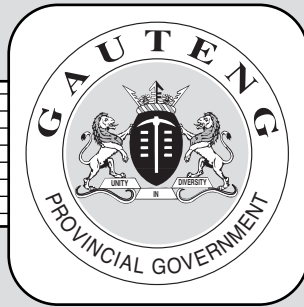


**THE PROVINCE OF
GAUTENG**



**DIE PROVINSIE
GAUTENG**

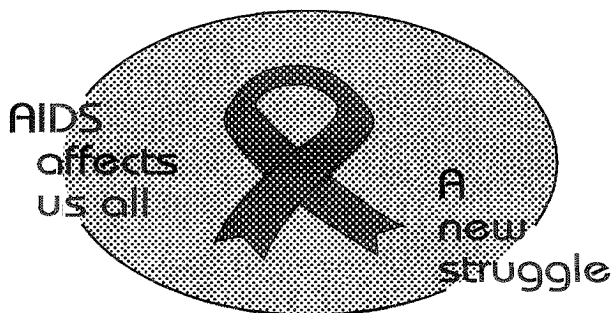
Provincial Gazette Extraordinary Buitengewone Provinsiale Koerant

Vol. 19

PRETORIA, 28 FEBRUARY 2013
FEBRUARIE

No. 52

We all have the power to prevent AIDS



Prevention is the cure

**AIDS
HELPLINE**

0800 012 322

DEPARTMENT OF HEALTH

N.B. The Government Printing Works will not be held responsible for the quality of "Hard Copies" or "Electronic Files" submitted for publication purposes



IMPORTANT NOTICE

The Government Printing Works will not be held responsible for faxed documents not received due to errors on the fax machine or faxes received which are unclear or incomplete. Please be advised that an "OK" slip, received from a fax machine, will not be accepted as proof that documents were received by the GPW for printing. If documents are faxed to the GPW it will be the sender's responsibility to phone and confirm that the documents were received in good order.

Furthermore the Government Printing Works will also not be held responsible for cancellations and amendments which have not been done on original documents received from clients.

CONTENTS • INHOUD

<i>No.</i>		<i>Page No.</i>	<i>Gazette No.</i>
	LOCAL AUTHORITY NOTICE		
217	Town-planning and Townships Ordinance (15/1986): City of Tshwane: Centurion Amendment Scheme 1583C	3	52

LOCAL AUTHORITY NOTICE

LOCAL AUTHORITY NOTICE 217

CITY OF TSHWANE

CENTURION AMENDMENT SCHEME 1583C

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 Olievenhoutbosch Extension 30, being an amendment of the Centurion Town-planning Scheme, 1992.

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 Centurion Amendment Scheme 1583C.

(13/2/Olievenhoutbosch x30 (1583C)
__ February 2013

Chief Legal Counsel
(Notice No 224/2013)

PLAASLIKE BESTUURSKENNISGEWING 217

STAD TSHWANE

CENTURION WYSIGINGSKEMA 1583C

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 Olievenhoutbosch Uitbreiding 30, synde 'n wysiging van die Centurion-dorpsbeplanningskema, 1992, 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 Centurion-wysigingskema 1583C.

(13/2/Olievenhoutbosch x30 (1583C)
__ Februarie 2013

Hoofregsadviseur
(Kennisgewing No 224/2013)

CITY OF TSHWANE

DECLARATION OF OLIEVENHOUTBOSCH EXTENSION 30 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 Olievenhoutbosch Extension 30 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(13/2/Olievenhoutbosch x30 (1583C))

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY HOMEGOLD DEVELOPMENTS 1998 (PTY) LTD IN TERMS OF THE PROVISIONS OF PART C OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE NO 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 338 (A PORTION OF PORTION 321) OF THE FARM OLIEVENHOUTBOSCH 389JR, PROVINCE OF GAUTENG, HAS BEEN GRANTED

1. CONDITIONS OF ESTABLISHMENT

1.1 NAME

The name of the township shall be Olievenhoutbosch Extension 30.

1.2 DESIGN

The township consists of erven, parks and streets as indicated on General Plan SG No 578/2008.

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 does not affect the township due to the location

- “1. Kragtens Notariële Akte No K.2217/85 gedateer 28 Junie 1985 is binne-gemelde eiendom onderhewig aan 'n serwituut ten gunste van ESKOM, sy Opvolgers en Regverkrygendes om elektrisiteit oor die eiendom te lei deur 12 transmissielyn waarvan die hartlyne van die oorhoofse transmissielyn met ondergrondse kables die eiendom deurkruis langs die roetes aangedui deur die lyne abc, def, ghj, klm, npqr, uvwx, a'b'c'd', k'j'h'g, rst, xyz, d'e'f en k'l'm'n' op Kaart L.g.No A.1726/88 hierby aangeheg en soos meer volledig sal blyk uit gemelde Notariële Akte.
2. Die voormalige Resterende Gedeelte van die plaas Olievenhoutbosch 389, Registrasie Afdeling JR, Transvaal, groot 254,6984 (Twee Vyf Vier komma Ses Nege Agt Vier) hektaar aangedui deur die figuur A B C H G F A op die aangehegte kaart L.G. No.A1726/88 is onderhewig aan die volgende voorwaarde naamlik: Kragtens Notariële Akte No. K829/1976S is die reg aan ESKOM verleen om elektrisiteit oor die hierinvermelde eiendom te vervoer, tesame met bykomende regte, en onderworpe aan voorwaards soos volledig sal blyk uit gesegde Notariële Akte.
3. Die voormalige Gedeelte 8 van die plaas Olievenhoutbosch 389, Registrasie Afdeling JR, Transvaal, aangedui deur die figuur G H D E G op die aangehegte kaart LG No A.1726/88 is onderhewig aan die volgende voorwaarde naamlik: Kragtens Notariële Akte No K.320/1971S is die reg aan ESKOM verleen om elektrisiteit oor die hierinvermelde eiendom te vervoer, tesame met bykomende regte, en onderworpe aan voorwaardes, soos meer volledig sal blyk uit gesegde Akte, welke Notariële Akte kragtens Notariële Akte van Wysiging van Serwituut No K.2875/1976S gewysig is, die middellyne van welke serwituut aangedui word deur die lyne abc, def, gfhj, klm, op kaart LG No A.1726/88 hierby aangeheg en soos meer volledig sal blyk uit die gemelde Notariële Aktes.”

“By virtue of Notarial Deed No K.005891/03S, the withinmentioned property is subject to a perpetual servitude for telecommunication and other related purposes in favour of ESKOM Holdings Ltd as agreed upon as will more fully appear from registered Notarial Deed.”

1.4 LAND FOR MUNICIPAL PURPOSES

The township owner is exempted from paying parks endowment: Provided that he provides “Public open space” in Olievenhoutbosch Extensions 31 and 33 of at least 2,0856ha, to the satisfaction of the Municipality, for the development of Olievenhoutbosch extensions 30 to 34.

1.5 PRECAUTIONARY MEASURES

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

- 1.5.1 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; and
- 1.5.2 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.

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

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

1.7 ACCESS

No ingress from Provincial Road K71 to the township and no egress to Provincial Road K71 from the township shall be allowed.

Unless the consent in writing of the Head of the Department: Gauteng Provincial Government: Department of Roads and Transport has been obtained, no ingress from Road K71 to the township and no egress to Road K71 shall be allowed.

1.7.1 Ingress from Road K71 to the township and egress to Road K71 from the township shall be restricted to the intersection of Waterberg Road with such road.

1.7.2 The township owner shall at his own expense arrange for a geometric layout design (scale 1:500) of the ingress and egress points referred to in 1.7.1 above and specifications for the construction of the junctions to be compiled and shall submit it to the Head of the Department: Gauteng Provincial Government: Department of Roads and Transport, for approval. After the design and specifications have been approved, the township owner shall construct the entrances at his own expense to the satisfaction of the Head of the Department: Department of Public Transport, Roads and Works.

1.8 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 Road K71 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 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 K71.

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 Roads and Transport, 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 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.

1.12 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 Metropolitan Municipality, when required to do so by the Municipality.

1.13 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.

1.14 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 township owner.

1.15 COMPLIANCE WITH CONDITIONS IMPOSED BY GDARD

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

1.17 LAND TO BE TRANSFERRED TO THE NON-PROFIT COMPANY COMPANY (HOMEOWNERS' ASSOCIATION)

Erven 10707, 10708 and 10709 shall be transferred to the Non-Profit 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 Erf 10708 in favour of all the erven in the township.

1.18 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 1.19.

1.19 THE DEVELOPER'S OBLIGATIONS**1.19.1 MEMORANDUM OF UNDERSTANDING**

The developer must register a Non-Profit Company (homeowners' association) in terms of the provisions of the Companies Act, 2008 (Act 71 of 2008). All the owners of erven and/or units in the township must become members of the Non-Profit Company. A copy of the registered Memorandum of Understanding must be submitted to the City of Tshwane Metropolitan Municipality.

The Memorandum of Understanding must clearly state that the main objective of the homeowners' association is the maintenance of the internal engineering services of the development (i.e. roads and stormwater sewers). The developer is deemed to be a member of the Non-Profit Company, with all the rights and obligations of an ordinary member, until the last erf has been transferred.

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

1.19.3 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 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 Service Delivery Department.

1.19.4 MAINTENANCE PERIOD AND GUARANTEE

All internal and external water-, sanitation and electricity infrastructure will be maintained by the Municipality and not by the Non-Profit Company. The developer must furnish the City of Tshwane Metropolitan Municipality with a 100% guarantee of the estimate contract cost, issued by a recognized financial institution before the commence date of the contract.

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 Non-Profit 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 storm-water sewers, which guarantee must be for an amount that is equal to 10% of 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.

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 METROPOLITAN MUNICIPALITY IN TERMS OF THE PROVISIONS OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986)

2.1.1 ALL ERVEN EXCLUDING ERVEN 10708 AND 10710

- 2.1.1.1 The erf shall be subject to a servitude, 2m 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. Where the erf is actually affected by a Municipal sewer line it must be protected by a 3 metre wide 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 it.
- 2.1.1.3 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 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 such services and other works.

2.1.2 ERF 10708

- 2.1.2.1 The entire erf shall be subject to a servitude for engineering services in favour of the City of Tshwane Metropolitan Municipality.
- 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 2 metre there from.

2.2 CONDITIONS OF TITLE IN FAVOUR OF THIRD PARTIES TO BE REGISTERED/
CREATED ON FIRST REGISTRATION OF THE ERVEN CONCERNED

No erf in the township may be transferred unless the following requirements have been complied with and the following conditions and servitudes are registered:

2.2.1 ERF 10708

2.2.1.1 The erf is subject to a servitude of right of way and the use of engineering services in favour of Erven 10576 to 10706 as depicted on General Plan 578/2008.

2.2.1.2 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 2 metre there from without the written consent from the City of Tshwane Metropolitan Municipality.

2.2.1.3 The servitude must be notarially executed and registered prior or simultaneously with the first transfer of an erf in the township.

2.2.2 ERVEN 10576 to 10706

2.2.2.1 Upon transfer, the owner of each erf must automatically become a member of the Non-Profit 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.

2.2.2.2 These erven are entitled to a servitude for Right of Way and the uses of engineering services over Erf 10708 as depicted on General Plan 578/2008.
