

***THE PROVINCE OF
GAUTENG***

***DIE PROVINSIE
GAUTENG***

**Provincial Gazette Extraordinary
Buitengewone Provinsiale Koerant**

Vol. 14

**PRETORIA, 8 DECEMBER 2008
DESEMBER**

No. 331

CONTENTS • INHOUD

<i>No.</i>		<i>Page No.</i>	<i>Gazette No.</i>
LOCAL AUTHORITY NOTICE			
2637	Town-planning and Townships Ordinance (15/1986): City of Tshwane: Akasia/Soshanguve Amendment Scheme 0327A.....	3	331

LOCAL AUTHORITY NOTICE

LOCAL AUTHORITY NOTICE 2637

CITY OF TSHWANE

AKASIA/SOSHANGUVE AMENDMENT SCHEME 0327A

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 Eldorette Extension 40, 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 0327A.

(13/2/Eldorette x40 (0327A))
__ December 2008

Executive Director: Legal Services
(Notice No 936/2008)

PLAASLIKE BESTUURSKENNISGEWING 2637

STAD TSHWANE

AKASIA/SOSHANGUVE WYSIGINGSKEMA 0327A

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 Eldorette Uitbreiding 40, 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 0327A.

(13/2/Eldorette x40 (0327A))
__ Desember 2008

Uitvoerende Direkteur: Regsdienste
(Kennisgewing No 936/2008)

CITY OF TSHWANE

DECLARATION OF ELDORETTE EXTENSION 40 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 Eldorette Extension 40 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(13/2/Eldorette x40)

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY KAAAN DEVELOPMENT NR 1 CC 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 754 (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 Eldorette Extension 40.

1.2 DESIGN

The township shall consist of erven and streets as indicated on General Plan SG No 60/2008.

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 rights to minerals.

1.4 CONSOLIDATION OF ERVEN

The township owner shall at his own expense have Erven 286 and 287 in the township consolidated. The City of Tshwane hereby grants its consent to the consolidation in respect of Section 92(1)(b) of Ordinance 15 of 1986.

1.5 DEMOLITION OF BUILDINGS AND STRUCTURES

The township owners shall at their own expense cause all existing buildings and structures situated within the building line reserves, side spaces or over common boundaries to be demolished to the satisfaction of the municipality, when required by the municipality to do so.

1.6 REMOVAL OF LITTER

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

1.7 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 owners.

1.8 COMPLIANCE WITH CONDITIONS IMPOSED BY GDACE

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

1.9 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 therefore, as previously agreed upon between the township owner and the municipality.

2. CONDITIONS OF TITLE

THE 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 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 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.

2.2 ERF 287

The erf is subject to a 3m wide servitude for stormwater purposes in favour of the municipality, as indicated on the general plan.

STAD TSHWANE

VERKLARING VAN ELDORETTE UITBREIDING 40 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 Eldorette Uitbreiding 40 tot 'n goedgekeurde dorp, onderworpe aan die voorwaardes uiteengesit in die bygaande Bylae.

(13/2/Eldorette x40 (0327A))

BYLAE

STAAT VAN VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR KAAAN DEVELOPMENT NR 1 CC 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 754 ('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 Eldorette Uitbreiding 40.

1.2 ONTWERP

Die dorp bestaan uit erwe en strate soos aangedui op Algemene Plan LG No 60/2008.

1.3 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.

1.4 KONSOLIDASIE VAN ERWE

Die dorpseienaar moet op eie koste Erwe 286 en 287 in die dorp laat konsolideer. Die Stad Tshwane verleen hiermee ingevolge Artikel 92(1)(b) van Ordonnansie 15 van 1986, toestemming tot die konsolidasie.

1.5 SLOPING VAN GEBOUE EN STRUKTURE

Die dorpseienaar moet op eie koste alle bestaande geboue en strukture wat binne boulynreserwes en kantruimtes of oor gemeenskaplike grense gelê is, of bouvallige strukture laat sloop tot tevredeheid van die Munisipaliteit wanneer die Munisipaliteit dit vereis.

1.6 VERWYDERING VAN ROMMEL

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

1.7 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 dorpsseienaar gedra word.

1.8 VOLDOENING AAN VOORWAARDES OPGELÊ DEUR DIE DEPARTEMENT VAN OMGEWING EN TOERISME (GDLBO)

Die dorpsseienaar sal op sy eie koste voldoen aan al die voorwaardes wat opgelê is deur die Gauteng Departement van Landbou, Bewaring en Omgewingsake (GDLBO), 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.

1.9 VEPLIGTINGE TEN OPSIGTE VAN NOODSAAKLIKE DIENSTE

Die dorpsseienaar 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 dorpsseienaar en die munisipaliteit nakom.

2. TITELVOORWAARDES**2.1 DIE ERWE HIERONDER GENOEM, IS ONDERWORPE AAN DIE VOORWAARDES SOOS AANGEDUI, OPGELÊ 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.

2.2 ERF 287

Die erf is onderworpe aan 'n 3m breë serwituut vir stormwater doeleindes ten gunste van die munisipaliteit, soos op die algemene plan aangedui.
