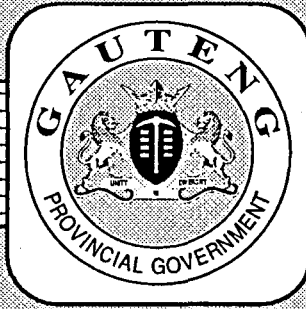


**THE PROVINCE OF
GAUTENG**



**DIE PROVINSIE
GAUTENG**

**Provincial Gazette Extraordinary
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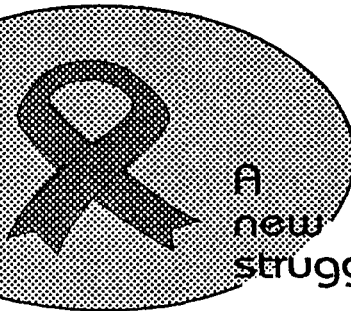
Vol. 12

PRETORIA, 4 SEPTEMBER 2006

No. 338

We all have the power to prevent AIDS

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affects
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struggle

Prevention is the cure

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DEPARTMENT OF HEALTH



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LOCAL AUTHORITY NOTICES

LOCAL AUTHORITY NOTICE 2590

CITY OF TSHWANE METROPOLITAN MUNICIPALITY

AKASIA-SOSHANGUVE AMENDMENT SCHEME 0241A

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 Theresapark Extension 38, 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 Head: Legal and Secretarial Services, and are open to inspection during normal office hours.

This amendment is known as Akasia-Soshanguve Amendment Scheme 0241A.

(13/2/Theresapark x38 (0241A))
4 September 2006

Acting Head: Legal and Secretarial Services
(Notice No 977/2006)

PLAASLIKE BESTUURSKENNISGEWING 2590

STAD TSHWANE METROPOLITAANSE MUNISIPALITEIT

AKASIA-SOSHANGUVE WYSIGINGSKEMA 0241A

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 Theresapark. Uitbreiding 38, synde 'n wysiging van die Akasia/Soshanguve dorpsbeplanningskema, 1996, goedgekeur het.

Kaart 3 en die skemaklousules van hierdie wysigingskema word deur die Waarnemende Hoof: Regs- en Sekretariële Dienste, in bewaring gehou en lê gedurende gewone kantoorure ter insae.

Hierdie wysiging staan bekend as Akasia-Soshanguve-wysigingskema 0241A.

(13/2/Theresapark x38 (0241A))
4 September 2006

Waarnemende Hoof: Regs- en Sekretariële Dienste
(Kennisgewing No 977/2006)

CITY OF TSHWANE METROPOLITAN MUNICIPALITY

DECLARATION OF THERESAPARK EXTENSION 38 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 Theresapark Extension 38 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(13/2/Theresapark x38 (0241A))

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY THORNBROOK GOLF ESTATE (EDMS) BPK UNDER THE PROVISIONS OF CHAPTER III: PART C OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE NO 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON THE REMAINING EXTENT OF PORTION 66 (A PORTION OF PORTION 16) OF THE FARM WITFONTEIN 301JR, PROVINCE OF GAUTENG, HAS BEEN GRANTED.

02040000

1. CONDITIONS OF ESTABLISHMENT**1.1 NAME**

The name of the township shall be Theresapark Extension 38.

1.2 DESIGN

The township shall consist of erven and streets as indicated on General Plan SG No 10420/2005.

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 shall not be passed on to the erven in the township:

"A GEREKTIG aan 'n reg van weg 3,78 meter breed oor die Resterende gedeelte van Gedeelte van 'n gedeelte gemerk "C" van die plaas WITFONTEIN nr 301, geleë in die Registrasie Afdeling J.R., distrik Pretoria, getranspoteer aan PHILIPUS JOHANNES JACOBUS VENTER onder Akte van Verdelingstransportnr. 14594/1943, welke reg van weg langs die noordelike grens van genoemde Resterende Gedeelte sal loop."

1.3.2 the servitude in favour of al erven in the township registered in terms of Notarial Deed of Servitude No.2790/05 which does not affect the erven in the township.

1.4 REMOVAL OR REPLACEMENT OF MUNICIPAL AND TELKOM SERVICES

If, by any 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 owner.

1.5 OBLIGATIONS IN REGARD TO ESSENTIAL SERVICES

The township owner shall within such period as the local authority may determine, fulfil it's obligations in respect of the provision of water, electricity and sanitary services and the installation of systems therefor, as previously agreed upon between the township owner and the local authority.

1.6 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), no erf 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 1.7.1 to 1.7.5 inclusive below.

1.7 THE DEVELOPER'S OBLIGATIONS**1.7.1 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.

1.7.2 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.

1.7.3 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.

1.7.4 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.

1.7.5 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.

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

Erven 1914 and 1993 shall be transferred to the homeowners' association (Section 21 Company) by and at the expense of the township owner.

1.9 SERVITUDES TO BE REGISTERED

1.9.1 Erf 1993 is subject to a right of way servitude in favour of all the erven in the township.

1.9.2 Erf 1993 is subject to a servitude of right of way in favour of the erven in the townships of Theresapark Extension 42 (situated on Portion 603 of the farm Witfontein 301 JR) Theresapark Extension 43 (situated on Portion 604 of the farm Witfontein 301JR), Proposed Theresapark Extension 39 (situated on a portion of Portion 130 of the farm Witfontein 301JR) and proposed Theresapark Extension 10 (situated on the Remainder of Portion 96 of the farm Witfontein 301JR)

2. CONDITIONS OF TITLE

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 ALL ERVEN

- 2.1.1 The erf is subject to a servitude, 2m wide, in favour of the local authority, 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 local authority: Provided that the local authority 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 2m thereof.
- 2.1.3 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 the construction, maintenance or removal of such sewerage mains and other works being made good by the local authority.

2.2 ERVEN 1914, 1915 AND 1978 TO 1993

The erf is subject to a servitude, 3,5m wide, for general engineering services in favour of the Municipality, as indicated on the general plan.

2.3 ERF 1993

- 2.3.1 The erf is subject to a right of way servitude in favour of the Municipality.
- 2.3.2 The erf is subject to a right of way servitude in favour of all the erven in the township.
- 2.3.3 The erf is subject to a servitude of right of way in favour of the erven in the townships of Theresapark Extension 42 (situated on Portion 603 of the farm Witfontein 301 JR) Theresapark Extension 43 (situated on Portion 604 of the farm Witfontein 301JR), Proposed Theresapark Extension 39 (situated on a portion of Portion 130 of the farm Witfontein 301JR) and proposed Theresapark Extension 10 (situated on the Remainder of Portion 96 of the farm Witfontein 301JR).

2.4 SERVITUDES IN FAVOUR OF THE SECTION 21 COMPANY WHICH IS TO BE NOTARIALLY EXECUTED AND REGISTERED SIMULTANEOUSLY OF PRIOR TO THE FIRST TRANSFER OF AN ERF IN THE TOWNSHIP

ERVEN 1994 TO 2928 AND 2030 TO 2047

Upon transfer, the owner of each erf must automatically become a member of the section 21 company and remain a member until he or she ceases to be the registered owner of that erf, which condition must be included in the title deed of the portion.

**LOCAL AUTHORITY NOTICE 2591
CITY OF TSHWANE METROPOLITAN MUNICIPALITY
AKASIA-SOSHANGUVE AMENDMENT SCHEME 0239A**

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 Theresapark Extension 39, 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 Head: Legal and Secretarial Services, and are open to inspection during normal office hours.

This amendment is known as Akasia-Soshanguve Amendment Scheme 0239A.

(13/2/Theresapark x39 (0239A))
4 September 2006

Acting Head: Legal and Secretarial Services
(Notice No 978/2006)

**PLAASLIKE BESTUURSKENNISGEWING 2591
STAD TSHWANE METROPOLITAANSE MUNISIPALITEIT
AKASIA-SOSHANGUVE WYSIGINGSKEMA 0239A**

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 Theresapark Uitbreiding 39, synde 'n wysiging van die Akasia/Soshanguve dorpsbeplanningskema, 1996, goedgekeur het.

Kaart 3 en die skemaklousules van hierdie wysigingskema word deur die Waarnemende Hoof: Regs- en Sekretariële Dienste, in bewaring gehou en lê gedurende gewone kantoorure ter insae.

Hierdie wysiging staan bekend as Akasia-Soshanguve-wysigingskema 0239A.

(13/2/Theresapark x39 (0239A))
4 September 2006

Waarnemende Hoof: Regs- en Sekretariële Dienste
(Kennisgewing No 978/2006)

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CITY OF TSHWANE METROPOLITAN MUNICIPALITY

DECLARATION OF THERESAPARK EXTENSION 39 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 Theresapark Extension 39 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(13/2/Theresapark x39 (0239A))

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY THORNBROOK GOLF ESTATE (EDMS) BPK UNDER THE PROVISIONS OF CHAPTER III: PART C OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE NO 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 130 (A PORTION OF PORTION 96) 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 Theresapark Extension 39.

04040000

1.2 DESIGN

The township shall consist of erven and streets as indicated on General Plan SG No 10421/2005.

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 condition which shall not be passed on to the erven in the township:

*A VOORMELDE gedeelte 96 van die plaas Witfontein 301 ('n gedeelte waarvan hiermee getransporeer word) is onderhewig aan die volgende voorwaarde:-

"De regte van die Staatspresident soos in Artikel 34 van die "Kroongrond Nederzetting Wet, 1912" bepaal, watter genoemde Artikel in die Skedule tot Kroongrondbrief No 276/1943 ten volle opgeneem is."

1.4 REMOVAL OR REPLACEMENT OF MUNICIPAL AND TELKOM SERVICES

If, by any 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 owner.

1.5 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 therefor, as previously agreed upon between the township owner and the local authority.

1.6 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), no erf 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 1.7.1 to 1.7.6 inclusive below.

1.7 THE DEVELOPER'S OBLIGATIONS

1.7.1 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.

1.7.2 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.

1.7.3 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.

1.7.4 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.

1.7.5 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.

1.7.6 APPROVAL OF BUILDING PLANS

Before any erf is transferred, the developer must have building plans approved at the Municipality in respect of every erf, in accordance with the approved site development plan. The Power of Attorney to transfer the erven must be endorsed by the Municipality.

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

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

Erven 2029 and 2048 shall be transferred to the homeowners' association (Section 21 Company) by and at the expense of the township owner.

1.9 ERVEN 1994 to 2028 and 2030 to 2047

Upon transfer, the owner of each erf must automatically become a member of the section 21 company and remain a member until he or she ceases to be the registered owner of that erf, which condition must be included in the title deed of the portion.

1.10 SERVITUDES TO BE REGISTERED

1.10.1 Erf 2048 is subject to a right of way servitude in favour of all the erven in the township.

1.10.2 Erf 2048 is subject to a servitude of right of way in favour of the erven in the townships of Theresapark Extension 42 (situated on Portion 603 of the farm Witfontein 301 JR), Theresapark Extension 43 (situated on Portion 604 of the farm Witfontein 301JR), Proposed Theresapark Extension 38 (situated on the Remainder of Portion 66 of the farm Witfontein 301JR); and proposed Theresapark Extension 10 (situated on the Remainder of Portion 96 of the farm Witfontein 301JR).

04040000

2. CONDITIONS OF TITLE

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 ALL ERVEN

- 2.1.1 The erf is subject to a servitude, 2m wide, in favour of the local authority, 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 local authority: Provided that the local authority 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 2m thereof.
- 2.1.3 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 the construction, maintenance or removal of such sewerage mains and other works being made good by the local authority.

2.2 ERF 2048

- 2.2.1 The erf is subject to a right of way servitude in favour of the Municipality.
- 2.2.2 The erf is subject to a right of way servitude in favour of Erven 1994 to 2028 and 2030 to 2047 in the township.
- 2.2.3 The erf is subject to a servitude of right of way in favour of the erven in the townships of Theresapark Extension 42 (situated on Portion 603 of the farm Witfontein 301 JR), Theresapark Extension 43 (situated on Portion 604 of the farm Witfontein 301JR), Proposed Theresapark Extension 38 (situated on the Remainder of Portion 66 of the farm Witfontein 301JR) and proposed Theresapark Extension 10 (situated on the Remainder of Portion 96 of the farm Witfontein 301JR).

2.3 SERVITUDES IN FAVOUR OF THE SECTION 21 COMPANY WHICH IS TO BE NOTARIALLY EXECUTED AND REGISTERED SIMULTANEOUSLY OR PRIOR TO THE FIRST TRANSFER OF AN ERF IN THE TOWNSHIP

ERVEN 1994 TO 2028 AND 2030 TO 2047

GENERAL

- 2.3.1 Upon transfer, the owner of each erf must automatically become a member of the section 21 Company and remain a member until he or she ceases to be the registered owner of that erf, which condition must be included in the title deed of that portion
 - 2.3.2 The erf is subject to a servitude 2m wide for essential services in favour of the Section 21 Company.
-

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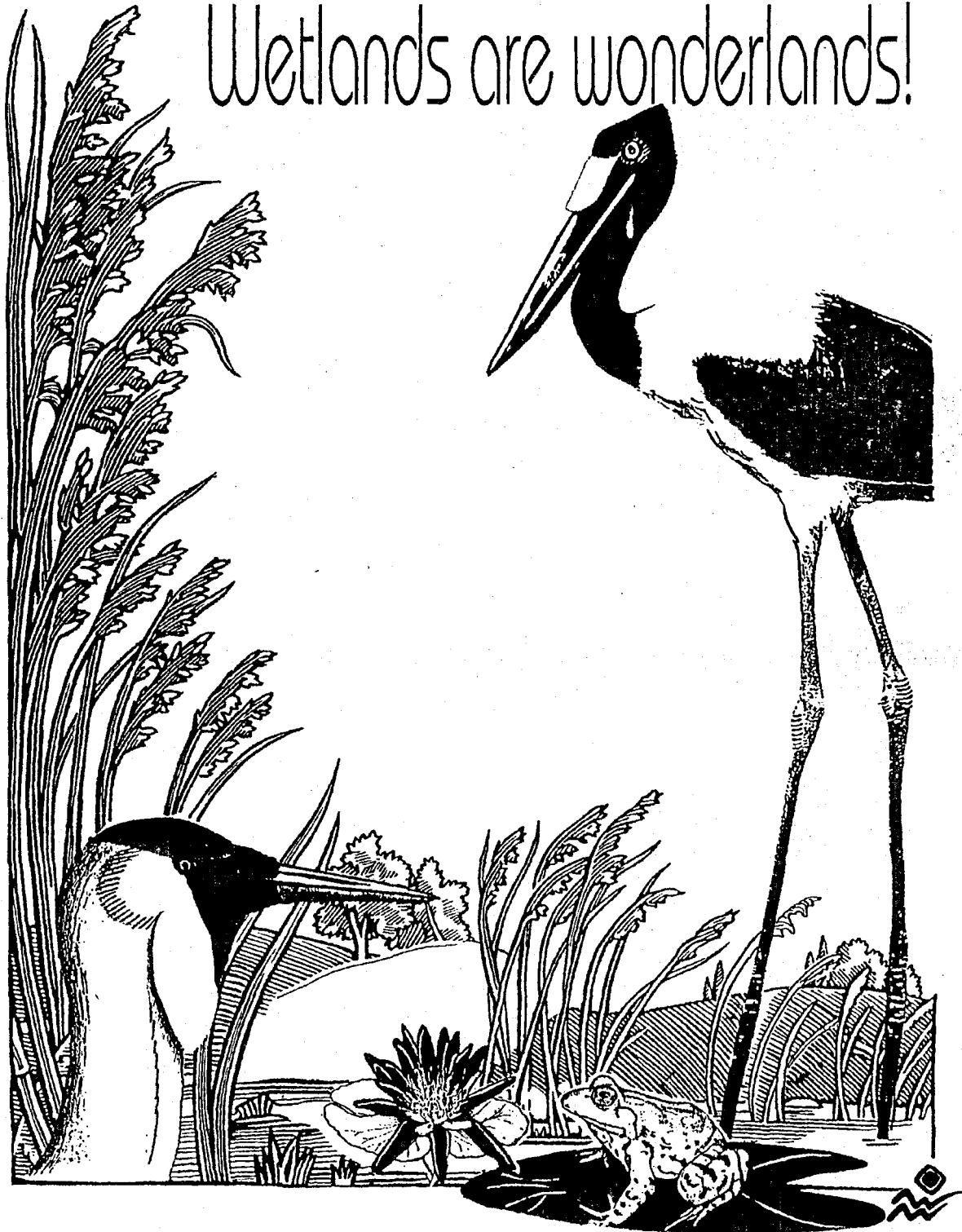
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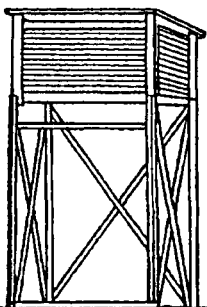
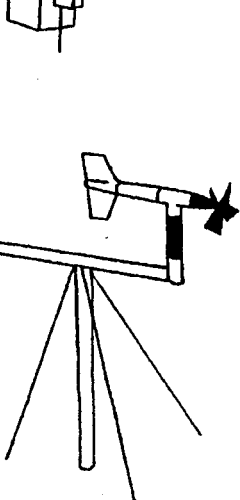
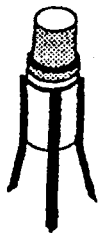
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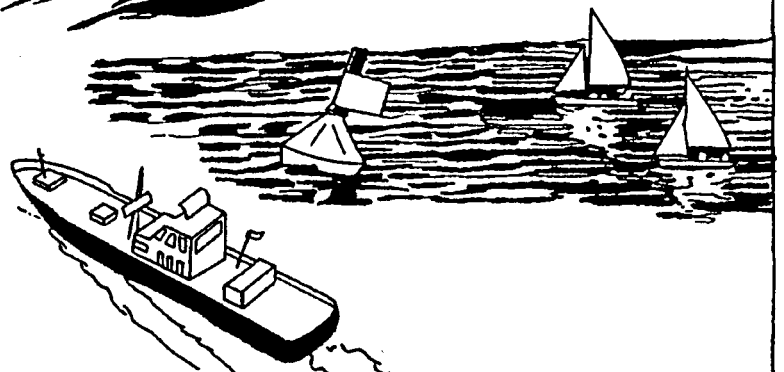
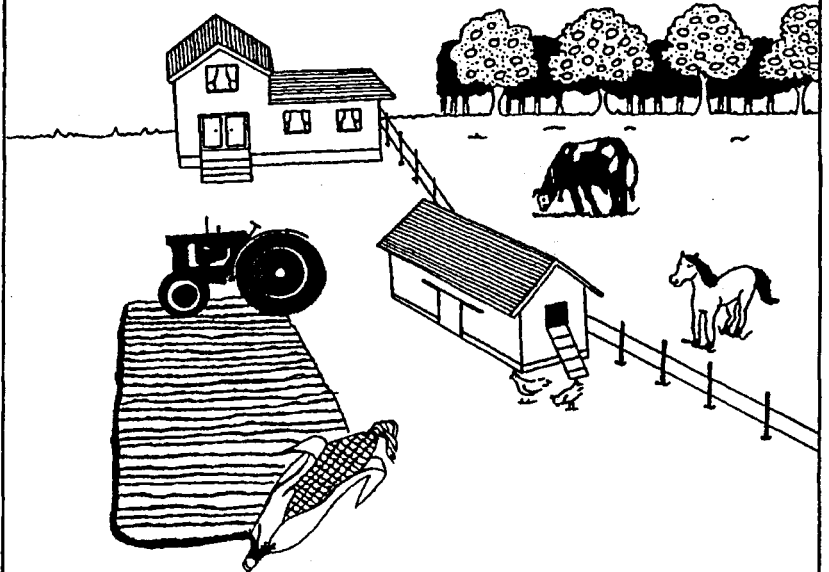
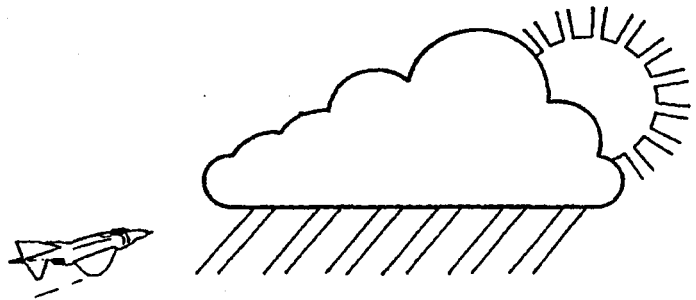
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