

**THE PROVINCE OF  
GAUTENG**



**DIE PROVINSIE  
GAUTENG**

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**Prevention is the cure**

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DEPARTMENT OF HEALTH

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## LOCAL AUTHORITY NOTICE

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### LOCAL AUTHORITY NOTICE 1218

#### CITY OF TSHWANE

#### AKASIA/SOSHANGUVE AMENDMENT SCHEME 0342A

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 Soshanguve South Extension 13, 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 0342A.

(13/2/Soshanguve South x13 (0342A))  
\_\_ August 2013

(Notice No 499/2013)

Chief Legal Counsel

### PLAASLIKE BESTUURSKENNISGEWING 1218

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#### STAD TSHWANE

#### AKASIA/SOSHANGUVE WYSIGINGSKEMA 0342A

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 Soshanguve South Uitbreiding 13, 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 0342A.

(13/2/Soshanguve South x13 (0342A))  
\_\_ Augustus 2013

Hoofregsadviseur  
(Kennisgewing No 499/2013)

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#### CITY OF TSHWANE

#### DECLARATION OF SOSHANGUVE SOUTH EXTENSION 13 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 Soshanguve South Extension 13 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(13/2/Soshanguve South x13 (0342A))

#### SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY THE CITY OF TSHWANE METROPOLITAN MUNICIPALITY UNDER THE PROVISIONS OF SECTION 108 OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE NO 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 276 AND 277 OF THE FARM KLIPFONTEIN 268JR, PROVINCE OF GAUTENG, HAS BEEN GRANTED

#### 1. CONDITIONS OF ESTABLISHMENT

##### 1.1 NAME

The name of the township shall be Soshanguve South Extension 13.

## 1.2 DESIGN

The township shall consist of erven and streets as indicated on General Plan SG No 10027/1998.

## 1.3 LAND FOR MUNICIPAL PURPOSES

The township owner shall reserve the following erven for municipal purposes:

Parks (Public Open Spaces): Erven 14397 up to and including 14403  
Servitude for electrical powerline (Eskom): Erven 12864 and 12909  
General (access road for sewerage purification works): Erf 12884.

## 1.4 COMPLIANCE WITH CONDITIONS IMPOSED BY THE GAUTENG DEPARTMENT OF ROADS AND TRANSPORT

The township owner shall at his own expense comply with all the conditions imposed by the Gauteng Department of Roads and Transport, when consent was granted for the development.

## 1.5 ACCESS

1.5.1 No ingress from Provincial Road K6 to the township and no egress to Provincial Road K6 from the township shall be allowed.

1.5.2 Ingress from Provincial Road P230-1 to the township and egress to Provincial Road P230-1 from the township shall be restricted to the junction of the 25 meter internal street with such road.

1.5.3 The township owner shall at his own expense, submit a geometric design layout (scale 1:500) of the ingress and egress points referred to in 1.5.2 above, and specifications for the construction of the accesses, to the Deputy Director-General, Roads Branch, for approval. The township owner shall after approval of the layout and specifications, construct the said ingress and egress point at its own expense to the satisfaction of the Deputy Director-General, Roads Branch.

## 1.6 ACCEPTANCE AND DISPOSAL OF STORMWATER

The township owner shall arrange for the drainage of the township to fit in with that of Roads K6 and P230-1 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 its 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 Municipality: 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 DEMOLITION OF BUILDINGS AND STRUCTURES

The township owner shall at its own expense cause all existing buildings and structures situated within the building line reserves, side spaces or over common boundaries to be demolished.

## 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;

#### 1.10 RESTRICTION ON THE DISPOSAL OF ERVEN

The township owner shall not offer for sale or alienate Erven 12697 and 14073 to any person or corporate body other than the Gauteng Department of Education without first having given notice to the Gauteng Department of Education of such intention and given him first option for a period of 12 months to purchase the said erf at a price not higher than that at which it is proposed to dispose thereof to such person or corporate body.

#### 1.11 COMPLIANCE WITH CONDITIONS IMPOSED BY GDARD

The township owner shall at his own expense comply with all the conditions imposed, by which the Gauteng Department of Agriculture and Rural Development including if applicable those by which exemption has been granted from compliance with Regulations No 1182 and 1183 promulgated in terms of Sections 21, 22 and 26 of the Environmental Conservation Act, (Act 73 of 1989) or the National Environmental Management Act, 1998 (Act 107 of 1998) and Regulations thereto, as the case may be, for the development of this township.

#### 1.12 OBLIGATIONS WITH REGARD TO SERVICES AND RESTRICTIONS REGARDING THE ALIENATION OF ERVEN

The township owner shall within such period as the Local Authority may determine fulfil its obligations in respect of the provision of water, electricity and sanitary services as well as the construction of roads and stormwater drainage and the installation of systems thereof, as previously agreed upon between the township owner and the local authority. Erven may not be alienated or transferred into the name of a purchaser prior to the Local Authority certifying that sufficient guarantees/cash contributions in respect of the supply of services by the township owner have been submitted or paid to the said Local Authority.

### 2. CONDITIONS TO BE COMPLIED WITH BEFORE THE ERVEN IN THE TOWNSHIP BECOME REGISTERABLE

#### INSTALLATION OF INTERNAL AND EXTERNAL SERVICES

A certificate issued in terms of Section 113 of the Town-planning and Townships Ordinance (Ordinance 15 of 1986) must be lodged with the first transfer or with any other act of registration such as the issuing of a Certificate of Title.

The township applicant shall install and provide internal and external engineering services in the township as provided for in the services agreement.

### 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:

3.1 the following servitudes in Deed of Transfer T64722/2009 which affect Municipal Erven 12864 and 12909 in the township only and which servitude will be registered at a later date;

"1.2 The former Remaining Extent of Portion 6 (a portion of Portion 2) of the Farm Klipfontein 268, Registration Division J.R., Province of Gauteng, indicated by the figure A a b c L M N P Q A on Subdivisional Diagram SG No 10025/1998 is subject to a Powerline Servitude in favour of Eskom, with ancillary rights, the route of which servitude will be determined later by Eskom, and as will more fully appear from Notarial Deed K3274/1998S."

"2.2 The former Remaining Extent of Portion 7 (a Portion of Portion 2) of the farm Klipfontein 268, Registration Division JR, Province of Gauteng, indicated by the figure a B C D E F G H J K c b a on Subdivisional Diagram SG No. 10025/1998 is subject to a Powerline Servitude in favour of Eskom with ancillary rights, the route of which servitude will be determined later by Eskom, and as will more fully appear from Notarial Deed K3274/1998S."

3.2 the following servitudes in Deed of Transfer T64723/2009 which affect Municipal Erven 12864 and 12909 in the township only and which servitude will be registered at a later date;

- "1.2 The former Remaining Extent of Portion 7 (a portion of Portion 2) of the Farm Klipfontein 268, Registration Division JR, Province of Gauteng, indicated by the figure A a b c d K L M N A on Subdivisional Diagram SG No 10026/1998 is subject to a Powerline Servitude in favour of Eskom, with ancillary rights, the route of which servitude will be determined later by Eskom, and as will more fully appear from Notarial Deed K3274/1998S."
- "2 The former Remaining Extent of Portion 51 (a portion of Portion 9) of the Farm Klipfontein 268, Registration Division JR, Province of Gauteng, indicated by the figure L D E w F v L on Subdivisional Diagram SG No 10026/1998 is subject to a Powerline Servitude in favour of Eskom, with ancillary rights, the route of which servitude will be determined later by Eskom, and as will more fully appear from Notarial Deed K3768/1998S."
- "3.2 The former Remaining Extent of Portion 99 (a portion of Portion 8) of the Farm Klipfontein 268, Registration Division J.R., Province of Gauteng, indicated by the figure e j k l h g f e on Subdivisional Diagram SG No 10026/1998 is subject to a Powerline Servitude in favour of Eskom, with ancillary rights, the route of which servitude will be determined later by Eskom, and as will more fully appear from Notarial Deed K3768/1998S."
- "4. The former Remaining Extent of Portion 167 (a portion of Portion 8) of the Farm Klipfontein 268, Registration Division JR, Province of Gauteng, indicated by the figure a e f b a on Subdivisional Diagram SG No 10026/1998 is subject to a Powerline Servitude in favour of Eskom, with ancillary rights, the route of which servitude will be determined later by Eskom, and as will more fully appear from Notarial Deed K3768/1998S."

#### 4. CONDITIONS OF TITLE

##### 4.1 CONDITIONS OF TITLE IMPOSED BY THE LOCAL AUTHORITY IN TERMS OF THE PROVISIONS OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986)

###### 4.1.1 ALL ERVEN WITH THE EXCEPTION OF THE ERVEN MENTIONED IN CLAUSE 1.3

4.1.1.1 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.

4.1.1.2 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.

4.1.1.3 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.

###### 4.1.2 ERVEN SUBJECT TO SPECIAL CONDITIONS

In addition to the relevant conditions set out in paragraph 4.1.1 above, the undermentioned erven shall be subject to the conditions as indicated:

###### 4.1.2.1 ERVEN 13319, 13462, 13487, 13587, 13613, 13896, 13913 AND 14030

4.1.2.1.1 The erf shall be subject to a servitude 3 metre wide for municipal services in favour of the City of Tshwane Metropolitan Municipality, as indicated on the general plan.

4.1.2.1.2 No buildings or other structures may be erected within the aforesaid servitude area and no trees with large roots may be planted within the area of such servitude or within a distance of 2 m therefrom.

4.1.2.1.3 The City of Tshwane Metropolitan Municipality shall be entitled to temporarily deposit on the land adjoining the aforesaid servitude, any material it excavates during the laying, maintenance or removal of such services and other works which in its discretion it regards essential, and furthermore the City of Tshwane Metropolitan Municipality shall be entitled to reasonable access to the said property for the aforesaid purpose, subject to the provision that the City of Tshwane Metropolitan Municipality shall make good any damage caused during the laying, maintenance or removal of such main sewer pipelines and other works.

4.1.2.2 ERVEN 13319 TO 13345, 13358 TO 13364, 13371 AND 13372

4.1.2.2.1 The erf shall be subject to a servitude 2 metre wide for municipal services (sewerage) in favour of the City of Tshwane Metropolitan Municipality, as indicated on the general plan.

4.1.2.2.2 No buildings or other structures may be erected within the aforesaid servitude area and no trees with large roots may be planted within the area of such servitude or within a distance of 2 m therefrom.

4.1.2.2.3 The City of Tshwane Metropolitan Municipality shall be entitled to temporarily deposit on the land adjoining the aforesaid servitude, any material it excavates during the laying, maintenance or removal of such services and other works which in its discretion it regards essential, and furthermore the City of Tshwane Metropolitan Municipality shall be entitled to reasonable access to the said property for the aforesaid purpose, subject to the provision that the City of Tshwane Metropolitan Municipality shall make good any damage caused during the laying, maintenance or removal of such main sewer pipelines and other works.

4.2 CONDITIONS OF TITLE IN FAVOUR OF THIRD PARTIES TO BE REGISTERED OR CREATED ON FIRST REGISTRATION OF THE ERVEN CONCERNED

ERVEN 12864 AND 12909

The erf is subject to a 130 metre wide servitude for electrical purposes in favour of ESKOM, as indicated Notarial Deed of Servitude K3274/1998S and Notarial Deed of Servitude No K3768/1998S and which servitude will be registered at a later date.

