

***THE PROVINCE OF  
GAUTENG***

***DIE PROVINSIE  
GAUTENG***

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**LOCAL AUTHORITY NOTICE**

**LOCAL AUTHORITY NOTICE 580**

**CITY OF TSHWANE**

**TSHWANE AMENDMENT SCHEME 257T**

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 32, being an amendment of the Tshwane Town-planning Scheme, 2008.

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 Tshwane Amendment Scheme 257T.

(13/2/Clarina x32 (257T))  
 \_\_\_ April 2012

**Executive Director: Legal Services**  
 (Notice No 303/2012)

**PLAASLIKE BESTUURSKENNISGEWING 580**

**STAD TSHWANE**

**TSHWANE WYSIGINGSKEMA 257T**

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 32, synde 'n wysiging van die die Tshwane-dorpsbeplanningskema, 2008, 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 Tshwane Wysigingskema 257T.

(13/2/Clarina x32 (257T))  
 \_\_\_ April 2012

**Uitvoerende Direkteur: Regsdienste**  
 (Kennisgewing No 303/2012)

**CITY OF TSHWANE**

**DECLARATION OF CLARINA EXTENSION 32 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 32 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(13/2/Clarina x32 (257T))

**SCHEDULE**

STATEMENT OF THE CONDITIONS UNDER WHICH THE APPLICATION MADE BY AUTUMN STAR TRADING 739 (PTY) LTD 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 THE REMAINDER OF PORTION 39 (A PORTION OF PORTION 22) 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 32.

**1.2 DESIGN**

The township shall consist of erven and streets as indicated on General Plan SG No 304/2007.

### 1.3 ENDOWMENT

Payable to the City of Tshwane.

The township owner shall pay the City of Tshwane as endowment a total amount of **R760 000,00** which 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 rights to minerals.

### 1.5 ACCESS

No ingress from future Provincial Road PWV 9 to the township and no egress to future Provincial Road PWV 9 from the township shall be allowed.

### 1.6 ACCEPTANCE AND DISPOSAL OF STORMWATER

The township owner shall arrange for the drainage of the township to fit in with that of future Provincial Road PWV 9 and for all stormwater running off or being diverted from the road to be received and disposed of.

### 1.7 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 Deputy Director-General, Roads Branch, as and when required by him to do so and the township owner shall maintain such fence or physical barrier in good order and repair until such time as this responsibility is taken over by the local authority: Provided that the township owner's responsibility for the maintenance thereof shall cease when the municipality takes over the responsibility for the maintenance of the streets in the township.

### 1.8 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.

### 1.9 COMPLIANCE WITH CONDITIONS IMPOSED BY GDACE

The township owner shall at his own expense comply with all the conditions imposed, by the Gauteng Department of Agriculture, Conservation and Environment, as well as any other applicable provisions, in terms of the provisions of the Environment Conservation Act, 73 of 1989 or the National Environmental Management Act, 107 of 1998 as the case may be.

### 1.10 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

### 2.1 ALL ERVEN

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.

- 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.
- 2.1.4 The erf is subject to a servitude, 5m wide, for municipal purposes (stormwater) in favour of the municipality, as indicated on the general plan.
- 2.1.5 The erf is subject to a servitude, 2m wide, for municipal purposes (sewer) in favour of the municipality, as indicated on the general plan.

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## STAD TSHWANE

### VERKLARING VAN CLARINA UITBREIDING 32 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 32 tot 'n goedgekeurde dorp, onderworpe aan die voorwaardes uiteengesit in die bygaande Bylae.

(13/2/Clarina x32 (257T))

### BYLAE

STAAT VAN VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR AUTUMN STAR TRADING 739 (PTY) LTD 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 DIE RESTANT VAN GEDEELTE 39 ('N GEDEELTE VAN GEDEELTE 22) VAN DIE PLAAS WITFONTEIN 301JR, GAUTENG, TE STIG, TOEGESTAAN IS.

#### 1. STIGTINGSVOORWAARDES

##### 1.1 NAAM

Die naam van die dorp is Clarina Uitbreiding 32.

##### 1.2 ONTWERP

Die dorp bestaan uit erwe en strate soos aangedui op Algemene Plan LG No 304/2007.

##### 1.3 BEGIFTIGING

Betaalbaar aan die Stad Tshwane.

Die dorpseienaar moet aan die Stad Tshwane, as begiftiging, 'n totale bedrag van **R760 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).

**1.4 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 TOEGANG**

Geen ingang van toekomstige Provinsiale Pad PWV9 tot die dorp en geen uitgang tot toekomstige Provinsiale Pad PWV9 uit die dorp word toegelaat nie.

**1.6 ONTVANGS VAN EN WEGDOEN MET STORMWATER**

Die dorpseienaar moet die stormwaterdreinerings van die dorp so reël dat dit inpas by die van toekomstige Provinsiale Pad PWV9 en hy moet die stormwater wat van die pad afloop of afgelei word, ontvang en daarmee wegdoen.

**1.7 OPRIGTING VAN HEINING OF ANDER FISIESE VERSPERRING**

Die dorpseienaar moet op eie koste 'n heining of ander fisiese versperring oprig tot tevreedenheid 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 dorpseienaar moet sodanige heining of fisiese versperring in 'n goeie toestand hou tot tyd en wyl hierdie verantwoordelikheid deur die Stad Tshwane oorgeneem word. Met dien verstande dat die dorpseienaar se verantwoordelikheid vir die instandhouding daarvan verval sodra die Stad Tshwane die verantwoordelikheid vir die instandhouding van die strate in die dorp oorneem.

**1.8 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.

**1.9 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, asook enige ander toepaslike voorwaardes soos vervat in die Wet op Omgewingsbewaring, 1989 (Wet 73 van 1989), of die Nasionale Wet op Omgewingsbewaring, 1998 (Wet 107 van 1998), wat ookal die geval mag wees.

**1.10 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****2.1 ALLE ERWE**

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):

2.1.1 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.

2.1.2 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 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 rioolhoofpyleidings en ander werke veroorsaak.
- 2.1.4 Die erf is onderworpe aan 'n serwituut, 5m breed, vir munisipale doeleindes (stormwater) ten gunste van die munisipaliteit, soos op die algemene plan aangedui.
- 2.1.5 Die erf is onderworpe aan 'n serwituut, 2m breed, vir munisipale doeleindes (riolering) ten gunste van die munisipaliteit, soos op die algemene plan aangedui.
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