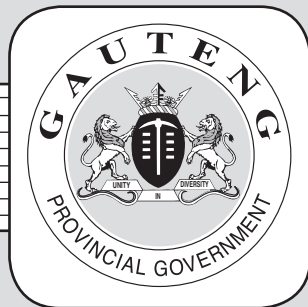


**THE PROVINCE OF
GAUTENG**



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PROCLAMATION • PROKLAMASIE

PROCLAMATION 129 OF 2016**CITY OF TSHWANE****CENTURION AMENDMENT SCHEME 1501C**

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 Die Hoewes Extension 246, being an amendment of the Centurion Town-planning Scheme, 1992.

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

This amendment is known as Centurion Amendment Scheme 1501C.

(13/2/Die Hoewes x246 (1501C)
__ SEPTEMBER 2016

SED: GROUP LEGAL SERVICES
(Notice 253/2016)

PROKLAMASIE 129 VAN 2016**STAD TSHWANE****CENTURION WYSIGINGSKEMA 1501C**

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 Die Hoewes Uitbreiding 246, synde 'n wysiging van die Centurion-dorpsbeplanningskema, 1992, goedgekeur het.

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

Hierdie wysiging staan bekend as Centurion-wysigingskema 1501C.

(13/2/Die Hoewes x246 (1501C)
__ SEPTEMBER 2016

SUD: GROEP REGSDIENSTE
(Kennisgewing 253/2016)

CITY OF TSHWANE**DECLARATION OF DIE HOEWES EXTENSION 246 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 Die Hoewes Extension 246 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(13/2/Die Hoewes x246 (1501C))

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY ROYAL SQUARE INVESTMENTS 122 BK IN TERMS OF THE PROVISIONS OF CHAPTER III: SECTION A AND C OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE NO 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON THE REMAINDER OF PORTION 12 OF THE FARM LYTTTELTON 381JR, PROVINCE OF GAUTENG, HAS BEEN GRANTED.

1. CONDITIONS OF ESTABLISHMENT**1.1 NAME**

The name of the township shall be Die Hoewes Extension 246.

1.2 DESIGN

The township shall consist of erven and streets as indicated on General Plan SG No 5700/2006.

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 only effects a street in the township:

“A. Specially subject to a servitude of right of way in favour of the General Public as shown on SG No A6157/1939 annexed to the aforesaid Certificate of Registered Title and as will more fully appear from Notarial Deed 601/1941S, registered on the 24th day of October 1941.”

1.3.2 The following servitude which only affects the proposed Erf 678 in the township:

“C. Kragtens Notariële Akte No K2277/2000S gedateer 25 April 2000 is die hierinvermelde eiendom onderhewig aan 'n serwituu 5 (VYF) meter wyd oor die eiendom welke serwituu parallel is met die suid-westelike grens van die eiendom ten gunste van die Stadsraad van Centurion met bykomende regte soos meer volledig sal blyk uit gemelde Notariële Akte.

1.4 PRECAUTIONARY MEASURES**1.4.1 The township owner shall appoint a competent person(s) to:-**

- (i) compile a complete RISK MANAGEMENT PLAN and WET SERVICES PLAN;
- (ii) conduct and compile a construction report to ensure that the conditions on site and the positioning of structures and wet services are accordingly certified.

1.4.2 The township owner is responsible to facilitate the procedure to transfer the responsibility for the management of the 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; 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.

1.5 REMOVAL OR REPLACEMENT OF MUNICIPAL/TELKOM SERVICES

If, by any reason of the establishment of the township, it should become necessary to remove or replace any existing Municipal/Telkom Services, the cost thereof shall be borne by the township owner.

1.6 TRANSFER OF ERVEN

Erf 679 shall be transferred by the applicant at his expense to a company which company shall be registered in terms of Section 21 of the Companies Act, 1973, or to a similar legal entity, which company or entity will be administered by a member association.

1.7 RESTRICTION 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 to be dealt with otherwise until the City of Tshwane Metropolitan Municipality certifies that the developer has complied with the provisions of conditions 1.8.1 to 1.8.4 inclusive below.

1.8 THE DEVELOPER'S OBLIGATIONS

1.8.1 ASSOCIATION AND STATUTES

The developer shall register a section 21 company (homeowner's association) in terms of provisions of the Companies Act, 1973 (Act 61 of 1973). A copy of the registered Deed of Association (CM4) and the Company Statutes shall be submitted to the City of Tshwane.

Association and Statutes shall clearly state that the main objective of the homeowner's association is the maintenance of the internal engineering services of the development (i.e. water, sewerage, electricity, and the road and storm water sewers). 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.

1.8.2 PROVISION OF ENGINEERING DRAWINGS

The developer shall 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.

1.8.3 PROVISION OF A CERTIFICATE BY A PROFESSIONAL ENGINEER

Before any erf is transferred, the City of Tshwane shall be provided with a certificate by a Professional Engineer for water, sewerage, electricity, and the internal road and storm water sewers in which is certified that the internal engineering services have been completed and that the engineers accept liability for the services. The 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 shall give the Municipality an undertaking that the developer will complete this service on or before a certain date and shall provide the Municipality with a guarantee issued by a recognised financial institution.

No building plans will be approved before the services are completed and (if applicable) taken over by the division of the Service Delivery Department.

1.8.4 MAINTENANCE PERIOD AND GUARANTEE

A maintenance period of 12 (twelve) months commences when the last of the internal engineering service (i.e. water, sewerage, electricity, and the road and stormwater sewers) have been completed. The developer shall furnish the section 21 company with a maintenance guarantee, issued by a recognised financial institution, in respect of poor workmanship and/or materials with regard to the civil engineering services and electricity service, which guarantee shall be for an amount that is equal to 5% of the contract cost of the civil services and 10% of the contract cost of the electrical services and proof of this shall be submitted to the City of Tshwane.

1.9 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, Environment and Land Affairs has granted the applicant exemption from compliance with regulations No 1182 and 1183 promulgated in terms of sections 21, 22 and 26 of the Environmental Conservation Act, for the development of this township.

1.10 THE HOMEOWNERS ASSOCIATION OBLIGATIONS

1.10.1 It will be compulsory for every erf owner to become a member of a homeowners association which association will be a legal entity.

1.10.2 The homeowners association will be entitled to act on behalf of all its members (erf owners) with matters regarding the interests of the members. Furthermore the homeowners association will be entitled to put forward conditions regarding aesthetical requirements to be complied with concerning any improvements and/or alterations.

2. CONDITIONS OF TITLE

THE ERVEN MENTIONED HEREUNDER ARE SUBJECT TO THE CONDITIONS AS IMPOSED BY THE MUNICIPALITY IN TERMS OF THE PROVISIONS OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986):

2.1 ALL ERVEN

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

2.1.2 No building or other structure shall be erected within the aforesaid area and no large-rooted trees shall be planted within the area of such servitude or within 2 (two) metres thereof.

2.1.3 The Municipality shall be entitled to deposit temporarily on the land adjoining the aforesaid servitudes such material as may be excavated by it during the course of the construction, maintenance or removal of such sewerage mains and other work 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 Municipality.

2.2 ERVEN 669 TO 678

2.2.1 The erf is subject to a servitude 7m wide for right of way purposes in favour of the Section 21 Company as indicated on the General Plan.

2.2.2 The erf is subject to a servitude 4,5m wide for engineering services in favour of the Section 21 Company as indicated on the General Plan.

2.2.3 The erf is subject to a servitude 2m wide for sewer purposes in favour of the Municipality as indicated on the General Plan.

2.2.4 The erf is subject to a servitude 3m wide for water purposes in favour of the Municipality as indicated on the General Plan.

2.3 ERF 669

The erf is subject to a servitude 2m wide for sewer purposes in favour of the Municipality as indicated on the General Plan.

2.4 ERF 679

The erf is subject to a servitude for right of way purposes and engineering services in favour of the Section 21 Company as indicated on the General Plan.

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