

***THE PROVINCE OF
GAUTENG***

***DIE PROVINSIE
GAUTENG***

**Provincial Gazette Extraordinary
Buitengewone Provinsiale Koerant**

Vol. 15

**PRETORIA, 27 MARCH
MAART 2009**

No. 73

CONTENTS • INHOUD

No.

*Page
No. Gazette
 No.*

LOCAL AUTHORITY NOTICE

| | | | |
|-----|--|---|----|
| 503 | Town-planning and Townships Ordinance (15/1986): City of Tshwane: Centurion Amendment Scheme 1561C | 3 | 73 |
|-----|--|---|----|

LOCAL AUTHORITY NOTICE

LOCAL AUTHORITY NOTICE 503

CITY OF TSHWANE

CENTURION AMENDMENT SCHEME 1561C

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 Raslouw Extension 11, 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 1561C.

(13/2/Raslouw x11)
31 March 2009

Executive Director: Legal Services
(Notice No 208/2009)

PLAASLIKE BESTUURSKENNISGEWING 503

STAD TSHWANE

CENTURION WYSIGINGSKEMA 1561C

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 Raslouw Uitbreiding 11, 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 1561C.

(13/2/Raslouw x11)
31 Maart 2009

Uitvoerende Direkteur: Regsdienste
(Kennisgewing No 208/2009)

CITY OF TSHWANE

DECLARATION OF RASLOUW EXTENSION 11 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 Raslouw Extension 11 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(13/2/Raslouw x11 (1561C))

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY CROWN SILVER PROPS (PROPRIETARY) LIMITED IN TERMS OF THE PROVISIONS OF PART C OF CHAPTER 3 OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE NO 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 271 OF THE FARM SWARTKOP 383JR, PROVINCE OF GAUTENG, HAS BEEN GRANTED

1 CONDITIONS OF ESTABLISHMENT

1.1 NAME

The name of the township shall be Raslouw Extension 11

1.2 DESIGN

The township shall consist of erven and streets as indicated on General Plan SG No 10961/2007.

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 in Deed of Transfer T119745/2007 which only affects a street in the township:

"B.(ii) Kragtens Notariele Akte No K4027/1997S gedateer 6 Maart 1997 is die hierinvermelde eiendom onderworpe aan 'n Pyplyn Serwituut met bykomende regte ten gunste van die Suid Afrikaanse Gas Distribusie Korporasie Beperk aangedui deur die Lyn ABCDEF op Kaart LG No 11892/96."

1.3.2 the following servitude in Deed of Transfer T109211/2007 which only affects a street in the township:

"B. Kragtens Notariele Akte No K4027/1997S gedateer 6 Maart 1997 is die hierinvermelde eiendom onderworpe aan 'n Pyplyn Serwituut met bykomende regte ten gunste van die Suid Afrikaanse Gasdistribusie Korporasie Beperk aangedui deur die Lyn ab op Kaart LG No 1993/1998."

1.3.3 the following servitudes in Deed of Transfer T37299/2006 which only affects Erf 339 in the township:

(a) "B. ONDERHEWIG aan 'n reg van weg 8 (AGT) meter wyd soos meer volledig sal blyk uit Notariele Akte No SK1146/2005S."

(b) "C. ONDERHEWIG aan 'n reg van waterleiding 2 (twee) meter wyd soos meer volledig sal blyk uit Notariele Akte No SK 1147/2005S."

1.3.4 the following servitude in Deed of Transfer T119745/2007 which affects Erven 386, 387, 388 and a street in the township:

"Onderhewig aan 'n Serwituut van Reg van Weg aangedui deur die figuur CEFGHC op Diagram LG A No 1987/1998 wat die Suidelike grens voorstel ten gunste van Gedeelte 102 ('n gedeelte van Gedeelte 16) van die plaas Swartkop No 383, Registrasie Divisie J.R., Gauteng."

1.3.5 the following servitude in Deed of Transfer T107871/2007 which affects Erven 388, 389, 390 and 391 in the township:

"Onderhewig aan 'n Serwituut van Reg van Weg 8,00 meter wyd aangedui deur die lyn CD op Diagram LG A No 1987/1998 wat die Suidelike grens voorstel ten gunste van Gedeelte 102 ('n gedeelte van Gedeelte 16) van die plaas Swartkop No 383, Registrasie Divisie J.R., Gauteng"

1.3.6 the following servitude in Deed of Transfer T108234/2007 which affects Erven 391, 392 and 393 in the township:

"Onderhewig aan 'n Serwituut van Reg van Weg 8,00 meter wyd voorgestel deur die lyn BC op Diagram LG 1991/1998 wat die Oostelike grens voorstel ten gunste van Gedeelte 102 ('n gedeelte van Gedeelte 16) van die plaas Swartkop No 383, Registrasie Divisie J.R., Gauteng."

1.4 ENDOWMENT

Payable to the City of Tshwane.

The township owner shall pay to the City of Tshwane as endowment a total amount of **R395 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).

1.5 PRECAUTIONARY MEASURES

1.5.1 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.

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

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

- 1.5.3.1 water will not accumulate to the effect that the entire surface of the township area is drained properly and that streets are sealed effectively with tar, cement or bitumen; and
- 1.5.3.2 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.

1.6 COMPLIANCE WITH CONDITIONS IMPOSED BY THE DEPARTMENT OF PUBLIC TRANSPORT ROADS AND WORKS

The township owner shall at his own expense comply with all the conditions imposed, by which the Gauteng Department of Public Transport, Roads and Works, has granted consent for the development.

1.7 ACCESS

No ingress from Provincial Road R55 to the township and no egress to Provincial Road R55 from the township shall be allowed.

1.8 ACCEPTANCE AND DISPOSAL OF STORMWATER

The township owner shall arrange for the drainage of the township to fit in with that of Provincial Road R55 and for all stormwater running off or being diverted from the road to be received and disposed of.

The Service Report containing the stormwater design proposal must be submitted to this Department for approval at the time of the application, i.e. before Township Proclamation.

1.9 ACOUSTIC SCREENING/ NOISE BARRIER

The applicant/ Municipality shall be responsible for any costs involved in the erection of Acoustic Screening along R55, if and when the need arises to erect such

screening.

1.10 ERECTION OF FENCE OR OTHER PHYSICAL BARRIER

The township owner shall at his own expense erect a fence or other physical barrier to the satisfaction of the Head of the Department: Gauteng Provincial Government: Department of Public Transport, Roads and Works, as and when required by him to do so, and the township owner shall maintain such fence or physical barrier in a good state of repair until such time as the erven in the township are transferred to ensuing landowners, after which the responsibility for the maintenance of such fence or physical barrier rests with the latter.

1.11 REMOVAL OR REPLACEMENT OF MUNICIPAL/TELKOM SERVICES

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

1.12 DEMOLITION OF BUILDINGS AND STRUCTURES

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

1.13 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, when required to do so by the Municipality.

1.14 LAND TO BE TRANSFERRED TO THE SECTION 21 COMPANY (HOMEOWNERS' ASSOCIATION)

Erf 415 to 419 shall be transferred to the Section 21 Company (homeowners' association) within a period of 6 months after proclamation of the township or when the first erven in the township becomes transferable whichever ever the sooner, by and at the expense of the township owner.

A servitude for access and municipal services shall be registered over Erven 415 to 418 in favour of all the erven in the township.

1.15 COMPLIANCE WITH CONDITIONS IMPOSED BY GDACE

The township owner shall at his own expense comply with all the conditions imposed, by which the Gauteng Department of Agriculture, Conservation and Environment including if applicable those by which exemption has been granted from compliance with regulations No 1182 and 1183 promulgated in terms of sections 21, 22 and 26 of the Environmental Conservation Act, (Act 73 of 1989) or the National Environmental Management Act, 1998 (Act 107 of 1998) and Regulations thereto, as the case may be, for the development of this township.

1.16 RESTRICTIONS 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 condition 2.17.

1.17 THE DEVELOPER'S OBLIGATIONS

1.17 1 ASSOCIATION AND STATUTES

The developer must register a Section 21 Company (homeowner's 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 Statutes must be submitted to the City of Tshwane.

Association and Statues 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. 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 17.2 PROVISION OF ENGINEERING DRAWINGS

The developer must submit to the City of Tshwane 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 17.3 PROVISION OF A CERTIFICATE BY A PROFESSIONAL ENGINEER

Before any erf is transferred, the City of Tshwane must be provided with a certificate by a Professional Engineer for water, sewerage, electricity, and the internal road and storm water 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 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 building plans will be approved before the services are completed and (if applicable) taken over by the division of the Service Delivery Department.

1 17.4 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 services) have been completed. The developer must:

- (a) 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 roads and stormwater services, which guarantee must be for an amount that is equal to 10% of the contract cost of the civil services and the contract cost of the electrical services, and proof of this must be submitted to the Municipality
- (b) furnish the Municipality with a maintenance guarantee, issued by a recognised financial institution, in respect of poor workmanship and / or materials with regard to the sewer water and electricity services, which guarantee must be for an amount that is equal to 10% of the contract cost of these services, prior to the commence date of the contract.

1 18 THE HOMEOWNERS ASSOCIATION OBLIGATIONS

1 18.1 It will be compulsory for every erf owner to become a member of a homeowners association which association will be a legal entity.

1 18.2 The homeowners association will be entitled to act on behalf of all its members (erf owners) with matters regarding the interests 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.

1.19 RESTRICTION ON THE ALIENATION OF ERVEN

The township owner shall not alienate Erven 386 to 393 and transfer of the erven shall not be permitted until the servitudes Vide Diagrams SG No's, 1987/1998 and 1991/1998 affecting the erven and registered in terms of Deeds of Transfer T119745/2007, T107871/2007 and T108234/2007 has been cancelled.

2. CONDITIONS OF TITLE

The erven mentioned hereunder are 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 erven are subject to a servitude, 3 metres 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 3 metres wide across the access portion of the erf, if and when required by the Municipality: Provided that the Municipality may dispense with any such servitude.

2.1.2 No building or other structure shall be erected within the aforesaid area and no large-rooted trees shall be planted within the area of such servitude or within 2 (two) metres thereof.

2.1.3 The Municipality shall be entitled to deposit temporarily on the land adjoining the aforesaid servitudes such material as may be excavated by it during the course of the construction, maintenance or removal of such sewerage mains and other work 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 287

The erf is subject to a servitude 3m wide for water purposes in favour of the City of Tshwane as indicated on the General Plan.

2.3 ERVEN 288 TO 291, 293, 304, 319, 364 TO 366 AND 377 TO 384

The erf is subject to a servitude 3m wide for sewer purposes in favour of the City of Tshwane as indicated on the General Plan.

2.4 ERVEN 319, 344, 364 TO 366 AND 377 TO 384

The erf is subject to a servitude 2m wide for stormwater sewer purposes in favour of the City of Tshwane as indicated on the General Plan.

2.5 ERVEN 415 TO 418

The erf is subject to a servitude of right of way and for services in favour of Erven 238 to 414 and 419 as indicated on the General Plan.

2.6 ERVEN 238, 384 TO 386

The erf is subject to a 5m building line along Philibere Road (the eastern boundary of the erf). The building line may not be relaxed without the written consent of the Municipality and Gaskor (Sasol). No building of any nature shall be erected within the building restriction area without the written consent of the Municipality and Gaskor (Sasol).

2.7 ERF 339

The erf is subject to a servitude for right of way purposes in favour of the City of

Tshwane, as indicated on the general plan. On submission of a certificate from the City of Tshwane to the Registrar of Deeds stating that the servitude is no longer required, this condition shall lapse.

2.8 ERF 288

The erf is subject to a servitude 2m wide for electrical purposes in favour of the City of Tshwane as indicated on the General Plan.

2.9 ERF 338

The erf is subject to a servitude of 3m wide for storm water purposes in favour of the City of Tshwane as indicated on the General Plan.
