

**THE PROVINCE OF
GAUTENG**



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GENERAL NOTICE

NOTICE 705 OF 2015 AKASIA SOSHANGUVE AMENDMENT SCHEME T373A

The Administrator hereby, in terms of the provisions of Section 89 (1) of the Town-Planning and Townships Ordinance, 1965, declares that he approved an amendment scheme, being an amendment of the Akasia Soshanguve Town-planning Scheme, 1996, comprising the same land as included in the township of Amandasig Extension 74 Township.

Map 3 and the scheme clauses of the amendment scheme are filed with the Gauteng Provincial Government (Department of Economic Development), Johannesburg, and the Strategic Executive Director : City Planning, and are open for inspection at all reasonable times.

The amendment is known as Akasia Soshanguve Amendment Scheme T373A

(GO15/3/2/3)

KENNISGEWING 705 VAN 2015 AKASIA SOSHANGUVE – WYSIGINGSKEMA T373A

Die Administrateur verklaar hierby, ingevolge die bepalings van artikel 89 (1) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1965, dat hy 'n wysigingskema, synde 'n wysiging van Akasia Soshanguve-Dorpsbeplanningskema, 1996 wat uit dieselfde grond as die dorp Amandasig Uitbreiding 74 bestaan, goedgekeur het.

Kaart 3 en die skemaklousules van hierdie wysigingskema word in bewaring gehou deur die Gautengse Provinsiale Regering (Departement van Ekonomiese Ontwikkeling), Johannesburg, en die Strategiese Uitvoerende Direkteur : Stedelike Beplanning, en is beskikbaar vir inspeksie te alle redelike tye.

Hierdie wysiging staan bekend as Akasia Soshanguve Wysigingskema T373A

(GO15/3/2/3)

STATEMENT OF CONDITIONS UNDER WHICH THE APPLICATION MADE BY ANDY DE BEER DEVELOPMENT (PTY) LTD (HEREINAFTER REFERRED TO AS THE TOWNSHIP OWNER / APPLICANT) IN TERMS OF THE PROVISIONS OF CHAPTER 3 OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1965 (ORDINANCE 25 OF 1965), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 533 (A PORTION OF PORTION 480) OF THE FARM HARTEBEESTHOEK NO 303-JR PROVINCE GAUTENG HAS BEEN GRANTED

1. CONDITIONS TO BE COMPLIED WITH PRIOR TO THE DECLARATION OF THE TOWNSHIP AS AN APPROVED TOWNSHIP

1.1 PROVISION AND INSTALLATION OF SERVICES

The applicant shall make the necessary arrangements with the local authority for the provision and installation of water, electricity and sanitation as well as the construction of roads and stormwater drainage in and for the township.

1.2 CANCELLATION OF EXISTING CONDITIONS OF TITLE

The applicant shall at it's own expense cause the following conditions and servitudes to be cancelled or the township area be freed therefrom:

1.2.1 Condition A in Deed of Transfer T71889/2014.

AND SUBJECT to the following conditions:-

"A. The herein mentioned property is subject to a right of way 12,59 metres wide along its Eastern Boundary as indicated by the line Ga on diagram SG No. 11177/2006 attached hereto, in favour of the owner of the remaining extent of the said farm measuring as such 245,4951 hectares and held under Deed of Transfer T548/1909."

1.2.2 Condition B 1 to 5 in Deed of Transfer T71889/2014.

"B. The herein mentioned property is further subject to the following conditions imposed under the provisions of Act No. 21 of 1940:-

1. The land may not be subdivided without the written approval of the Controlling Authority as defined in Act 21 of 1940.
2. Not more than one dwelling house together with such outbuildings as are ordinarily required to be used in connection therewith shall be erected on the land except with the written approval of the Controlling Authority as defined in Act 21 of 1940.
3. The land shall be used for residential and agricultural purposes only, and no store or place of business or industry whatsoever may be opened or conducted on the land without the written approval of the Controlling Authority as defined in Act 21 of 1940.

4. No building or any structure whatsoever shall be erected within a distance 37, 78 metres from the middle of a public road, without the written approval of the Controlling Authority as defined in Act 21 of 1940.
5. No further dwelling house may be erected on the land without the written consent of the Controlling Authority as defined in Act 21 of 1940.”

1.3 CONSOLIDATION OF COMPONENT PORTIONS

The applicant shall at his own expense cause the component portions comprising the township to be consolidated where necessary.

1.4 GENERAL

1.4.1 The applicant shall satisfy the Municipality that -

- 1.4.1.1 The relevant amendment scheme (in terms of section 89 of Ordinance 25 of 1965) is in order and may be published simultaneously with the declaration of the township on approved township;
- 1.4.1.2 Satisfactory access is available to the township and that a public street system is available to the township;
- 1.4.1.3 The name of the township as well as the street names has been approved.
- 1.4.1.4 All rights to minerals shall be reserved to the applicant.

1.4.2 The applicant shall comply with the provisions of sections 64A, 66 and 67 of the Townplanning and Townships Ordinance, 1965.

1.5 STORMWATER DRAINAGE AND STREET CONSTRUCTION

The applicant shall lodge with the Administrator, for his approval, a certificate from the local authority to the effect that –

- (a) An outline scheme for the collection and disposal of stormwater throughout the township and for the construction, tarmacadamising, kerbing and channelling of the streets has been submitted to the local authority for its approval. The scheme shall be prepared by a civil engineer approved by the local authority and shall include an estimate of the cost for the execution of the work as set out in clause 2(3);
- (b) The outline scheme and estimate of the cost as set out in subclause (a) is acceptable to the local authority; and
- (c) Adequate guarantees or cash deposits regarding the fulfilment of its obligations for the execution of the work have been furnished.

2. CONDITIONS OF ESTABLISHMENT (CONDITIONS WHICH WILL BE APPLICABLE TO THE APPROVED TOWNSHIP IN TERMS OF SECTION 67 OF ORDINANCE 25 OF 1965.

2.1 NAME

The name of the township shall be Amandasig Extension 74.

2.2 DESIGN

The township shall consist of erven and streets as indicated on General Plan No 1470/2014.

2.3 STORMWATER DRAINAGE AND STREET CONSTRUCTION

(a) The township owner shall on request by the local authority submit to such authority for its approval a detailed scheme complete with plans, sections and specifications, prepared by a civil engineer approved by the local authority, for the collection and disposal of stormwater throughout the township by means of property constructed works and for the construction, tarmacadamising, kerbing and channelling of the streets therein together with the provision of such retaining walls as my considered necessary by the local authority.

Furthermore, the scheme shall indicate the route and gradient by which each erf gains access to the street on which it abut.

(b) The township owner shall, when required by the local authority to do so, carry out the approved scheme at its own expense on behalf and to the satisfaction of the local authority under the supervision of a civil engineer approved by the local authority.

(c) The township owner shall be responsible for the maintenance of the streets to the satisfaction of the local authority until the streets have been constructed as set out in subclause (b).

(d) If the township owner fails to comply with the provisions of paragraphs (a), (b) and (c) hereof the local authority shall be entitled to do the work at the cost of the township owner.

2.4 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 due to location:

2.4.1 The following Condition C in Deed of Transfer T71889/2014 which does not affect the township:

"C. Kragtens Notariële Akte van Serwituut K 9467/2005 is 'n ewigdurende serwituut van Reg van Weg, asook bykomende regte verleen oor die voormalige Resterende gedeelte van Gedeelte 85 van

die plaas Hartebeesthoek 303, Registrasie Afdeling J.R., Provinsie van Gauteng, (groot 8.3461 hektaar en welke gedeelte 'n deel vorm van die hieringemelde eiendom), serwitut 3016m² groot aangedui deur die figuur ABCDEFGA op diagram SG No 667/005 ten gunste van die Resterende gedeelte van gedeelte 29 van die plaas Hartebeesthoek 303 Registrasie Afdeling J.R. Provinsie van Gauteng gehou onder T80442/2003.”

2.4.2 The following Condition D in Deed of Transfer T71889/2014 which does not affect the township:

“D. The former Remainder of Portion 114 of the Farm Hartebeesthoek 303, Registration Division J.R., Gauteng Province (Measuring 6,9395 hectares), which forms a part of the property held hereunder, is subject to:-

1. A servitude of WAYLEAVE in favour of the City Council of Pretoria, as will more fully appear from Notarial Deed No. 455/56-S registered on the 30th August 1955, copy whereof is attached to the Deed of Transfer T28325/1951.”
2. A right of way 16 metres wide along the southern boundary of which is indicated by the line A B on Diagram S.G No. 666/2005, and ancillary rights, in favour of the Remaining Extent of Portion 29 of the farm Hartebeesthoek No 303 J.R. as will more fully appear from Notarial Deed of Servitude No. SK 8185/2005.”

2.5 ACCESS

No ingress from Provincial Road P106/1 (K14) to the township and no egress to Provincial Road P106/1 (K14) from the township shall be allowed.

Except with the consent in writing of the Controlling Authority no ingress from Provincial Road P106/1 (K14) to the township and no egress to Provincial Road P106/1 (K14) from the township shall be allowed.

- (i) Ingress from Provincial Road P106/1 (K14) to the township and no egress to Provincial Road P106/1 (K14) from the township shall be restricted to the intersection of Bottlebrush Street with the said road.
- (ii) 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 (i) 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 points at his own expense to the satisfaction of the Deputy Director-General, Roads Branch.

2.6 ACCEPTANCE AND DISPOSAL OF STORMWATER

The township owner shall arrange for the drainage of the township to fit in with that of Road P106/1 (K14) and for all stormwater running off or being diverted from the road to be received and disposed of.

2.7 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 local authority takes over the responsibility for the maintenance of the streets in the township.

2.8 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.

2.9 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.

2.10 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 therefore, as previously agreed upon between the township owner and the local authority.

3. CONDITION OF TITLE

ALL ERVEN WITH THE EXCEPTION OF THE ERVEN MENTIONED IN CLAUSE 2(4) SHALL BE SUBJECT TO THE CONDITIONS AS INDICATED, IMPOSED BY THE MUNICIPALITY IN TERMS OF THE PROVISIONS OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1965 (ORDINANCE 25 OF 1965).

3.1.1 The erf shall be subject to a servitude, 2m wide, for municipal services, in favour of the Municipality, along any two boundaries, excepting a street boundary and, in the case of a panhandle erf, an additional servitude for municipal purposes, 2m 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.

3.1.2 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 from it.

3.1.3 The City of Tshwane 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 further the City of Tshwane shall be entitled to reasonable access to the said property for the aforesaid purpose, subject to the provision that the City of Tshwane shall make good any damage caused during the laying, maintenance or removal of such services and other works.

3.1.4 Erven 3057, 3061 and 3064

The erf shall be subject to a servitude, 3m wide for stormwater purposes in favour of the City of Tshwane Metropolitan Municipality **as indicated on the General Plan.**