

**THE PROVINCE OF
GAUTENG**



**DIE PROVINSIE
GAUTENG**

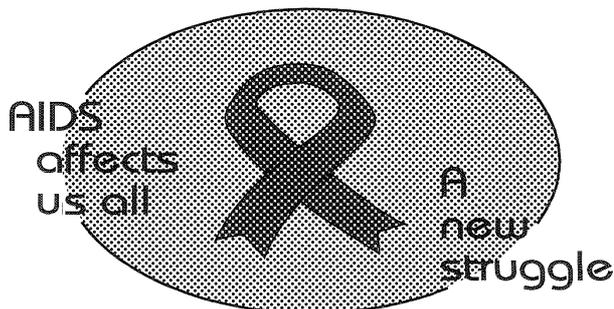
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DEPARTMENT OF HEALTH

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CONTENTS • INHOUD*No.**Page
No. Gazette
 No.***LOCAL AUTHORITY NOTICE**

55 Town-planning and Townships Ordinance (15/1986): City of Tshwane: Centurion Amendment Scheme 1533C 3 11

LOCAL AUTHORITY NOTICE

LOCAL AUTHORITY NOTICE 55

CITY OF TSHWANE

CENTURION AMENDMENT SCHEME 1533C

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 Monavoni 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 1533C

(13/2/Monavoni x33 (1533C))
__ January 2014

CHIEF LEGAL COUNSEL
(Notice No 191/2014)

PLAASLIKE BESTUURSKENNISGEWING 55

STAD TSHWANE

CENTURION WYSIGINGSKEMA 1533C

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 Monavoni 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 1533C.

(13/2/Monavoni x33 (1533C))
__ Januarie 2014

HOOFREGSADVISEUR
(Kennisgewing No 191/2014)

CITY OF TSHWANE

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

(13/2/Monavoni x33 (1533C))

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY JR 209 INVESTMENTS (PTY) LTD IN TERMS OF THE PROVISIONS OF PART C OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE NO 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON THE FARM HONEYPARK 759JR, PROVINCE OF GAUTENG, HAS BEEN GRANTED

1. CONDITIONS OF ESTABLISHMENT

1.1 NAME

The name of the township shall be Monavoni Extension 33.

1.2 DESIGN

The township consists of erven, parks and streets as indicated on General Plan SG No 5879/2007.

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 rights to minerals, but excluding –

- 1.3.1 the following condition in Deed of Transfer T123765/2004 which shall not be transferred to the erven in the township due to location –

“2. By virtue of Notarial Deed of Servitude K.2534/1986-S the within mentioned property is entitled to a servitude of right of way over Portion 9 of the farm Swartkop 383, Registration Division JR, in extent 8,5653 hectares in extent, as indicated by the figure B F E B on diagram SG No A.5112/1952 annexed to Certificate of Registered Title T.37631/1968 as will more fully appear from the above-mentioned notarial deed and diagram.”

- 1.3.2 the following condition in Deed of Transfer T 90289/2006 which shall not be transferred to the erven in the township due to location-

“A. 2 KRAGTENS Notariële Akte van Serwituut K.2534/1986-S gedateer 24 Maart 1986 is die eiendom hierin gehou, onderhewig aan 'n serwituut van Reg van Weg, aangedui deur die figuur D'GHD' op Kaart LG No A.320/1975, hierby aangeheg ten gunste van Gedeelte 8 van die plaas Swartkop 383, Registrasie Afdeling J.R.Groot 8,5653 hektaar, soos meer volledig sal blyk uit gemelde Notariële Akte.”

- 1.3.3 the following condition in Deed of Transfer T 90289/2006 shall not be transferred to the erven in the township due to location-

“C. THE FORMER Remaining Extent of the farm Stukgrond 382, Registration Division JR, Province of Gauteng, indicated by the figure ABCcFA on Diagram SG No A.320/1975, of which the within mentioned property forms a portion, is subject to the following condition –

‘Die voormalige Resterende Gedeelte is onderworpe aan die reg van 'n pad ten gunste van die eienaars van gedeelte “3” van gesegde plaas STUKGROND NO 382, Registrasie Afdeling JR, Provinsie van Gauteng, groot – 55,7660 hektaar op 11 September 1942 getranspoteer onder Akte van verdelingstransport T.11306/1952 oor die gesegde Resterende Gedeelte langs die suidelike grens daarvan tot by die grootpad, soos aangedui deur die figuur DEE'GD op die aangehegte Kaart LG No A.320/1975.’

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.

Points a and b listed above must be complied with prior to the issuing of the Section 82 Certificate.

- 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 dam up, 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 ACOUSTIC SCREENING/NOISE BARRIERS

The applicant shall be responsible for any costs involved in the erection of Acoustic Screening, if and when the need arises to erect such screening.

1.6 DEMOLITION OF BUILDINGS AND STRUCTURES

When required by the City of Tshwane Metropolitan 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 City of Tshwane Metropolitan 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 COMPLIANCE WITH CONDITIONS IMPOSED BY GDACE

The township owner shall at his own expense comply with all the conditions imposed by the Gauteng Department of Agriculture, Conservation and Environment, as well as any other applicable provisions, in terms of the provisions of the Environmental Conservation Act, 73 of 1989 or the National Environmental Management Act, 107 of 1998 as the case may be.

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 and that any conditions that may affect the township are incorporated in these conditions as amendments to these conditions.

1.12 LAND TO BE TRANSFERRED TO SEVILLA ESTATE HOME OWNERS ASSOCIATION (REGISTRATION NUMBER 2005/025608/08)

1.12.1 Erven 1094, 1095, 1096, 1097, 1098 and 1099 shall be transferred to the Sevilla Estate Home Owners Association (Registration number 2005/025608/08) within a period of six months after proclamation of the township or when the first erven in the township becomes transferable whichever 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 Metropolitan Municipality 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 Sevilla Estate Home Owners Association (Registration number 2005/025608/08) in terms of the provisions of the Companies Act (Act 71 of 2008).

All the owners of Erven 966-1087 must become members of Sevilla Estate Home Owners Association (Registration number 2005/025608/08). A copy of the registered Deed of Association (CM4) and the Company's Statutes must be submitted to the City of Tshwane Metropolitan Municipality.

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 (ie roads and storm water sewers). The developer is deemed to be a member of Sevilla Estate Home Owners Association (Registration number 2005/025608/08, with all the 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 City of Tshwane Metropolitan Municipality complete engineering drawings in respect of the internal road and stormwater sewers, prior to the commencement of the construction of the said services.

1.14.3 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 the internal road and stormwater sewers, in which it is certified that these 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 stormwater 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.

1.14.4 MAINTENANCE PERIOD AND GUARANTEE

A maintenance period of 12 (twelve) months commences when the road and stormwater sewers have been completed. The developer must furnish Sevilla Estate Home Owners Association (Registration number 2005/025608/08) with a maintenance guarantee, issued by a recognized financial institution, in respect of poor workmanship and/or materials with regard to the road and stormwater sewers, which guarantee must be for an amount that is equal to 10% of the contract cost of the civil service and proof of this must be submitted to the City of Tshwane Metropolitan Municipality.

All internal and external water-and sanitation infrastructure will be maintained by the Municipality and not by Sevilla Estate Home Owners Association (Registration number 2005/025608/08). The developer must furnish the City of Tshwane Metropolitan Municipality with a 100% guarantee of the estimate construction cost, issued by a recognized financial institution before the commence date of the contract.

The developer must furnish the City of Tshwane Metropolitan Municipality with a maintenance guarantee, issued by a recognized financial institution, in respect of poor workmanship and/or materials with regard to the water and sewerage services, which guarantee must be for an amount that is equal to 10% of the contract cost.

2. CONDITIONS OF TITLE

2.1 The erven mentioned below shall be subject to the conditions as indicated, laid down 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 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 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 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 ERVEN 971-974, 984-998, 1007, 1025, 1039-1046, 1049, 1057-1063, 1070-1074, 1076, 1082-1087, 1098

The erven are subject to a 3 meter wide sewer servitude in favour of the City of Tshwane Metropolitan Municipality as indicated on the general plan.

2.1.3 ERVEN 998-1006

The erven are subject to a 3 meter wide sewer servitude in favour of the City of Tshwane Metropolitan Municipality as indicated on the general plan.

2.1.4 ERF 1094

2.1.4.1 The entire erf shall be subject to a servitude for engineering services (water, electricity and sewerage) in favour of the City of Tshwane Metropolitan Municipality.

2.1.4.2 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 meters there from.

2.1.4.3 This erf is subject to a right of way servitude in favour of the City of Tshwane Metropolitan Municipality for access purposes and exercising its rights as referred to in 2.1.4.1 above as indicated on the General Plan.

2.1.5 ERF 999

The erf is subject to a 2,5 meter wide stormwater servitude in favour of the City of Tshwane Metropolitan Municipality as indicated on the general plan.

2.2 CONDITIONS OF TITLE IN FAVOUR OF THIRD PARTIES

2.2.1 ERF 1007

The erf is subject to a 2.5 meter wide stormwater servitude in favour of Sevilla Estate Home Owners Association (Registration number 2005/025608/08) as indicated on the general plan.

2.2.2 ERF 1094

This erf is subject to servitude for use of engineering services (Roads and Stormwater) in favour of Sevilla Estate Home Owners Association (Registration number 2005/025608/08 as indicated on the General Plan.

2.2.3 ERF 1094

This erf is subject to a servitude of right of way in favour of Erven 966 up to and including 1087, as indicated on the General Plan.

2.2.4 ERVEN 966 TO 1087

The erven are entitled to a servitude of right of way over Erf 1094, as indicated on the General Plan.
