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LOCAL AUTHORITY NOTICE

LOCAL AUTHORITY NOTICE 1980

CITY OF TSHWANE METROPOLITAN MUNICIPALITY

CENTURION AMENDMENT SCHEME 1425C

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 Die Hoewes Extension 213, being an amendment of the Centurion Town-planning Scheme, 1992.

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 Centurion Amendment Scheme 1425C.

(13/2/Die Hoewes x213)
_ August 2007

Acting Head: Legal and Secretarial Services
(Notice No 1045/2007)

PLAASLIKE BESTUURSKENNISGEWING 1980

STAD TSHWANE METROPOLITAANSE MUNISIPALITEIT

CENTURION WYSIGINGSKEMA 1425C

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 Die Hoewes Uitbreiding 213, synde 'n wysiging van die Centurion-dorpsbeplanningskema, 1992, goedgekeur net.

Kaart 3 en die skemaklousules van hierdie wysigingskema word deur die Waarnemende Hoot Regs- en Sekretariele Dienste, in bewaring gehou en fê gedurende gewone kantoorure ter insae.

Hierdie wysiging staan bekend as Centurion-wysigingskema 1425C.

(13/2/Die Hoewes x213)
_ Augustus 2007

Waarnemende Hoof: Regs- en **Sekretariële** Dienste
(Kennisgewing No 1045/2007)

CITY OF TSHWANE METROPOLITAN MUNICIPALITY

DECLARATION OF DIE HOEWES EXTENSION 213 AS APPROVED TOWNSHIP

In terms of section 103 of the Town-planning and Townships Ordinance, 1986 (Ordinance No 15 of 1986), the *City* 01 Tshwane Metropolitan Municipality hereby declares the Township 01 Die Hoewes Extension 213 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(13/2/Die Hoewes x213)

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY IL ROSETO DEVELOPMENT (PROPRIETARY) LIMITED IN TERMS OF THE PROVISIONS OF CHAPTER III: SECTION A AND C OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE NO 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON THE REMAINDER OF PORTION 59 OF THE FARM HIGHLANDS 359JR, PROVINCE OF GAUTENG, HAS BEEN GRANTED.

1. CONDITIONS OF ESTABLISHMENT

1.1 NAME

The name 01the township shall be Die Hoewes Extension 213.

1.2 DESIGN

The township shall consist of erven as indicated on General Plan SG No 12339/2004.

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 servitudes which does not affects the township:

"(i) The portion of this holding, indicated by figures EABF on the diagram annexed to Deed of Transfer T 7256/1974, is subject to Notarial Deed of Servitude No 8011932-S, with reference to a right of way-leave for electric energy in favour of the City Council of Pretoria"

"(j) The portion of this holding, indicated by the figures DEFC on the said diagram, is subject to Notarial Deeds of Servitude Nos 210/1931-S and 285/1934-S"

1.3.2 the following servitude which affects only Erven 544 to 546, 549, 551, 553 and 554

The 3 m wide servitude in favour of the local authority registered in terms of Deed of Servitude No K2070/1998 vide diagram SG No 5685/1997 (line FM).

1.3.3 The following servitude which affects only Erven 556, 557, 559, 561, 563 to 565:

The 3 m wide servitude in favour of the local authority registered in terms of Deed of Servitude No K2070/1998 vide diagram SG No 5685/1997(line CN).

1.4 PRECAUTIONARY MEASURES

The township applicant shall with respect to the dolomite areas and on its own expense, make arrangements with the local authority, in order to ensure that-

1.4.1 water will not accumulate to the effect that the entire surface of the dolomite area/s is drained properly and that streets are sealed effectively with tar, cement or bitumen; and

1.4.2 trenches and excavations for foundations, pipes and 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.

1.5 REMOVAL OR THE REPLACEMENT OF MUNICIPALITELKOM SERVICES

If, by reason of the establishment of the township, it should become necessary to remove or replace any existing municipallTelkom services, the cost thereof shall be borne by the township owner.

1.6 DEMOLITION OF BUILDINGS AND STRUCTURES

The township owner shall at its own expense, prior to the transfer of any other erf in the township, cause all existing buildings and structures situated within the building line reserves, side spaces or over common boundaries to be demolished (if necessary) to the satisfaction of the local authority, when required by the local authority to do so.

1.7 ENDOWMENT

The township owner shall, in terms of the provisions of the Town Planning and Townships Ordinance, 1986, pay a lump sum endowment of **R125 000,00** to the local authority for the provision of land for a park (public open space).

1.8 TRANSFER OF ERF

The applicant at his expense, must transfer Erf 566 to a company which company must be registered in terms of Section 21 of the Companies Act, 1973, or to a similar legal entity, which company or entity will be administered by a member association.

1.9 RESTRICTION ON THE ALIENATION OF LAND

Regardless 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 1.10.1 to 1.10.4 inclusive below.

1.10 THE DEVELOPER'S OBLIGATIONS

1.10.1 Association and statutes

The developer must register a section 21 company (homeowners' association) in terms of provisions of the Companies Act, 1973 (Act 61 of 1973). A copy of the registered Deed of Association (CM4) and the Company Statues must be submitted to the City of Tshwane Metropolitan Municipality.

Association and Statues must clearly state that the main objective of the homeowners' association is the maintenance of the internal engineering services of the development (i.e. water, sewerage, electricity and the road and storm water 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.

1.10.2 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 and complete engineering drawings in respect of the internal road and storm water sewers as well as water and electricity services, prior to the commencement of the construction of the said services.

1.10.3 PROVISION OF A CERTIFICATE BY A PROFESSIONAL ENGINEER

Before any erf is transferred, the City of Tshwane Metropolitan Municipality must be provided with a certificate by a professional engineer for water, sewerage, electricity and the internal road and storm water sewer 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 storm water 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.

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

1.10.4 MAINTENANCE PERIOD AND GUARANTEE

A maintenance period of 12 (twelve) months commences when the last of the internal engineering services (i.e. water, sewerage, electricity and the roads and storm water 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 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.

2. CONDITIONS OF TITLE

The erven mentioned hereunder are subject to the conditions as indicated, imposed by the local authority in terms of the provisions of the Town Planning and Townships Ordinance, 1986:

2.1 ERVEN 543 TO 565

- 2.1.1 The erven are subject to a servitude 2 m wide, in favour of the local authority and the Section 21 Company, for sewerage and other municipal purposes, along any two boundaries other than a street boundary and in the case of a panhandle ert, an additional servitude for municipal purposes 2 m wide across the access portion of the ert, 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 2 m thereof.
- 2.1.3 The Local Authority or the Section 21 Company 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 553

The ert is Subject to a 3 m wide servitude for services (storm water) in favour of the local authority as indicated on the General Plan.

2.3 ERF 554

The ert is subject to a 5m wide servitude for stormwater and sewer purposes along the northern border (line AF) in favour of the local authority, which servitude must be notarially executed and registered in the title deed of the said property, prior to, or simultaneously with the first transfer in the township

2.4 ERVEN 543 - 565

Upon transfer, the owner of each ert 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 ert, which condition must be included in the title deed of the portion.

It will be compulsory for every erf owner to become a member of a homeowners' association which association will be a legal entity.

The homeowners' association will be entitled to act on behalf of all its members (erf owners) with matters regarding the interest of the members. Furthermore the homeowners' association will be entitled to put forward conditions *regarding* aesthetical requirements to be complied with concerning any improvements and/or alterations.

Conditions regarding clearances, before properties (erven) are transferred, must be obtained from the association.

The aforementioned conditions must be notarially executed and registered in the title deed of the said property, prior to, or simultaneously with the transfer in the townShip.

2.5 ERF 554 TO 556

The ert is subject to a 2 metre wide servitude in favour of the Section 21 Company as indicated on the general plan.

2.6 ERF 566

The erf is subject to a servitude of right of way and the use of engineering services in favour of Erven 543 to 565.