

**THE PROVINCE OF
GAUTENG**



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PROCLAMATION • PROKLAMASIE

PROCLAMATION 51 OF 2017**CITY OF TSHWANE****TSHWANE AMENDMENT SCHEME 3909T**

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 Raslouw Extension 34, being an amendment of the Tshwane Town-planning Scheme, 2008.

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

This amendment is known as Tshwane Amendment Scheme 3909T.

(13/2/Raslouw x34 (3909T))
26 APRIL 2017

GROUP LEGAL AND SECRETARIAT SERVICES
(Notice 224/2017)

PROKLAMASIE 51 VAN 2017**STAD TSHWANE****TSHWANE WYSIGINGSKEMA 3909T**

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 Raslouw Uitbreiding 34, synde 'n wysiging van die Tshwane dorpsbeplanningskema, 2008, goedgekeur het.

Kaart 3 en die skemaklousules van hierdie wysigingskema word deur die Groep Regs- en Sekretariaat Dienste, in bewaring gehou en lê gedurende gewone kantoorure ter insae.

Hierdie wysiging staan bekend as Tshwane wysigingskema 3909T.

(13/2/Raslouw x34 (3909T))
__ APRIL 2017

GROEP REGS- EN SEKRETARIAAT DIENSTE
(Kennisgewing 224/2017)

CITY OF TSHWANE**DECLARATION OF RASLOUW EXTENSION 34 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 Raslouw Extension 34 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(13/2/Raslouw x34 (3909T))

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY RASLOUW MEDICAL CENTRE PROPRIETARY LIMITED, IN TERMS OF THE PROVISIONS OF CHAPTER III: PART C OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE NO 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 306 (PORTION OF PORTION 289) OF THE FARM SWARTKOP 383JR, PROVINCE OF GAUTENG, HAS BEEN GRANTED

1. CONDITIONS OF ESTABLISHMENT**1.1 NAME**

The name of the township shall be Raslouw Extension 34.

1.2 DESIGN

The township shall consist of erven and streets as indicated on Plan RSLX34/05 and General Plan SG No 2992/2014.

1.3 PROVISION OF OPEN SPACE AND/OR ENDOWMENT

There is no endowment payable subject thereto that the township owner shall make provision for an area of 4 068 m² to be developed as open space and kept free of structures. This area(s) shall be clearly indicated on the landscape development plan.

The said open space shall be provided in accordance with Section 98(2) of the Town-planning and Townships Ordinance (Ordinance 15 of 1986), read with Regulation 44(1) of the Town-planning and Townships Regulations.

1.4 PRECAUTIONARY MEASURES

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

1.4.1.1 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.

1.4.1.2 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.

1.4.2 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.

1.4.3 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 to the satisfaction of the Municipality; 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 to the satisfaction of the Municipality.

1.5 COMPLIANCE WITH CONDITIONS IMPOSED BY THE DEPARTMENT OF ROADS AND TRANSPORT

The township owner shall at his own expense comply with all the conditions imposed by the Gauteng Department of Roads and Transport when consent was granted for the development.

1.6 ACCESS

No ingress from Provincial Road P66-1 (K71) to the township and no egress to Provincial Road P66-1 (K71) from the township shall be permitted.

1.7 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 Provincial Road P66-1 (K71) 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.

1.8 ACOUSTIC SCREENING MEASURES/NOISE BARRIER

The applicant/Municipality shall be responsible for any costs involved in the erection of acoustic screening along Provincial Road P66-1 (K71), if and when the need arises to erect such screening.

1.9 ERECTION OF FENCE OR OTHER PHYSICAL BARRIER

The township owner shall at his own expense erect a fence or other physical barrier to the satisfaction of the Gauteng Department of Roads and Transport, as and when required by him to do so, and the township owner shall maintain such fence or physical barrier in a good state of repair until such time as the erven in the township are transferred to ensuing landowners, after which the responsibility for the maintenance of such fence or physical barrier rests with the latter.

1.10 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.

1.11 CONSOLIDATION OF ERVEN

The township owner shall at his own expense after proclamation of the township but prior to the development of any erf in the township consolidate Erven 469 and 470 to the satisfaction of the local authority. The City of Tshwane Metropolitan Municipality hereby grants its consent to the consolidation of Erven 469 and 470, Raslouw X 34 in terms of Section 92(1)(b) of Ordinance 15 of 1986, which consolidation shall only come into operation on proclamation of the township and subject to the section 82 certificate being issued by the City of Tshwane.

1.12 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.

1.13 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.

1.14 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.

1.15 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.

1.16 COMPLIANCE WITH CONDITIONS IMPOSED BY GDARD

The township owner shall at his own expense comply with all the conditions imposed by the Gauteng Department of Agriculture and Rural Development including, if applicable, those by which exemption has been granted from compliance with Regulations No 1182 and 1183 promulgated in terms of Sections 21, 22 and 26 of the Environmental Conservation Act, (Act 73 of 1989) or the National Environmental Management Act, 1998 (Act 107 of 1998) and Regulations thereto, as the case may be, for the development of this township.

1.17 OBLIGATIONS WITH REGARD TO SERVICES AND RESTRICTIONS REGARDING THE ALIENATION OF ERVEN

The township owner shall within such period as the Local Authority may determine fulfil its obligations in respect of the provision of water, electricity and sanitary services as well as the construction of roads and stormwater drainage and the installation of systems thereof, as previously agreed upon between the township owner and the local authority. Erven may not be alienated or transferred into the name of a purchaser prior to the Local Authority certifying that sufficient guarantees/cash contributions in respect of the supply of services by the township owner have been submitted or paid to the said Local Authority.

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

2.1 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 township applicant shall install and provide internal engineering services in the township as provided for in the services agreement.

The Local Authority shall install and provide external engineering services for the township as provided for in the services agreement.

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 OBLIGATIONS WITH REGARD TO ENGINEERING SERVICES AND RESTRICTION REGARDING THE ALIENATION OF ERVEN

- 2.3.1 The township owner shall, at its (or his or her) own costs and to the satisfaction of the local authority, design, provide and construct all engineering services including the internal roads and the stormwater reticulation, within the boundaries of the township. Erven and/or units in the township, may not be alienated or transferred into the name of a purchaser nor shall a Certificate of Registered Title be registered in the name of the township owner, prior to the local authority certifying to the Registrar of Deeds that these engineering services had been provided and installed;
- 2.3.2 The township owner shall, within such period as the local authority may determine, fulfil its (or his or her) obligations in respect of the provision of electricity, water and sanitary services as well as the construction of roads and stormwater drainage and the installation of systems therefor, as previously agreed upon between the township owner and the local authority. Erven and/or units in the township, may not be registered, alienated or transferred into the name of a purchaser nor shall a Certificate of Registered Title be registered in the name of the township owner, prior to the local authority certifying to the Registrar of Deeds that sufficient guarantees/cash contributions in respect of the supply of engineering services by the township owner, have been submitted or paid to the said local authority; and
- 2.3.3 The township owner shall, at its (or his or her) costs and to the satisfaction of the local authority, survey and register all servitudes required to protect the engineering services provided, constructed and/or installed as contemplated in 2.3.1 and/or 2.3.2 above. Erven and/or units in the township, may not be alienated or transferred into the name of a purchaser neither shall a Certificate of Registered Title be registered in the name of the township owner, prior to the local authority certifying to the Registrar of Deeds that these engineering services had been or will be protected to the satisfaction of the local authority.

3. DISPOSAL OF EXISTING CONDITIONS OF TITLE

All erven shall be made subject to existing conditions and servitudes, if any, but excluding the following servitudes which do not affect the township area due to location:

- 3.1 "B. Die binnegemelde eiendom is onderhewig aan 'n serwituu van Padresterwe soos aangetoon deur die figuur AdefGA op aangehegte Kaart SG No 7300/2009 en soos afgekondig in Administrateurskennisgewing Nr 698 gedateer 9 September 1964."
- 3.2 "C. By Virtue of Notarial Deed of Servitude K7478/2015 S is the property subject to a Servitude for Municipal Purposes 3 metres wide in favour of the CITY OF TSHWANE METROPOLITAN MUNICIPALITY with ancillary Rights the centreline of which Servitude is indicated by the line xy on attached Diagram SG No. 7300/2009."

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, 3m 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, 3m 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 2m 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 ERF 469

The erf shall be subject to a servitude 3m x 6m for transformer/substation purposes in favour of the City of Tshwane Metropolitan Municipality, as indicated on the General Plan SG No 2992/2014.

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Contact Centre Tel: 012-748 6200. eMail: info.egazette@gpw.gov.za
Publications: Tel: (012) 748 6053, 748 6061, 748 6065