

**THE PROVINCE OF
GAUTENG**



**DIE PROVINSIE
GAUTENG**

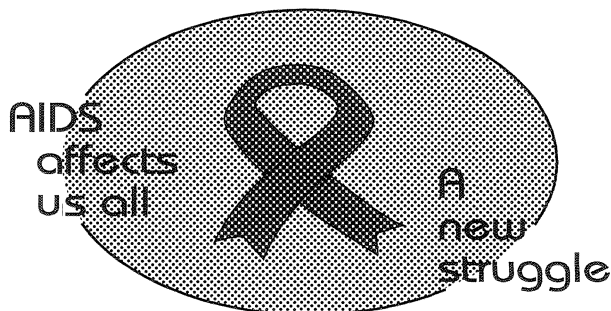
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DEPARTMENT OF HEALTH

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LOCAL AUTHORITY NOTICE

LOCAL AUTHORITY NOTICE 129

CITY OF TSHWANE

TSHWANE AMENDMENT SCHEME 391T

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 Louwlandia Extension 72, 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 391T.

(13/2/Louwlandia x72 (391T))
 __ February 2014

CHIEF LEGAL COUNSEL
 (Notice No 226/2014)

PLAASLIKE BESTUURSKENNISGEWING 129

STAD TSHWANE

TSHWANE WYSIGINGSKEMA 391T

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 Louwlandia Uitbreiding 72, 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 391T.

(13/2/Louwlandia x72 (391T))
 __ Februarie 2014

HOOFREGSADVISEUR
 (Kennisgewing No 226/2014)

CITY OF TSHWANE

DECLARATION OF LOUWLARDIA EXTENSION 72 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 Louwlandia Extension 72 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(13/2/Louwlandia x72 (391T))

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY RANDJESFONTEIN PROJECTS (PROPRIETARY) LIMITED, UNDER 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 148 (A PORTION OF PORTION 144) OF THE FARM BRAKFRONTEIN 390JR, PROVINCE OF GAUTENG, HAS BEEN GRANTED

1. CONDITIONS OF ESTABLISHMENT

1.1 NAME

The name of the township shall be Louwlandia Extension 72.

1.2 DESIGN

The township consists of erven and streets as indicated on General Plan SG No 2702/2013.

1.3 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.

1.4 ACCESS

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 K220 to the township and no egress to Road K220 shall be allowed.

1.4.1 Ingress from Road K220 to the township and egress to Road K220 from the township shall be restricted to the intersection of Louwlandia Drive with such road.

1.4.2 The township owner shall at his own expense arrange for a geometric lay-out design (scale 1:500) of the ingress and egress points referred to in 1.4.1 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 Roads and Transport.

1.5 RECEIVING AND DISPOSAL OF STORMWATER

The stormwater plan for this development must be integrated with the greater stormwater master plan for the total relevant catchment area, including adjoining areas. Any new or enlarged stormwater systems to address all stormwater runoff must be investigated and designed by a professional civil engineer to the satisfaction of the local authority.

The low points in roads and the accumulation of stormwater in crescents, cull-de-sacs and lower lying erven must be drained to the satisfaction of the local authority.

The township owner shall arrange the stormwater drainage of the township in such a way as to fit in with that of Road K220 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 Head of the Department: Department of Roads and Transport for approval at the time of the application, i.e. before Township Proclamation.

1.6 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, 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.

1.7 PRECAUTIONARY MEASURES

The township owner shall at own expense make arrangements with the local authority in order to ensure that -

1.7.1 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

1.7.2 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.

1.8 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.

1.9 REMOVAL OF LITTER

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

The township owner shall provide sufficient refuse collection points in the township and shall make arrangements to the satisfaction of the local authority for the removal of all refuse.

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 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.

1.12 OBLIGATIONS WITH REGARD TO SERVICES AND RESTRICTION REGARDING THE ALIENATION OF ERVEN

The township owner shall within such period as the Local Authority may determine, fulfil its obligations in respect of the provision of water, electricity and sanitary services as well as the construction of roads and stormwater drainage and the installation of systems thereof, as previously agreed upon between the township owner and the local authority. Erven may not be alienated or transferred into the name of a purchaser prior to the Local Authority certifying that sufficient guarantees/ cash contributions in respect of the supply of services by the township owner have been submitted or paid to the said Local Authority.

1.13 NOTARIAL TIE OF ERVEN

The township owner shall, at his own costs, after proclamation of the township but prior to the transfer of any erf/unit in the township, notarially tie Erven 2435 and 2436 to the satisfaction of the local authority:

2. CONDITIONS TO BE COMPLIED WITH BEFORE THE ERVEN IN THE TOWNSHIP BECOME REGISTERABLE**2.1 THE DEVELOPER'S OBLIGATIONS****2.1.1 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 roads and stormwater infrastructure as well as water and electricity services, for approval prior to the commencement of the construction of the said services. The detail design drawings will only be evaluated after the required Services Reports have been approved.

2.1.2 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. 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.

2.1.3 MAINTENANCE PERIOD AND GUARANTEE

A maintenance period of 12 (twelve) months commences on the date on which the local authority 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.

A retention guarantee must be issued for a period of 12 months after takeover of the services or proclamation of the township by a recognized financial institution, in respect of poor workmanship and/or materials with regard to the civil engineering services, roads and stormwater and the electricity services, which guarantee must be issued in favour of the local authority for an amount that is equal to 10% of the contract cost, and proof of this must be submitted to the City of Tshwane Metropolitan Municipality.

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 -

3.1 the following servitudes which affect(s) Erf 2436 in the township only:

- (i) A- "By Notarial Deed of K590/1966S, the property is subject to a pipe line servitude, 23,61 metres wide in favour of the RAND WATER BOARD, as indicated by the figure x B C y on Diagram S.G. No. A2280/1973 annexed to Deed of Transfer T17619/1973 and the figure Bx B c cx Bx on the annexed Diagram S.G. No. 12338/2004."
- (ii) B- "Onderhewig aan 'n reg verleen aan Eskom kragtens Notariële Akte No K762/1971 S geregistreer op 1 Julie 1971, om elektrisiteit oor die eiendom te vervoer, tesame met bykomende regte en onderworpe aan voorwaardes, soos in genoemde Notariële Akte uiteengesit. Die roete van voormelde servituut is bepaal deur Notariële Akte K2951/1979 S."

The centre line of which servitude of electric power line, 47,22 metres wide is indicated by the line k m and n p and 47,00 metres wide, by the line q r on the annexed Diagram SG No 12338/2004."

3.2 the following servitude which affect(s) Erf 2436 and Louwlandia Drive in the township:

- (iii) C- "By Notarial Deed K958/1995S, the property is subject to the following servitudes for municipal purposes in favour of the TOWN COUNCIL OF VERWOERDBURG:
 - (i) A servitude area measuring 1741 (ONE THOUSAND SEVEN HUNDRED AND FORTY ONE) square metres as depicted by the figure d e f g d on the annexed Diagram SG No 12338/2004.
 - (ii) A servitude for municipal purposes, 2 (TWO) metres wide, the southern boundary of which servitude is indicated by the line h j on the annexed Diagram SG No 12338/2004."

3.3 All erven shall be made subject to existing conditions and servitudes, including the following condition which affects Erven 2434 to 2436 and streets in the township:

D- "Subject to a servitude for telecommunications and other related purposes in favour of ESKOM HOLDINGS LIMITED, along a route to be agreed upon by the parties, together with ancillary rights as will appear from Notarial Deed of Servitude K4143/2005S."

4. CONDITIONS OF TITLE

4.1 THE UNDERMENTIONED ERVEN SHALL BE SUBJECT TO THE CONDITIONS AS INDICATED, IMPOSED BY THE LOCAL AUTHORITY IN TERMS OF THE PROVISIONS OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986

4.1.1 ERVEN 2434 AND 2435

4.1.1.1 The erven are subject to a servitude, 3m wide, in favour of the local authority, 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 3m wide across the access portion of the erf, if and when required by the local authority: Provided that the local authority may dispense with any such servitude.

4.1.1.2 No building or other structure shall be erected within the aforesaid servitude area and no large-rooted trees shall be planted within the area of such servitude or within 2m thereof.

4.1.1.3 The local authority shall be entitled to deposit temporarily on the land adjoining the aforesaid servitude such material as may be excavated by it during the course of the construction, maintenance or removal of such sewerage mains and other works 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 local authority.

4.1.2 ERF 2436

4.1.2.1 The erf shall be subject to a servitude in favour of the local authority, of the area (100m buffer zone) as indicated on the General Plan, for the purposes of open space purposes, in lieu of the provision of open spaces in terms of the Ordinance.

4.1.2.2 The erf shall be subject to a servitude in favour of the local authority of the area below the 1:50 year floodline as indicated on the General Plan, for stormwater purposes.

4.1.3 ERVEN 2434 TO 2436

The erven will be subject to a 3m servitude for stormwater purposes in favour of the local authority as indicated on the General Plan.

4.1.4 ERF 2436

The erf is subject to a proposed 2m stormwater servitude, in favour of the municipality as indicated on the General Plan.

4.1.5 ERF 2435

The erf is subject to a proposed 3m stormwater servitude, in favour of the municipality as indicated on the General Plan.

4.1.6 ERVEN 2434 TO 2436

The erf is subject to a proposed 3m municipal servitude, in favour of the local authority as indicated on the General Plan. The fence of any nature or any other wall may only be erected on the northern boundary of the servitude and not on the erf boundary along Road K220.

4.1.7 ERF 2436

The erf is subject to a proposed servitude, 3m wide, in favour of the municipality as indicated on the General Plan.

4.2 Conditions of Title imposed by the Department of Roads and Transport (Gauteng Provincial Government) in terms of the Gauteng Infrastructure Act, 2001 (Act 8 of 2001) as amended

4.2.1 ERVEN 2434 TO 2436

4.2.1.1 The registered owner of the erf shall maintain, to the satisfaction of the Department of Roads and Transport (Gauteng Provincial Government), the physical barrier erected along the erf boundary abutting Road K220.

4.2.1.2 Except for the physical barrier referred to in clause 4.2.1.1 above, a swimming bath or any essential stormwater drainage structure, no building, structure or other thing which is attached to the land, even though it does not form part of that land, shall be erected neither shall anything be constructed or laid under or below the surface of the erf within a distance less than 16 m from the boundary of the erf abutting Road K220, neither shall any alterations or addition to any existing structure or building situated within such distance of the said boundary be made, except with the written consent of the Department of Roads and Transport (Gauteng Provincial Government).

4.2.1.3 No ingress from Provincial Road K220 to the township and no egress to Provincial Road K220 from the township shall be allowed.

4.3 Conditions of Title imposed in favour of third parties to be registered/created on the first registration of the erven concerned.

4.3.1 No erf in the township shall be transferred nor shall a Certificate of Registered Title be registered, unless the following conditions and/or servitudes have been registered:

4.3.2 ERVEN 2435 AND 2436

The erven shall be notarially tied.

Erf 2436 shall not be alienated or transferred into the name of any purchaser other than the owner of Erf 2435 without the written consent of the local authority first having been obtained.
