

*THE PROVINCE OF
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LOCAL AUTHORITY NOTICE

LOCAL AUTHORITY NOTICE 538

CITY OF TSHWANE

CENTURION AMENDMENT SCHEME 1573C

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 Hennospark Extension 92, 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 1573C.

(13/2/Hennospark x92 (1573C))
 ___ April 2009

Executive Director: Legal Services
 (Notice No 321/2009)

PLAASLIKE BESTUURSKENNISGEWING 538

STAD TSHWANE

CENTURION WYSIGINGSKEMA 1573C

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 Hennospark Uitbreiding 92, 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 1573C.

(13/2/Hennospark x92 (1573C))
 ___ April 2009

Uitvoerende Direkteur: Regsdienste
 (Kennisgewing No 321/2009)

CITY OF TSHWANE

DECLARATION OF HENNOPSPARK EXTENSION 92 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 Hennospark Extension 92 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(13/2/Hennospark x92 (1573C))

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY CENTURION LIFESTYLE TRUST UNDER THE PROVISIONS OF SECTION 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 148 OF THE FARM BRAKFONTein 399JR, PROVINCE OF GAUTENG, HAS BEEN GRANTED.

1. CONDITIONS OF ESTABLISHMENT

1.1 NAME

The name of the township shall be Hennospark Extension 92.

1.2 DESIGN

The township shall consist of erven and streets as indicated on General Plan SG No 4231/2008.

1.3 DISPOSAL OF EXISTING CONDITIONS OF TITLE

All erven shall be made subject to existing conditions and servitudes, including the reservation of rights to minerals, but excluding –

1.3.1 the following servitude which does not affect the township:

“B. By Notarial Deed Number 607/1965-S the right has been granted to the Pretoria City Council to conduct electricity over the herein-mentioned property together with contingent rights and subject to the conditions more fully set out in the said Deed.”

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 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 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

1.4.3.2 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.

1.5 REMOVAL OR REPLACEMENT OF MUNICIPAL AND/OR TELKOM SERVICES

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

1.6 REMOVAL OF LITTER

The township owner shall at its 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.

1.7 COMPLIANCE WITH CONDITIONS IMPOSED BY GDACE

The township owner shall at its own expense comply with all the conditions imposed by or by which the Gauteng Department of Agriculture, Conservation and Environ-

ment 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.

1.8 CONSOLIDATION OF ERVEN

The township owner shall at his own expense have Erven 773 and 774 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.

1.9 NOTARIALLY TIE OF ERVEN

The township owner shall at his own expense have Erf 740. Hennospark Extension 91 and the consolidated erven in Hennospark Extensions 81, 85, 92 and 93, notarially tied.

2. CONDITIONS OF TITLE

THE ERVEN MENTIONED BELOW SHALL BE SUBJECT TO THE CONDITIONS AS INDICATED, LAID DOWN BY THE CITY OF TSHWANE 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 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.

STAD TSHWANE

VERKLARING VAN HENNOSPARK UITBREIDING 92 TOT GOEDGEKEURDE DORP

Ingevolge artikel 103 van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie No 15 van 1986), verklaar die Stad Tshwane hierby die dorp Hennospark Uitbreiding 92 tot 'n goedgekeurde dorp. onderworpe aan die voorwaardes uiteengesit in die bygaande Bylae.

(13/2/Hennospark x92 (1573C))

BYLAE

STAAT VAN VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR CENTURION LIFESTYLE TRUST INGEVOLGE DIE BEPALINGS VAN KLOUSULE C VAN HOOFSTUK 3 VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986 (ORDONNANSIE NO 15 VAN 1986), OM TOESTEMMING OM 'N DORP OP GEDEELTE 148 VAN DIE PLAAS BRAKFONTein 399JR, GAUTENG, TE STIG, TOEGESTAAN IS.

1. STIGTINGSVOORWAARDES

1.1 NAAM

Die naam van die dorp is Hennospark Uitbreiding 92.

1.2 ONTWERP

Die dorp bestaan uit erwe en strate soos aangedui op Algemene Plan LG No 4231/2008.

1.3 BESKIKKING OOR BESTAANDE TITELVOORWAARDES

Alle erwe moet onderworpe gemaak word aan bestaande voorwaardes en serwitute, as daar is, met inbegrip van die voorbehoud van die regte op minerale, maar uitgesonderd -

1.3.1 Die volgende serwituut wat nie die dorp raak nie:

"B. By Notarial Deed Number 607/1965-S the right has been granted to the Pretoria City Council to conduct electricity over the hereinafter mentioned property together with contingent rights and subject to the conditions more fully set out in the said Deed."

1.4 VOORKOMENDE MAATREËLS

1.4.1 Die dorpseienaar sal 'n bekwame persoon/e aanstel om:-

- (i) 'n volledige RISIKO BESTUURSPLAN en NAT DIENSTE PLAN op te stel;
- (ii) stel 'n konstruksieverslag op, wat die kaartbesonderhede van die slote en die hersiene stabiliteitskaart moet insluit, en die perseeltoestand en posisionering van die strukture en nat dienste moet bevestig. 'n Tabel wat die grootte, risikoklassifikasie en D-aanduiding van elke erf in die dorpsgebied aandui, moet ook ingesluit wees. Sertifisering van die metode van opvulling van boorgate moet ook ingesluit wees.

1.4.2 Die dorpseienaar is verantwoordelik om die proses te fasiliteer om die verantwoordelikheid van die beheer van die Risiko Bestuursplan, wetlik te transporteer na 'n verteenwoordiger van die Inwonersvereniging of 'n soortgelyke entiteit, soos toepaslik.

1.4.3 die dorpseienaar moet op eie koste reëlings met die munisipaliteit tref om te verseker dat –

1.4.3.1 water nie opdam nie, dat die hele oppervlakte van die dolomiet areas behoorlik gedreineer word en dat die strate doeltreffend met teer, beton of bitumen geseël word; en

1.4.3.2 slote en uitgrawings vir fondamente, pype kables of vir enige ander doeleindes behoorlik met klam grond in lae wat nie dikker as 150mm is nie, opgevul word en gekompakteer word totdat dieselfde verdigtingsgraad as wat die omliggende materiaal is, verkry is.

1.5 VERSKUIWING OF VERWYDERING VAN MUNISIPALE EN/OF TELKOM DIENSTE

Indien dit as gevolg van die stigting van die dorp nodig word om enige bestaande munisipale en/of Telkom dienste te verskuif of te vervang, moet die koste daarvan deur die dorpseienaar gedra word.

1.6 VERWYDERING VAN ROMMEL

Die dorpseienaar moet op eie koste alle rommel binne die dorpsgebied laat verwyder tot tevreedenheid van die Stad Tshwane wanneer die munisipaliteit dit vereis.

1.7 VOLDOENING AAN VOORWAARDES OPGELÊ DEUR DIE GAUTENGSE DEPARTEMENT VAN LANDBOU, BEWARING, OMGEWING EN GRONDSAKE (DLBOG)

Die dorpseienaar sal op sy eie koste voldoen aan al die voorwaardes wat opgelê is deur (DLBOG) met die aansoek om vrystelling om aan die bepalings van Regulasie 1182 en 1183 gepromulgeer ingevolge artikel 21, 22 en 26 van die Wet op Omgevingsbewaring, 1989 (Wet No 73 van 1989) vir die ontwikkeling van die dorpsgebied.

1.8 KONSOLIDASIE VAN ERWE

Die dorpseienaar moet op eie koste Erwe 773 en 774 in die dorp laat konsolideer. Die Stad Tshwane verteen hiermee ingevolge Artikel 92(1)(b) van Ordonnansie 15 van 1986, toestemming tot die konsolidasie.

1.9 NOTARIËLE VERBINDING VAN DIE ERWE

Die dorpseienaar moet Erf 740, Hennospark Uitbreiding 91 en die gekonsolideerde erwe in Hennospark Uitbreiding 81, 85, 92 en 93, op eie koste notarieel verbind.

2. TITELVOORWAARDES

DIE ERWE HIERONDER GENOEM, IS ONDERWORPE AAN DIE VOORWAARDES SOOS AANGEDUI, OPGELÊ DEUR DIE STAD TSHWANE INGEVOLGE DIE BEPALINGS VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986 (ORDONNANSIE 15 VAN 1986):

2.1 ALLE ERWE

- 2.1.1 Die erf is onderworpe aan 'n serwituut, 3 meter breed, ten gunste van die munisipaliteit vir riolerings- en ander munisipale dienste, langs enige twee sygrense, uitgesonderd 'n straatgrens en, in die geval van 'n pypsteelerf, 'n addisionele serwituut vir munisipale doeleindes, 3 meter breed, oor die toegangsgedeelte van die erf, indien en wanneer verlang deur die munisipaliteit. Met dien verstande dat die plaaslike bestuur van enige sodanige serwituut mag afsien.
- 2.1.2 Geen gebou of ander struktuur mag binne die voornoemde serwituut opgerig word nie en geen groot wortelbome mag binne die gebied van sodanige serwituut of binne 'n afstand van 2 (twee) meters daarvan geplant word nie.
- 2.1.3 Die munisipaliteit is geregtig om enige materiaal wat deur hom uitgegrawe word tydens die aanleg, onderhoud of verwydering van sodanige rioolhoofpypleidings en ander werke wat hy volgens goeie dunnke noodsaaklik ag, tydelik te plaas op die grond wat aan die voornoemde serwituut grens en voorts is die munisipaliteit geregtig tot redelike toegang tot genoemde grond vir die voornoemde doel, onderworpe daaraan dat die plaaslike bestuur enige skade vergoed wat gedurende die aanleg, onderhoud of verwyderings wat sodanige rioolhoofpypleidings en ander werke veroorsaak.