

***THE PROVINCE OF
GAUTENG***

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LOCAL AUTHORITY NOTICE

LOCAL AUTHORITY NOTICE 1786

CITY OF TSHWANE

CENTURION AMENDMENT SCHEME 1435C

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 has approved an amendment scheme with regard to the land in the township of Monavoni Extension 16, being an amendment of the Centurion Town-planning Scheme, 1992.

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

This amendment is known as Centurion Amendment Scheme 1435C.

(13/2/Monavoni x16 (1435C))
 ___ November 2009

Executive Director: Legal Services
 (Notice No 631/2009)

PLAASLIKE BESTUURSKENNISGEWING 1786

STAD TSHWANE

CENTURION WYSIGINGSKEMA 1435C

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 'n wysigingskema met betrekking tot die grond in die dorp Monavoni Uitbreiding 16, synde 'n wysiging van die Centurion-dorpsbeplanningskema, 1992, goedgekeur het.

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

Hierdie wysiging staan bekend as Centurion-wysigingskema 1435C.

(13/2/Monavoni x16 (1435C))
 ___ November 2009

Uitvoerende Direkteur: Regsdienste
 (Kennisgewing No 631/2009)

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CITY OF TSHWANE

DECLARATION OF MONAVONI EXTENSION 16 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 hereby declares the township of Monavoni Extension 16 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(13/2/Monavoni x16 (1435C))

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY JR 209 INVESTMENTS (PTY) LTD IN TERMS 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 PORTION 136 OF THE FARM BRAKFORTEIN 399JR, PROVINCE OF GAUTENG, HAS BEEN GRANTED.

1. CONDITIONS OF ESTABLISHMENT

1.1 NAME

The name of the township shall be Monavoni Extension 16.

1.2 DESIGN

The township shall consist of erven and streets as indicated on General Plan SG No 5472/2005.

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 rights to minerals, but excluding –

1.3.1 the following servitudes which shall not be passed on to the erven in the township:

"A. Die voormalige Resterende Gedeelte van die bogenoemde plaas Brakfontein No 399, groot sodanig 902,1251 hektaar (Gedeelte 13 waarvan hieronder gehou word) is onderworpe aan 'n Serwituut van deurgangsreg vir die geleiding van elektriese krag en bykomende regte ten gunste van die Stadsraad van Pretoria, soos meer ten volle sal blyk uit Notariële Serwituutakte van Deurgang Nr 739/1956-S."

"B. Die voormalige Resterende Gedeelte van die bogenoemde plaas Brakfontein Nr 399, groot 902,1251 hektaar (waarvan Gedeelte 13, die eiendom hieronder gehou, 'n gedeelte is), is onderworpe aan die voorwaardes opgelê deur die Beherende Gesag wat betrekking het tot die oprigting van geboue, soos meer ten volle sal blyk van die aanhangsel tot Akte van Transport T3648/1948, en wat as volg lees-

'No building or any structure whatsoever shall be erected within a distance of 94,446 meters from the centre line of the National Road, without the written approval of the Controlling Authority as defined in Act No 21 of 1940, read in conjunction with Act No 44 of 1948.'

1.4 PRECAUTIONARY MEASURES

1.4.1 The township owner shall appoint a competent person(s) to:-

- (i) A CONSTRUCTION REPORT, which must include the mapping details of the trenches and the revised stability map, confirming the conditions on site and the positioning of structures and wet services. A table indicating the stand sizes, risk classification and D designation for each stand within the township must be included. Certification on the method of backfilling of the boreholes must also be included.
- (ii) A DOLOMITE RISK MANAGEMENT PLAN, specific to the development. The legal transfer of the responsibility for the management of the Risk Management Plan, to a representative Body Corporate or similar as applicable must be included.

1.4.2 The township owner is responsible to facilitate the procedure to transfer the responsibility for the management of the Dolomite Risk Management plan legally to a representative Body Corporate or similar entity, as applicable.

1.4.3 The township owner shall at its own expense, make arrangements with the Municipality, in order to ensure that-

1.4.3.1 water will not accumulate, that the entire surface of the township area is drained properly and that streets are sealed effectively with tar, cement or bitumen to the satisfaction of the municipality; and

1.4.3.2 trenches and excavations for foundations, pipes, cables or for any other purposes, are properly refilled with damp soil in layers not thicker than 150mm, and compacted until the same grade of compaction as that of the surrounding material is obtained, to the satisfaction of the Municipality.

1.5 DEMOLITION OF BUILDINGS AND STRUCTURES

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

1.6 REMOVAL OF LITTER

The township owner shall at its own expense cause all litter within the township area to be removed to the satisfaction of the Municipality, when required by the Municipality to do so.

1.7 REMOVAL OR REPLACEMENT OF MUNICIPAL AND TELKOM SERVICES

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

1.8 ENDOWMENT

The township owner shall pay to the City of Tshwane as endowment a total amount of R715 000,00, which amount shall be used by the City of Tshwane 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).

1.9 OWNERSHIP

1.9.1 The township owner shall register 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.

A copy of the registered Deed of Association (CM4) and the Company Statutes must be submitted to the City of Tshwane.

The homeowners' association will be responsible for the security, landscaping and maintenance of facilities of the development.

1.9.2 Erf 754 Monavoni Extension 16 shall be registered in the name of the said Company and the erf may not be sold or in any way disposed of without prior written consent of the Municipality.

1.9.3 Each and every owner of Erven 751 to 753, Monavoni Extension 16 and Erven 755 to 756, Monavoni Extension 17 shall become a member of the said Company upon transfer of the erf and remain a member until he or she ceases to be the registered owner of that erf. Such company shall have full responsibility for the functioning and proper maintenance of the guardhouse, landscaping and security on Erf 754 Monavoni Extension 16.

1.10 ERVEN SUBJECT TO SPECIAL CONDITIONS

Erf 754 shall be transferred at the cost of the township owner to the Section 21 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, simultaneously with the first transfer.

1.11 COMPLIANCE WITH CONDITIONS IMPOSED BY GDACE

The township owner shall at his own expense comply with all the conditions imposed by or by which the Gauteng Department of Agriculture, Conservation and Environment has granted the applicant authorization in terms of regulations No 1182 and 1183 promulgated in terms of sections 21, 22 and 26 of the Environmental Conservation Act, for the development of this township.

1.12 OBLIGATIONS WITH REGARD TO THE CONSTRUCTION AND ESTHETICAL TREATMENT OF GRANITE CRESCENT

1.12.1 Provision shall be made for pedestrian movement along Granite Crescent to the satisfaction of the City of Tshwane.

1.12.2 Taxi lay-by's shall be provided at the entrance of Erf 754 onto Granite Crescent to the satisfaction of the Municipality.

1.13 CONSOLIDATION OF ERVEN

The township owner shall at his own expense have Erven 751 and 752 in the township consolidated. The City of Tshwane hereby grants its consent to the consolidation in respect of Section 92(1)(b) of Ordinance 15 of 1986.

1.14 ERF 754

The entire erf, except figure a-b-c-d representing the gatehouse, is subject to a right-of-way servitude in favour of proposed Erven 755 to 756, Monavoni Extension 17, which shall be registered notarially.

2. CONDITIONS OF TITLE

THE ERVEN MENTIONED HEREUNDER SHALL BE 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 ALL ERVEN

2.1.1 The erf is subject to a servitude, 3m wide, in favour of the municipality, 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 3m wide across the access portion of the erf, if and when required by the municipality: 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 municipality 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 municipality.

2.2 ERF 754

The entire erf, except figure a-b-c-d representing the gatehouse, is subject to a servitude for general municipal purposes (roads, water, electricity, stormwater and sewerage) in favour of the Municipality.

2.3 ERF 754

The entire erf, except figure a-b-c-d representing the gatehouse, is subject to a right-of-way servitude in favour of proposed Erven 751 to 753, Monavoni Extension 16.

2.4 ERVEN 752 AND 753

The erf is subject to a servitude for electrical purposes (6m x 3m) in favour of the Municipality, as indicated on the general plan.
