

***THE PROVINCE OF
GAUTENG***

***DIE PROVINSIE
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LOCAL AUTHORITY NOTICE

LOCAL AUTHORITY NOTICE 801

CITY OF TSHWANE

AKASIA-SOSHANGUVE AMENDMENT SCHEME 0343A

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 Chantelle Extension 24, 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 Executive Director: Legal Services, and are open to inspection during normal office hours.

This amendment is known as Akasia-Soshanguve Amendment Scheme 0343A.

(13/2/Chantelle x24 (0343A))
 ___ April 2009

Executive Director: Legal Services
 (Notice No 346/2009)

PLAASLIKE BESTUURSKENNISGEWING 801

STAD TSHWANE

AKASIA-SOSHANGUVE WYSIGINGSKEMA 0343A

Hierby word ingevoelge 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 Chantelle Uitbreiding 24, synde 'n wysiging van die Akasia/Soshanguve dorpsbeplanningskema, 1996, 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 Akasia-Soshanguve-wysigingskema 0343A.

(13/2/Chantelle x24 (0343A))
 ___ April 2009

Uitvoerende Direkteur: Regsdienste
 (Kennisgewing No 346/2009)

CITY OF TSHWANE

DECLARATION OF CHANTELLE EXTENSION 24 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 Chantelle Extension 24 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(13/2/Chantelle x24 (0343A))

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY HENGENE 114 (EIENDOMS) BEPERK 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 496 OF THE FARM HARTEBEESTHOEK NO 303JR, PROVINCE OF GAUTENG, HAS BEEN GRANTED.

1. CONDITIONS OF ESTABLISHMENT

1.1 NAME

The name of the township shall be Chantelle Extension 24.

1.2 DESIGN

The township shall consist of erven as indicated on General Plan SG No 5622/2008.

1.3 ENDOWMENT

The township owner shall in terms of the provision of Section 98(2) of the Town-planning and Townships Ordinance, 1986 pay a lump sum in the amount of **R160 000,00**, to the local authority as parks endowment.

1.4 ENGINEERING SERVICES

1.4.1 The township owner shall be responsible for the installation and provision of internal engineering services.

1.4.2 The applicant shall be fully responsible for the installation of all link services to the existing Municipal infrastructure, namely: water, sanitation, roads and stormwater.

1.4.3 The township owner shall, when he intends to provide the township with engineering services:

1.4.3.1 by agreement with the local authority, classify every engineering service to be provided for the township in terms of Section 116 of the Town Planning and Townships Ordinance, 1986, as internal and external engineering services in accordance with Chapter V of the same legislation and guidelines; and

1.4.3.2 install or provide all internal services so agreed upon to the satisfaction of the local authority and for this purpose, shall lodge reports, diagrams and specifications as the local authority may require.

1.4.4 The City of Tshwane shall be responsible for the maintenance of the engineering services once the engineering divisions are completely satisfied with the construction work of all the services that are to be taken over by this Municipality. Furthermore, all services are to be constructed to the complete satisfaction, standards and specifications laid down by the various divisions of the Department: Service Delivery.

1.5 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 –

1.5.1 the following servitude which affects Erf 1788 in the township only:

“Daardie gedeelte van die vorige Resterende gedeelte van gesegde plaas groot 382,0190 hektaar soos gehou onder gesegde Akte van Transport Nr 548/1909 (waarvan die eiendom hierby getranspoteer 'n gedeelte is en op die kaart van gesegde 68 die reg van weg 12,59 meter wyd aangetoon is langs die lyn BC) is onderhewig aan 'n ewigdurende reg van weg 12,59 meter wyd ten gunste van die algemene publiek, soos nader sal blyk uit Notariële Akte Nr 139/1945S, geregistreer op die 13de dag van Maart 1945 teen gesegde Akte van Transport Nr 548/1909.”

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, unless the City of Tshwane Metropolitan Municipality certifies that the developer has complied with the provisions of conditions 1.7.1 to 1.7.5 below.

1.7 THE DEVELOPER'S OBLIGATIONS

1.7.1 ASSOCIATION AND STATUTES

The developer must register a Section 21 Company (Homeowner's Association) in terms of the provisions of the Companies Act, 1973 (Act 61 of 1973). 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 homeowner's 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.

1.7.2 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 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 City of Tshwane Metropolitan Municipality must be provided with a certificate by a Professional Engineer for water, sewerage, electricity, and the internal road and stormwater sewers, 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 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 (i.e. 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 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.

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 City of Tshwane Metropolitan 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 City of Tshwane Metropolitan Municipality must be notified of this without delay.

1.7.6 ERVEN 1729 TO 1787 INCLUSIVE

Upon transfer, the owner of the 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.

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

Erven 1788 to 1790 shall be transferred to the homeowner's association (Section 21 Company) by and at the expense of the developer prior to any other erf being transferred.

2. CONDITIONS OF TITLE

THE ERVEN MENTIONED HEREUNDER SHALL BE SUBJECT TO THE CONDITIONS AS INDICATED IMPOSED BY THE MUNICIPALITY 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, 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 municipality 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 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 ERVEN 1789 AND 1790

The erf is subject to a servitude for municipal purposes in favour of the municipality, as indicated on the General Plan.

2.3 ERF 1788

The erf is subject to a servitude for right of way in favour of Erven 1729 to 1787 as indicated on the general plan.

2.4 ERF 1788

The erf is subject to a servitude for municipal purposes as indicated on the general plan.
