

***THE PROVINCE OF
GAUTENG***

***DIE PROVINSIE
GAUTENG***

**Provincial Gazette Extraordinary
Buitengewone Provinsiale Koerant**

Vol. 15

**PRETORIA, 13 MAY
MEI 2009**

No. 112

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LOCAL AUTHORITY NOTICE

LOCAL AUTHORITY NOTICE 821

CITY OF TSHWANE

CENTURION AMENDMENT SCHEME 1593C

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 206, 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 1593C.

(13/2/Die Hoewes x206 (1593C)
___ May 2009

Executive Director: Legal Services
(Notice No 400/2009)

PLAASLIKE BESTUURSKENNISGEWING 821

STAD TSHWANE

CENTURION WYSIGINGSKEMA 1593C

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 206, 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 1593C.

(13/2/Die Hoewes x206 (1593C)
___ Mei 2009

Uitvoerende Direkteur: Regsdienste
(Kennisgewing No 400/2009)

CITY OF TSHWANE

DECLARATION OF DIE HOEWES EXTENSION 206 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 206 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(13/2/Die Hoewes x206 (1593C))

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY SMOKEY MOUNTAIN TRADING 309 (PTY) LTD 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 PORTION 262 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 206.

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 affect Erf 748 in the township only:

- (i) "B. Die Resterende Gedeelte van Hoewe 102 Lyttelton Landbouhoeves Uitbreiding 1 J.R., Provinsie Gauteng:

GROOT: 2,1185 hektaar (waarvan die eiendom hiermee getranspoteer deel uitmaak:

Is onderhewig aan 'n serwituut ten gunste van die Stadsraad van Centurion vir munisipale doeleindes met bykomende regte, (Groot 1516 vierkante meter) soos meer volledig blyk uit Notariële Akte K3224/97, 'n gedeelte van welke serwituut aangedui word deur die figuur AabcD op Kaart L.G. 8550/87 aangeheg."

- (ii) "D. By Notarial Deed No. K1320/2001 the within mentioned property is subject to a perpetual right of way servitude in extent 207 square metre as indicated by the figure ABCDE on diagram SG 10869/2000 in favour of the City of Tshwane Metropolitan Municipality as will more fully appear from reference to the said Notarial Deed."

1.3.2 the following servitude which affect Erf 749 in the township only;

- "E. By Notarial Deed of Servitude of Right of Way No K 8489/05S the within mentioned property is entitled to a perpetual servitude of right of way for road, pedestrian and vehicular purposes over the portion of Erf 625 Die Hoewes Extension 158 Township as indicated by the figure ABCDE on the servitude diagram SG. NO. 5527/2005, annexed to the said Notarial Deed of Servitude of Right of Way, measuring 131 (One Hundred and Thirty One) square metres, and as will more fully appear from the said Notarial Deed."

1.3.3 the following servitude/ condition which shall not be passed on to the erven in the township;

- "A(j) The owner of the holding shall not entitled to any riparian rights to water from the Hennops River.

1.3.4 the following servitude which does not affect the township area;

- "A(k) This holding shall be subject to Deed of Servitude K285/1834-S with reference to a right of way leave for electric energy in favour of the City Council of Pretoria."

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; and
- (ii) compile 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 boreholes must also be included.

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 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 CONSOLIDATION OF ERVEN

The township owner shall at his own expense have Erven 748 and 749 in the township consolidated. The City of Tshwane hereby grants its consent to the consolidation in respect of Section 92(2) of Ordinance 15 of 1986.

1.7 DEMOLITION OF BUILDINGS AND STRUCTURES

When required by the City of Tshwane 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.

1.8 REMOVAL OF LITTER

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

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 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.

1.11 ERF 749

The township owner shall at his own expense register a notarial servitude of right of way over Erf 749, Die Hoewes Extension 206 in favour of Erf 625, Die Hoewes Extension 158 as indicated on General Plan SG No. 3952/2008 and the said erf shall not be transferred until such time as the servitude has been registered.

2. CONDITIONS OF TITLE

2.1 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):

2.1.1 ALL ERVEN

2.1.1.1 The erf shall be subject to a servitude, 3m wide, for municipal services (water, sewer, electricity and storm water) (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, 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.

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 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 ERF 749

The erf is subject to a servitude for an electrical power substation in favour of the local authority as indicated on General Plan SG No 3952/2008.

STAD TSHWANE**VERKLARING VAN DIE HOEWES UITBREIDING 206 TOT GOEDGEKEURDE DORP**

Ingevolge artikel 103 van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie No 15 van 1986), verklaar die Stad Tshwane hierby die dorp Die Hoewes Uitbreiding 206 tot 'n goedgekeurde dorp, onderworpe aan die voorwaardes uiteengesit in die bygaande Bylae.

(13/2/Die Hoewes x206 (1593C))

BYLAE

STAAT VAN VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR SMOKEY MOUNTAIN TRADING 309 (PTY) LTD INGEVOLGE DIE BEPALINGS VAN HOOFSTUK III: DEEL C VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986 (ORDONNANSIE NO 15 VAN 1986), OM TOESTEMMING OM 'N DORP GEDEELTE 262 VAN DIE PLAAS LYTTTELTON 381JR, GAUTENG, TE STIG, TOEGESTAAN IS.

1. STIGTINGSVOORWAARDES**1.1 NAAM**

Die naam van die dorp is Die Hoewes Uitbreiding 206.

1.2 ONTWERP

Die dorp bestaan uit erwe en strate soos aangedui op Algemene Plan LG No 3952/2008.

1.3 BESKIKKING OOR BESTAANDE TITELVOORWAARDES

Alle erwe moet onderworpe gemaak word aan bestaande voorwaardes en servitute, as daar is, met inbegrip van die voorbehoud van die regte op minerale, maar uitgesonderd –

1.3.1 die volgende servituut wat slegs Erf 748 in die dorp raak:

- (ii) "B. Die Resterende Gedeelte van Hoewe 102 Lyttelton Landbou-
hoewes Uitbreiding 1 J.R., Provinsie Gauteng:

GROOT: 2,1185 hektaar (waarvan die eiendom hiermee
getranspoteer deel uitmaak:

Is onderhewig aan 'n servituut ten gunste van die Stadsraad
van Centurion vir munisipale doeleindes met bykomende
regte, (Groot 1516 vierkante meter) soos meer volledig blyk
uit Notariële Akte K3224/97, 'n gedeelte van welke servituut
aangedui word deur die figuur AabcD op Kaart L.G. 8550/87
aangeheg."

- (ii) "D. By Notarial Deed No. K1320/2001 the within mentioned
property is subject to a perpetual right of way servitude in
extent 207 square metre as indicated by the figure ABCDE
on diagram SG 10869/2000 in favour of the City of Tshwane
Metropolitan Municipality as will more fully appear from
reference to the said Notarial Deed."

1.3.2 die volgende servituut wat slegs Erf 749 in die dorp raak;

- "E. By Notarial Deed of Servitude of Right of Way No K 8489/05S the
within mentioned property is entitled to a perpetual servitude of right of
way for road, pedestrian and vehicular purposes over the portion of Erf
625 Die Hoewes Extension 158 Township as indicated by the figure
ABCDE on the servitude diagram SG. NO. 5527/2005, annexed to the
said Notarial Deed of Servitude of Right of Way, measuring 131 (One
Hundred and Thirty One) square metres, and as will more fully appear
from the said Notarial Deed."

1.3.3 die volgende servituut/voorwaarde wat nie aan die erwe in die dorp oorgedra
moet word nie;

- "A(j) The owner of the holding shall not entitled to any riparian rights to
water from the Hennops River.

1.3.4 Die volgende servituut wat nie die dorpsgebied raak nie;

- "A(k) This holding shall be subject to Deed of Servitude K285/1834-S with
reference to a right of way leave for electric energy in favour of the
City Council of Pretoria."

1.4 VOORKOMENDE MAATREËLS

1.4.1 Die dorpseienaar sal 'n bekwame persoon/e aanstel om:-

- (i) 'n volledige RISIKO BESTUURSPLAN en NAT DIENSTE PLAN op te
stel;
- (ii) stel 'n konstruksieverslag op, wat die kaartbesonderhede van die
sloot en die hersiene stabiliteitskaart moet insluit, en die perseeltoe-
stand en posisionering van die strukture en nat dienste moet
bevestig. 'n Tabel wat die grootte, risikoklassifikasie en D-aandui-
ding van elke erf in die dorpsgebied aandui, moet ook ingesluit wees.
Sertifisering van die metode van opvulling van boorgate moet ook
ingesluit wees.

1.4.2 Die dorpseienaar is verantwoordelik om die proses te fasiliteer om die
verantwoordelikheid van die beheer van die Risiko Bestuursplan, wetlik te
transporteer na 'n verteenwoordiger van die Inwonersvereniging of 'n
soortgelyke entiteit, soos toepaslik.

1.4.3 Die dorpseienaar moet op eie koste reëlings met die plaaslike bestuur tref om te verseker dat –

1.4.3.1 water nie opdam nie, dat die hele oppervlakte van die dolomiet areas behoorlik gedreineer word en dat die strate doeltreffend met teer, beton of bitumen geseël word; en

1.4.3.2 slope en uitgrawings vir fondamente, pype kables of vir enige ander doeleindes behoorlik met klam grond in lae wat nie dikker as 150mm is nie, opgevul word en gekompakteer word totdat dieselfde verdigtingsgraad as wat die omliggende materiaal is, verkry is.

1.5 VERSKUIWING EN/OF VERWYDERING VAN MUNISIPALE DIENSTE

Indien dit as gevolg van die stigting van die dorp nodig word om enige bestaande munisipale dienste te verskuif of te vervang, moet die koste daarvan deur die dorpseienaar gedra word.

1.6 KONSOLIDASIE VAN ERWE

Die dorpseienaar moet op eie koste Erwe 748 en 749 in die dorp laat konsolideer. Die Stad Tshwane verleen hiermee ingevolge Artikel 92(2) van Ordonnansie 15 van 1986, toestemming tot die konsolidasie.

1.7 SLOPING VAN GEBOUE EN STRUKTURE

Die dorpseienaar moet op eie koste alle bestaande geboue en strukture wat binne boulynreserwes en kantruimtes of oor gemeenskaplike grense gelê is, of bouvallige strukture laat sloop tot tevreedenheid van die Stad Tshwane wanneer die Stad Tshwane dit vereis.

1.8 VERWYDERING VAN ROMMEL

Die dorpseienaar moet op eie koste alle rommel binne die dorpsgebied laat verwyder tot tevreedenheid van die Stad Tshwane Metropolitaanse Munisipaliteit wanneer die Stad Tshwane Metropolitaanse Munisipaliteit dit vereis.

1.9 VERSKUIWING EN/OF VERWYDERING VAN TELKOM DIENSTE

Indien dit as gevolg van die stigting van die dorp nodig word om enige bestaande dienste van TELKOM te verskuif en/of te verwyder, moet die koste daarvan deur die dorpseienaar gedra word.

1.10 NASIONALE ERFENIS HULPBRONNE WET

Die dorpseienaar sal op sy eie koste voldoen aan die bepalings van die Nasionale Erfenis Wet, Wet 25 of 1999.

1.11 ERF 749

Die dorpseienaar sal op eie koste 'n notarieële servituut van reg van weg registreer oor Erf 749, Die Hoewes Uitbreiding 206 ten gunste van Erf 625, Die Hoewes Uitbreiding 158 soos aangedui op Algemene Plan SG No 3952/2008 en die genoemde erf sal nie oorgedra word totdat die servituut geregistreer is nie.

2. TITELVOORWAARDES

2.1 DIE ERWE HIERONDER GENOEM, IS ONDERWORPE AAN DIE VOORWAARDES SOOS AANGEDUI, OPGELEË DEUR DIE MUNISIPALITEIT INGEVOLGE DIE BEPALINGS VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986 (ORDONNANSIE 15 VAN 1986):

2.1.1 ALLE ERWE

2.1.1.1 Die erf is onderworpe aan 'n serwituut, 3 meter breed, vir munisipale dienste (water, riool, elektrisiteit, stormwater) (hierna "die dienste" genoem), ten gunste van die Munisipaliteit langs enige twee grense, uitgesonderd 'n straatgrens en, in die geval van 'n pypsteelerf, 'n addisionele serwituut vir munisipale doeleindes, 2 meter breed, oor die toegangsgedeelte van die erf, indien en wanneer die munisipaliteit dit verlang. Met dien verstande dat die munisipaliteit van enige sodanige serwituut mag afsien.

2.1.1.2 Geen geboue of ander strukture mag binne die voornoemde serwituutgebied opgerig word nie en geen grootwortelbome mag binne die gebied van sodanige serwituut of binne 'n afstand van 2 meter daarvan geplant word nie.

2.1.1.3 Die Stad Tshwane is daarop geregtig om enige materiaal wat deur hom uitgegrawe word tydens die aanleg, onderhoud of verwydering van sodanige dienste en ander werke wat hy na goeë dunnke noodsaaklik ag, tydelik te plaas op grond wat aan die voornoemde serwituut grens, en voorts is die Stad Tshwane geregtig op redelike toegang tot genoemde grond vir die voornoemde doel, onderworpe daaraan dat die Stad Tshwane enige skade vergoed wat gedurende die aanleg, onderhoud of verwydering van sodanige dienste en ander werke veroorsaak word.

2.1.2 ERF 749

Die erf is onderworpe aan 'n serwituut vir 'n elektriese kragstasie ten gunste van die plaaslike owerheid, soos aangedui op die Algemene Plan LG No 3952/2008.