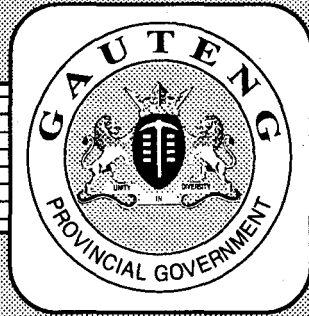


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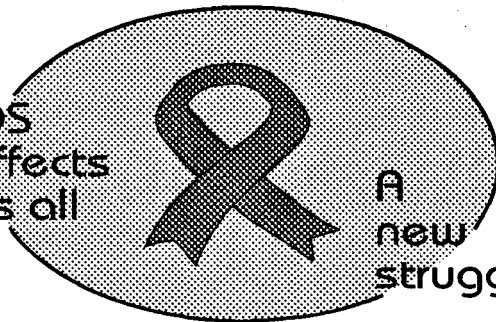
Vol. 8

PRETORIA, 5 FEBRUARY 2002
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No. 24

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LOCAL AUTHORITY NOTICES

LOCAL AUTHORITY NOTICE 133

CITY OF TSHWANE METROPOLITAN MUNICIPALITY

DECLARATION 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 Administration hereby declares Ninapark Extension 23 to be an approved township subject to the Conditions set out in the Schedule hereto.

SCHEDULE

STATEMENT OF THE CONDITIONS UNDER WHICH THE APPLICATION MADE BY WOODBURN DEVELOPERS (PTY) LTD (HEREINAFTER REFERRED TO AS THE APPLICANT/TOWNSHIP OWNER) UNDER THE PROVISIONS OF CHAPTER III OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE NO. 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON REMAINDER PORTION OF PORTION 88 (A PORTION OF PORTION 35) OF THE FARM WITFONTEIN 301 JR, GAUTENG PROVINCE.

1. CONDITIONS OF ESTABLISHMENT

(1) NAME

The name of the town is Ninapark Extension 23

(2) DESIGN

The township shall exist of erven and streets as indicated on the General Plan LG No A4511/1994.

(3) STORMWATER DRAINAGE AND STREET CONSTRUCTION

- (a) The township owner shall on request by the local authority submit to such authority for its approval a detailed scheme complete with plans, sections and specifications, prepared by a Civil Engineer approved by the Local Authority, for the collection and disposal of stormwater throughout the townships by means of properly constructed works and for the construction, tarmacadamising, kerbing and channeling of the streets therein together with the provision of such retaining walls as may be considered necessary by the Local Authority.
- (b) The township owner shall, when required by the Local Authority to do so, carry out the approved scheme at own expense on behalf and to the satisfaction of the Local Authority under the supervision of a Civil Engineer approved by the Local Authority.
- (c) The township owner shall be responsible for the maintenance of the streets to the satisfaction of the Local Authority until the streets have been constructed as set out in subclause (b).
- (d) If the township owner fails to comply with the provisions of paragraphs (a), (b) and (c) hereof the Local Authority shall be entitled to do the work at the cost of the township owner.

4. WATERSUPPLY AND SEWERAGEDRAINING

- (a) The township owner shall on request by the Local Authority submit to such authority for its approval a detailed scheme complete with plans, sections and specifications, prepared by a Civil Engineer, approved by the Local Authority, for the supply of water and sewer services.
- (b) The township owner shall, when required by the Local Authority to do so, carry out the approved scheme at own expense on behalf and to the satisfaction of the Local Authority under the supervision of a Civil Engineer approved by the Local Authority.
- (c) The township owner shall be responsible for the maintenance of the water and sewer reticulation systems to the satisfaction of the Local Authority until the services were taken over by the Local Authority.
- (d) If the township owner fails to comply with the provisions of paragraphs (a), (b) and (c) hereof the Local Authority shall be entitled to do the work at the cost of the township owner.

(5) ENDOWMENT

The township owner shall, in terms of Section 81 of the Town-Planning and Townships Ordinance, 1986, pay to the Local Authority as endowment an amount of R0,00, which amount shall be used by the Local Authority for the provision of land for a park (public open space).

(6) DISPOSAL OF EXISTING CONDITIONS

All erven shall be made subject to existing conditions and servitudes, if any, including the reservation of rights to minerals, but excluding:-

- (a) The following servitudes which does not affect the township:

"Subject to a servitude in favour of the owner of the Remaining Extent of the said Portion 2 called Grafenheim of Portion A of Portion (now known as Portion 35) of the said farm, measuring as such 19,7710 hectares, held under Deed of Transfer No 1778/1933, dated 18th March 1933, to erect and maintain an electric power line along, over and under the property hereby transferred, along either of the boundaries thereof between the points indicated by the letters BC or AD on the foresaid Diagram."

"Subject to a servitude in favour of the owner of the said Remaining Extent of the said Portion 2 called Grafenheim of Portion A of Portion of the said farm, measuring as such 19,7710 hectares, held as aforesaid, to lay and maintain a pipe line for the conduct of water over the property hereby transferred, along the boundary between the points indicated by the letters BC on diagram SG No A 3786/44."

- (b) The following rights which shall not be passed on to the erven in the township:

"B. (c) Entitled to a servitude of right of way 6.30 metre wide over the Remaining Extent of the said Portion 2 called Grafenheim of Portion A of the said farm, measuring as such 19,7710 hectares, held as aforesaid, along the line from the point indicated by the letter A on Diagram SG No A 3786/44 to the point indicated by the letter A on Diagram A No 2769/30, annexed to Deed of transfer No 1778/1933."

(c) The following servitude which affects streets in the townships only:

"B. (b) Subject to a Servitude of right of way 20 Cape feet wide, along the line between the points indicated by the letters AD on diagram SG No A 2786/44 in favour of the owner of the said Remaining Extent of the said Portion 2, called "Grafenheim" of Portion A of Portion of the said farm held as aforesaid, measuring as such 23,0827 morgen."

(7) DEMOLITION OF BUILDINGS AND STRUCTURES

The township owner shall at his own expense cause all existing buildings and structures situated within the building line reserves, side spaces or over common boundaries to be demolished to the satisfaction of the Local Authority, when required by the Local Authority to do so.

(8) REMOVAL OF ESSENTIAL SERVICES

If, by reason of the establishment of the township, it should become necessary to remove, change or replace any electricity services, the full cost thereof shall be borne by the township owner.

(9) PROVISION OF THE NECESSARY SERVICES

The applicant must make the necessary arrangements with the Local Authority regarding the provision of water, electricity, and sanitation as well as the building of roads and stormwater drainage in the township. Such services must comply to the standards of the Local Authority.

(10) MINIATURE SUBSTATIONS

Should it become necessary during the installing of services to place miniature substations within a 13m road reserve or smaller, the servitudes inside the erven shall be registered in favour of the Local Authority.

3. TITLE CONDITIONS

All erven shall be subject to the following conditions:

(1) The erf is subject to a servitude 2m wide for sewer and other municipal purposes, in favour of the Local Authority, beside two borders, excluding a street border and in the case of a pan-handle erf, an additional servitude for municipal purposes, 2m wide across the access portion of the erf, if and when required by the Local Authority: provided that the Local Authority may waive any such servitude.

- (2) No buildings or other structures may be erected within the aforementioned servitude area and no large rooted trees may be planted within the area of such servitude or within a distance of 2m thereof.
- (3) The Local Authority has the right to place any material that is excavated during the construction, maintenance or removal of such sewer main pipe leadings and other works which he considers necessary, temporary on the land that borders the aforementioned servitude and further the Local Authority has the right to reasonable access to the mentioned land for the aforementioned purpose, subject thereto that the Local Authority compensates for any damage that may be caused during the construction, maintenance or removal of such sewer main pipe leadings and other works.

LOCAL AUTHORITY NOTICE 134**CITY OF TSHWANE METROPOLITAN MUNICIPALITY****AKASIA AMENDMENT SCHEME 083**

In terms of the provisions of section 125(1)(a) of the Town-Planning and Township Ordinance, 1986, it is hereby declared that an amendment scheme, being an amendment of the Town-Planning Scheme, 1986 has been approved, comprising the same land as included in the Township of Ninapark Extension 23.

Map 3 and the scheme clauses of the amendment scheme are filed with the Department of Local Government, Housing and Works, and with Urban Planning and Development, Municipal Offices, 16 Dale Avenue, Doreg Agricultural Holdings, and are open for inspection during normal office hours.

GENERAL MANAGER : LEGAL SERVICES

Municipal Offices
16 Dale Avenue
Doreg Agricultural Holdings
AKASIA

PLAASLIKE BESTUURSKENNISGEWING 133**STAD VAN TSHWANE METROPOLITAANSE MUNISIPALITEIT****VERKLARING TOT GOEDGEKEURDE DORP**

In terme van artikel 103 van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ord No. 15 van 1986), verklaar die Administrasie van die Stad van Tshwane Metropolitaanse Munisipaliteit hiermee Ninapark uitbreiding 23 tot 'n goedgekeurde dorp onderworpe aan die voorwaardes uiteengesit in die bygaande Bylae.

BYLAE

STAAT VAN VOORWAARDES WAAROP DIE DIE AANSOEK GEDOEN DEUR WOODBURN DEVELOPERS (EDMS) BPK (HIERNA DIE AANSOEKDOENER/DORPSEIENAAR GENOEM) INGEVOLGE DIE BEPALING VAN HOOFSTUK III VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986 (ORDONNANSIE NO 15 VAN 1986), OM 'N DORP TE STIG OP RESTERENDE GEDEELTE VAN GEDEELTE 88 ('N GEDEELTE VAN GEDEELTE 35) VAN DIE PLAAS WITFONTEIN 301 JR, GAUTENG PROVINSIE TOEGESTAAN IS.

1. STIGTINGSVOORWAARDES**(1) NAAM**

Die naam van die dorp is Ninapark Uitbreiding 23.

(2) ONTWERP

Die dorp bestaan uit erwe en strate soos aangedui op Algemene Plan LG No A 4511/1994.

(3) STORMWATERDREINERING EN STRAATBOU

(a) Die dorpseienaar moet op versoek van die plaaslike bestuur aan sodanige plaaslike bestuur 'n gedetailleerde skema, volledig met planne, deursnee en spesifikasies, opgestel deur in siviele ingenieur wat deur die plaaslike bestuur goedgekeur is, vir die opgaar en afvoer van stormwater deur die hele dorp deur middel van behoorlike aangelegde werke en vir die aanlê, teermacadamisering, beranding en kanalisering van die strate daarin, tesame met die verskaffing van sodanige keurmure as wat die plaaslike bestuur nodig ag, vir goedkeuring voorlê.

(b) Die dorpseienaar moet, wanneer die plaaslike bestuur dit vereis, die goedgekeurde skema op eie koste namens en tot bevrediging van die plaaslike bestuur, onder toesig van 'n siviele ingenieur deur die plaaslike bestuur goedgekeur, uitvoer.

(c) Die dorpseienaar is verantwoordelik vir die instandhouding van die strate tot bevrediging van die plaaslike bestuur totdat die strate ooreenkomstig subklousule (b) gebou is.

(d) Indien die dorpseienaar versium om aan die bepalings van paragrawe (a), (b) en (c) hiervan te voldoen, is die plaaslike bestuur geregtig om die werk op koste van die dorpseienaar te doen.

(4) WATERVOORSIENING EN RIOOLDREINERING

- (a) Die dorpseienaar moet op versoek van die plaaslike bestuur aan sodanige plaaslike bestuur 'n gedetailleerde skema, volledig met planne, diameters en spesifikasies, opgestel deur 'n professionele ingenieur wat deur die plaaslike bestuur goedgekeur is, vir die voorsiening van water- en riooldienste, voorlê.
- (b) Die dorpseienaar moet, wanneer die plaaslike owerheid dit vereis, die goedgekeurde skema op eie koste namens en tot bevrediging van die plaaslike owerheid, onder toesig van 'n siviele ingenieur deur die plaaslike owerheid goedgekeur, uitvoer.
- (c) Die dorpseienaar is verantwoordelik vir die instandhouding van die water- en riool retikulasie stelsels tot bevrediging van die plaaslike owerheid totdat dié dienste deur die plaaslike owerheid oorgeneem is.
- (d) Indien die dorpseienaar versuim om aan die bepalings van (a), (b) en (c) hierbo te voldoen, is die plaaslike owerheid geregtig om die werk op koste van die dorpseienaar te doen.

(5) BEGIFTIGING

Die dorpseienaar moet kragtens die bepalings van Artikel 81 van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 aan die plaaslike bestuur as begiftiging 'n bedrag van R0,00 betaal welke bedrag deur die plaaslike bestuur aangewend moet word vir die verkryging van 'n park (openbare oopruimte).

(6) BESKIKKING OOR BESTAANDE TITELVOORWAARDES

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

- (a) die volgende Serwitute wat nie die dorpsgebied raak nie:

"Subject to a servitude in favour of the owner of the Remaining Extent of the said Portion 2 called Grafenheim of Portion A of Portion (now known as Portion 35) of the said farm, measuring as such 19,7710 hectares, held under Deed of Transfer No 1778/1933, dated 18th March 1933, to erect and maintain an electric power line along, over and under the property hereby transferred, along either of the boundaries thereof between the points indicated by the letters BC or AD on the foresaid Diagram".

"Subject to a servitude in favour of the owner of the said Remaining Extent of the said Portion 2 called Grafenheim of Portion A of Portion of the said farm, measuring as such 19,7710 hectares, held as aforesaid, to lay and maintain a pipe line for the conduct of water over the property hereby transferred, along the boundary between the points indicated by the letters BC on diagram SG No A 3786/44".

- (b) die volgende regte wat nie aan erwe in die dorp oorgedra word nie:

"B. (c) Entitled to a servitude of right of way 6,30 metre wide over the Remaining Extent of the said Portion 2 called Grafenheim of Portion A of the said farm, measuring as such 19,7710 hectares, held as aforesaid, along the line from the point indicated by the letter A on Diagram SG No A

3786/44 to the point indicated by the letter A on Diagram A No 2769/30, annexed to Deed of Transfer No 1778/1933".

- (c) die volgende servitute wat slegs die straat in die dorp raak:

"B. (b) Subject to a Servitude of right of way 20 Cape feet wide, along the line between the points indicated by the letters AD on diagram SG No A 2786/44 in favour of the owner of the said Remaining Extent of the said Portion 2, called "Grafenheim" of Portion A of Portion of the said farm held as aforesaid, measuring as such 23,0827 morgen".

(7) SLOPING VAN GEBOUE EN STRUKTURE

Die dorpseienaar moet op eie koste alle bestaande geboue en strukture wat binne boulynreserwes, kantruimtes of oor gemeenskaplike grense geleë is, laat sloop tot bevrediging van die plaaslike bestuur wanneer die plaaslike bestuur dit vereis.

(8) VERSKUIWING VAN ELEKTRIESE DIENSTE

Die dorpseienaar moet die volle koste dra van enige elektriese dienste wat vir, of as gevolg van dorpsstigting, verskuif, verander, verwyder of vervang moet word.

(9) VOORSIENING VAN NOODSAAKLIKE DIENSTE

Die aansoeker moet die nodige reëlings tref met die Plaaslike Owerheid met betrekking tot die voorsiening en installering van water, elektrisiteit en sanitêre dienste asook die bou van strate en stormwaterdreinerings in die dorp. Sodanige dienste moet voldoen aan die standaard van die Plaaslike Owerheid.

(10) MINIATUUR SUBSTASIES

Indien dit tydens die installering van dienste nodig sou wees om miniatuur substasies binne 'n 13m padreserwe of kleiner te plaas, sal servitute binne die erwe geregistreer word ten gunste van die Plaaslike Owerheid.

2. TITELVOORWAARDES

Die erwe is onderworpe aan die volgende voorwaardes:

- (1) Die erf is onderworpe aan 'n servituut 2 m breed, vir riolerings- en ander munisipale doeleindes, ten gunste van die plaaslike bestuur, langs enige twee grense, uitgesonderd 'n straatgrens en, in die geval van 'n pypsteelerf, 'n addisionele servituut vir munisipale doeleindes 2 m breed oor die toegangsgedeelte van die erf indien en wanneer verlang deur die plaaslike bestuur. Met dien verstande dat die plaaslike bestuur van enige sodanige servituut mag afsien.
- (2) Geen geboue of ander struktuur mag binne die voornoemde servituutgebied opgerig word nie en geen grootwortelbome mag binne die gebied van sodanige servituut of binne 'n afstand van 2 m daarvan geplant word nie.
- (3) Die plaaslike bestuur is geregtig om enige materiaal wat deur hom uitgetrawe word tydens die aanleg, onderhoud of verwydering van sodanige rioolhoofpyleidings en ander werke wat hy volgens goeie goeie noodsaaklik ag, tydelik te plaas op die grond wat aan die voornoemde servituut grens en voorts is die plaaslike bestuur geregtig tot redelike toegang tot genoemde grond vir die voornoemde doel, onderworpe daaraan dat die plaaslike bestuur enige skade vergoed wat gedurende die aanleg, onderhoud of verwyderings van sodanige rioolhoofpyleidings en ander werke veroorsaak word.

PLAASLIKE BESTUURSKENNISGEWING 134**STAD VAN TSHWANE METROPOLITAANSE MUNISIPALITEIT****AKASIA WYSIGINGSKEMA 083**

Hiermee word ooreenkomstig die bepalings van artikel 125(1)(a) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986, bekend gemaak dat die STAD VAN TSHWANE METROPOLITAANSE MUNISIPALITEIT 'n wysiging van die Akasia-Soshanguve-dorpsbeplanningskema, 1988 goedgekeur het wat uit dieselfde as die dorp Ninapark uitbreiding 23 bestaan.

Kaart 3 en die skemaklousules van die wysigingskema word in bewaring gehou deur die Departement van Plaaslike Bestuur, Behuising en Werke, Germiston en deur Stedelike Beplanning en Ontwikkeling, Munisipale Kantore, Dalelaan 16, Doreg Landbouhoewes en is beskikbaar vir inspeksie gedurende normale kantoorure.

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