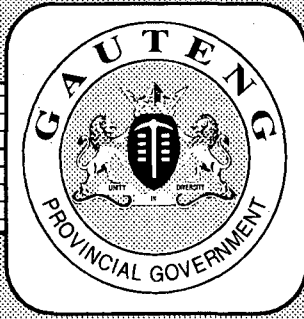


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**THE PROVINCE OF  
GAUTENG**



**DIE PROVINSIE  
GAUTENG**

# Provincial Gazette Extraordinary Buitengewone Provinsiale Koerant

Selling price • Verkoopprys: **R2,50**  
Other countries • Buitelands: **R3,25**

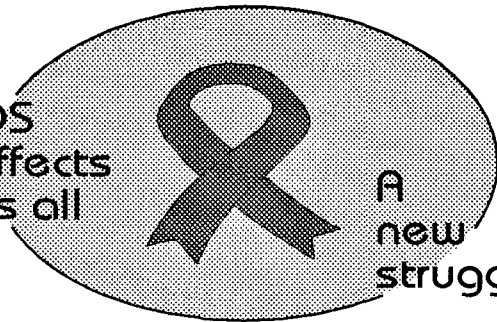
Vol. 9

PRETORIA, 30 JULY 2003  
JULIE 2003

No. 303

**We all have the power to prevent AIDS**

AIDS  
affects  
us all



A  
new  
struggle

Prevention is the cure

**AIDS  
HELPLINE**

**0800 012 322**

DEPARTMENT OF HEALTH



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## LOCAL AUTHORITY NOTICES

### LOCAL AUTHORITY NOTICE 1444

#### CITY OF TSHWANE METROPOLITAN MUNICIPALITY

##### AKASIA/SOSHANGUVE SCHEME 0109

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 19, being an amendment of the Pretoria Town-planning Scheme, 1974.

Map 3 and the scheme clauses of this amendment scheme are filed with the General Manager: Legal Services, and are open to inspection during normal office hours.

This amendment is known as Akasia/Soshanguve Scheme 0109.

(K13/2/Heatherview x19 (0109))  
 ..... 2003

**General Manager: Legal Services**  
 (Notice No 574/2003)

### LOCAL AUTHORITY NOTICE 1445

#### CITY OF TSHWANE METROPOLITAN MUNICIPALITY

##### DECLARATION OF HEATHERVIEW EXTENSION 19 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 19 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(K13/2/Heatherview x19)

#### SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY MR EDWARD ENGLAND UNDER PROVISIONS OF CHAPTER III OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE NO 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 536 OF THE FARM WITFONTEIN 301 JR, PROVINCE OF GAUTENG, HAS BEEN GRANTED.

1. CONDITIONS OF ESTABLISHMENT

1.1 NAME

The name of the township shall be Heatherview Extension 19.

1.2 DESIGN

The township shall consist of erven and streets as indicated on General Plan SG No 7307/2002.

**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 the rights to minerals, but excluding-

- (a) the following right of way servitude which shall not be passed on to the erven in the township:

"FURTHER subject to the right in favour of the City Council of Pretoria to convey electricity, by overhead power lines and underground cables over the property along a route to be agreed upon between the City Council of Pretoria and Heatherdale Holdings (Proprietary) Limited together with certain ancillary rights as will more fully appear from Notarial Deed No 1307/1956S, registered 13<sup>th</sup> December, 1956."

- (b) the following condition which shall not be passed on to the erven in the township:

FURTHER subject to the following condition as will more fully appear from Notarial Deed No 1306/1956S registered 13<sup>th</sup> December, 1956:

"The owner of the said property or any portion thereof, shall be obliged to receive all stormwater or other discharged thereon from any existing or future Provincial Road and its culverts and from any future alterations of such Provincial Road and its culverts and the owner shall have no claim whatsoever against the Government of South Africa or its servants of any damage caused by such water.

**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 PROVISION AND INSTALLATION OF ESSENTIAL SERVICES**

The applicant shall make the necessary arrangements for the provision and installation of water, electricity and sanitation as well as the construction of roads and stormwater drainage in the township. The services installed by the applicant shall comply with the Local Authorities standards.

**1.6 ROAD RESERVES**

The portions of the road reserve adjoining the proposed township, and which are required for the proper installation and maintenance of the Council's services, must be fully developed by the township owner.

**1.7 ACCESS**

Ingress from and egress to the township according to General Plan SG7307/2002.

**1.8 ACCEPTANCE AND DISPOSAL OF STORMWATER**

The township owner shall arrange the stormwater drainage of the township in such a way as to fit in with that of Main and Thelma Roads and he shall receive and dispose of the stormwater running off or being diverted from the road.

**1.9 DEMOLITION OF BUILDINGS AND STRUCTURES**

When required by the City of Tshwane Metropolitan Municipality to do so, the township owner shall at his own expense cause to be demolished to the satisfaction of the City of Tshwane Metropolitan Municipality all existing buildings and structures situated within building line reserves and side spaces or over common boundaries, or dilapidated structures.

**1.10 MINIATURE SUBSTATIONS**

Should it become necessary during the installing of services to place miniature substations within a 13m road reserve or smaller the servitudes inside the erven shall be registered in favour of the Municipality.

1.11 ENDOWMENT

Payable to the City of Tshwane Metropolitan Municipality.

The township owner shall pay the City of Tshwane Metropolitan Municipality as endowment a total amount of R33 000,00 which amount 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).

1.12 GEOTECHNICAL REPORT

All buildings to be erected on the property shall comply with conditions as specified in report May 2002, GEOCIVILAB DO222.

1.13 RESTRICTION ON THE ALIENATION OF LAND

Regardless of the issuing of a certificate as contemplated in section 82(1)(b)(ii)(cc) of the Towns-planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), no portion in the township may be transferred or be dealt with otherwise until the City of Tshwane Metropolitan Municipality certifies that the developer has complied with the provisions of conditions 1.14.1 to 1.14.7 inclusive below.

1.14 THE DEVELOPER'S OBLIGATIONS

1.14.1 ASSOCIATION AND STATUTES

The developer must register a section 21 company (homeowners' association) in terms of the provisions of the Companies Act, 1973 (Act 61 of 1973). A copy of the registered Deed of Association (CM4) and the Company's Statutes must be submitted to the City of Tshwane Metropolitan Municipality. The Association and Statutes must clearly state that the main objective of the homeowners' association is the maintenance of the internal engineering services of the development (ie water, sewerage, electricity, and the road and stormwater sewers). The developer is deemed to be a member of the section 21 company, with all the rights and obligations of an ordinary member, until the last portion has been transferred.

1.14.2 MAINTENANCE PERIOD AND GUARANTEE

A maintenance period of 12 (twelve) months commences when the last of the internal engineering services (ie water, sewerage, electricity, and the road and stormwater sewers) have been completed. The developer must furnish the section 21 company with a maintenance guarantee, issued by a recognised financial institution, in respect of poor workmanship and/or materials with regard to the civil engineering services and the electricity service, which guarantee must be for an amount that is equal to 5% of the contract cost of the civil services and 10% of the contract cost of the electrical services, and proof of this must be submitted to the City of Tshwane Metropolitan Municipality.

1.14.3 COMPLETION OF THE SCHEME

The developer remains liable for the development of the entire housing scheme in accordance with the approved site development plan, provided that the scheme may also be developed in phases with the consent of the City of Tshwane Metropolitan Municipality, and provided further that the entire development takes place under the supervision of one architectural firm. If another architect or architectural firm is appointed at any stage during the execution of the scheme, the City of Tshwane Metropolitan Municipality must be notified of this without delay.

#### 1.14.4 PROVISION OF ENGINEERING DRAWINGS

The developer must submit to the City of Tshwane Metropolitan Municipality complete engineering drawings in respect of internal sewers and sewer connection points, which must accompany every building plan, and complete engineering drawings in respect of the internal road and stormwater sewers.

#### 1.14.5 PROVISION OF ENGINEERING CERTIFICATES

Before any portion of the development is transferred, the City of Tshwane Metropolitan Municipality must be provided with engineering certificates for water, sewerage, electricity, and the internal road and stormwater sewers, in which is certified that the internal engineering services have been completed and that the engineers accept liability for the services. The Municipality may at its own discretion allow an exception in respect of the internal road and stormwater sewers. If this is the case, the developer must give the Municipality an undertaking that the developer will complete this service on or before a certain date and must provide the Municipality with a guarantee issued by a recognised financial institution.

#### 1.14.6 APPROVAL OF BUILDING PLANS

Before any portion of the development is transferred, the developer must have building plans approved at the City of Tshwane Metropolitan Municipality in respect of every portion.

#### 1.14.7 PROOF OF DEED OF SALE AND FINANCING

The developer must submit proof that there is a valid and enforceable deed of sale between the developer and the buyer with regard to the sale of the relevant portion and the development of the portion by the developer in accordance with the approved plan. The developer must also provide proof that a loan for the proposed development has been approved in respect of each portion. If the buyer himself or herself is to finance the proposed development, satisfactory proof must be provided in respect of this financing.

#### 1.15 TRANSFER OF LAND TO THE SECTION 21 COMPANY (HOMEOWNERS' ASSOCIATION)

Simultaneously with the first registration of any portion in the Deeds Office, Erf 407 must be transferred to the homeowners' association (Section 21 Company), by and at the expense of the township owner.

### 2. CONDITIONS OF TITLE

2.1 The erven mentioned below shall be subject to the condition 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):

#### 2.1.1 ALL ERVEN

2.1.1.1 The erf shall be subject to a servitude, minimum 1 meter wide and a aggregate 3 metres wide, for municipal services (water/sewerage/electricity/storm-water) (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, 2 metres 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.

2.1.1.2 The erf is subject to a servitude in favour of the local authority for municipal purposes, 2 metres wide on the street- and rear (mid block) boundary: Provided that the local authority may dispense with any such servitude.

2.1.1.3 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 1 meter from it.

2.1.1.4 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 necessary, 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 services and other works.

2.2 ALL ERVEN

All erven shall be made subject to the registration of servitudes within a 13 meter or smaller road reserve for miniature substations if and when necessary.

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