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LOCAL AUTHORITY NOTICE

LOCAL AUTHORITY NOTICE 2503

CITY OF TSHWANE METROPOLITAN MUNICIPALITY

AKASIA/SOSHANGUVE AMENDMENT SCHEME 0292A

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 Metropolitan Municipality has approved an amendment scheme with regard to the land in the township of Heatherview Extension 49, 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 0292A.

(13/2/Heatherview x49 (0292A))
 ___ October 2007

Acting Executive Director: Legal Services
 (Notice No 1168/2007)

PLAASLIKE BESTUURSKENNISGEWING 2503

STAD TSHWANE METROPOLITAANSE MUNISIPALITEIT

AKASIA/SOSHANGUVE WYSIGINGSKEMA 0292A

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 Metropolitaanse Munisipaliteit 'n wysigingskema met betrekking tot die grond in die dorp Heatherview Uitbreiding 49, 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 0292A.

(13/2/Heatherview x49 (0292A))
 ___ Oktober 2007

Waarnemende Uitvoerende Direkteur: Regsdienste
 (Kennisgewing No 1168/2007)

CITY OF TSHWANE METROPOLITAN MUNICIPALITY

DECLARATION OF HEATHERVIEW EXTENSION 49 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 Metropolitan Municipality hereby declares the township of Heatherview Extension 49 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(13/2/Heatherview x49)

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY EDWARD ENGLAND IN TERMS OF 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 729 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 49.

1.2 DESIGN

The township shall consist of erven and streets as indicated on General Plan SG No 1753/2007.

1.3 ENDOWMENT

The township owners shall pay a lump sum in the amount of **R86 000,00** to the Municipality as parks endowment in terms of Regulation 44(1) of the Town-planning and Townships Regulations, to the City of Tshwane. The 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 CONSOLIDATION OF ERVEN

The township owners shall at their own expense cause Erven 843 and 844 in the township to be consolidated.

1.6 REMOVAL OR REPLACEMENT OF MUNICIPAL AND TELKOM SERVICES

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

1.7 COMPLIANCE WITH CONDITIONS IMPOSED BY GDACEL

The township owner shall at his own expense comply with all the conditions imposed, by which the Gauteng Department of Agriculture, Conservation, Environment and Land Affairs 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 local authority 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 local authority.

2. CONDITIONS OF TITLE

ALL ERVEN MENTIONED HEREUNDER SHALL BE SUBJECT TO THE CONDITIONS AS INDICATED IMPOSED BY THE MUNICIPALITY IN TERMS OF THE PROVISIONS OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986

2.1 ALL ERVEN

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 local authority: 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 2 (two) metres 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.

STAD TSHWANE METROPOLITAANSE MUNISIPALITEIT

VERKLARING VAN HEATHERVIEW UITBREIDING 49 TOT GOEDGEKEURDE DORP

Ingevolge artikel 103 van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie No 15 van 1986), verklaar die Stad Tshwane Metropolitaanse Munisipaliteit hierby die dorp Heatherview Uitbreiding 49 tot 'n goedgekeurde dorp, onderworpe aan die voorwaardes uiteengesit in die bygaande Bylae.

(13/2/Heatherview x49 (0292A))

BYLAE

STAAT VAN VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR EDWARD ENGLAND 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 729 VAN DIE PLAAS WITFONTEIN 301 JR, GAUTENG, TE STIG, TOEGESTAAN IS.

1. STIGTINGSVOORWAARDES

1.1 NAAM

Die naam van die dorp is Heatherview Uitbreiding 49.

1.2 ONTWERP

Die dorp bestaan uit erwe en strate soos aangedui op Algemene Plan LG No 1753/2007.

1.3 BEGIFTIGING

Die dorpseienaar moet as begiftiging, 'n totale bedrag van **R86 000,00** in terme van Regulasie 44(1) van die Dorpsbeplanning en Dorpe Regulasie, aan die Stad Tshwane Metropolitaanse Munisipaliteit betaal. Welke bedrag deur die Stad Tshwane Metropolitaanse 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 BESIKKING 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.

1.5 KONSOLIDASIE VAN ERWE

Die dorpseienaars moet op eie koste Erwe 843 en 844 in die dorp laat konsolideer.

1.6 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.

1.7 VOLDOENING AAN VOORWAARDES OPGELê DEUR DIE GAUTENGSE DEPARTEMENT VAN LANDBOU, BEWARING EN DIE OMGEWING (DLBO)

Die dorpseienaar sal op sy eie koste voldoen aan al die voorwaardes wat opgelê is deur (DLBO) 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**2.1 DIE ERWE HIERONDER GENOEM, IS ONDERWORPE AAN DIE VOORWAARDES SOOS AANGEDUI, OPGELEË DEUR DIE STAD TSHWANE METROPOLITAANSE MUNISIPALITEIT INGEVOLGE DIE BEPALINGS VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986 (ORDONNANSIE 15 VAN 1986):****2.1.1 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 munisipaliteit: 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 rioolhoofpyleidings en ander werke wat hy volgens goeie 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 rioolhoofpyleidings en ander werke veroorsaak.
