THE PROVINCE OF GAUTENG

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LOCAL AUTHORITY NOTICE

LOCAL AUTHORITY NOTICE 2585

CITY OF TSHWANE

AKASIA-SOSHANGUVE AMENDMENT SCHEME 0330A

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 Clarina Extension 28, 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 0330A.

(13/2/Clarina x28 (0330A)) **Executive Director: Legal Services**
__ November 2008 (Notice No 853/2008)

PLAASLIKE BESTUURSKENNISGEWING 2585

STAD TSHWANE

AKASIA/SOSHANGUVE WYSIGINGSKEMA 0330A

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 Clarina Uitbreiding 28, 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 0330A.

(13/2/Clarina x28 (0330A) **Uitvoerende Direkteur: Regsdienste**
__ November 2008 (Kennisgewing No 853/2008)

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CITY OF TSHWANE

DECLARATION OF CLARINA EXTENSION 28 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 Clarina Extension 28 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(13/2/Clarina x28 (0330A))

SCHEDULE

STATEMENT OF THE CONDITIONS UNDER WHICH THE APPLICATION MADE BY CENTURY APARTMENTS CC 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 376 (A PORTION OF PORTION 36) 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 Clarina Extension 28.

1.2 DESIGN

The township shall consist of erven and streets as indicated on General Plan SG No 7347/2007.

1.3 ENDOWMENT

The township owner shall pay endowment for an area of **5 256m²** in terms of Regulation 44(1) of the Town-planning and Townships Ordinance, 1986, to the Municipality. The endowment shall be used by the 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).

1.4 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, but excluding –

1.4.1 the following condition which shall not be passed on to the erven in the township:

"SUBJECT to the following conditions for the benefit of the registered owners for the time being of all other portions into which Portion F has been or may in future be divided, namely:-

1. that HORATIO WILLIAM DELY as the registered owner of the remaining extent of Portion F measuring as such 230,8247 hectares under Deed of Transfer T17253/1920 dated 20th November, reserves to himself the right to transfer any other portions into which Portion F of the said farm WITFONTEIN 301, Registration Division JR, district Pretoria (formerly No 53), has been or may in future be divided subject to the same or other conditions to the foregoing or free from all conditions.

EN VERDER ONDERWORPE aan sodanig voorwaardes as in genoemde Akte/s vermeld staan of na verwys word."

1.5 REMOVAL OR REPLACEMENT OF MUNICIPAL AND TELKOM SERVICES

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

1.6 CONSOLIDATION OF ERVEN

The township owner shall at his own expense have Erven 764 and 765 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.

1.7 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.

1.8 OBLIGATIONS IN REGARD TO ESSENTIAL SERVICES

The township owner shall within such period as the municipality may determine, fulfil it's 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 MENTIONED HEREUNDER SHALL BE SUBJECT TO THE CONDITIONS AS INDICATED, IMPOSED BY MUNICIPALITY 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 erven are subject to a servitude, 2 metre 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 2 metre wide across the .access portion of the erf, if and when required by the municipality: Provided that the local authority may dispense with any such servitude.

2.1.2 No buildings or other structures 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.

2.2 ERF 765

The erf is subject to servitudes, 3 and 4 metres wide, for municipal purposes in favour of the municipality, as indicated on the general plan.

STAD TSHWANE

VERKLARING VAN CLARINA UITBREIDING 28 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 Clarina Uitbreiding 28 tot 'n goedgekeurde dorp, onderworpe aan die voorwaardes uiteengesit in die bygaande Bylae.

(13/2/Clarina x28 (0330A))

BYLAE

STAAT VAN VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR CENTURY APARTMENTS CC 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 376 ('N GEDEELTE VAN GEDEELTE 36) VAN DIE PLAAS WITFONTEIN 301JR, GAUTENG, TE STIG, TOEGESTAAN IS.

1 STIGTINGSVOORWAARDES

1.1 NAAM

Die naam van die dorp is Clarina Uitbreiding 28.

1.2 ONTWERP

Die dorp bestaan uit erwe en strate soos aangedui op Algemene Plan LG No 7347/2007.

1.3 BEGIFTIGING

Die dorpseienaar moet aan die Munisipaliteit, begiftiging vir 'n area van **5 256m²** in terme van Regulasie 44(1) van die Dorpsbeplanning en Dorpe Ordinansie, 1986, betaal, welke bedrag deur die 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, maar uitgesonderd –

1.4.1 die volgende voorwaarde wat nie aan die erwe in die dorp oorgedra moet word nie;

"SUBJECT to the following conditions for the benefit of the registered owners for the time being of all other portions into which Portion F has been or may in future be divided, namely:-

1. that HORATIO WILLIAM DELY as the registered owner of the remaining extent of Portion F measuring as such 230,8247 hectares under Deed of Transfer T17253/1920 dated 20th November, reserves to himself the right to transfer any other portions into which Portion F of the said farm WITFONTEIN 301, Registration Division JR, district Pretoria (formerly No 53), has been or may in future be divided subject to the same or other conditions to the foregoing or free from all conditions.

EN VERDER ONDERWORPE aan sodanig voorwaardes as in genoemde Akte/s vermeld staan of na verwys word."

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 KONSOLIDASIE VAN ERWE

Die dorpseienaar moet op eie koste Erwe 764 en 765 in die dorp laat konsolideer. Die Stad Tshwane verleen hiermee ingevolge Artikel 92(1)(b) van Ordonnansie 15 van 1986, toestemming tot die konsolidasie.

1.7 VOLDOENING AAN VOORWAARDES OPGELÊ DEUR DIE DEPARTEMENT VAN LANDBOU EN OMGEWINGSBEWARING

Die dorpseienaar sal op sy eie koste voldoen aan al die voorwaardes opgelê deur die Gautengse Departement van Landbou en Omgewingsbewaring, 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.

1.8 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 INGEVOLGE DIE BEPALINGS VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986 (ORDONNANSIE 15 VAN 1986):

2.1 ALLE ERWE

2.1.1 1 Die erf is onderworpe aan 'n serwituut, 2 meter breed, ten gunste van die munisipaliteit, 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 munisipaliteit van enige sodanige serwituut mag afsien.

2.1.1.2 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.

2.1.1.3 Die munisipaliteit 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 munisipaliteit 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 rioolhoofpypleidings en ander werke veroorsaak.

2.2 ERF 765

Die erf is onderworpe aan serwitute, 3 en 4 meter breed, vir munisipale doeleindes ten gunste van die munisipaliteit, soos op die algemene plan aangedui.