

**THE PROVINCE OF
GAUTENG**



**DIE PROVINSIE
GAUTENG**

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DEPARTMENT OF HEALTH

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LOCAL AUTHORITY NOTICE**LOCAL AUTHORITY NOTICE 278****CITY OF TSHWANE****AKASIA/SOSHANGUVE AMENDMENT SCHEME 0357A**

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 Theresapark Extension 50, 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 0357A.

(13/2/Theresapark x50 (0357A))
___ March 2013

Executive Director: Legal Services
(Notice No 226/2013)

PLAASLIKE BESTUURSKENNISGEWING 278

STAD TSHWANE

AKASIA/SOSHANGUVE WYSIGINGSKEMA 0357A

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 Theresapark Uitbreiding 50, 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 0357A.

(13/2/Theresapark x50 (0357A)
__ Maart 2013

Uitvoerende Direkteur: Regsdienste
(Kennisgewing No 226/2013)

CITY OF TSHWANE

DECLARATION OF THERESAPARK EXTENSION 50 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 Theresapark Extension 50 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(13/2/Theresapark x50 (0357A))

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY BARWOOD PROPERTIES 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 THE REMAINING EXTENT OF PORTION 125 (A PORTION OF PORTION 83) 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 Theresapark Extension 50.

1.2 DESIGN

The township shall consist of erven and streets as indicated on General Plan SG No 4670/2012.

1.3 ENDOWMENT

Payable to the City of Tshwane Metropolitan Municipality.

The township owner shall pay endowment to the amount of **R50 000,00** for an area of **552m²** in terms of Regulation 44(1) of the Town-planning and Townships Regulations, to the City of Tshwane Metropolitan Municipality. The amount of this area 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 of 1986).

1.4 REMOVAL OR REPLACEMENT OF MUNICIPAL SERVICES

Should it become necessary to move or replace any existing municipal services as a result of the establishment of the township, the cost thereof shall be borne by the township owner.

1.5 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.

1.6 CONSOLIDATION OF ERVEN

The township owner shall at his own expense have Erven 2462 and 2463 in the township consolidated. The City of Tshwane Metropolitan Municipality hereby grants its consent to the consolidation in respect of Section 92(1)(b) of Ordinance 15 of 1986.

1.7 OBLIGATIONS WITH REGARDS TO ESSENTIAL ENGINEERING SERVICES

The township owner shall within such period as the local authority may determine, fulfill its obligations in respect of the provision of water, electricity and sanitary services and the installation of systems therefore, as well as the construction of the roads and stormwater drainage system as agreed upon between the township owner and the local authority.

1.8 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.

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

2.1 INSTALLATION OF INTERNAL AND EXTERNAL SERVICES

A certificate issued in terms of Section 82 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 engineering services in the township as provided for in the services agreement.

The Local Authority shall install and provide external engineering services for 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 –

- 3.1 the following servitude to which the property is entitled but which will not be passed on to the erven in the township:
- “4. The property hereby transferred is entitled to a servitude of right of way 6,30 metres wide over the Remaining Extent of Portion 83 of the farm held by and as will more fully appear from Deed of Transfer T6532/1972.”
- 3.2 the following servitude which affect Erven 2462 and 2463 in the township only:
- “2. Subject to a right of way 6,30 meters wide along the western boundary thereof denoted by the line AD on the annexed Diagram SG No A 1517/51 in favour of the owner of portion 67 (a portion of portion 11) measuring 35,5360 hectares as held under Deed of Transfer No 7986/1941, which right of way is fully described in Deed of Servitude No 530/1941S”.
- 3.3 the following servitude which affect Erven 2462 and 2463 in the township only:
- “3. The Remaining Extent of Portion 83 (a portion of portion 11 of portion) of the farm WITFONTEIN No 301JR, (of which the property held hereunder forms a portion) is SUBJECT to a servitude of wayleave for the conveyance of electricity in favour of the City Council of PRETORIA, as wil more fully appear from Notarial Deed No 1008/1956S registered on the 20th September 1956.
4. CONDITIONS OF TITLE
- 4.1 THE ERVEN MENTIONED BELOW SHALL BE SUBJECT TO THE CONDITIONS AS INDICATED, LAID DOWN BY THE CITY OF TSHWANE METROPOLITAN MUNICIPALITY IN TERMS OF THE PROVISIONS OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986)
- 4.1.1 ALL ERVEN
- 4.1.1.1 The erf shall be subject to a servitude, 3m wide, for municipal services (water, sewer, electricity and stormwater) (hereinafter referred to as "the services"), in favour of the local authority, along any two boundaries, excepting a street boundary and, in the case of a panhandle erf, an additional servitude for municipal purposes, 3 m wide, over the entrance portion of the erf, if and when required by the local authority: Provided that the local authority may waive any such servitude.
- 4.1.1.2 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 2m thereof.
- 4.1.1.3 The 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 necessary, and furthermore the Municipality shall be entitled to reasonable access to the said property for the aforesaid purpose, subject to the provision that the Municipality shall make good any damage caused during the laying, maintenance or removal of such services and other works.

