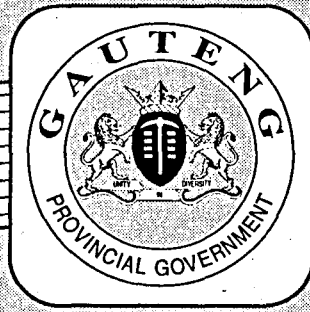


**THE PROVINCE OF
GAUTENG**



**DIE PROVINSIE
GAUTENG**

Provincial Gazette Extraordinary Buitengewone Provinsiale Koerant

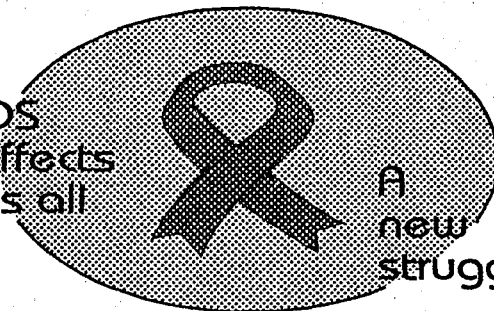
Vol. 12

PRETORIA, 31 OCTOBER 2006
OKTOBER 2006

No. 399

We all have the power to prevent AIDS

AIDS
affects
us all



A
new
struggle

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NOTICE TO:

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Subscribers who have previously arranged to collect their weekly publications of *Government Gazettes* from the Government Printing Works in the Masada Building, are hereby requested to collect their publications from the Old Government Printing Works Building at the Security Officer's Bay at the Proes Street entrance, with effect from the 16th of October 2006.

We look forward to your ongoing support

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Telephone: (012) 334-4653.

LOCAL AUTHORITY NOTICE

LOCAL AUTHORITY NOTICE 3069

CITY OF TSHWANE METROPOLITAN MUNICIPALITY

AKASIA/SOSHANGUVE AMENDMENT SCHEME 0229A

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 Metropolitan Municipality has approved an amendment scheme with regard to the land in the township of Heatherview Extension 31, being an amendment of the Akasia/Soshanguve Town-planning Scheme, 1996.

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

This amendment is known as Akasia/Soshanguve Amendment Scheme 0229A.

(13/2/Heatherview x31 (0229A))
 ___ October 2006

Acting Head: Legal and Secretarial Services
 (Notice No 1072/2006)

PLAASLIKE BESTUURSKENNISGEWING 3069

STAD TSHWANE METROPOLITAANSE MUNISIPALITEIT

AKASIA/SOSHANGUVE WYSIGINGSKEMA 0229A

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 Metropolitaanse Munisipaliteit 'n wysigingskema met betrekking tot die grond in die dorp Heatherview Uitbreiding 31, synde 'n wysiging van die Akasia/Soshanguve dorpsbeplanningskema, 1996, goedgekeur het.

Kaart 3 en die skemaklousules van hierdie wysigingskema word deur die Waarnemende Hoof: Regs- en Sekretariële Dienste, in bewaring gehou en lê gedurende gewone kantoorure ter insae:

Hierdie wysiging staan bekend as Akasia/Soshanguve wysigingskema 0229A.

(13/2/Heatherview x31 (0229A))
 ___ Oktober 2006

Waarnemende Hoof: Regs- en Sekretariële Dienste
 (Kennisgewing No 1072/2006)

CITY OF TSHWANE METROPOLITAN MUNICIPALITY

DECLARATION OF HEATHERVIEW EXTENSION 31 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 hereby declares the township of Heatherview Extension 31 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(13/2/Heatherview x31)

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY DIAMOND DUO PROPERTIES 9 (PROPRIETARY) LIMITED IN TERMS OF THE PROVISIONS OF CHAPTER III: PART A AND C OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE NO 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 657 OF THE FARM WITFONTEIN 301JR, PROVINCE OF GAUTENG, HAS BEEN GRANTED.

1. CONDITIONS OF ESTABLISHMENT

1.1 NAME

The name of the township shall be Heatherview Extension 31.

1.2 DESIGN

The township shall consist of erven as indicated on General Plan SG No 4587/2005.

000002010

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 rights to minerals, but excluding:

1.3.1 the following servitude in Certificate of Consolidated Title to be registered which does not affect the township area:

"2. FURTHER subject to the right in favour of the City Council of Pretoria to convey electricity by overhead power lines and underground cables over the property along a route to be agreed upon between the City Council of Pretoria and Heatherdale Holdings (Proprietary) Limited together with certain ancillary rights as will more fully appear from Notarial Deed No 1307/1956S, registered 13th December 1956."

1.3.2 the following servitude in Certificate of Consolidated Title to be registered which shall not be passed on to the erven in the township:

"3. FURTHER SUBJECT to the following condition as will more fully appear from Notarial Deed No 1306/1956S registered on the 13th December 1956:

"The owner of the said property or any portion thereof shall be obliged to receive all stormwater or other water discharged thereon from any existing or future Provincial Road and its culverts and from any future alteration of such Provincial Road and its culverts and the owner shall have no claim whatsoever against the Government of the Republic of South Africa or its servants for any damage caused by such water."

1.4 ENDOWMENT

Payable to the City of Tshwane Metropolitan Municipality.

The township owner shall pay the City of Tshwane Metropolitan Municipality as endowment a total amount of R145 000,00 which amount shall be used by the City of Tshwane Metropolitan Municipality for the acquisition of land for park and/or public open space purposes.

The said endowment amount 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 ACCESS

No ingress from Provincial Road P106-1 to the township and no egress to Provincial Road P106-1 from the township shall be allowed.

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 Road 106-1 and he shall receive and dispose of the stormwater running off or being diverted from the road.

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

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 ERECTION OF FENCE OR OTHER PHYSICAL BARRIER

The township owner shall at his own expense erect a fence or other physical barrier to the satisfaction of the Head of the Department: Gauteng Provincial Government: Department of Public Transport, Roads and Works, as and when required by him to do so, and the township owner shall maintain such fence or physical barrier in a good state of repair until such time as the erven in the township are transferred to ensuing landowners, after which the responsibility for the maintenance of such fence or physical barrier rests with the latter.

1.13 COMPLIANCE WITH CONDITIONS IMPOSED BY THE GAUTENG DEPARTMENT OF AGRICULTURE, CONSERVATION AND ENVIRONMENT (GDACE):

The township owner shall at his own expense comply with all the conditions imposed, by which the Gauteng Department of Agricultural, Conservation and Environment has granted the applicant exemption from compliance with regulations No 1182 and 1183 promulgated in terms of sections 21, 22 and 26 of the Environmental Conservation Act, 1989 (Act 73 of 1989) for the development of this township.

2. CONDITIONS OF TITLE

ALL ERVEN WHICH SHALL BE SUBJECT TO THE FOLLOWING CONDITIONS IMPOSED BY THE LOCAL AUTHORITY IN TERMS OF THE PROVISIONS OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986

2.1 ALL ERVEN

2.1.1 The erven shall be subject to a servitude, 2m wide, for municipal services (water, sewerage, 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.

2.1.2 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.

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



2.2 ERF 640

The erf is subject to a servitude for municipal purposes in favour of the City of Tshwane Metropolitan Municipality, as indicated on the general plan.

STAD TSHWANE METROPOLITAANSE MUNISIPALITEIT
VERKLARING VAN HEATHERVIEW UITBREIDING 31 TOT GOEDGEKEURDE DORP

Ingevolge artikel 103 van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie No 15 van 1986), verklaar die Stad Tshwane Metropolitaanse Munisipaliteit hierby die dorp Heatherview Uitbreiding 31 tot 'n goedgekeurde dorp, onderworpe aan die voorwaardes uiteengesit in die bygaande Bylae.

(13/2/Heatherview x31 (0229A))

BYLAE

STAAT VAN VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR DIAMOND DUO PROPERTIES 9 (PROPRIETARY) LIMITED INGEVOLGE DIE BEPALINGS VAN HOOFSTUK III: DEEL A EN C VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986 (ORDONNANSIE NO 15 VAN 1986), OM TOESTEMMING OM 'N DORP OP GEDEELTE 657 VAN DIE PLAAS WITFONTEIN 301JR, GAUTENG, TE STIG, TOEGESTAAN IS.

1. STIGTINGSVOORWAARDES

1.1 NAAM

Die naam van die dorp is Heatherview Uitbreiding 31.

1.2 ONTWERP

Die dorp bestaan uit erwe soos aangedui op Algemene Plan LG No 4587/2005.

1.3 BESKIKKING OOR BESTAANDE TITELVOORWAARDES

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

1.3.1 die volgende serwitute in Sertifikaat van Gekonsolideerde Titel wat geregistreer moet word wat nie die dorp raak nie:

"2. FURTHER subject to the right in favour of the City Council of Pretoria to convey electricity by overhead power lines and underground cables over the property along a route to be agreed upon between the City Council of Pretoria and Heatherdale Holdings (Proprietary) Limited together with certain ancillary rights as will more fully appear from Notarial Deed No 1307/1956S, registered 13th December 1956."

1.3.3 Die volgende serwitute in Sertifikaat van Gekonsolideerde Titel wat geregistreer moet word, wat nie aan die erwe in die dorp oorgedra moet word nie:

"3. FURTHER SUBJECT to the following condition as will more fully appear from Notarial Deed No 1306/1956S registered on the 13th December 1956:

"The owner of the said property or any portion thereof shall be obliged to receive all stormwater or other water discharged thereon from any existing or future Provincial Road and its culverts and from any future alteration of such Provincial Road and its culverts and the owner shall have no claim whatsoever against the Government of the Republic of South Africa or its servants for any damage caused by such water."

1.4 BEGIFTIGING

Betaalbaar aan die Stad Tshwane Metropolitaanse Munisipaliteit.

Die dorpselenaar moet aan die Stad Tshwane Metropolitaanse Munisipaliteit, as begiftiging, 'n totale bedrag van **R145 000,00** betaal, welke bedrag deur die Stad Tshwane Metropolitaanse Munisipaliteit 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 TOEGANG

Geen ingang van Provinsiale Pad P106-1 tot die dorp en geen uitgang tot Provinsiale Pad P106-1 uit die dorp word toegelaat nie.

1.6 ONTVANGS VAN EN WEGDOEN MET STORMWATER

Die dorpselenaar moet die stormwaterdreinerings van die dorp so reël dat dit inpas by die van Pad P106-1 en hy moet die stormwater wat van die pad afloop of afgelei word, ontvang en daarmee wegdoen.

1.7 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 dorpselenaar gedra word.

1.8 SLOPING VAN GEBOUE EN STRUKTURE

Die dorpselenaar 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 tevredeheid van die Stad Tshwane Metropolitaanse Munisipaliteit wanneer die Stad Tshwane Metropolitaanse Munisipaliteit dit vereis.

1.9 VERWYDERING VAN ROMMEL

Die dorpselenaar moet op eie koste alle rommel binne die dorpsgebied laat verwyder tot tevredeheid van die Stad Tshwane Metropolitaanse Munisipaliteit wanneer die Stad Tshwane Metropolitaanse Munisipaliteit 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 dorpselenaar 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 dorpselenaar gedra word.

1.12 OPRIGTING VAN HEINING OF ANDER FISIESE VERSPERRING

Die dorpselenaar moet op eie koste 'n heining of ander fisiese versperring oprig tot tevredeheid van die Hoof van die Departement: Gauteng Provinsiale Regering: Departement van Openbare Vervoer, Paaie en Werke, soos en wanneer deur hom verlang om dit te doen en die dorpselenaar moet sodanige heining of fisiese versperring in 'n goeie toestand hou tot tyd en wyl die erwe in die dorp aan die daaropvolgende grondeienaars oorgedra word, waarna die verantwoordelikheid vir die instandhouding van sodanige heining of fisiese versperring by hulle berus.



1.13 VOLDOENING AAN VOORWAARDES OP GELÊ DEUR DIE GAUTENGSE DEPARTEMENT VAN LANDBOU, BEWARING, OMGEWING EN GRONDSAKE (DLBOG)

Die dorpseienaar sal op sy eie koste voldoen aan al die voorwaardes wat opgelê is deur (DLBOG) met die aansoek om vrystelling om aan die bepalings van Regulasie 1182 en 1183 gepromulgeer ingevolge artikel 21, 22 en 26 van die Wet op Omgevingsbewaring, 1989 (Wet No 73 van 1989) vir die ontwikkeling van die dorpsgebied.

2. TITELVOORWAARDES

ALLE ERWE IS ONDERWORPE AAN DIE VOORWAARDES SOOS AANGEDUI, OP GELÊ DEUR DIE STAD TSHWANE METROPOLITAANSE MUNISIPALITEIT INGEVOLGE DIE BEPALINGS VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986 (ORDONNANSIE 15 VAN 1986):

2.1 ALLE ERWE

2.1.1 Die erf is onderworpe aan 'n serwituut, 2m breed, vir munisipale dienste (water, riool, elektrisiteit, stormwater) (hierna "die dienste" genoem), ten gunste van die Stad Tshwane Metropolitaanse Munisipaliteit langs enige twee grense, uitgesonderd 'n straatgrens en, in die geval van 'n pypsteelerf, 'n addisionele serwituut vir munisipale doeleindes, 2m 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.

2.1.2 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.

2.1.3 Die Stad Tshwane Metropolitaanse Munisipaliteit is daarop geregtig om enige materiaal wat deur hom uitgegrawe word tydens die aanleg, onderhoud of verwydering van sodanige dienste en ander werke wat hy na goeëdoel noodsaaklik ag, tydelik te plaas op grond wat aan die voornoemde serwituut grens, en voorts is die Stad Tshwane Metropolitaanse Munisipaliteit geregtig op redelike toegang tot genoemde grond vir die voornoemde doel, onderworpe daaraan dat die Stad Tshwane Metropolitaanse Munisipaliteit enige skade vergoed wat gedurende die aanleg, onderhoud of verwydering van sodanige dienste en ander werke veroorsaak word.

2.2 ERF 640

Die erf is onderworpe aan 'n serwituut vir munisipale dienste, ten gunste van die Stad Tshwane Metropolitaanse Munisipaliteit, soos op die algemene plan aangedui.