

***THE PROVINCE OF
GAUTENG***

***DIE PROVINSIE
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LOCAL AUTHORITY NOTICE

LOCAL AUTHORITY NOTICE 2402

CITY OF TSHWANE

CENTURION AMENDMENT SCHEME 1548C

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 Celtisdal Extension 42, being an amendment of the Centurion Town-planning Scheme, 1992.

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

This amendment is known as Centurion Amendment Scheme 1548C.

(13/2/Celtisdal x42)
__ October 2008

Executive Director: Legal Services
(Notice No 852/2008)

PLAASLIKE BESTUURSKENNISGEWING 2402

STAD TSHWANE

CENTURION WYSIGINGSKEMA 1548C

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 Celtisdal Uitbreiding 42, synde 'n wysiging van die Centurion-dorpsbeplanningskema, 1992, goedgekeur het.

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

Hierdie wysiging staan bekend as Centurion-wysigingskema 1548C.

(13/2/Celtisdal x42)
__ Oktober 2008

Uitvoerende Direkteur: Regsdienste
(Kennisgewing No 852/2008)

CITY OF TSHWANE

DECLARATION OF CELTISDAL EXTENSION 42 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 Celtisdal Extension 42 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(13/2/Celtisdal x42 (1548C))

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY LOUIS PASTEUR INVESTMENTS (PTY) LTD IN TERMS OF THE PROVISIONS OF PART C OF CHAPTER 3 OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE NO 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 84 OF THE FARM SWARTKOP 383 JR, PROVINCE OF GAUTENG, HAS BEEN GRANTED.

1. CONDITIONS OF ESTABLISHMENT

1.1 NAME

The name of the township shall be Celtisdal Extension 42.

1.2 DESIGN

The township shall consist of erven and streets as indicated on General Plan SG No 12352/2006.

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 does not affect the township:

Condition (b) in Deed of Transfer T152339/2001:

Kragtens Notariële Akte No K2096/98 gedateer 27 Mei 1997, is die hierin-vermelde eiendom geregtig op 'n waterregte, pompterrein en pyplyne serwituu, soos aangedui deur die figuur ABCD op Kaart LG No 13099/97, oor Gedeelte 1 Raslouw Landbouhoewes, soos meer volledig sal blyk uit gemelde Notariële Akte.

1.4 ENDOWMENT

Payable to the City of Tshwane.

The township owner shall pay endowment for an area of **768m²** in terms of Regulation 44(1) of the Town-planning and Townships Regulations, to the City of Tshwane. The amount of this area shall be used by the City of Tshwane for the acquisition of land for park and/or public open space purposes.

The said endowment amount shall be payable in accordance with the provisions of section 81 of the Town-planning and Townships Ordinance, 1986 (Ordinance 15 of 1986).

1.5 PRECAUTIONARY MEASURES**1.5.1 The township owner shall appoint a competent person(s) to:-**

- (i) 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 D designation for each stand within the township must be included. Certification on the method of backfilling of the boreholes must also be included.
- (ii) 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.

1.5.2 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.**1.5.3 The township owner shall at its own expense, make arrangements with the Municipality, in order to ensure that-**

1.5.3.1 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 to the satisfaction of the Municipality; and

- (i) trenches and excavations for foundations, pipes and cables or for any other purposes, are properly refilled with damp soil in layers not thicker than 150 mm, and compacted until the same grade of compaction as that of the surrounding material is obtained, to the satisfaction of the Municipality.

1.6 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.

1.7 DEMOLITION OF BUILDINGS AND STRUCTURES

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

1.8 REMOVAL OF LITTER

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

1.9 REMOVAL 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 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.

1.11 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.

1.12 LAND TO BE TRANSFERRED TO THE SECTION 21 COMPANY (HOMEOWNERS' ASSOCIATION)

Erf 1176 shall be transferred to the Section 21 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.

1.13 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 certifies that the developer has complied with the provisions of condition 1.14.

1.14 THE DEVELOPER'S OBLIGATIONS

1.14.1 ASSOCIATION AND STATUTES

The developer must register a section 21 company (homeowners association) in terms of the provisions of the Companies Act, 1973 (Act 61 of 1973). The owners of the proposed Erven 1161 to 1175 must, simultaneously with transfer, become members and remain members of the section 21 company until they cease to be the registered owners of such portions. A copy of the registered Deed of Association (CM4) and the Company's Statutes must be submitted to the City of Tshwane.

The Association and Statutes must clearly state that the main objective of the homeowners' association is the maintenance of the internal engineering services of the development (i.e. electricity, and the road and storm water sewers). The developer is deemed to be a member of the section 21 company, with all rights and obligations of an ordinary member, until the last erf has been transferred.

1.14.2 PROVISION OF ENGINEERING DRAWINGS

The developer must submit to the 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 said services.

1.14.3 PROVISION OF A CERTIFICATE BY A PROFESSIONAL ENGINEER

Before any erf is transferred, the 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 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 Municipality an undertaking that the developer will complete this service on or before a certain date and must 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 divisions of the Service Delivery Department.

1.14.4 MAINTENANCE PERIOD AND GUARANTEE

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 sewers) have been completed. The developer must 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 the electricity services, which guarantee must be for an amount that is equal to 10% of the contract cost of the civil services and 10% of the contract cost of the electrical services, and proof of this must be submitted to the Municipality.

A complete Section 21 drainage plan has to be submitted to the Executive Director: City Planning and Development (City Development Control Division), by the responsible engineer.

These drainage plans need also to be placed on each separate building plan. These plans have to indicate the Section 21 Company drainage connection points as well as drainage site layout.

The services must be transferred to the Section 21 Company after the completion thereof.

1.14.5 SIDEWALKS

The sidewalks and entrances along Gouws Avenue and Lochner Road shall be landscaped and planted with 50 liter trees at 7 meter intervals, to the satisfaction of the City of Tshwane.

A sidewalk, 1, 5 meters wide must be build along Gouws Avenue and Lochner Road, to the satisfaction of the City of Tshwane.

2. CONDITIONS OF TITLE

- 2.1 THE ERVEN MENTIONED BELOW SHALL BE SUBJECT TO THE CONDITIONS AS INDICATED, LAID DOWN BY THE CITY OF TSHWANE IN TERMS OF THE PROVISIONS OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986)

2.1.1. ALL ERVEN

2.1.1.1 The erf is subject to a servitude, 3m wide, for municipal services (water, sewerage, electricity and storm water) (hereinafter referred to as "the serv. ces"), in favour of the local authority, along any two boundaries other than 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 local authority: Provided that the local authority may waive any such servitude.

2.1.1.2 No building 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 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 shall be entitled to reasonable access to the said property for the aforesaid purpose, subject to the provision that the City of Tshwane shall make good any damage caused during the laying, maintenance or removal of such services and other works.

2.1.2 ALL ERVEN EXCEPT ERF 1176

Upon transfer, the owner of each erf must automatically become a member of the section 21 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 ERVEN 1161 TO 1167, 1170, 1171, 1173 AND 1175

The erf is subject to a servitude 3m wide for municipal purposes (water) in favour of the Municipality, as indicated on the general plan.

2.1.4 ERF 1170

The erf is subject to a 3,5m wide Right of way in favour of Erf 1172, as indicated on the general plan.

2.1.5 ERF 1176

2.1.5.1 The erf is subject to a servitude of right of way and engineering services in favour of Tshwane metropolitan municipality.

2.1.5.2 The erf is subject to a servitude of right of way and general engineering services in favour of the section 21 company and the owners of erven 1161 to 1175.

2.1.6 ERVEN 1161 TO 1175

The owner of each erf must be made aware of the risk involved in developing on dolomite. The developer may make use of literature at the disposal of the investigator, together with a list of precautionary measures and monitoring schedules in order to ensure that the home owner understands how to manage dolomite stability risk responsibility.