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IMPORTANT NOTICE

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LOCAL AUTHORITY NOTICE

LOCAL AUTHORITY NOTICE 743

CITY OF TSHWANE

AKASIA/SOSHANGUVE AMENDMENT SCHEME 0217A

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 Heatherview Extension 34, 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 Executive Director: Legal Services, and are open to inspection during normal office hours.

This amendment is known as Akasia/Soshanguve Amendment Scheme 0217A.

(13/2/Heatherview x34 (0217A))
 ___ May 2010

Acting Executive Director: Legal Services
 (Notice No 335/2010)

PLAASLIKE BESTUURSKENNISGEWING 743

STAD TSHWANE

AKASIA/SOSHANGUVE WYSIGINGSKEMA 0217A

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 Heatherview Uitbreiding 34, synde 'n wysiging van die Akasia/Soshanguve dorpsbeplanningskema, 1996, goedgekeur het.

Kaart 3 en die skemaklousules van hierdie wysigingskema word deur die Waarnemende Uitvoerende Direkteur: Regsdienste, in bewaring gehou en lê gedurende gewone kantoorure ter insae.

Hierdie wysiging staan bekend as Akasia/Soshanguve wysigingskema 0217A.

(13/2/Heatherview x34 (0217A))
 ___ Mei 2010

Uitvoerende Direkteur: Regsdienste
 (Kennisgewing No 335/2010)

CITY OF TSHWANE

DECLARATION OF HEATHERVIEW EXTENSION 34 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 Heatherview Extension 34 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(13/2/Heatherview x34 (9779P))

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY TRUSTEE(S) VIR DIE HUIDIGE VAN GEORGE BENTLEY TRUST NR 1038/84 UNDER 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 633 (A PORTION OF PORTION 486) 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 34.

1.2 DESIGN

The township consists of erven and streets as indicated on General Plan LG No 10687/2004.

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 servitude which does not affect the erven in the township:

"4. 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 1307/1956 S registered 13th December 1956."

1.3.2 The following servitude which affects all erven in the township:

"5. FURTHER subject to the following condition as will more fully appear from Notarial Deed No 1306/1956 S registered 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 State or its servants for any damage caused by such water"

1.4 REMOVAL OR REPLACEMENT OF MUNICIPAL SERVICES

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

1.5 PROVISION AND INSTALLATION OF ESSENTIAL SERVICES

The applicant shall make the necessary arrangements for the provision and installation of water, electricity and sanitation as well as the construction of roads and stormwater drainage in the township. The services installed by the applicant shall comply with the Local Authorities standards.

1.6 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 Council.

1.7 ENDOWMENT

Payable to the City of Tshwane Metropolitan Municipality

The township owner shall pay to the City of Tshwane Metropolitan Municipality as endowment a total amount of R85 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 1986).

1.8 REMOVAL OF LITTER

The township owner shall at his own expense have all litter within the township area removed to the satisfaction of the Tshwane Metropolitan Municipality, when required to do so by the Tshwane Metropolitan Municipality.

1.9 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.

2. CONDITIONS OF TITLE

2.1 ALL ERVEN

Conditions imposed by the Local Authority in terms of the provisions of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986)

- 2.1.1 The erf is subject to a servitude, minimum 1 metre wide and an aggregate 3 metres wide in favour of the local authority, for sewerage and other municipal purposes, along any boundary other than a street or rear boundary and in the case of a panhandle erf, an additional servitude for municipal purposes 1 m wide across the access portion of the erf, of and when required by the local authority: Provided that the local authority may dispense with any such servitude.
- 2.1.2 The erf is subject to a servitude in favour of the local authority for municipal purposes, 2 metres wide on the street- and rear (mid block) boundary: Provided that the local authority may dispense with any such servitude.
- 2.1.3 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 1 m thereof.
- 2.1.4 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 such sewerage mains and other works being made good by the local authority.

STAD TSHWANE

VERKLARING VAN HEATHERVIEW UITBREIDING 34 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 Heatherview Uitbreiding 34 tot 'n goedgekeurde dorp, onderworpe aan die voorwaardes uiteengesit in die bygaande Bylae.

(13/2/Heatherview x34 (0217A))

BYLAE

STAAT VAN VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR TRUSTEE(S) VIR DIE HUIDIGE VAN GEORGE BENTLEY TRUST NR 1038/84 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 633 ('N GEDEELTE VAN GEDEELTE 486) VAN DIE PLAAS WITFONTEIN 301 JR, GAUTENG, TE STIG, TOEGESTAAN IS.

1. STIGTINGSVOORWAARDES

1.1 NAAM

Die naam van die dorp is Heatherview Uitbreiding 34.

1.2 ONTWERP

Die dorp bestaan uit erwe en strate soos aangedui op Algemene Plan LG No 10687/2004.

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 serwituut wat nie die erwe in die dorp raak nie:

"4. 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 1307/1956 S registered 13th December 1956."

1.3.2 Die volgende serwituut wat al die erwe in die dorp raak:

"5. FURTHER subject to the following condition as will more fully appear from Notarial Deed No 1306/1956 S registered 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 State or its servants for any damage caused by such water"

1.4 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 dorpseienaar gedra word.

1.5 VEPLIGTINGE TEN OPSIGTE VAN NOODSAAKLIKE DIENSTE

Die dorpseienaar moet binne sodanige tydperk as wat die munisipaliteit 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.

1.6 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 Council.

1.7 BEGIFTIGING

Betaalbaar aan die Stad Tshwane.

Die dorpseienaar moet aan die Stad Tshwane, as begiftiging, 'n totale bedrag van **R85 000,00** betaal, welke bedrag deur die Stad Tshwane 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).

1.8 VERWYDERING VAN ROMMEL

Die dorpseienaar moet op eie koste alle rommel binne die dorpsgebied laat verwyder tot tevredenheid van die Stad Tshwane Metropolitaanse Munisipaliteit wanneer die Stad Tshwane Metropolitaanse Munisipaliteit dit vereis.

1.9 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.

2. TITELVOORWAARDES

DIE ERWE HIERONDER GENOEM, IS ONDERWORPE AAN DIE VOORWAARDES SOOS AANGEDUI, OP GELÊ 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 The erf is subject to a servitude, minimum 1 metre wide and an aggregate 3 metres wide in favour of the local authority, for sewerage and other municipal purposes, along any boundary other than a street or rear boundary and in the case of a panhandle erf, an additional servitude for municipal purposes 1 m wide across the access portion of the erf, of and when required by the local authority: Provided that the local authority may dispense with any such servitude.
- 2.1.2 The erf is subject to a servitude in favour of the local authority for municipal purposes, 2 metres wide on the street- and rear (mid block) boundary: Provided that the local authority may dispense with any such servitude.
- 2.1.3 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.
- 2.1.4 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 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 rioolhoofpypleidings en ander werke veroorsaak.