

*THE PROVINCE OF
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CITY OF TSHWANE METROPOLITAN MUNICIPALITY

CENTURION AMENDMENT SCHEME 1495C

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 71, 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 1495C.

(13/2/Highveld x71 (1495C))
 __ January 2007

Acting Head: Legal and Secretarial Services
 (Notice No 391/2007)

PLAASLIKE BESTUURSKENNISGEWING 87

STAD TSHWANE METROPOLITAANSE MUNISIPALITEIT

CENTURION WYSIGINGSKEMA 1495C

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 71, 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 1495C.

(13/2/Highveld x71 (1495C))
 __ Januarie 2007

Waarnemende Hoof: Regs- en Sekretariële Dienste
 (Kennisgewing No 391/2007)

CITY OF TSHWANE METROPOLITAN MUNICIPALITY

DECLARATION OF HIGHVELD EXTENSION 71 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 71 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(13/2/Highveld x71 (1495C))

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 159 OF THE FARM BRAKFRONTEIN 390JR, PROVINCE OF GAUTENG, HAS BEEN GRANTED.

1. CONDITIONS OF ESTABLISHMENT

1.1 NAME

The name of the township shall be Highveld Extension 71.

1.2 DESIGN

The township shall consist of erven and streets as indicated on General Plan SG No 5805/2006.

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 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 veerdulkweg 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 6102/1998."
- (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."

1.3.2 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 ACCESS

No access to the Gauteng Rapid Rail Reserve will be allowed.

1.5 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.

1.6 PRECAUTIONARY MEASURES

1.6.1 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.

- 1.6.2 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.
- 1.6.3 The township owner shall at its own expense, make arrangements with the local authority, in order to ensure that:
 - 1.6.3.1 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
 - 1.6.3.2 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.

1.7 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 and/or Municipal Services, the cost thereof shall be borne by the township owner.

1.8 DEMOLITION OF BUILDINGS AND STRUCTURES

The township owner shall at its 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.

1.9 ERECTION OF A FENCE OR OTHER PHYSICAL BARRIER

1.9.1 The applicant shall, at own expense, erect a physical barrier on the Gauteng Rapid Rail Reserve, to the satisfaction of the Gauteng Department of Public Transport, Roads and Works, and the applicant shall maintain such physical barrier in good order and repair until such time as the erven in the township are transferred to successors in title, whereupon such responsibility of maintenance shall apply to new owners.

1.10 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.

1.11 CONSOLIDATION OF ERVEN

The township owner shall at his own expense have Erven 3073 and 3074 in the township consolidated. The City of Tshwane Metropolitan Municipality hereby grants its consent to the consolidation in respect of Section 92(1)(b) of Ordinance 15 of 1986.

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 metre 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 2 metre 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 metre 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.
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