

**THE PROVINCE OF
GAUTENG**



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**Provincial Gazette Extraordinary
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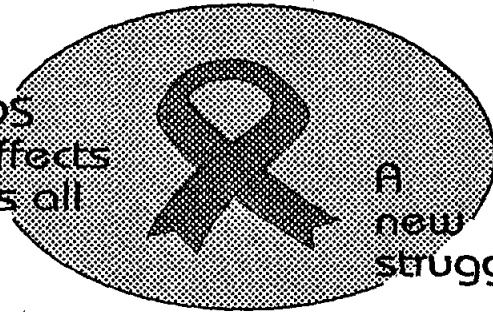
Vol. 11

PRETORIA, 10 NOVEMBER 2005

No. 475

We all have the power to prevent AIDS

AIDS
affects
us all



A
new
struggle

Prevention is the cure

**AIDS
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DEPARTMENT OF HEALTH



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LOCAL AUTHORITY NOTICES

LOCAL AUTHORITY NOTICE 2805

CITY OF TSHWANE METROPOLITAN MUNICIPALITY

AKASIA/SOSHANGUVE AMENDMENT SCHEME 0212A

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 32, 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 General Manager: Legal Services, and are open to inspection during normal office hours.

This amendment is known as Akasia/Soshanguve Amendment Scheme 0212A.

(13/2/Heatherview x32 (0212A))
__ November 2005

Acting General Manager: Legal Services
(Notice No 1048/2005)

PLAASLIKE BESTUURSKENNISGEWING 2805

STAD TSHWANE METROPOLITAANSE MUNISIPALITEIT

AKASIA/SOSHANGUVE WYSIGINGSKEMA 0212A

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 32, synde 'n wysiging van die Akasia/Soshanguve dorpsbeplanningskema, 1996, goedgekeur het.

Kaart 3 en die skemaklousules van hierdie wysigingskema word deur die Waarnemende Hoofbestuurder: Regsdienste, in bewaring gehou en lê gedurende gewone kantoorure ter insae.

Hierdie wysiging staan bekend as Akasia/Soshanguve wysigingskema 0212A.

(13/2/Heatherview x32 (0212A))
__ November 2005

Waarnemende Hoofbestuurder: Regsdienste
(Kennisgewing No 1048/2005)

LOCAL AUTHORITY NOTICE 2806

CITY OF TSHWANE METROPOLITAN MUNICIPALITY

DECLARATION OF HEATHERVIEW EXTENSION 32 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 32 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(13/2/Heatherview x32)

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY MGF PROPERTIES BK UNDER THE 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 632 (A PORTION OF PORTION 352) 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 32.

1.2 DESIGN

The township shall consist of erven and streets as indicated on General Plan SG No 10685/2004.

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:

1.3.1 the following servitude which affects all the erven in the township:

"The owner of the said property or any portion thereof shall be obliged to receive all stormwater or other water 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 State of its Servants for any damage caused by such water."

1.3.2 the following condition which does not affect the erven in the township:

"Further subject to the rights 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 Notarially Deed No K1307/1956S registered on 13th December 1956."

1.4 REMOVAL OR REPLACEMENT OF MUNICIPAL SERVICES

If, by any reason of the establishment of the township, it should become necessary to remove or replace any existing municipal services, 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 storm-water drainage in the township. The services installed by the applicant shall comply with the Local Authorities standards.

1.6 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.

1.7 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 **R50 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).

1.8 REMOVAL OF LITTER

The township owner shall at his own expense have all litter within the township area removed to the satisfaction of the City of Tshwane Metropolitan Municipality, when required to do so by the City of Tshwane Metropolitan Municipality.

1.9 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.

1.10 RESTRICTION ON THE ALIENATION OF LAND

Regardless of the issuing of a certificate as contemplated in section 82(1)(b)(ii)(cc) of the Town-planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), Erven 503-512 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 1.11.1 to 1.11.7.

1.11 THE DEVELOPER'S OBLIGATIONS

1.11.1 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). All the owners of units in the township must become members of the section 21 company. 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 erf has been transferred.

1.11.2 PROVISION OF ENGINEERING DRAWINGS

The developer must submit to the Municipality complete engineering drawings in respect of internal sewers and sewer connection points and complete engineering drawings in respect of the internal road and stormwater sewers as well as water and electricity services, prior to the commencement of the construction of the said services.

1.11.3 PROVISION OF A CERTIFICATE BY A PROFESSIONAL ENGINEER

Before any erf is transferred, the Municipality must be provided with a certificate by a Professional Engineer for water, sewerage, electricity, and the internal road and stormwater sewers, in which it 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 recognized financial institution.

No building plans will be approved before the services are completed and (if applicable) taken over by the divisions of the Service Delivery Department.

1.11.4 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 recognized financial institution, in respect of poor workmanship and/or materials with regard to the civil engineering services and the electricity services, 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 Municipality.

1.11.5 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 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 Municipality must be notified of this without delay.

1.11.6 APPROVAL OF BUILDING PLANS

No building plans will be approved before the services are completed and (if applicable) taken over by the divisions of the Service Delivery Department.

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

Erf 513 shall be transferred to the homeowners' association (Section 21 Company) at the expense of the township owner.

2. CONDITIONS OF TITLE**2.1 THE ERVEN MENTIONED BELOW SHALL BE SUBJECT TO THE CONDITIONS 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 is subject to a servitude, minimum 1 metre wide and an aggregate 3 metres wide in favour of the local authority, for sewerage and other municipal purposes, along any boundary other than a street or rear boundary and in the case of a panhandle erf, an additional servitude for municipal purposes, 1 metre wide, across the access portion on the erf, of and when required by the local authority: Provided that the local authority may dispense with 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 building 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 metre from it.

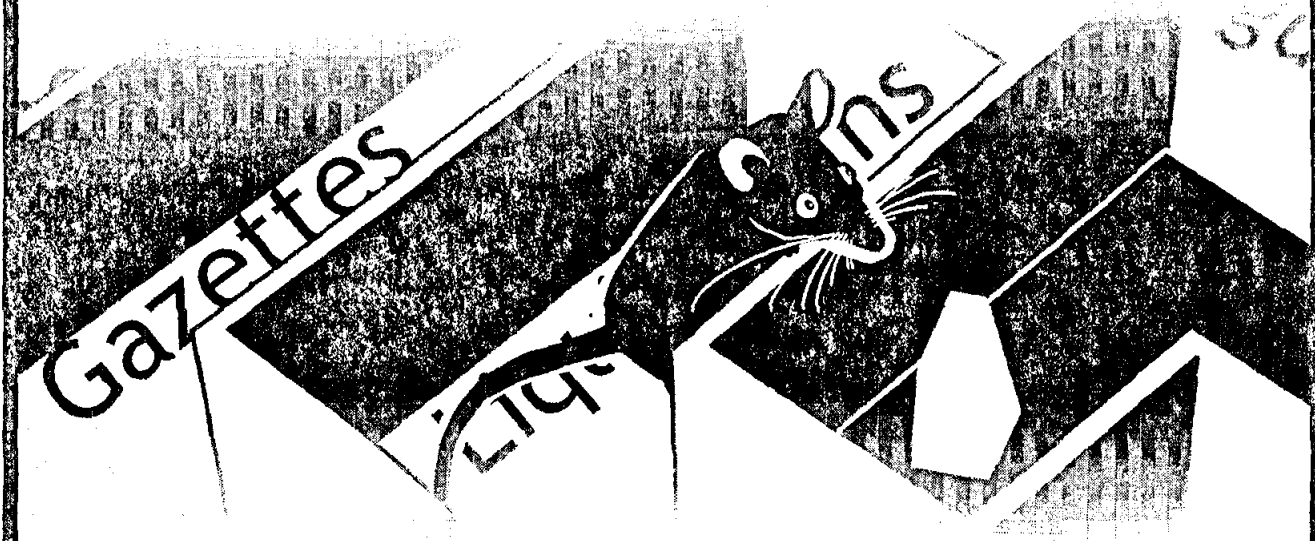
2.1.1.4 The City of Tshwane Metropolitan Municipality shall be entitled to temporarily deposit on the land adjoining the aforesaid servitude, any material it excavates during the laying, maintenance or removal of such services and other works which in its discretion it regards necessary, and furthermore 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.

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



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