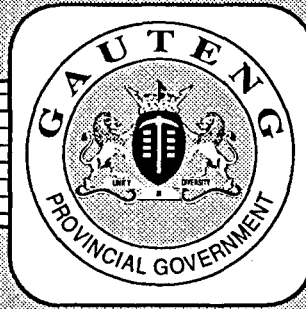


**THE PROVINCE OF
GAUTENG**



**DIE PROVINSIE
GAUTENG**

**Provincial Gazette Extraordinary
Buitengewone Provinsiale Koerant**

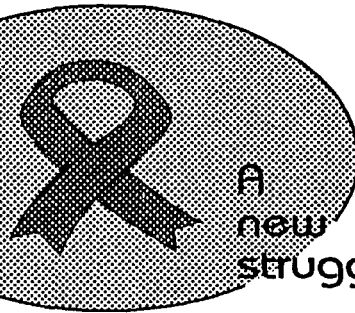
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PRETORIA, 17 NOVEMBER 2006

No. 419

We all have the power to prevent AIDS

AIDS
affects
us all



A
new
struggle

Prevention is the cure

**AIDS
HELPUNE**

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DEPARTMENT OF HEALTH

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LOCAL AUTHORITY NOTICE

**LOCAL AUTHORITY NOTICE 3292
CITY OF TSHWANE METROPOLITAN MUNICIPALITY
PERI-URBAN AMENDMENT SCHEME 8PU**

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 Blair Atholl Extension 2, being an amendment of the Peri-Urban Town-planning Scheme, 1975.

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 Peri-Urban Amendment Scheme 8PU.

(13/2/Blair Atholl x2 (8PU))
__ November 2006

Acting Head: Legal and Secretarial Services
(Notice No 1144/2006)

**PLAASLIKE BESTUURSKENNISGEWING 3292
STAD TSHWANE METROPOLITAANSE MUNISIPALITEIT
PERI-URBAN WYSIGINGSKEMA 8PU**

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 Blair Atholl Uitbreiding 2, synde 'n wysiging van die Peri-Urban dorpsbeplanningskema, 1975, 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 Peri-Urban wysigingskema 8PU.

(13/2/Blair Atholl x2 (8PU))
__ November 2006

Waarnemende Hoof: Regs- en Sekretariële Dienste
(Kennisgewing No 1144/2006)

CITY OF TSHWANE METROPOLITAN MUNICIPALITY

DECLARATION OF BLAIR ATHOLL EXTENSION 2 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 Blair Atholl Extension 2 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(13/2/Blair Atholl x2 (8PU))

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY WRAYPEX (PTY) LTD UNDER 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 PORTION 3 OF THE FARM BLAIR ATHOLL NO 964JQ, HAS BEEN GRANTED.

1. CONDITIONS OF ESTABLISHMENT

1.1 NAME

The name of the township shall be Blair Atholl Extension 2.

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1.2 DESIGN

The township shall consist of erven and streets as indicated on General Plan SG No 6544/2006.

1.3 DISPOSAL OF EXISTING CONDITIONS OF TITLE

All erven shall be made subject to existing conditions and servitudes, including the reservation of the rights to minerals, but excluding –

1.3.1 the following servitudes that do not effect the township:

- a) Condition (c) in title deed T111592/04 described as the electrical servitude in favour of Eskom.
- b) The owners of the said farm VLAKFONTEIN (the Remaining Extent of Portion B whereof is hereby transferred) are entitled to a perpetual right to a dam and waterfurrow situate on the Farm LINDLEY No 87 situate in the district of Krugersdorp as indicated on the Sketch Plan attached to Notarial Deed of servitude No 691/1890-S with the right of access to the said dam and waterfurrow for the purpose of repairing the same, subject to the condition, however, that the owners of the said farm LINDLEY retain the right of a passage and water for their stock along and over the aforementioned dam and water.
- c) By Notarial Deed No 192/1973 dated 12 February 1973, the right has been granted to Eskom to convey electricity over the property hereby conveyed together with ancillary rights, and subject to conditions, as will more fully appear on reference to said Notarial Deed.
- d) By Notarial Deed No K2821/1975 S dated 14 October 1975 the route of the Servitude No K 192/1973 is indicated on Diagram S.G. No A6324/74 annexed to the said Notarial Deed.
- e) By Notarial Deed No K 1251/1985 S dated 23 December 1984 the within-mentioned property is entitled to a right of way 7 metres wide over (1) Portion 16 of the Farm 497 JQ and (2) Portion 63 of the Farm 497 JQ, 7 metres wide as will more fully appear from reference to the said Notarial Deed.

1.4 ACCESS

Access to or egress from the township shall be to the satisfaction of the City of Tshwane Metropolitan Municipality.

1.5 ACCEPTANCE AND DISPOSAL OF STORMWATER

The township owner shall arrange for the stormwater drainage of the township to fit in with that of the adjacent roads and for all stormwater running off or being diverted from the road to be accepted and disposed of.

1.6 REMOVAL AND/OR REPLACEMENT OF EXISTING MUNICIPAL SERVICES

Should it, by reason of the establishment of the township, become necessary to remove or replace any existing municipal services, the cost thereof shall be borne by the township owner.

1.7 REMOVAL AND/OR REPLACEMENT OF EXISTING ESKOM SERVICES

Should it, by reason of the establishment of the township, become necessary to remove or replace any existing ESKOM services, or to comply to any conditions set by ESKOM, the cost thereof shall be borne by the township owner.

1.8 REMOVAL AND/OR REPLACEMENT OF EXISTING TELKOM SERVICES

Should it, by reason of the establishment of the township, become necessary to remove or replace any existing TELKOM services, the cost thereof shall be borne by the township owner.

1.9 DEMOLITION OF BUILDINGS AND STRUCTURES

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

1.10 REMOVAL OF LITTER

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

1.11 RESTRICTION ON THE TRANSFER OF ERVEN

Erven 525 and 545 to 553 shall be transferred only to the Section 21 Company established for the development (The Blair Atholl Homeowner's 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. The Company shall have full responsibility for the functioning and proper maintenance of the said erven and the essential services within the said erven.

1.12 COMPLIANCE WITH CONDITIONS IMPOSED BY GDACE

The township owner shall at his own expense comply with all the conditions imposed by or by which the Gauteng Department of Agriculture, Conservation and Environment has granted the applicant authorization in terms of 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.

1.13 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.

1.14 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). All the owners of erven/units in the township must become members of the Section 21 Company. 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 (i.e. water, sewerage, sewerage package plant, electricity, and the road and storm water sewers) as well as the payment of the municipal account from the City of Tshwane and the recovering of these costs from the members of the Association. In the event that any of these services are provided by another institution, this should be clearly indicated as such, after consultation with the Municipality. The developer is deemed to be a member of the Section 21 Company, 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 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 the said services.

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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 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 City of Tshwane Metropolitan 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 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 City of Tshwane Metropolitan Municipality or other recognized parties.

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 storm water sewers) have been completed. The developer must furnish the Section 21 Company with a maintenance guarantee, issued by a recognized 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 City of Tshwane Metropolitan Municipality.

1.14.5 Regardless of 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 may be transferred or otherwise dealt with until the City of Tshwane Metropolitan Municipality certifies that the developer has complied with the provisions of conditions 1.14.1 to 1.14.4 inclusive above.

1.15 ERVEN 545 TO 549

The erven are subject to a servitude of right of way in favour of:

- 1.15.1 Blair Atholl Extension 1: Erven 417 to 507
- 1.15.2 Blair Atholl Extension 2: Erven 511 to 524 and 526 to 544
- 1.15.3 Blair Atholl Extension 3: Erven 1 to 47
- 1.15.4 Blair Atholl Extension 4: Erven 296 to 407, 410 to 416
- 1.15.5 Erven in the townships Riverside, Lindley Proper and Lindley Extension 1.

1.16 ERVEN 511 TO 524 AND 526 TO 544

The erven are entitled to a right of way across:

- 1.16.1 Blair Atholl Extension 1: Erven 508 to 510
- 1.16.2 Blair Atholl Extension 2: Erven 545 to 549
- 1.16.3 Blair Atholl Extension 3: Erf 47
- 1.16.4 Blair Atholl Extension 4: Erven 408 and 409
- 1.16.5 Erven in the townships Riverside, Lindley Proper and Lindley Extension 1

1.17 ERVEN 521 AND 522

Erven 521 and 522 shall be subject to a Proposed Canal Servitude as indicated on the plan and are to be indicated on the proposed General Plan.

2. CONDITIONS OF TITLE**2.1 ERVEN MENTIONED BELOW SHALL BE SUBJECT TO THE CONDITIONS AS INDICATED, IMPOSED BY THE LOCAL AUTHORITY IN TERMS OF THE PROVISIONS OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986).****2.1.1 ALL ERVEN (EXCEPT ERVEN 550 TO 553)**

2.1.1.1 The erf is subject to a servitude, 2m wide, for municipal services (water, sewer, electricity and stormwater) (hereinafter referred to as "the services") in favour of the Municipality and the Section 21 company, along any two boundaries other than a street boundary and in the case of a panhandle erf, an additional servitude for municipal purposes 2 m wide across the access portion of the erf, if and when required by the City of Tshwane Metropolitan Municipality or the Section 21 Company Provided that the City of Tshwane Metropolitan Municipality and the Section 21 Company may waive such servitude.

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

2.1.1.3 The City of Tshwane Metropolitan Municipality or the Section 21 Company 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 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 construction works being made good by the City of Tshwane Metropolitan Municipality or the Section 21 Company.

2.1.1.4 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. The township owner shall procure that each erf be made subject to the following conditions in favour of the Association:

2.1.1.4.1 Every owner of an erf or owner of any sub-divided portion of an erf or owner of any unit thereon, shall on transfer automatically become and shall remain a member of the Association and shall be subject to its Constitution until he/she ceases to be an owner as aforesaid.

2.1.1.4.2 The owner of any erf or owner of any sub-divided portion thereof or any unit thereon, shall not be entitled to transfer the erf or any sub-divided portion thereof or any interest therein or any unit thereon, without a clearance certificate from the Association certifying that the provisions of the Constitution have been complied with.

2.1.2 ERVEN 525, 550 TO 553

The erven shall not be alienated or transferred into the name of any purchaser, other than the Section 21 Company established for the development, without the written consent of the City of Tshwane Metropolitan Municipality first having been obtained.

2.1.3 ERVEN 545 TO 549

2.1.3.1 The entire erven as indicated on the General Plan, is subject to a servitude for municipal purposes and right of way, in favour of the City of Tshwane Metropolitan Municipality.

2.1.3.2 The erven shall not be alienated or transferred into the name of any purchaser, other than the Section 21 Company established for the development, without the written consent of the City of Tshwane Metropolitan Municipality first having been obtained.

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2.1.4 ERVEN 511 TO 520, 530 TO 536

The erven are subject to a servitude for sewer in favour of the Section 21 Company, as indicated on the General Plan.

2.1.5 ERVEN 550, 551 AND 553

The erven are subject to a servitude (electricity) in favour of ESKOM, as indicated on the General Plan.
