

***THE PROVINCE OF
GAUTENG***

***DIE PROVINSIE
GAUTENG***

**Provincial Gazette Extraordinary
Buitengewone Provinsiale Koerant**

Vol. 14

**PRETORIA, 31 OCTOBER
OKTOBER 2008**

No. 297

CONTENTS • INHOUD

<i>No.</i>	<i>Page No.</i>	<i>Gazette No.</i>
LOCAL AUTHORITY NOTICE		
2403 Town-planning and Townships Ordinance (15/1986): City of Tshwane: Akasia/Soshanguve Amendment Scheme 0291A.....	3	297

LOCAL AUTHORITY NOTICE

LOCAL AUTHORITY NOTICE 2403

CITY OF TSHWANE

AKASIA-SOSHANGUVE AMENDMENT SCHEME 0291A

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 Karenpark Extension 35, 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 0291A.

(13/2/Karenpark x35 (0291A))
 ___ October 2008

Executive Director: Legal Services
 (Notice No 836/2008)

PLAASLIKE BESTUURSKENNISGEWING 2403

STAD TSHWANE

AKASIA-SOSHANGUVE WYSIGINGSKEMA 0291A

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 Karenpark Uitbreiding 35, 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 0291A.

(13/2/Karenpark x35 (0291A))
 ___ Oktober 2008

Uitvoerende Direkteur: Regsdienste
 (Kennisgewing No 836/2008)

CITY OF TSHWANE

DECLARATION OF KARENPAK EXTENSION 35 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 Karenpark Extension 35 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(13/2/Karenpark x35 (0291A))

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY DIE TRUSTEES VAN TYD TOT TYD VAN DIE KARENPAK PROPERTY INVESTMENT TRUST NO IT6962/2007 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 PORTION 454 (A PORTION OF PORTION 450) OF THE FARM HARTEBEESTHOEK NO 303JR, PROVINCE OF GAUTENG, HAS BEEN GRANTED.

1. **CONDITIONS OF ESTABLISHMENT**

1.1 **NAME**

The name of the township shall be Karenpark Extension 35.

1.2 DESIGN

The township shall consist of erven and streets as indicated on General Plan SG No 6091/2007.

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 the following conditions in Deed of Transfer T167609/07 which shall not be transferred to the erven in the township:

"B. The Remaining Extent of Portion "E" of the farm HARTEBEESTHOEK No 524, measuring as such 239,0209 (TWO HUNDRED AND THIRTY-NINE comma NOUGHT, TWO, NOUGHT, NINE) hectares, of which the property hereby transferred forms a portion, is entitled to a servitude of Right of Way 9,45 metres wide along portion of the Western Boundary of Portion 1 of the said Portion "E" of the farm HARTEBEESTHOEK No 524, measuring 85,6532 (EIGHT FIVE comma SIX, FIVE, THREE, TWO) hectares transferred to Lily Mary Flora White (born Cassell) by Deed of Transfer No 5029/1923 dated 2nd of June, 1923, and which Right of Way is more fully indicated on the Diagram SG No A508/1923 of said Portion 1 of Portion E annexed to Deed of Transfer No 5029/1923."

"C. Subject to the following condition created by the City of Tshwane Metropolitan Municipality:

The treatment of all water on the proposed Portions must be by means of suction tanks or similar systems to the satisfaction of the City of Tshwane Metropolitan Municipality. No French drain or septic tank system will be accepted."

1.4 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.

1.5 CONSOLIDATION OF ERVEN

The township owner shall at his own expense have Erven 901 and 902 in the township consolidated. The City of Tshwane hereby grants its consent to the consolidation in respect of Section 92(1)(b) of Ordinance 15 of 1986.

1.6 PROVISION OF TURNING CIRCLE

The applicant shall at his own expense provide a temporary turning circle over the adjacent property abutting on the western side of Erf 902 and Kattekruid Street to provide turning facilities for motor vehicles using the street, to the satisfaction of the Municipality: Provided that this condition will lapse when the public street is extended to the west of the 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 therefor, as previously agreed upon between the township owner and the municipality.

2. CONDITIONS OF TITLE

THE ERVEN MENTIONED HEREUNDER SHALL BE SUBJECT TO THE CONDITIONS AS INDICATED IMPOSED BY THE LOCAL AUTHORITY IN TERMS OF THE PROVISIONS OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986):

2.1 The erf is subject to a servitude, 2m wide, in favour of the local authority, 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 local authority: Provided that the local authority may dispense with any such servitude.

- 2.2 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.
- 2.3 The local authority 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 local authority.

STAD TSHWANE

VERKLARING VAN KARENPAK UITBREIDING 35 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 Karenpark Uitbreiding 35 tot 'n goedgekeurde dorp, onderworpe aan die voorwaardes uiteengesit in die bygaande Bylae.

(13/2/Karenpark x35 (0291A))

BYLAE

STAAT VAN VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR DIE TRUSTEES VAN TYD TOT TYD VAN THE KARENPAK PROPERTY INVESTMENT TRUST NO IT6962/2007 INGEVOLGE DIE BEPALINGS VAN HOOFSTUK III VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986 (ORDONNANSIE NO 15 VAN 1986), OM TOESTEMMING OM 'N DORP OP GEDEELTE 454 ('N GEDEELTE VAN GEDEELTE 450) VAN DIE PLAAS HARTEBEESTHOEK 303JR, GAUTENG, TE STIG, TOEGESTAAN IS.

1. STIGTINGSVOORWAARDES

1.1 NAAM

Die naam van die dorp is Karenpark Uitbreiding 35.

1.2 ONTWERP

Die dorp bestaan uit erwe en strate soos aangedui op Algemene Plan LG No 6091/2007.

1.3 BESIKKING 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 die volgende voorwaardes in Akte van Transport T167609/07 wat nie aan die erwe in die dorp oorgedra moet word nie:

"B. The Remaining Extent of Portion "E" of the farm HARTEBEESTHOEK No 524, measuring as such 239,0209 (TWO HUNDRED AND THIRTY-NINE comma NOUGHT, TWO, NOUGHT, NINE) hectares, of which the property hereby transferred forms a portion, is entitled to a servitude of Right of Way 9,45 metres wide along portion of the Western Boundary of Portion 1 of the said Portion "E" of the farm HARTEBEESTHOEK No 524, measuring 85,6532 (EIGHT FIVE comma SIX, FIVE, THREE, TWO) hectares transferred to Lily Mary Flora White (bom Cassell) by Deed of Transfer No 5029/1923 dated 2nd of June, 1923, and which Right of Way is more fully indicated on the Diagram SG No A508/1923 of said Portion 1 of Portion E annexed to Deed of Transfer No 5029/1923."

"C. Subject to the following condition created by the City of Tshwane Metropolitan Municipality:

The treatment of all water on the proposed Portions must be by means of suction tanks or similar systems to the satisfaction of the City of Tshwane Metropolitan Municipality. No French drain or septic tank system will be accepted."

1.4 **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 verwyder, moet die koste daarvan deur die dorpsenaar gedra word.

1.5 **KONSOLIDASIE VAN ERWE**

Die dorpsenaar moet op eie koste Erwe 901 en 902 in die dorp laat konsolideer. Die Stad Tshwane verleen hiermee ingevolge Artikel 92(1)(b) van Ordonnansie 15 van 1986, toestemming tot die konsolidasie.

1.6 **PROVISION OF TURNING CIRCLE**

The applicant shall at his own expense provide a temporary turning circle over the adjacent property abutting on the western side of Erf 902 and Kattekruid Street to provide turning facilities for motor vehicles using the street, to the satisfaction of the Municipality: Provided that this condition will lapse when the public street is extended to the west of the township.

1.7 **VEPLIGTINGE TEN OPSIGTE VAN NOODSAAKLIKE DIENSTE**

Die dorpsenaar 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 dorpsenaar en die munisipaliteit nakom.

2. **TITELVOORWAARDES**

DIE ERWE HIERONDER GENOEM, IS ONDERWORPE AAN DIE VOORWAARDES SOOS AANGEDUI, OPGELÉ DEUR DIE STAD TSHWANE INGEVOLGE DIE BEPALINGS VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986 (ORDONNANSIE 15 VAN 1986):

- 2.1 Die erf is onderworpe aan 'n serwituut, 2 meter breed, vir riolerings- en ander munisipale dienste, langs enige 2 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.
- 2.2 Geen gebou of ander struktuur mag binne die voornoemde serwituut opgerig word nie en geen groot wortelbome mag binne die gebied van sodanige serwituut of binne 'n afstand van 2 meter daarvan geplant word nie.
- 2.3 Die plaaslike bestuur is geregtig om enige materiaal wat deur hom uitgegrawe word tydens die aanleg, onderhoud of verwydering van sodanige rioolhoofpypleidings en ander werke wat hy volgens goeddunke 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 plaaslike bestuur enige skade vergoed wat gedurende die aanleg, onderhoud of verwyderings wat sodanige rioolhoofpypleidings en ander werke veroorsaak.
-