

**THE PROVINCE OF
GAUTENG**



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20 October 2016

Dear Value Customers

The 27th of December 2016 has been declared as a public holiday by the State President Mr Jacob Zuma.

For this reason, the closing date of all gazettes during that week will be a day before scheduled dates as published in the gazette or on the website.

Sincerely,

Maureen Toka
Acting Assistant Director: Publications
(Tel): 012 748-6066

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PROVINCIAL NOTICES • PROVINSIALE KENNISGEWINGS

PROVINCIAL NOTICE 972 OF 2016

CITY OF TSHWANE

TSHWANE AMENDMENT SCHEME 3725T

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 Hennospark Extension 96, being an amendment of the Tshwane Town-planning Scheme, 2008.

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

This amendment is known as Tshwane Amendment Scheme 3725T.

(13/2/Hennospark x96 (3725T))
DECEMBER 2016

SED: GROUP LEGAL SERVICES 15
(Notice 273/2016)

PROVINSIALE KENNISGEWING 972 VAN 2016

STAD TSHWANE

TSHWANE WYSIGINGSKEMA 3725T

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 Hennospark Uitbreiding 96, 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 3725T.

(13/2/Hennospark x96 (3725T))
DESEMBER 2016

SUD: GROEP REGSDIENSTE 15
(Kennisgewing 273/2016)

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CITY OF TSHWANE

DECLARATION OF HENNOPSPARK EXTENSION 96 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 Hennospark Extension 96 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(13/2/Hennospark x96 (3725T))

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY TRACKSTAR TRADING 325 PROPRIETARY LIMITED, IN TERMS OF THE PROVISIONS OF CHAPTER III: PART C OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 107 (A PORTION OF PORTION 2) OF THE FARM BRAKFORTEIN 399JR, PROVINCE OF GAUTENG, HAS BEEN GRANTED

1. CONDITIONS OF ESTABLISHMENT

1.1 NAME

The name of the township shall be Hennospark Extension 96.

1.2 DESIGN

The township shall consist of erven, parks and streets as indicated on General Plan SG No 5182/2015.

1.3 PRECAUTIONARY MEASURES

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

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 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 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 adjacent roads 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 Municipality for approval at the time of the application, i.e. before Township Proclamation.

1.5 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.

1.6 DEMOLITION OF BUILDINGS AND STRUCTURES

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

1.7 REMOVAL OF LITTER

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

1.8 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.

1.9 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.

1.10 CONSOLIDATION OF ERVEN

The township owner shall at his own expense have the erven in the township consolidated. The City of Tshwane Metropolitan Municipality hereby grants its consent to the consolidation in respect of Section 92(2) (a) of Ordinance 15 of 1986.

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

2.1 INSTALLATION OF INTERNAL AND EXTERNAL SERVICES 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 Applicant shall install the internal and external engineering services and shall provide any necessary financial guarantees for the provision of services and shall pay the external services contributions to the Municipality and other services providers in respect of the applicable Extension as contained in the Services Agreement and/or any addenda thereto. The Applicant shall procure written confirmation of compliance in this regard from the Municipality and other services providers and file such with the Municipality.

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 drainage 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 drainage, 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 drainage. 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 stormwater 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 (water and sewerage), 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, and –

3.1 including the following servitude which affects the erven in the township;

“A Kragtens Notariële Akte van Serwituut K1130/1999S gedateer 23 February 1999 is die hierinvermelde eiendom onderhewig aan 'n serwituut van reg van weg en munisipale doeleindes groot 2 656 vierkante meter soos aangedui deur die figuur ABCDEF op Kaart LG Nommer. 14593/1998 en bykomende regte ten gunste van die Stadsraad van Centurion soos meer volledig sal blyk uit die gemelde notariële akte.”

3.2 including the following servitude which affects ERF 793 in the township only:

the servitude in favour of the Municipality registered in terms of Notarial Deed of Servitude No., as indicated on SG Diagram No 8361/2001.

4. CONDITIONS OF TITLE

4.1 THE ERVEN MENTIONED BELOW SHALL BE SUBJECT TO THE CONDITIONS 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)

4.1.1 ALL ERVEN

4.1.1.1 The erf shall be subject to a servitude, 3 m 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, 3 m 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.

4.1.1.2 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 m thereof.

4.1.1.3 The 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 Municipality shall be entitled to reasonable access to the said property for the aforesaid purpose, subject to the provision that the Municipality shall make good any damage caused during the laying, maintenance or removal of such services and other works.

4.1.2 ERVEN SUBJECT TO SPECIAL CONDITIONS

In addition to the relevant conditions set out in paragraph 4.1.1 above, the undermentioned erven shall be subject to the conditions as indicated:

4.1.2.1 ERVEN 793 AND 794 (CONSOLIDATED ERF 795)

4.1.2.1.1 The erf shall be subject to a servitude, 3 m wide for municipal services in favour of the Municipality, as indicated on the general plan.

4.1.2.1.2 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 m therefrom.

4.1.2.1.3 The 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 Municipality shall be entitled to reasonable access to the said property for the aforesaid purpose, subject to the provision that the Municipality shall make good any damage caused during the laying, maintenance or removal of such main sewer pipelines and other works.

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