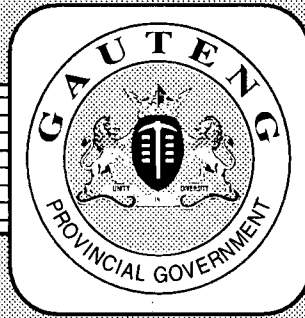


**THE PROVINCE OF  
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**Provincial Gazette Extraordinary  
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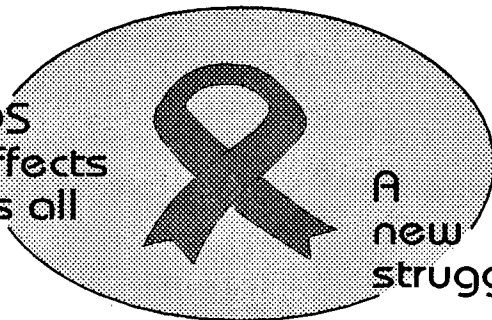
**Vol. 9**

**PRETORIA, 26 SEPTEMBER 2003**

**No. 410**

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## LOCAL AUTHORITY NOTICES

### LOCAL AUTHORITY NOTICE 1917

#### CITY OF TSHWANE METROPOLITAN MUNICIPALITY

#### DECLARATION AS APPROVED TOWNSHIP

In terms of Section 103 of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), The City of Tshwane Metropolitan Municipality hereby declares Irene Extension 39 Township to be an approved township subject to the conditions set out in the schedule hereto.

#### ANNEXURE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY IRENE LAND CORPORATION LIMITED NR. 1997/019751/06, HEREINAFTER REFERRED TO AS THE TOWNSHIP OWNER UNDER THE PROVISIONS OF CHAPTER 3 (PART C) OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986) FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 724 (A PORTION OF PORTION 540) OF THE FARM DOORNKLOOF 391 JR, GAUTENG HAS BEEN GRANTED

#### 1. CONDITIONS OF ESTABLISHMENT

(1) **Name**

The name of the township is Irene Extension 39.

(2) **Design**

The township shall consist of erven and streets as indicated on General Plan SG No 5535/2003.

(3) **Existing Conditions of Title**

All erven shall be made subject to the existing conditions and servitudes, if any, including the reservation of the rights to minerals, but excluding –

(a) the following servitudes which do not affect the township area:

"D. The former remaining extent of portion 5 of the said farm, measuring 952.2540 hectares, portion whereof is held hereunder, is by Notarial Deed of Servitude K5400/93S dated the 3<sup>rd</sup> of May 1993 subject to a water pipeline servitude –

(a) as indicated by the figure S2 S4 S5 S6 S7 S8 S3 S2 on diagram S.G. No 5725/1998 annexed to Certificate of Registered Title T143932/99, and

(b) as indicated by the figure S9 S10 S11 S12 on diagram S.G. No 5725/1998 annexed to the said Certificate of Registered Title T143932/99,

in favour of the CITY COUNCIL OF CENTURION as will more fully appear from reference to the said Notarial Deed.

"F. Die Resterende gedeelte van Gedeelte 5 van die Plaas DOORNKLOOF 391, Registrasie Afdeling J.R., Provinsie Gauteng, groot 939,0565 Hektaar. (waarvan die eiendom hierkragtens gehou 'n gedeelte uitmaak) is onderhewig aan Onteieningskennisgewing EX 347/98."

"G. Kragtens Notariële Akte van Serwituut K6038/99S is die resterende gedeelte van Gedeelte 5 van die plaas DOORNKLOOF 391, Registrasie Afdeling J. R. Provinsie Gauteng, groot 566,0068 hektaar ('n gedeelte hierkragtens gehou word) onderhewig aan 'n ewigdurende serwituut van Kraglyn, 3 meters wyd, ten gunste van die STADSRAAD VAN CENTURION, welke serwituut aangedui word deur die figuur A S1 S2 S3 op kaart No 3725/1997 geheg aan genoemde Sertifikaat van Geregistreerde Titel T143932/99."

- (b) the following servitudes that affect Erf 1830 and a street in the township only:

"C. The former remaining extent of Portion 5 of the said farm, measuring 953,9285 hectares, portion whereof is hereby transferred, is by Notarial Deed K.2931/86 S subject to a perpetual right to provide electricity by way of wires etc. over the servitude area indicated by the line S13 S14 on Diagram SG. No. 5725/1998 annexed to Certificate of Registered Title T143932/99, in favour of the CITY COUNCIL OF CENTURION."

(4) **Precautionary Measures**

The township owner shall at his own expense make arrangements with the local authority in order to ensure that-

- (i) water will not dam up, that the entire surface of the township area is drained properly and that the streets are sealed with tar, cement or bitumen;
- (ii) trenches and excavations for foundations, pipes, cables or for any other purposes, are properly refilled with damp soil in layers not thicker than 150 mm, and compacted until the same grade of compaction as that of the surrounding material is obtained.

(5) **Removal and Replacement of Telkom or Municipal Services**

If by any reason the establishment of the township, it should become necessary to remove or replace any existing Telkom or Municipal Services, the cost thereof shall be borne by the township owners.

(6) **Transfer of Erven 1830 up to and including 1832**

The erven shall be subject to the condition that they shall be registered in the name of the Section 21 Company, and shall not be transferred to any person other than the Section 21 Company.

(7) **Erven 1782 up to and including 1829**

- (a) The owner is a member of the Owner's Association and is bound to each, any and all of its articles of association.
- (b) The owner shall not be permitted to transfer the erf or any subdivision thereof except with a certificate of clearance from the Owner's Association.
- (c) The erf shall not be transferred to any person who has not bound himself to be a member of the Owner's Association.

**2. CONDITIONS OF TITLE**

CONDITIONS IMPOSED BY THE LOCAL AUTHORITY IN TERMS OF THE PROVISIONS OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986

The erven mentioned below shall be subject to the conditions as indicated:

(1) **All erven**

- (a) The erf is subject to a Servitude 3m wide in favour of the local authority for 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 3 m wide across the access portion of the erf, if and when required by the local authority: Provided that the local authority may dispense with any servitude. Where the erf is actually affected by a municipal waterline and/or sewer line, then the said service must be protected by a 3m wide servitude. Should a sewerage or storm water servitude be needed, a 3m servitude should be registered.
- (b) 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 2m thereof.

- (c) The local authority 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 construction, maintenance or removal of such sewerage mains and other works being made good by the local authority.

**(2) Erven 1782, 1784 – 1787, 1793, 1797 – 1802, 1816 – 1819, 1828, 1831 and 1832.**

The erf is subject to a 3m servitude for municipal purposes as indicated on the General Plan.

**(3) Erven 1785 – 1787, 1798 – 1801, 1817 – 1819 and 1830**

The erf is subject to a 20m building line from the proposed PWV 6E highway servitude in terms of EXECUTIVE COMMITTEE RESOLUTION NO. 1112 of 26 June 1978 as signed by the Deputy Director-General: Community Development.

**(4) Erven 1782 up to and including 1829**

**Formation and duties of the property owners association**

- (a) The applicant shall properly and legally constitute a property owners association in terms of Section 21 of the Companies Act, to the satisfaction of the local authority, prior to or simultaneous with the sale of the first erf in the township.
- (b) Each and every owner of Erven 1782 up to and including 1829 shall become a member of the property owners association upon transfer of the erf.
- (c) The property owners association shall have full responsibility for the functioning and proper maintenance of Erven 1830 up to and including 1832 and any essential services (excluding the sewerage system) contained therein.
- (d) The property owners association shall have the legal power to levy from each and every member the costs incurred in the fulfillment of its functions and shall have legal recourse to recover such fees and costs in the event of a default in payment by any member.
- (e) The Section 21 Company shall have the right to construct and maintain over the servitude area, any construction equipment, security system, electric fence, lighting systems, electric surveillance system, and/or communication system or anything related to or ancillary thereto. In this regard it is recorded that the said company shall at all times be entitled to bring upon the servitude area by means of its officials, agents, contractors, workmen and servants, all such machinery, equipment and materials as, in the opinions of the company or its authorised representatives may be necessary or desirable for the construction or maintenance of systems installed or to be installed or for inspecting, maintaining or replacing the same from time to time, and the company shall be entitled to permit the use of the servitude area as a Right of Way for access purposes, by such persons as it in its discretion may consider need to use same.
- (f) All buildings and structures to be erected shall be made subject to the provisions of the Development and Architectural Guidelines and any and all amendments to the said document as may be affected and approved by the owners association.
- (g) Building plans shall only be submitted to the local authority for final approval once the said plans have been evaluated and approved by the Trustees of the Association as specifically provided for in the Articles of the Association.

(16/3/1/812)

(Notice \_\_\_/2003)

**GENERAL MANAGER: LEGAL SERVICES**

**PLAASLIKE BESTUURSKENNISGEWING 1917****STAD TSHWANE METROPOLITAANSE MUNISIPALITEIT****VERKLARING TOT GOEDGEKEURDE DORP**

Ingevolge Artikel 103 van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986), verklaar die Stad Tshwane Metropolitaanse Munisipaliteit hierby die dorp Irene Uitbreiding 39 tot 'n goedgekeurde dorp onderworpe aan die voorwaardes uiteengesit in die bygaande bylae.

**BYLAE**

**VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR IRENE LAND CORPORATION LIMITED NR. 1997/019751/06, (HIERNA DIE DORPSEIENAAR GENOEM) INGEVOLGE DIE BEPALINGS VAN DEEL C VAN HOOFSTUK 3 VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986 (ORDONNANSIE 15 VAN 1986) OM TOESTEMMING OM DORP TE STIG OP GEDEELTE 724 ('N GEDEELTE VAN GEDEELTE 540) VAN DIE PLAAS DOORNKLOOF 391 JR GAUTENG TOEGESTAAN IS**

**1. STIGTINGSVOORWAARDES****(1) Naam**

Die naam van die dorp is Irene Uitbreiding 39.

**(2) Ontwerp**

Die dorp bestaan uit erwe en strate soos aangedui op Algemene Plan L.G. No. 5535/2003.

**(3) Beskikking oor bestaande Titelvoorwaardes**

Alle erwe moet onderworpe gemaak word aan bestaande voorwaardes en serwitute, as daar is, met inbegrip van die voorbehoud op die regte op minerale, met die uitsluiting van:

(a) die volgende serwitute wat nie die dorp raak nie:

"D. The former remaining extent of portion 5 of the said farm, measuring 952,2540 hectares, portion whereof is hereby transferred, is by Notarial Deed of Servitude K5400/93S dated the 3<sup>rd</sup> of May 1993 subject to a water pipeline servitude –

(a) as indicated by the figure S2 S4 S5 S6 S7 S8 S3 S2 on diagram S.G. No 5725/1998 annexed to Certificate of Registered Title T143932/99, and

(b) as indicated by the figure S9 S10 S11 S12 on diagram S.G. No 5725/1998 annexed to the said Certificate of Registered Title T143932/99,

in favour of the CITY COUNCIL OF CENTURION as will more fully appear from reference to the said Notarial Deed.

"F. Die Resterende gedeelte van Gedeelte 5 van die Plaas DOORNKLOOF 391, Registrasie Afdeling J.R., Provinsie Gauteng, groot 939,0565 Hektaar. (waarvan die eiendom hierkragtens gehou 'n gedeelte uitmaak) is onderhewig aan Onteieningskennisgewing EX 347/98."

"G. Kragtens Notariële Akte van Serwituut K6038/99S is die resterende gedeelte van Gedeelte 5 van die plaas DOORNKLOOF 391 Registrasie Afdeling J R provinsie Gauteng, groot 566,0068 hektaar ('n gedeelte hierkragtens gehou word) onderhewig aan 'n ewigdurende serwituut van Kraglyn, 3 meters wyd, ten gunste van die STADSRAAD VAN CENTURION, welke serwituut aangedui word deur die figuur A S1 S2 S3

op kaart No 3725/1997 geheg aan genoemde Sertifikaat van Geregistreerde Titel T143932/99."

(b) die volgende serwitute wat wel die dorp raak:

"C. The former remaining extent of Portion 5 of the said farm, measuring 953,9285 hectares, portion whereof is hereby transferred, is by Notarial Deed K.2931/86 S subject to a perpetual right to provide electricity by way of wires etc. over the servitude area indicated by the line S13 S14 on Diagram SG. No. 5725/1998 annexed to Certificate of Registered Title T143932/99, in favour of the CITY COUNCIL OF CENTURION."

**(4) Voorkomende Maatreëls**

Die dorpseienaar moet op eie koste reëlings met die plaaslike owerheid tref om te verseker dat:

- (i) water nie opdam nie, dat die hele oppervlakte van die dorpsgebied doeltreffend gedreineer word en dat strate doeltreffend met teer, beton of bitumen geseël word; en
- (ii) slope en uitgrawings vir fondamente, pype, kables of enige ander doeleindes behoorlik met klam grond in lae wat nie dikker as 150mm is nie, opgevolg en gekompakteer word totdat dieselfde digtheidsgraad as wat die omliggende materiaal het, verkry is.

**(5) Verskuiwing en Vervanging van Telkom of Munisipale 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.

**(6) Oordrag van Erwe 1830 tot en met 1832**

Die erwe is onderworpe aan die voorwaarde dat hulle geregistreer sal word in die naam van die Artikel 21 Maatskappy, en nie oorgedra sal word aan enige ander persoon as die Artikel 21 Maatskappy nie.

**(7) Erwe 1782 tot en met 1829**

- (a) Die eienaar is 'n lid van die Eienaarsvereniging en is gebonde aan elke, enige en alle artikels van die assosiasie.
- (b) Die eienaar sal nie toegelaat word om die erf of enige onderverdeling daarvan te transporteer sonder 'n uitklarings sertifikaat van die Eienaarsvereniging nie.
- (c) Die erf sal nie aan enige iemand wat nie hom/haarself verbind as 'n lid van die Eienaarsvereniging oorgedra word nie.

**2. TITELVOORWAARDES**

TITELVOORWAARDES OPGELê DEUR DIE PLAASLIKE BESTUUR KRAGTENS DIE BEPALINGS VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986

Die erwe soos hieronder aangedui is onderworpe aan die volgende voorwaardes:

**(1) Alle erwe**

- (a) Die erf is onderworpe aan 'n serwituut 3m breed vir munisipale doeleindes ten gunste van die plaaslike bestuur langs enige twee erfgrense, uitgesonderd 'n straatgrens, en in die geval van 'n pypsteel erf 'n addisionele serwituut 3m breed oor die toegangsgedeelte van die erf met dien verstande dat die plaaslike bestuur van enige sodanige serwituut mag afsien. Waar 'n erf werklik geraak word deur 'n munisipale water- of rioollyn moet sodanige diens met 'n 3m serwituut beskerm word. Sou 'n riool- of stormwater serwituut benodig word, moet 'n 3m serwituut geregistreer word.

- (b) Geen geboue of ander strukture mag binne die voornoemde serwituutgebied opgerig word nie en geen grootwortelbome mag binne die gebied van sodanige serwituut of binne 'n afstand van 2m daarvan geplant word nie.
- (c) Die plaaslike bestuur is geregtig om enige materiaal wat deur hom uitgegrawe word tydens die aanleg, onderhoud of verwydering van sodanige hoofrioolpypleidings en ander werke wat hy volgens goeë dunnke noodsaaklik ag, tydelik te plaas op die grond wat aan die voorgenome serwituut grens en voorts is die plaaslike bestuur geregtig tot redelike toegang tot genoemde grond vir die voorgenome doel, onderworpe daaraan dat die plaaslike bestuur enige skade vergoed wat gedurende die aanleg, onderhoud of verwydering van sodanige hoofrioolpypleidings en ander werke veroorsaak is.

**(2) Erwe 1782, 1784 – 1787, 1793, 1797 – 1802, 1816 – 1819, 1828, 1831 en 1832.**

Die erf is onderhewig aan 'n 3m wye serwituut vir munisipale doeleindes soos aangetoon op die Algemene Plan.

**(3) Erwe 1785 – 1787, 1798 – 1801, 1817 – 1819 en 1830**

Die erf is onderhewig aan 'n 20m boulyn gemeet vanaf die grens van die voorgestelde PWV 6E snelweg serwituut in terme van die UITVOERENDE KOMMITTEE RESOLUSIE NO. 1112 gedateer 26 Junie 1978 en onderteken deur die Assistent Direkteur Generaal: Gemeenskapsontwikkeling.

**(4) Erwe 1782 tot en met 1829**

**Stigting en verantwoordelikhede van die huiseienaarsvereniging**

- (a) Die applikant sal wetlik korrek 'n huiseienaarsvereniging stig in terme van Artikel 21 van die Maatskappye Wet tot die bevrediging van die plaaslike owerheid, voor of gelyktydig met die verkoop van die eerste erf in die dorp.
- (b) Elke eenaar van Erwe 1782 tot en met 1829 sal 'n lid van die huiseienaarsvereniging word met oordrag van die erf.
- (c) Die huiseienaarsvereniging sal volle verantwoordelikheid neem vir die funksionering en onderhoud van Erwe 1830 tot en met 1832, sowel as enige noodsaaklike dienste (uitgesluit die rioolstelsel) daarop en/of daarin.
- (d) Die huiseienaarsvereniging sal die wetlike reg hê om van elke lid die kostes aangegaan vir die uitvoering van sy funksies te verhaal en sal die wetlike magtiging hê om sulke kostes en fooie te verhaal in die geval van wanbetaling deur enige lid.
- (e) Die Artikel 21 Maatskappy sal die reg hê om oor die servituut area, enige konstruksie toerusting, sekuriteitstelsel, elektriese heining, weerlig sisteme, elektroniese afloer sisteem en/of kommunikasie sisteem of enigiets verwant of aanvullend daartoe op te rig of te onderhou. In hierdie opsig word aangeteken dat die genoemde maatskappy die reg sal hê om by wyse van sy beampptes, agente, kontrakteurs, werkers en bediendes enige sodanige masjiene, toerusting en materiale op hierdie servituut te bring wat, in die opinie van die maatskappy of sy gemagtigde verteenwoordiger noodsaaklik en wenslik is vir die konstruksie of onderhoud van ge-installeerde sisteme of sisteme wat nog ge-installeer moet word, of vir die inspeksie, onderhoud of vervanging daarvan van tyd tot tyd. Die maatskappy sal voorts die reg hê om toe te laat dat die servituut area as 'n Reg-van-Weg gebruik mag word vir toegangsdoeleindes deur sodanige persone wat in sy diskresie nodig het om so te doen.
- (f) Alle geboue en strukture wat opgerig gaan word sal onderhewig wees aan die vereistes van die Ontwikkelings- en Argitektoniese Riglyne en enige en alle veranderings aan die dokument wat van tyd tot tyd goedgekeur en aangebring mag word deur die eienaarsvereniging.
- (g) Bouplanne sal slegs by die plaaslike owerheid ingedien word vir finale goedkeuring wanneer die genoemde planne ge-evalueer en goedgekeur is deur die Trustees van die Assosiasie soos spesifiek voor voorsiening gemaak is in die Artikels van die Assosiasie.



**LOCAL AUTHORITY NOTICE 1918****CITY OF TSHWANE METROPOLITAN MUNICIPALITY****CENTURION AMENDMENT SCHEME 1003**

The City of Tshwane Metropolitan Municipality hereby declares that in terms of the provisions of Section 125 of the Town Planning and Townships Ordinance, (Ordinance 15 of 1986) that it has approved an amendment scheme, being an amendment of the Centurion Town Planning Scheme, 1992, comprising of the same land as included in the township Irene Extension 39.

This amendment is known as the Centurion Amendment Scheme 1104 and will be effective as from date of this publication.

(16/3/1/812)

(Notice \_\_\_/2003)

**GENERAL MANAGER: LEGAL SERVICES**

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**PLAASLIKE BESTUURSKENNISGEWING 1918****STAD TSHWANE METROPOLITAANSE MUNISIPALITEIT****CENTURION WYSIGINGSKEMA 1003**

Hiermee word ooreenkomstig die bepalings van Artikel 125 van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986), bekend gemaak dat die Stad van Tshwane Metropolitaanse Munisipaliteit, 'n wysigingskema, synde 'n wysiging van die Centurion Dorpsbeplanningskema, 1992, wat uit dieselfde grond as die dorp Irene Uitbreiding 39 bestaan, goedgekeur het.

Hierdie wysiging staan bekend as die Centurion Wysigingskema 1104 en sal van krag wees vanaf datum van hierdie kennisgewing.

(16/3/1/812)

(Kennisgewing \_\_\_/2003)

**Hoofbestuurder: Regsdienste**

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# IMPORTANT NOTICE

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### Contact persons for subscribers:

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**HENNIE MALAN**

Director: Financial Management  
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