

*THE PROVINCE OF  
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**LOCAL AUTHORITY NOTICE**

**LOCAL AUTHORITY NOTICE 2953**

**CITY OF TSHWANE METROPOLITAN MUNICIPALITY**

**AKASIA-SOSHANGUVE AMENDMENT SCHEME 0274A**

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 The Orchards Extension 36, 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 Executive Director: Legal Services, and are open to inspection during normal office hours.

This amendment is known as Akasia/Soshanguve Amendment Scheme 0274A.

(13/2/The Orchards x36 (0274A))  
14 November 2007

**Executive Director: Legal Services**  
(Notice No 1185/2007)

**PLAASLIKE BESTUURSKENNISGEWING 2953**

**STAD TSHWANE METROPOLITAANSE MUNISIPALITEIT**

**AKASIA/SOSHANGUVE WYSIGINGSKEMA 0274A**

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 The Orchards Uitbreiding 36, synde 'n wysiging van die Akasia/Soshanguve dorpsbeplanningskema, 1996, 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 Akasia/Soshanguve wysigingskema 0274A.

(13/2/The Orchards x36 (0274A))  
14 November 2007

**Uitvoerende Direkteur: Regsdienste**  
(Kennisgewing No 1185/2007)

**CITY OF TSHWANE METROPOLITAN MUNICIPALITY**

**DECLARATION OF THE ORCHARDS EXTENSION 36 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 The Orchards Extension 36 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(13/2/The Orchards x36 (0274A))

**SCHEDULE**

CONDITIONS UNDER WHICH THE APPLICATION MADE BY HOUSING DEVELOPMENT STRATEGIES (PROPRIETARY) LIMITED 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 78 (A PORTION OF PORTION 25) OF THE FARM HARTEBEESTHOEK 303JR, PROVINCE OF GAUTENG, HAS BEEN GRANTED.

1. **CONDITIONS OF ESTABLISHMENT**

1.1 **NAME**

The name of the township shall be The Orchards Extension 36.

1.2 DESIGN

The township shall consist of erven and streets as indicated on General Plan SG No 9067/2006.

1.3 ENDOWMENT

Payable to the City of Tshwane Metropolitan Municipality.

The township owner shall pay a lump sum in the amount of **R440 000,00** to the local authority as parks endowment in terms of Regulation 44(1) of the Town-planning and Townships Regulations, to the City of Tshwane. The amount shall be used by the City of Tshwane 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).

1.4 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.

1.5 REMOVAL OR REPLACEMENT OF MUNICIPAL OR TELKOM SERVICES

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

1.6 COMPLIANCE WITH CONDITIONS IMPOSED BY GDACE

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

1.7 OBLIGATIONS IN REGARD TO ESSENTIAL SERVICES

The township owner shall within such period as the municipality may determine, fulfil its obligations in respect of the provision of water, electricity and sanitary services and the installation of systems therefore, as previously agreed upon between the township owner and the municipality.

2. CONDITIONS OF TITLE

THE ERVEN 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 (ORDINANCE 15 OF 1986):

2.1 ALL ERVEN

2.1.1 The erf is subject to a servitude, 2m wide, in favour of the municipality, for sewerage and other municipal purposes, along any two boundaries other than a street boundary and in the case of a panhandle erf, an additional servitude for municipal purposes 2m wide across the access portion of the erf, if and when required by the municipality: Provided that the municipality may dispense with any such servitude.

2.1.2 No building or other structure shall be erected within the aforesaid servitude area and no large-rooted trees shall be planted within the area of such servitude or within 2m thereof.

2.1.3 The municipality shall be entitled to deposit temporarily on the land adjoining the aforesaid servitude such material as may be excavated by it during the course of the construction, maintenance or removal of such sewerage mains and other works as it in its discretion may deem necessary and shall further be entitled to reasonable access to the said land for the aforesaid purpose subject to any damage done during the process of the construction, maintenance or removal of such sewerage mains and other works being made good by the municipality.

**STAD TSHWANE METROPOLITAANSE MUNISIPALITEIT**

**VERKLARING VAN THE ORCHARDS UITBREIDING 36 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 The Orchards Uitbreiding 36 tot 'n goedgekeurde dorp, onderworpe aan die voorwaardes uiteengesit in die bygaande Bylae.

(13/2/The Orchards x36 (0274A))

**BYLAE**

STAAT VAN VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR HOUSING DEVELOPMENT STRATEGIES (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 78 ('N GEDEELTE VAN GEDEELTE 25) VAN DIE PLAAS HARTEBEESTHOEK 303JR, GAUTENG, TE STIG, TOEGESTAAN IS.

**1. STIGTINGSVOORWAARDES**

**1.1 NAAM**

Die naam van die dorp is The Orchards Uitbreiding 36.

**1.2 ONTWERP**

Die dorp bestaan uit erwe en strate soos aangedui op Algemene Plan LG No 9067/2006.

**1.3 BEGIFTIGING**

Betaalbaar aan die Stad Tshwane Metropolitaanse Munisipaliteit.

Die dorpseienaar moet aan die Stad Tshwane Metropolitaanse Munisipaliteit, as begiftiging 'n bedrag van **R440 000,00** in terme van Regulasie 44(1) van die Dorpsbeplanning en Dorpe Regulasie, 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).

**1.4 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.

**1.5 VERSKUIWING OF VERWYDERING VAN MUNISIPALE OF TELKOM DIENSTE**

Indien dit as gevolg van die stigting van die dorp nodig word om enige bestaande munisipale of Telkom dienste te verskuif of te vervang, moet die koste daarvan deur die dorpseienaar gedra word.

**1.6 VOLDOENING AAN VOORWAARDES OPGELê DEUR DIE GAUTENGSE DEPARTEMENT VAN LANDBOU, BEWARING EN DIE OMGEWING (DLBO)**

Die dorpseienaar sal op sy eie koste voldoen aan al die voorwaardes wat opgelê is deur (DLBO) 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 Omgewingsbewaring, 1989 (Wet No 73 van 1989) vir die ontwikkeling van die dorpsgebied.

**1.7 VEPLIGTINGE TEN OPSIGTE VAN NOODSAAKLIKE DIENSTE**

Die dorpseienaar moet binne sodanige tydperk as wat die plaaslike bestuur mag bepaal, sy verpligtinge met betrekking tot die voorsiening van water, elektrisiteit en sanitêre dienste en die installering van stelsels daarvoor, soos vooraf ooreengekom tussen die dorpseienaar en die munisipaliteit nakom.

## 2. TITELVOORWAARDES

DIE ERWE IS ONDERWORPE AAN DIE VOLGENDE VOORWAARDES SOOS AANGEDUI, OPGELê 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, 2 meter breed, vir riolerings- en ander munisipale dienste, langs enige twee sygrense, 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 verlang deur die plaaslike bestuur: Met dien verstande dat die plaaslike bestuur van enige sodanige serwituut mag afsien.
  - 2.1.2 Geen gebou of ander struktuur mag binne die voornoemde serwituut area opgerig word nie en geen groot wortelbome mag binne die gebied van sodanige serwituut of binne 'n afstand van 2 m daarvan geplant word nie.
  - 2.1.3 Die munisipaliteit is geregtig om enige materiaal wat deur hom uitgegrawe word tydens die aanleg, onderhoud of verwydering van sodanige rioolhoofpyleidings en ander werke wat hy volgens goeë dunnke noodsaaklik ag, tydelik te plaas op die grond wat aan die voornoemde serwituut grens en voorts is die plaaslike bestuur geregtig tot redelike toegang tot genoemde grond vir die voornoemde doel, onderworpe daaraan dat die munisipaliteit enige skade vergoed wat gedurende die aanleg, onderhoud of verwyderings wat sodanige rioolhoofpyleidings en ander werke veroorsaak.
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