

*THE PROVINCE OF  
GAUTENG*

*DIE PROVINSIE  
GAUTENG*

**Provincial Gazette Extraordinary  
Buitengewone Provinsiale Koerant**

**Vol. 17**

**PRETORIA, 12 JANUARY 2011  
JANUARIE**

**No. 4**

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## LOCAL AUTHORITY NOTICE

### LOCAL AUTHORITY NOTICE 8

CITY OF TSHWANE

#### CENTURION AMENDMENT SCHEME 1590C

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 Highveld Extension 79, 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 Executive Director: Legal Services, and are open to inspection during normal office hours.

This amendment is known as Centurion Amendment Scheme 1590C.

(13/2/Highveld x79 (1590C))  
 \_\_\_ January 2011

**Acting Executive Director: Legal Services**  
 (Notice No 151/2011)

### PLAASLIKE BESTUURSKENNISGEWING 8

STAD TSHWANE

#### CENTURION WYSIGINGSKEMA 1590C

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 Highveld Uitbreiding 79, synde 'n wysiging van die Centurion-dorpsbeplanningskema, 1992, goedgekeur het.

Kaart 3 en die skemaklousules van hierdie wysigingskema word deur die Waarnemende Uitvoerende Direkteur: Regsdienste, in bewaring gehou en lê gedurende gewone kantoorure ter insae.

Hierdie wysiging staan bekend as Centurion-wysigingskema 1590C.

(13/2/Highveld x79 (1590C))  
 \_\_\_ Januarie 2011

Waarnemende **Uitvoerende Direkteur: Regsdienste**  
 (Kennisgewing No 151/2011)

CITY OF TSHWANE

#### DECLARATION OF HIGHVELD EXTENSION 79 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 Highveld Extension 79 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(13/2/Highveld x79 (1590C))

#### SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY JR 209 INVESTMENTS (PTY) LTD IN TERMS OF THE PROVISIONS OF CHAPTER III: SECTION A AND C OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE NO 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 181 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 79.

1.2 DESIGN

The township shall consist of erven and streets as indicated on General Plan SG No 8087/2008.

## 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 Serwituut K4200/1993-S gedateer 15 Maart 1993 is die Resterende Gedeelte van Gedeelte 2 van die plaas Brakfontein 390, groot 349,2487 hektaar, waarvan die binnegemelde eiendom '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, JR en (2) Gedeelte 42 van die plaas Brakfontein 390.JR soos meer ten volle sal blyk uit bogenoemde Notariële Akte.
- (b) Kragtens Notariële Akte van Serwituut Nr K91/1982S gedateer 5 November 1981 is die Resterende Gedeelte van Gedeelte 2 van die plaas Brakfontein 390, groot 565,9643 hektaar, waarvan die binnegemelde eiendom 'n deel vorm, 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 EFGHJKLMNO PQ op Diagram LG Nr A5338/1978 ten gunste van die City of Tshwane.
- (c) Kragtens Notariële Akte van Serwituut nr K.3561/1982S gedateer 29 November 1982 is die Resterende Gedeelte van Gedeelte 2 van die plaas Brakfontein 390, groot 565,9643 hektaar, waarvan die binnegemelde eiendom 'n deel vorm, onderhewig aan die ewigdurende reg ten gunste van die City of Tshwane 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 roetes deur die letters ABCDE en FGHJKLM op die Diagram LG Nr 6202/1981 en AB en BC op Diagram LG Nr 3167/1982 hierby aangeheg, soos meer volledig sal blyk uit gemelde Notariële Akte van Serwituut.
- (d) Die voormalige Resterende Gedeelte van Gedeelte 2 van die plaas Brakfontein 390, groot 331,7435 hektaar, waarvan die binnegemelde eiendom 'n deel vorm, is verder onderhewig aan 'n ewigdurende reg van serwituut ten gunste van die City of Tshwane vir munisipale doeleindes vir 'n kraglyn oor 'n serwituutgebied 3 meter wyd waarvan die oostelike grens aangedui word deur die lyn AB op die Serwituut Kaart LG Nr A5069/1984, en welke reg van serwituut sal insluit die reg om 'n kraglyn bogronds of ondergronds in die serwituutgebied aan te lê, welke serwituut geregistreer is kragtens Notariële Akte van Serwituut Nr K214/1995-S.
- (e) Die voormalige Resterende Gedeelte van Gedeelte 2 van die plaas Brakfontein 390, groot 331,7435 hektaar, waarvan die binnegemelde eiendom 'n deel vorm, is verder onderhewig aan 'n ewigdurende reg van serwituut ten gunste van die City of Tshwane vir munisipale doeleindes, vir elektrisiteitsgeleiding, vir stormwaterafvoer, watertoevoer en vir die installasie en onderhoud van 'n rioolpyplyn, oor 'n serwituutgebied soos aangedui deur die letters ABCDEFGHJKLM op die Serwituut Kaart LG Nr A6652/1989 en verder deur 'n aangrensende 4 meter wyd serwituutgebied soos aangedui deur die verwysingslyn NPQRSTUVWX en meegaande rigtingswysers op die Serwituut Kaart LG Nr A6652/1989, welke serwituut geregistreer is kragtens Notariële Akte van Serwituut Nr K215/1995S.
- (f) Kragtens Notariële Akte van Serwituut Nr K216/1995S gedateer 28 Desember 1994, is Gedeelte 60 (Gedeelte van Gedeelte 2) van die plaas Brakfontein 390, groot 290,4753 hektaar, waarvan die binnegemelde eiendom 'n deel vorm, onderhewig aan 'n ewigdurende serwituut vir munisipale doeleindes vir watergeleiding oor 'n serwituutgebied 3 meter wyd, waarvan die oostelike grens aangedui word deur die lyn ABC op Kaart LG Nr A8857/1994 met bykomende regte ten gunste van die City of Tshwane, soos meer volledig sal blyk uit gemelde Notariële Akte en Diagram.

- (g) Kragtens Notariële Akte van Serwituut Nr K217/1995S gedateer 28 Desember 1994, is Gedeelte 60 (Gedeelte van Gedeelte 2) van die plaas Brakfontein 390, groot 290,4753 hektaar, waarvan die binnegemelde eiendom 'n deel vorm, onderhewig aan 'n ewigdurende serwituut vir munisipale doeleindes, naamlik paddoeleindes oor 'n serwituutgebied aangedui deur die letters DEFGHJKLMNPQRS op Kaart LG Nr A8857/1994, ten gunste van die City of Tshwane, soos meer volledig sal blyk uit gemelde Notariële Akte en Kaart.
- (h) Die Resterende Gedeelte van Gedeelte 60 (Gedeelte van Gedeelte 2) van die plaas Brakfontein 390, groot 257,6664 hektaar, waarvan die binnegemelde eiendom 'n deel vorm, is onderhewig aan die volgende voorwaardes:
- (i) 'n ewigdurige serwituut 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 Serwituut agram 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 patroleer, inspekteer, in stand te hou, herstel, hernieu, verwyder en te verlé.
  - (ii) 'n serwituutgebied 1 meter wyd, waarvan die middellyn aangetoon word deur die lyn genommer KLMNLP'Q op Serwituut Diagram SG Nr 5284/1996.
  - (iii) 'n serwituutgebied 2 meter wyd, waarvan die middellyn aangetoon word deur die lyn gemerk NR op die Serwituut Diagram SG Nr 5284/1996 vir die installering en oprigting van katodiese beskermingstoerusting en werke en die reg om katodiese beskermingstoerusting en werke van tyd tot tyd te patroleer, inspekteer, in stand te hou, herstel, hernieu, verwyder en te verlé.

Ten gunste van die Suid-Afrikaanse Gasdistribusiekorporasie Beperk Nr 64/06005/06 soos meer volledig sal blyk uit Notariële Serwituut Akte Nr K3517/1997S met aangehegte Serwituut Diagram SG Nr 5284/1996."

- 1.3.2 The following condition which appears as an endorsement on page 6 of Title Deed T74351/2002 and which does not affect the township:-

By Notarial Deed of Servitude K8556/2003, the Remaining Extent of Portion 60 (a Portion of Portion 2) of the farm Brakfontein 390, in extent 218,9431 (of which the within mentioned property forms a part) 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, the centre line of which is indicated by the line ABCDEFGHJKLMNPQRSTU on diagram SG No 6101/1998 and will more fully appear from the said Notarial Deed of Servitude.

- 1.3.3 The following condition which appears as an endorsement on page 9 of Title Deed T74351/2002 and which does not affect the township :-

By Notarial Deed of Servitude K7177/2006, the Remaining Extent of Portion 60 (a Portion of Portion 2) of the farm Brakfontein 390, in extent 188,3849 (of which the within mentioned property forms a part) is subject to a servitude, in extent 2,3765 hectares, in favour of the City of Tshwane for municipal purposes/ engineering services and a right of way, as indicated by the figure ABCDEFGHJKLMNPQRSTU on servitude diagram SG No 5816/2006 and will more fully appear from said Notarial Deed of Servitude.

- 1.3.4 The following endorsement which appears on Page 10 of the Title Deed and which does not affect the township:-

In terms of Section 24(1) of Act 8/2001 Notice of Expropriation No EX61/2008 dated the 17 March 2008 a certain portion of the Remaining Extent of Portion 60 (a Portion of Portion 2) of the farm Brakfontein 390, in extent 5,8362 hectares, was expropriated by the Department of Public Transport, Roads and Works, for public 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 Roads K54, K109, and the N1 freeway and for all stormwater running off or being diverted from the roads to be received and disposed of.

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

The township owner shall at his own expense comply with all the conditions imposed, by which the Gauteng Department of Public Transport, Roads and Works, has granted consent for the development.

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 for the entire township; and
- (ii) compile a construction report confirming the conditions on site and the position of structures and wet services.

- 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 Section 21 Company as applicable.

- 1.6.3 The township owner shall at its own expense, make arrangements with the Municipality, in order to ensure that-

- (i) 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; and
- (ii) trenches and excavations for foundations, pipes, cables or for any other purposes, are properly refilled with damp soil in layers not thicker than 50mm, and compacted until the same grade of compaction as that of the surrounding material is obtained, to the satisfaction of the Municipality.

1.7 REMOVAL OR REPLACEMENT OF MUNICIPAL AND/OR TELKOM SERVICES

If, by reason of the establishment of the township, it should become necessary to remove or replace any existing municipal and/or Telkom 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 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, Environment and Land Affairs as well as any other applicable provisions, in terms of the provision of the Environmental Conservation Act, Act 107 of 1998, as the case may be.

1.10 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.

1.11 LAND TO BE TRANSFERRED TO THE ECO PARK HOME OWNER'S ASSOCIATION

Erf 3089 shall, prior to or simultaneously with the registration of the first erven in the township be transferred to the Eco Park Home Owner's Association within a period of six months after proclamation of the township or when the first erven in the township becomes transferable which ever the sooner, by and at the expense of the township owner. The Eco Park Home Owner's Association shall take full responsibility for the maintenance of the erf.

2. CONDITIONS OF TITLE

2.1 THE ERVEN MENTIONED BELOW SHALL BE SUBJECT TO THE CONDITION AS INDICATED, LAID DOWN BY THE CITY OF TSHWANE IN TERMS OF THE PROVISIONS OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986)

2.1.1 ERF 3090

2.1.1.1 The erf is subject to a servitude, 3m 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 2m 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 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 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 ERF 3090

2.1.2.1 The erf shall be subject to a servitude for transformer/substation purposes in favour of the Municipality, as indicated on the general plan.

2.1.2.2 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 therefrom.

2.1.2.3 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 essential, 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.