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GAUTENG***

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## LOCAL AUTHORITY NOTICE

### LOCAL AUTHORITY NOTICE 807

CITY OF TSHWANE

#### PERI-URBAN AMENDMENT SCHEME 48PU

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 Sunderland Ridge Extension 10, being an amendment of the Peri-Urban Town-planning Scheme, 1975.

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

This amendment is known as Peri-Urban Amendment Scheme 48PU.

(13/2/Sunderland Ridge x10 (48PU))  
\_\_ June 2010

**Acting Executive Director: Legal Services**  
(Notice No 360/2010)

### PLAASLIKE BESTUURSKENNISGEWING 807

STAD TSHWANE

#### PERI-URBAN WYSIGINGSKEMA 48PU

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 Sunderland Ridge Uitbreiding 10, synde 'n wysiging van die Peri-Urban dorpsbeplanningskema, 1975, goedgekeur het.

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

Hierdie wysiging staan bekend as Peri-Urban wysigingskema 48PU.

(13/2/Sunderland Ridge x10 (48PU))  
\_\_ Junie 2010

**Waarnemende Uitvoerende Direkteur: Regsdienste**  
(Kennisgewing No 360/2010)

CITY OF TSHWANE

#### DECLARATION OF SUNDERLAND RIDGE EXTENSION 10 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 Sunderland Ridge Extension 10 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(13/2/Sunderland Ridge x10 (48PU))

#### SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY RUGGED PROPERTY INVESTMENTS (ONE) (PTY) LTD IN TERMS OF 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 PART OF PORTION 97 OF THE FARM MOOIPLAATS 355JR, PROVINCE OF GAUTENG, HAS BEEN GRANTED.

##### 1. CONDITIONS OF ESTABLISHMENT

###### 1.1 NAME

The name of the township shall be Sunderland Ridge Extension 10.

###### 1.2 DESIGN

The township shall consist of erven, parks and streets as indicated on General Plan SG No 748/2009.

### 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 which affects Erven 279, 280, 281, 282, 283, 284 and 285 in the township only;

Condition 3:

"Onderhewig aan 'n Servituut ten gunste van die Stadsraad van Verwoerdburg, 6 meter wyd vir pad en pyplyn doeleindes, soos meer volledig sal blyk uit Notariële Akte van Sessie Nr. K.966/84."

- 1.3.2 the following which do not affect the township:

Condition 1 (a):

"De eigenaren van gezegde Gedeelte gemerk "C" van gedeelte van de plaats MOOIPLAATS Nr. 356, J.R. ('n Gedeelte waarvan hiermee getranspoteer word) ZAL GEREGTIGD ZIJN tot 1/6de aandeel in het water vloeiende in die watervoor uitgehaald bij de HENNOPSRIVIER op GEDEELTE "D" van gedeelte van GEZEGDE plaats MOOIPLAATS, groot 119,6717 hektare, zoals getranspoteerd onder Akte van Transport No. 5882/1921, en lopende over het resterende gedeelte van gedeelte van gezegde plaats, groot als zodanig 118, 8324 hektare zoals getranspoteerd onder Akte van Transport No. 5885/1921, over Gedeelte "F" van gedeelte van gezegde plaats, groot 131,6204 hektare, zoals getranspoteerd onder akte van Transport No. 6884/1921 en over Gedeelte "C" voormeld, naar Gedeelten "B" en "A" van gedeelte van gezegde plaats, groot respektiewelik 119,4005 hektare, en 119,0579 hektare, zoals getranspoteerd onder AKten van Transport Nos. 5880/1921 en 5879/1921 repsektiewelik."

Condition 1. (b):

"Gezegde Gedeelte "C" van gedeelte van voormelde plaats ('n gedeelte waarvan hiermee getranspoteer word) is ook onderworpen aan een Servituut ten faveure van de eiegenaren van gezegde Gedeelten "A" en "B"."

Condition 1. (c):

"Verder is gezegde Gedeelte "C" ('n Gedeelte waarvan hiermee getranspoteer word) onderworpen aan het recht ten faveure van de eiegenaren van Gedeelten groot 18,0586 hektare, en 4,2113 hektare, zoals gehoude door Johannes Lodewicus Steinberg onder Akten van Transport Nos. 5041/1909 en 5042/1909 respektiewelik, en gedeelte groot 22,8836 hektare, zoals gehoude door Petrus Willem Steinberg en drie anderen onder Akte van Transport No. 3482/1918 van de plaats HOEKPLAATS No. 601, distrik Pretoria, om het water te gebruiken lopende in de watervoor uitgehaald uit de HENNOPSRIVIER op gezegde GEDEELTE "C" door Petrus Willem Steinberg en drie anderen onder Akte van Transport No. 3482/1918 van de plaats HOEKPLAATS no. 601, distrik Pretoria, om het water te gebruiken lopende in de wateroovr uitgehaald uit de HENNOPSRIVIER op gezegde GEDEELTE "C" en vandaar over gezegde GEDEELTEN "B" en "A" naar voormelde gedeelte van HOEKPLAATS."

### 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 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 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 ACCESS

Ingress to and egress from the township along Mimosa Road shall be to the satisfaction of the Municipality.

#### 1.6 RECEIVING AND DISPOSAL OF STORMWATER

The township owner shall arrange the stormwater drainage of the township in such a way as to fit in with that of adjacent roads and he shall receive and dispose of the storm water running off or being diverted from the road.

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

#### 1.7 REMOVAL OR REPLACEMENT OF MUNICIPAL SERVICES

Should it become necessary to move or replace any existing municipal services as a result of the establishment of the township, the cost thereof shall be borne by the township owner.

#### 1.8 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.

#### 1.9 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.

#### 1.10 REMOVAL AND/OR REPLACEMENT OF ESKOM POWER LINES

Should it become necessary to remove and/or replace any existing power lines of Eskom as a result of the establishment of the township, the cost thereof shall be borne by the township owner.

**1.11 COMPLIANCE WITH CONDITIONS IMPOSED BY GDACE**

The township owner shall at his own expense comply with all the conditions imposed by 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.

**1.12 NATIONAL HERITAGE RESOURCE ACT**

The township owner shall at his own expense comply with the provisions of the National Heritage Resource Act, 25 of 1999.

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

Erf 289 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 erf in the township becomes transferable whichever ever the sooner, by and at the expense of the township owner.

**1.14 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 certifies that the developer has complied with the provisions of condition 1.15.

**1.15 THE DEVELOPER'S OBLIGATIONS****1.15.1 ASSOCIATION AND STATUTES**

The developer must register a section 21 company (homeowners' association) in terms of the provisions of the Companies Act, 1973 (Act 61 of 1973). All the owners of erven and/or units in the township must become members of the section 21 company. A copy of the registered Deed of Association (CM4) and the Company's Statutes must be submitted to the City of Tshwane.

The Association and Statutes must clearly state that the main objective of the homeowners' association is the maintenance of Erf 289. 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.

**1.15.2 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.

**1.15.3 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 it is certified that the internal engineering services have been completed and that the engineers accept liability for the services. The City of Tshwane 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 City of Tshwane an undertaking that the developer will complete this service on or before a certain date and must provide the City of Tshwane 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 Public Works and Infrastructure Development Department.

1.15.4 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 storm water sewers) have been completed. The developer must furnish the Municipality 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 electricity service, which guarantee must be for an amount that is equal to 10% 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.

2. CONDITIONS OF TITLE

2.1 THE ERVEN MENTIONED BELOW SHALL BE SUBJECT TO THE CONDITION 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)

2.1.1 ALL ERVEN

2.1.1.1 The erf shall be subject to a servitude, 3m wide, for municipal services (water, sewer, electricity and stormwater) (hereinafter referred to as "the services"), in favour of the Municipality, along any two boundaries, excepting a street boundary and, in the case of a panhandle erf, an additional servitude for municipal purposes, 2m wide, over the entrance portion of the erf, if and when required by the Municipality: Provided that the Municipality may waive any such servitude.

2.1.1.2 No buildings or other structures may be erected within the aforesaid servitude area and no trees with large roots may be planted within the area of such servitude or within a distance of 2m from thereof.

2.1.1.3 The City of Tshwane shall be entitled to temporarily deposit on the land adjoining the aforesaid servitude, any material it excavates during the laying, maintenance or removal of such services and other works which in its discretion it regards necessary, and furthermore the City of Tshwane shall be entitled to reasonable access to the said property for the aforesaid purpose, subject to the provision that the City of Tshwane shall make good any damage caused during the laying, maintenance or removal of such services and other works.

2.1.2 ERVEN 279, 280, 281, 282, 283, 284 AND 285

2.1.2.1 The erf shall be subject to a servitude (4m wide, directly adjacent to the south of the existing 6m wide servitude SG No A9247/82), which affects the same erven.) for municipal services in favour of the City of Tshwane, as indicated on the general plan. Subject to a 4,00m wide servitude in favour of the City of Tshwane for purposes of municipal services

2.1.2.2 No buildings or other structures may be erected within the aforesaid servitude area and no trees with large roots may be planted within the area of such servitude or within a distance of 2m thereof.

2.1.2.3 The City of Tshwane shall be entitled to temporarily deposit on the land adjoining the aforesaid servitude, any material it excavates during the laying, maintenance or removal of such services and other works which in its discretion it regards essential, and furthermore the City of Tshwane shall be entitled to reasonable access to the said property for the aforesaid purpose, subject to the provision that the City of Tshwane shall make good any damage caused during the laying, maintenance or removal of such main sewer pipelines and other works.

## 2.1.3 ERF 285

- 2.1.3.1 The erf is subject to a servitude 4m wide for municipal purposes in favour of the Municipality, as indicated on the general plan.
- 2.1.3.2 No buildings or other structures may be erected within the aforesaid servitude area and no trees with large roots may be planted within the area of such servitude or within a distance of 2m therefrom.
- 2.1.3.3 The City of Tshwane shall be entitled to temporarily deposit on the land adjoining the aforesaid servitude, any material it excavates during the laying, maintenance or removal of such services and other works which in its discretion it regards essential, and furthermore the City of Tshwane shall be entitled to reasonable access to the said property for the aforesaid purpose, subject to the provision that the City of Tshwane shall make good any damage caused during the laying, maintenance or removal of such services and other works.

## 2.1.4 ERF 295

- 2.1.4.1 The erf is subject to a servitude 3m wide for municipal purposes in favour of the Municipality, as indicated on the general plan.
- 2.1.4.2 No buildings or other structures may be erected within the aforesaid servitude area and no trees with large roots may be planted within the area of such servitude or within a distance of 2m therefrom.
- 2.1.4.3 The City of Tshwane shall be entitled to temporarily deposit on the land adjoining the aforesaid servitude, any material it excavates during the laying, maintenance or removal of such services and other works which in its discretion it regards essential, and furthermore the City of Tshwane shall be entitled to reasonable access to the said property for the aforesaid purpose, subject to the provision that the City of Tshwane shall make good any damage caused during the laying, maintenance or removal of such services and other works.

## 2.1.5 ERF 280

- 2.1.5.1 The erf is subject to a servitude 5 m wide for municipal purposes in favour of the Municipality, as indicated on the general plan.
- 2.1.5.2 No buildings or other structures may be erected within the aforesaid servitude area and no trees with large roots may be planted within the area of such servitude or within a distance of 2m therefrom.
- 2.1.5.3 The City of Tshwane shall be entitled to temporarily deposit on the land adjoining the aforesaid servitude, any material it excavates during the laying, maintenance or removal of such services and other works which in its discretion it regards essential, and furthermore the City of Tshwane shall be entitled to reasonable access to the said property for the aforesaid purpose, subject to the provision that the City of Tshwane shall make good any damage caused during the laying, maintenance or removal of such services and other works.

## 2.1.6 ERVEN 279 TO 288 AND 290 TO 311

Upon transfer, the owner of each 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.

## 2.1.7 ERVEN 279 TO 288 AND 290 TO 311

The owner of each erf must be made aware of the risk involved in developing on dolomite. The developer may make use of literature at the disposal of the investigator, together with a list of precautionary measures and monitoring schedules in order to ensure that the home owner understands how to manage dolomite stability risk responsibility.