

**THE PROVINCE OF
GAUTENG**



**DIE PROVINSIE
GAUTENG**

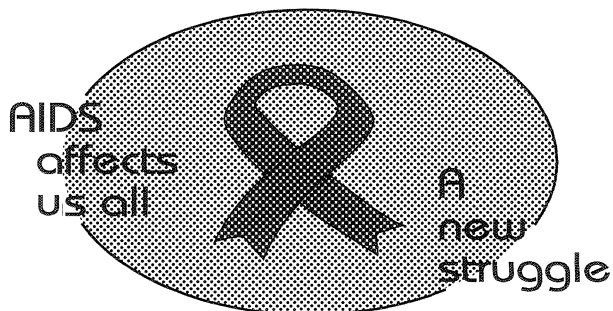
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DEPARTMENT OF HEALTH

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LOCAL AUTHORITY NOTICE

LOCAL AUTHORITY NOTICE 592

CITY OF TSHWANE

CENTURION AMENDMENT SCHEME 1586C

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 Olievenhoutbos Extension 33, 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 1586C.

(13/2/Olievenhoutbos x33 (1586C)
__ April 2015

(Notice No 222/2015)

CHIEF LEGAL COUNSEL

PLAASLIKE BESTUURSKENNISGEWING 592

STAD TSHWANE

CENTURION WYSIGINGSKEMA 1586C

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 Olievenhoutbos Uitbreiding 33, 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 1586C.

(13/2/Olievenhoutbos x33 (1586C)
__ April 2015

(Kennisgewing No 222/2015)

HOOFREGSADVISEUR

CITY OF TSHWANE

DECLARATION OF OLIEVENHOUTBOS EXTENSION 33 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 Olievenhoutbos Extension 33 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(13/2/Olievenhoutbos x33 (1586C)

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY ZOTEC DEVELOPMENTS PROPRIETARY LIMITED IN TERMS OF THE PROVISIONS OF PART C OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 341 (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 Olievenhoutbos Extension 33.

1.2 DESIGN

The township shall consist of erven, parks and streets as indicated on General Plan SG No 2531/2008.

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 servitudes which do not affect any erven or streets in the township, due to 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, aangedui deur die middellyn ab en cd op Kaart LG Nr 3162/2007 en verder aangedui deur die lyne V.W en X.Y op aangehegte Onderverdelingskaart LG Nr 577/2008, wat die middellyn van die Serwituut aandui."
1. "Kragtens Notariële Akte Nr K.2217/85S gedateer 28 Junie 1985, is binne gemelde eiendom onderhewig aan 'n serwituut ten gunste van ESKOM, sy Opvolgers en Regsverkrygendes om elektrisiteit oor die eiendom te lei, aangedui deur die middellyn ab en cd op Kaart LG Nr. 3162/2007 en verder aangedui deur die lyne V.W en X.Y op aangehegte Onderverdelingskaart LG Nr 2530/2008, wat die middellyn van die Serwituut aandui."

1.3.2 the following servitude which affects erf 11292 in the township only;

1. "Die hieringemelde eiendom is onderhewig aan 'n rioolpyplyn-serwituut ten gunste van City of Tshwane Metropolitan Municipality, die middellyn aangedui deur die figuur S1S2535455565758 op Onderverdelingskaart LG Nr 3162/2007 en verder aangedui deur die lyn a.b.c.d.e.f.g wat die middellyn aandui van die betrokke Serwituut op die aangehegte Onderverdelingskaart LG Nr 2529/2008."

1.4 LAND FOR MUNICIPAL PURPOSES

The following erf/erven shall be transferred to the City of Tshwane Metropolitan Municipality by and at the expense of the township owner, after the erf has been rehabilitated to the satisfaction of the Municipality.

Parks (public open space): Erf 11292

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 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; 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 PUBLIC TRANSPORT, ROADS AND WORKS

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

1.7 ACCESS

No ingress from Provincial Road K73 to the township and no egress to Provincial Road K73 from the township shall be allowed.

Unless the consent in writing of the Head of the Department: Gauteng Provincial Government: Department of Public Transport, Roads and Works has been obtained, no ingress from Road K73 to the township and no egress to Road K73 shall be allowed.

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 K73 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 K73.

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 the Head of the Department: Gauteng Provincial Government: Department of Public Transport, Roads and Works, 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 GDACE

The township owner shall at his own expense comply with all the conditions imposed, by which 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, 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 (HOMEOWNERS' ASSOCIATION)

Erven 11290 and 11291 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 which ever the sooner, by and at the expense of the township owner.

A servitude for access and municipal services shall be registered over Erf 11290 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 The developer must register a Non-Profit company (homeowners' association) in terms of Schedule 1 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 storm water 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 stormwater 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 ERF 11290 AND 11291 AND 11292

2.1.1.1 The erf shall be subject to a servitude, 2 m 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 11290

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 The erf is further subject to a servitude of right of way and the use of engineering services in favour of Erven 11112 to 11289 as depicted on the General Plan 2531/2008.

2.1.2.3 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 meters there from.

2.1.3 ERVEN 11112 TO 11289

2.1.3.1 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.

2.1.3.2 These erven are entitled to a servitude for Right of Way and the uses of engineering services over Erf 11290 as depicted on General Plan 2531/2008.

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 11171 AND 11177

The erf is subject to a servitude, 2 m wide, for engineering services in favour of the Non-Profit company, as depicted on the General Plan 2531/2008.

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.

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