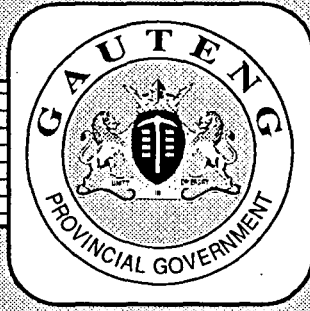


**THE PROVINCE OF
GAUTENG**



**DIE PROVINSIE
GAUTENG**

**Provincial Gazette Extraordinary
Buitengewone Provinsiale Koerant**

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**PRETORIA, 29 AUGUST
AUGUSTUS 2006**

No. 330

We all have the power to prevent AIDS

AIDS
affects
us all



A
new
struggle

**AIDS
HELPLINE**

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DEPARTMENT OF HEALTH

Prevention is the cure



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LOCAL AUTHORITY NOTICE

**LOCAL AUTHORITY NOTICE 2525
CITY OF TSHWANE METROPOLITAN MUNICIPALITY
CENTURION AMENDMENT SCHEME 1413C**

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 Metropolitan Municipality has approved an amendment scheme with regard to the land in the township of Highveld Extension 53, being an amendment of the Centurion Town-planning Scheme, 1992.

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

This amendment is known as Centurion Amendment Scheme 1413C.

(13/2/Highveld x53 (1413C))
__ August 2006

Acting Head: Legal and Secretarial Services
(Notice No 1004/2006)

**PLAASLIKE BESTUURSKENNISGEWING 2525
STAD TSHWANE METROPOLITAANSE MUNISIPALITEIT
CENTURION WYSIGINGSKEMA 1413C**

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 Metropolitaanse Munisipaliteit 'n wysigingskema met betrekking tot die grond in die dorp Highveld Uitbreiding 53, synde 'n wysiging van die Centurion-dorpsbeplanningskema, 1992, goedgekeur het.

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

Hierdie wysiging staan bekend as Centurion-wysigingskema 1413C.

(13/2/Highveld x53 (1413C))
__ Augustus 2006

Waarnemende Hoof: Regs- en Sekretariële Dienste
(Kennisgewing No 1004/2006)

CITY OF TSHWANE METROPOLITAN MUNICIPALITY

DECLARATION OF HIGHVELD EXTENSION 53 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 Metropolitan Municipality hereby declares the Township of Highveld Extension 53 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(13/2/Highveld x53 (1413C))

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY JR 209 INVESTMENTS (PTY) LTD UNDER THE PROVISIONS OF CHAPTER III: PART 3 OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE NO 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 156 OF THE FARM BRAKFONTein 390JR, PROVINCE OF GAUTENG, HAS BEEN GRANTED.

1. CONDITIONS OF ESTABLISHMENT

1.1 NAME

The name of the township shall be Highveld Extension 53.

1.2 DESIGN

The township shall consist of erven and streets as indicated on General Plan SG No 2511/2005.

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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 conditions in Title Deed T74351/2002, which do not affect the township;

- “(a) Kragtens Notariële Akte van Servituut Nr K4200/1993S gedateer 15 Maart 1993 is die binnegemelde eiendom, synde die dienende eiendom, onderhewig aan 'n reg om stormwater by wyse van pyplyn of op enige ander wyse uit te laat deur die veerduikweg onder die Ben Schoeman Hoofweg op die dienende eiendom ten gunste van (1) Resterende Gedeelte 20 ('n gedeelte van gedeelte 2) van die plaas Brakfontein 390, J.R. en (2) Gedeelte 42 van die plaas Brakfontein 390, J.R. soos meer ten volle sal blyk uit bogenoemde Notariële Akte.”
- “(b) Kragtens Notariële Akte van Servituut Nr K91/1982S gedateer 5 November 1981 is die hierinvermelde eiendom onderhewig aan 'n ewigdurende reg om elektrisiteit te voorsien deur middel van drade en/of kables en ander toebehore ondergronds en/of bogronds langs roete aangedui deur letters ABC en EFGHJKLMNOPQ op Diagram LG Nr. A.5338/78 ten gunste van die Stadsraad van Centurion.”
- “(d) Die hierinvermelde eiendom is verder onderhewig aan 'n ewigdurende reg van servituut ten gunste van die Stadsraad van Centurion vir munisipale doeleindes vir 'n kraglyn oor 'n servituutgebied 3 meter wyd waarvan die oostelike grens aangedui word deur die lyn AB op die Servituut Kaart LG Nr A.5069/1984, en welke reg van servituut sal insluit die reg om 'n kraglyn bogronds of ondergronds in die servituutgebied aan te lê, welke servituut geregistreer is kragtens Notariële Akte Servituut Nr K214/195S.”
- “(e) Die hierinvermelde eiendom is verder onderhewig aan 'n ewigdurende reg van servituut ten gunste van die Stadsraad van Centurion vir munisipale doeleindes, vir elektrisiteitsgeleiding, vir stormwaterafvoer, watertoevoer en vir die installasie en onderhoud van 'n rioolpyplyn oor 'n servituutgebied soos aangedui deur die letters ABCDEFGHJKLM op die Servituut Kaart L.G. Nr. A.6652/89 en verder deur 'n aangrensende 4 meter wyd servituutgebied soos aangedui deur die verwysingslyn NPQRSTUWVX en meegaande rigtingwysers op die Servituut Kaart LG Nr A6652/89 welke servituut geregistreer is kragtens Notariële Akte van Servituut Nr. K.215/1995S.”
- “(f) Kragtens Notariële Akte van Servituut Nr K216/95S gedateer 28 Desember 1994, is die binnegemelde eiendom onderhewig aan 'n ewigdurende servituut vir munisipale doeleindes vir watergeleiding oor 'n servituutgebied 3 meter wyd, waarvan die oostelike grens aangedui word deur die lyn ABC op Kaart LG Nr. A.8857/94 met bykomende regte ten gunste van die Stadsraad van Centurion, soos meer volledig sal blyk uit gemelde Notariële Akte en Diagram.”
- “(g) Kragtens Notariële Akte van Servituut Nr. K. 217/95S gedateer 28 Desember 1994, is die binnegemelde eiendom onderhewig aan 'n ewigdurende servituut vir munisipale doeleindes, naamlik paddoeleindes oor 'n servituutgebied aangedui deur die letters DEFGHJKLMNOPQRS op Kaart LG Nr. A.8857/94, ten gunste van die Stadsraad van Centurion, soos meer volledig sal blyk uit gemelde Notariële Akte en Kaart.”
- “(h) Die binnegemelde eiendom is onderhewig aan:
- (i) 'n ewigdurende servituut oor 'n gebied waarbinne die pyplyn en werke geakkommodeer sal word welke gebied 6 meter wyd is en waarvan die middellyn aangetoon word deur die lyn ABCDEFGHJ op Servituut Diagram SG 5284/1996 vir die installering en oprigting van die pyplyn en werke en die reg om die pyplyn en werke van tyd tot tyd te patrolleer, inspekteer, in stand te hou, herstel, hernieu, verwyder en te verlê.”
- (ii) 'n servituutgebied 1 meter wyd, waarvan die middellyn aangetoon word deur die lyn genommer KLMNLPQ op Servituut Diagram S.G. Nr. 5284/96.”

- (iii) 'n serwituutgebied 2 meter wyd, waarvan die middellyn aangetoon word deur die lyn gemerk NR op die Serwituut Diagram SG Nr 5284/96 vir die installering en oprigting van katodese beskermingstoerusting en werke en die reg om katodiese beskermingstoerusting en werke van tyd tot tyd te patrolleer, inspekteer, in stand te hou, herstel, hernieu, verwyder en te verlé."

1.3.2 the following conditions in Deed of Transfer T95223/2001 which do not affect the township;

"(a) Kragtens Notariële Akte van Serwituut K.4200/1993-S gedateer 15 Maart 1993 is die Resterende Gedeelte van Gedeelte 60 ('n gedeelte van Gedeelte 2) van die plaas BRAKFORTEIN 390, Registrasie Afdeling J.R., Provinsie van Gauteng, groot 257,6664 Hektaar, waarvan die eiendom hiermee getranspoteer 'n deel vorm, onderhewig aan 'n reg om stormwater by wyse van pyplyn of op enige ander wyse uit te laat deur die veerduikweg onder die Ben Schoeman Hoofweg op die dienende eiendom ten gunste van (1) Resterende Gedeelte van Gedeelte 20 ('n gedeelte van Gedeelte 2) van die plaas Brakfontein 390, J R en (2) Gedeelte 42 van die plaas Brakfontein 390, J R, soos meer ten volle sal blyk uit bogenoemde Notariële Akte."

"(b) Kragtens Notariële Akte en Serwituut Nr K3561/1982S gedateer 29 November 1982 is die hierinvermelde eiendom onderhewig aan die ewigdurende reg ten gunste van STADSRAAD VAN CENTURION om 'n substasie vir elektriese kragleiding op te rig en om elektrisiteit te gelei deur middel van drade en/of kables of ander toebehore ondergronds en/of bogronds langs 'n roete 30 meter wyd vir middellyn waarvan aangedui word deur die lyn qrs op aangehegte diagram SG Nr 6102/1988."

"(c) Die hierinvermelde eiendom is verder onderhewig aan 'n ewigdurende serwituut vir munisipale doeleindes ten gunste van DIE STADSRAAD VAN CENTURION welke serwituut 4 meter wyd is, die middellyn waarvan aangetoon word deur die lyn bcdefghjk op aangehegte diagram SG Nr. 6102/1998 en verder 'n 3 meter wye serwituut die middellyn waarvan aangetoon word deur die lyn lmnop op aangehegte Kaart SG Nr. 6102/1998 en welke serwituut geregistreer is kragtens Notariële Akte van Serwituut Nr K.215/1995-S."

"(e) SUBJECT to the following conditions imposed by the South African Roads Board in terms of the provisions of Section 12(5)(a)(i) of Act 54 of 1971, namely:

(i) With the exception of existing structures, no structure or any other thing whatsoever shall be erected within a distance of 20 metres measured from the national road reserve boundary.

(ii) In the event of the land being consolidated with any other land, the title to the consolidated land shall be subject to the abovementioned condition."

1.3.3 the following servitude in Deed of Transfer T74351/2002 which affects Erven 3046 and 3047 and streets in the township only:

"(c) Kragtens Notariële Akte van Serwituut Nr. K3561/1982S gedateer 29 November 1982 is die hierinvermelde eiendom onderhewig aan die ewigdurende reg ten gunste van die Stadsraad van Centurion om 'n substasie vir elektriese kragleiding op te rig en om elektrisiteit te gelei deur middel van drade en/of kables of ander toebehore ondergronds en/of bogronds langs roete aangedul deur die letters ABCDE en FGHJKLM op die Diagram LG Nr 6202/1981 en AB en BC op Diagram L.G. Nr. 3167/1982."

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- 1.3.4. the following servitude in Deed of Transfer T74351/2002, appearing as an endorsement on page 6, which affects a street in the township only:

By Notarial Deed No K 8556/2003 dated 3 December 2003 the herein mentioned property is subject to a servitude for laying of stormwater pipe / sewerage pipe / electrical cable of 5 metres wide and a right of access for inspection, maintenance, repairs in favour of the City of Tshwane Metropolitan Municipality, depicted by line ABCDEFGHJKLMNPQRSTUVWXYZ on diagram SG No. 6101/98. As will more fully appear from the said Notarial Deed K8556/03S.

- 1.3.5 the following servitude in Deed of Transfer T95223/2001 which affects all erven in the township:

"(d) SUBJECT to the following condition, stipulated and enforceable by the Town Council of Centurion, namely that the transferee may only erect buildings on the property on an area which is geologically suitable for building purposes."

1.4 ACCEPTANCE AND DISPOSAL OF STORMWATER

The township owner shall arrange for the drainage of the township to fit in with that of National Road N1 and the Gauteng Rapid Rail Railway Reserve and for all storm-water running off or being diverted from the roads to be received and disposed of.

1.5 PRECAUTIONARY MEASURES

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

- (i) compile a complete RISK MANAGEMENT PLAN and WET SERVICES PLAN:
- (ii) conduct and compile a construction report to ensure that the conditions on site and the positioning of structures and wet services are accordingly certified.

- 1.5.2 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.

- 1.5.3 The township owner shall at its own expense, make arrangements with the local authority, in order to ensure that:

1.5.3.1 water will not accumulate to the effect that the entire surface of the dolomite area/s is drained properly and that streets are sealed effectively with tar, cement or bitumen; and

1.5.3.2 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.

- 1.5.4 The owner of each erf/dwelling unit 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.

1.6 REMOVAL AND/OR REPLACEMENT OF TELKOM AND/OR MUNICIPAL SERVICES

If by any reason the establishment of the township, it should become necessary to remove or replace any existing Telkom or Municipal Services, the cost thereof shall be borne by the township owners.

1.7 DEMOLITION OF BUILDINGS AND STRUCTURES

The township owner shall at it's own expense cause all existing buildings and structures situated within the building line reserves, side spaces or over common boundaries to be demolished to the satisfaction of the Local Authority, when required by the local authority to do so.

1.8 OBLIGATIONS IN REGARD TO SECTION 21 COMPANY

- 1.8.1 The applicant shall properly and legally constitute a Section 21 Company to the satisfaction of the Local Authority prior to the transfer of any erf.
- 1.8.2 Erven 3044, 3045, 3046 and 3047 shall, prior to or simultaneously with the registration of the first erven in the township be transferred to the Section 21 Company. The Section 21 Company shall take full responsibility for the maintenance of this erf.

1.9 RESTRICTION ON THE ALIENATION AND DEVELOPMENT OF ERF 3043

The township owner shall not alienate or develop Erf 3043 and transfer and development of the erf shall not be permitted without written consent of the City of Tshwane Metropolitan Municipality first being obtained, due to unfavorable geological conditions.

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 METROPOLITAN 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 erven are subject to a servitude 3 meter wide, in favour of the local authority, for sewerage and other municipal purposes, along any two boundaries other than a street boundary and in the case of a panhandle erf, an additional servitude for municipal purposes 3 meter wide across the access portion of the erf, if and when required by the local authority: Provided that the local authority may dispense with any such servitude.

2.1.1.2 No building or other structures shall be erected within the aforesaid servitude area and no large-rooted trees shall be planted within the area of such servitude or within 2 meter thereof.

2.1.1.3 The Local Authority shall be entitled to deposit temporarily on the land adjoining the aforesaid servitude such material as may be excavated by it during the course of the construction, maintenance or removal of such sewerage mains and other works as it in its discretion may deem necessary and shall further be entitled to reasonable access to the said land for the aforesaid purpose subject to any damage done during the process of the construction, maintenance or removal of such sewerage mains and other works being made good by the Local Authority.

2.1.2 ERVEN 3040, 3041, 3042 AND 3043

The owner of each erf or of any subdivision thereof, or of any sectional title unit thereon or of any interest therein, shall automatically become and shall remain members of the Section 21 Company and be subject to its memorandum and articles until such owners cease to be owner as aforesaid. None of the said erven, nor any unit erected thereon, nor any interest therein, shall be transferred to any person who has not bound himself/herself/itself to the satisfaction of the Section 21 Company to become a member thereof and without prior written confirmation of the Section 21 Company that all amounts due to the Section 21 Company by the owner have been paid in full.

2.1.3 ERVEN 3045, 3046 AND 3047

The erven are in totality subject to a servitude for municipal purposes as well as a servitude of Right of Way in favour of the Local Authority as indicated on the General Plan.

2.1.4 ALL ERVEN

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.

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