 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 stormwaterdreinering van die dorp so reël dat dit inpas by die van Bush Road en hy moet die stormwater wat van die pad afloop of afgelei word, ontvang en daarmee wegdoen.

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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 KONSOLIDASIE VAN ERWE

Die dorpseienaar moet op eie koste die erwe in die dorp laat konsolideer. Die Stad Tshwane verleng hiermee ingevolge Artikel 92(2) van Ordonnansie 15 van 1986, toestemming tot die konsolidasie.

1.8 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 tevredenheid van die Stad Tshwane wanneer die Stad Tshwane dit vereis.

1.9 VERWYDERING VAN ROMMEL

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

1.10 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.

1.11 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.

1.12 VOLDOENING AAN VOORWAARDES OPGELÊ DEUR DIE GAUTENGSE DEPARTEMENT VAN LANDBOU EN OMGEWINGSBEWARING (DLBO)

Die dorpseienaar sal op sy eie koste voldoen aan al die voorwaardes opgelê deur die Gautengse Departement van Landbou en Omgewingsbewaring, asook enige ander toepaslike voorwaardes soos vervat in die Wet op Omgewingsbewaring, 1989 (Wet 73 van 1989), of die Nasionale Wet op Omgewingsbewaring, 1998 (Wet 107 van 1998), wat ookal die geval mag wees.

2. TITELVOORWAARDES

2.1 DIE ERWE HIERONDER GENOEM, IS ONDERWORPE AAN DIE VOORWAARDES SOOS AANGEDUI, OPGELÊ DEUR DIE STAD TSHWANE 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 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 is daarop geregtig om enige materiaal wat deur hom uitgegrawe word tydens die aanleg, onderhoud of verwydering

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van sodanige dienste en ander werke wat hy na goeddunke noodsaaklik ag, tydelik te plaas op grond wat aan die voornoemde serwituut grens, en voorts is die Stad Tshwane geregtig op redelike toegang tot genoemde grond vir die voornoemde doel, onderworpe daaraan dat die Stad Tshwane enige skade vergoed wat gedurende die aanleg, onderhoud of verwydering van sodanige dienste en ander werke veroorsaak word.

'2.1.2 ERF 339

2.1.2.1 Die erf is onderworpe aan 'n 3 meter breë serwituut vir munisipale dienste (riool en stormwater) ten gunste van die 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 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 goeddunke noodsaaklik ag, tydelik te plaas op grond wat aan die voornoemde serwituut grens, en voorts is die Munisipaliteit geregtig op redelike toegang tot genoemde grond vir die voornoemde doel, onderworpe daaraan dat die Munisipaliteit enige skade vergoed wat gedurende die aanleg, onderhoud of verwydering van sodanige hoofrioleringspyplyne en ander werke veroorsaak word.

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