

**THE PROVINCE OF
GAUTENG**



**DIE PROVINSIE
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LOCAL AUTHORITY NOTICE

LOCAL AUTHORITY NOTICE 1538

CITY OF TSHWANE

TSHWANE AMENDMENT SCHEME 361T

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 18, being an amendment of the Tshwane Town-planning Scheme, 2008.

Map 3 and the scheme clauses of this amendment scheme are filed with the Chief Legal Counsel, and are open to inspection during normal office hours.

This amendment is known as Tshwane Amendment Scheme 361T.

(13/2/Sunderland Ridge x18 (361T))
31 October 2013

(Notice No 645/2013)

Chief Legal Counsel

PLAASLIKE BESTUURSKENNISGEWING 1538

STAD TSHWANE

TSHWANE WYSIGINGSKEMA 361T

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 18, synde 'n wysiging van die Tshwane dorpsbeplanningskema, 2008, goedgekeur het.

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

Hierdie wysiging staan bekend as Tshwane wysigingskema 361T.

(13/2/Sunderland Ridge x18 (361T))
31 Oktober 2013

(Kennisgewing No 645/2013)

Hoofregsadviseur

CITY OF TSHWANE

DECLARATION OF SUNDERLAND RIDGE EXTENSION 18 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 18 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(13/2/Sunderland Ridge x18 (361T))

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY UZIMA PROPERTY INVESTMENTS 1 (PROPRIETARY) LIMITED 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 PORTION 116 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 18.

1.2 DESIGN

The township shall consist of erven and streets as indicated on SG Plan No 4977/2012.

1.3 PRECAUTIONARY MEASURES

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

1.3.1.1 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.

1.3.1.2 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.

1.3.2 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.

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

1.3.3.1 water will not dam up, 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

1.3.3.2 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.

1.4 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 developer.

1.5 DEMOLITION OF BUILDINGS AND STRUCTURES

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

1.6 REMOVAL OF LITTER

The developer shall at his own expense have all litter within the township area removed to the satisfaction of the City of Tshwane Metropolitan Municipality, when required to do so by the City of Tshwane Metropolitan Municipality.

1.7 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 developer.

1.8 REMOVAL AND/OR REPLACEMENT OF TELKOM SERVICES

Should it become necessary to remove and/or replace any existing Telkom services as a result of the establishment of the township, the cost thereof shall be borne by the developer.

1.9 COMPLIANCE WITH CONDITIONS IMPOSED BY GDARD

The township owner shall at his own expense comply with all the conditions imposed by the Gauteng Department of Agriculture and Rural Development, 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.

2. CONDITIONS TO BE COMPLIED WITH BEFORE THE ERVEN IN THE TOWNSHIP BECOME REGISTRABLE

2.1 INSTALLATION OF INTERNAL AND EXTERNAL SERVICES

A certificate issued in terms of section 82 of the Town Planning and Townships Ordinance (Ordinance 15 of 1986) must be lodged with the first transfer or with any other act of registration such as the issuing of a Certificate of Title.

The township applicant shall install and provide internal engineering services in the township as provided for in the services agreement.

The Local Authority shall install and provide external engineering services for the township as provided for in the services agreement.

2.2 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 2.3.

2.3 THE DEVELOPER'S OBLIGATIONS

2.3.1 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 storm water sewers as well as water and electricity services, prior to the commencement of the construction of the said services.

2.3.2 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 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 Metropolitan 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 City of Tshwane Metropolitan Municipality an undertaking that the developer will complete this service on or before a certain date and must provide the City of Tshwane Metropolitan 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 Public Works and Infrastructure Development Department.

2.3.3 MAINTENANCE PERIOD AND GUARANTEE

A maintenance period of 12 (twelve) months commences on the date on which the council has certified that the provisions of Section 82(1)(b)(ii)(cc) of the Town-Planning and Townships Ordinance 15 of 1986 has been complied with and when the last of the internal engineering services (i.e. water, sewerage, electricity), and the road and storm water sewers have been completed.

The Municipality must be furnished with a maintenance guarantees, issued by a recognised financial institution, in respect of poor workmanship and / or materials with regard to the roads, stormwater, electricity, sewer and water 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.

3. DISPOSAL OF EXISTING CONDITIONS OF TITLE

All erven shall be made subject to existing conditions and servitudes, if any, including the reservation of mineral rights, but –

- 3.1 Excluding the following servitude, which does not affect the township and due to location shall not be carried forward to the erven in the township:
- “3. Onderhewig aan ‘n Servituut ten gunste van die Stadsraad van Verwoerdburg, 6 meter wyd vir pad en pyplyn doenleindes, soos meer volledig sal blyk uit Notariële Akte van Sessie Nr K 966/84.”
- 3.2 Including the following conditions, which affect the township and shall be carried forward to the erven in the township.
- “1.(a) Die eiegenaar van gezegde Gedeelte gemerk ‘C’ van gedeelte van de plaats MOOIPLAATS Nr 356 JR (‘n Gedeelte waarvan hierme getranspoteer word) ZAL GEREGTIGD ZIJN tot 1/6de aandeel het water vloeiende in die watervoor uitgehaald bij de HENNOPSRIVIER op GEDEELTE ‘D’ van gedeelte van 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 respektiewelik.”
- “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 ‘B’ en ‘A’ om hun aandelen in het water door de gezegde watervoor over gezegde Gedeelte ‘C’ vrij te laten lopen naar gezegde Gedeelten ‘A’ en ‘B’.
- “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 hetkare, en 4,2113 hektare, zoals gehouden door Johannes Lodewicus Steinberg onder Akten van Transport Nos. 5041/1909 en 5042/1909 respektiewelik, en gedeelte groot 22,8836 hektare, zoals gehouden 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 Township Establishment application gebruiken lopende in de watervoor uitgehaald ui de HENNOPSRIVIER op gezegde GEDEELTE ‘C’ en vandaar over gezegde GEDEELTEN ‘B’ en ‘A’ naar voormelde gedeelte van HOEKPLAATS.”

4. CONDITIONS OF TITLE

THE ERVEN MENTIONED BELOW SHALL BE SUBJECT TO THE CONDITIONS AS INDICATED BELOW, LAID DOWN BY THE CITY OF TSHWANE METROPOLITAN MUNICIPALITY IN TERMS OF THE PROVISIONS OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986)

4.1 ALL ERVEN

- 4.1.1 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 local authority, along any two boundaries, excepting a street boundary and, in the case of a panhandle erf, an additional servitude for municipal purposes, 3m wide, over the entrance portion of the erf, if and when required by the local authority: Provided that the local authority may waive any such servitude.
- 4.1.2 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 it.
- 4.1.3 The City of Tshwane Metropolitan Municipality shall be entitled to temporarily deposit on the land adjoining the aforesaid servitude, any material it excavates during the laying, maintenance or removal of the services and other works which in its discretion it regards necessary, and furthermore the City of Tshwane Metropolitan Municipality shall be entitled to reasonable access to the said property for the aforesaid purpose, subject to the provision that the City of Tshwane Metropolitan Municipality shall make good any damage caused during the laying, maintenance or removal of the services and other works.

4.2 ERVEN SUBJECT TO SPECIAL CONDITIONS

In addition to the relevant conditions set out in paragraph 4.1 above, the under mentioned erven shall be subject to the conditions as indicated:

4.2.1 ERVEN 473 AND 476 TO 482

- 4.2.1.1 The erf shall be subject to a servitude (3m wide) for municipal services in favour of the City of Tshwane Metropolitan Municipality, as indicated on the general plan.
- 4.2.1.2 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 thereof.
- 4.2.1.3 The City of Tshwane Metropolitan Municipality 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 Metropolitan Municipality shall be entitled to reasonable access to the said property for the aforesaid purpose, subject to the provision that the City of Tshwane Metropolitan Municipality shall make good any damage caused during the laying, maintenance or removal of such main sewer pipelines and other works.

