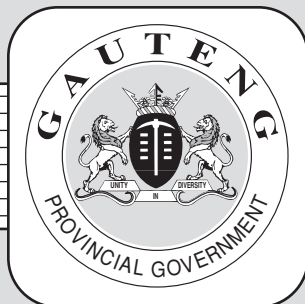


**THE PROVINCE OF  
GAUTENG**



**DIE PROVINSIE  
GAUTENG**

# Provincial Gazette Extraordinary Buitengewone Provinsiale Koerant

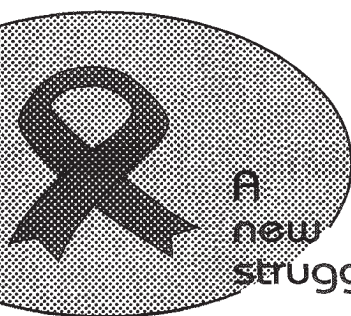
Vol. 18

PRETORIA, 13 NOVEMBER 2012

No. 339

**We all have the power to prevent AIDS**

AIDS  
affects  
us all



A  
new  
struggle

**AIDS  
HELPLINE**

**0800 012 322**

DEPARTMENT OF HEALTH

**Prevention is the cure**

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## LOCAL AUTHORITY NOTICE

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### LOCAL AUTHORITY NOTICE 1482

#### CITY OF TSHWANE

#### TSHWANE AMENDMENT SCHEME 302T

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 Annlin Extension 112, being an amendment of the Tshwane Town-planning Scheme, 2008.

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

This amendment is known as Tshwane Amendment Scheme 302T.

(13/2/Annlin x112 (302T))  
\_\_\_ November 2012

**Chief Legal Counsel**  
(Notice No 565/2012)

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### PLAASLIKE BESTUURSKENNISGEWING 1482

#### STAD TSHWANE

#### TSHWANE WYSIGINGSKEMA 302T

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 Annlin Uitbreiding 112, synde 'n wysiging van die Tshwane dorpsbeplanningskema, 2008, goedgekeur het.

Kaart 3 en die skemaklousules van hierdie wysigingskema word deur die Hoofregsadviseur, in bewaring gehou en lê gedurende gewone kantoorure ter insae.

Hierdie wysiging staan bekend as Tshwane wysigingskema 302T.

(13/2/Annlin x112 (302T))  
\_\_\_ November 2012

**Hoofregsadviseur**  
(Kennisgewing No 565/2012)

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#### CITY OF TSHWANE

#### DECLARATION OF ANNLIN EXTENSION 112 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 Annlin Extension 112 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(13/2/Annlin x112 (302T))

#### SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY BRAWILD (PTY) LTD 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 376 (A PORTION OF PORTION 142) OF THE FARM WONDERBOOM 302JR, PROVINCE OF GAUTENG, HAS BEEN GRANTED

##### 1. CONDITIONS OF ESTABLISHMENT

###### 1.1 NAME

The name of the township shall be Annlin Extension 112.

###### 1.2 DESIGN

The township shall consist of erven and streets as indicated on General Plan SG No 7524/2007.

**1.3 DISPOSAL OF EXISTING CONDITIONS OF TITLE**

All erven shall be made subject to existing conditions and servitudes, if any, but excluding the following endorsement on Deed of Transfer No. 90599/05 which does not affect the township:

"By Notarial Deed No. K001055/12S dated 23 January 2012 the within-mentioned property is entitled to a pipeline servitude for storm water reticulation 3 meters wide which runs parallel to and along the entire length of the boundary marked AB on diagram SG 2150/58 in favor of the City of Tshwane Metropolitan Municipality as will more fully appear on reference to the said notarial deed."

**1.4 ENDOWMENT**

Payable to the City of Tshwane Metropolitan Municipality.

The township owner shall pay endowment a total amount of **R280 000** for an area of **744m<sup>2</sup>** in terms of Regulation 44(1) of the Town-planning and Townships Regulations, to the City of Tshwane Metropolitan Municipality. The amount of this area shall be used by the City of Tshwane Metropolitan Municipality for the acquisition of land for park and/or public open space purposes.

The said endowment amount shall be payable in accordance with the provisions of Section 81 of the Town-planning and Townships Ordinance, 1986 (Ordinance 15 of 1986).

**1.5 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.

**1.6 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 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.

**1.7 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 City of Tshwane Metropolitan Municipality.

**1.8 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.

**1.9 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.

**1.10 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, 1989 (Act 73 of 1989), for the development of this township.

**1.11 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 and that any conditions that may affect the township are incorporated in these conditions as amendments to these conditions.

**1.12 LAND TO BE TRANSFERRED TO THE NON PROFIT COMPANY (HOMEOWNERS' ASSOCIATION)**

Erf 1966 shall be transferred to the Non Profit Company (homeowners' association) by and at the expense of the township owner within a period of six months after proclamation of the township, or prior to the first transfer of an erf in the township, whichever the sooner.

A servitude for access and municipal and engineering services shall be registered over Erf 1966 in favour of the homeowner's association (Non Profit Company) and the City of Tshwane Metropolitan Municipality.

**1.13 THE DEVELOPER'S OBLIGATIONS****1.13.1 MEMORANDUM OF INCORPORATION**

The developer must register a Non Profit Company (homeowners' association) in terms of the provisions of the Companies Act, 2008 (Act 71 of 2008). All the owners of units in the township must become members of the Non Profit Company. A copy of the registered Memorandum of Incorporation of the Company must be submitted to the City of Tshwane Metropolitan Municipality.

The Memorandum of Incorporation 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, electricity, and the road and storm water sewers). The developer is deemed to be a member of the Non Profit Company, with all the rights and obligations of an ordinary member, until the last erf has been transferred.

**1.13.2 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.

**1.13.3 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 divisions of the Service Delivery Department.

#### 1.13.4 MAINTENANCE PERIOD AND GUARANTEE

A maintenance period of 12 (twelve) months commences when the last of the internal engineering services (ie water, sewerage, electricity, and the road and storm water sewers) have been completed. The developer must furnish the Non Profit 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 RESTRICTION ON THE ALIENATION OF LAND

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 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 1.13 above.

### 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 METROPOLITAN MUNICIPALITY IN TERMS OF THE PROVISIONS OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986)

##### 2.1.1 ALL ERVEN WITH THE EXCEPTION OF ERF 1966

2.1.1.1 The erf shall be subject to a servitude, 2 m wide, for municipal services (water, sewer, electricity and storm water) (hereinafter referred to as "the services"), in favour of the City of Tshwane Metropolitan Municipality, along any two boundaries, excepting a street boundary and, in the case of a panhandle erf, an additional servitude for municipal purposes, 2 m 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.

2.1.1.2 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 from it.

2.1.1.3 The City of Tshwane Metropolitan 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.

##### 2.1.2 ERVEN 1942, 1943, 1944 AND 1945

2.1.2.1 The erven shall be subject to a servitude, 3m wide, for engineering services (roads and storm water) in favour of the City of Tshwane Metropolitan 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 2 m there from.

##### 2.1.3 ERF 1942

2.1.3.1 The erf shall be subject to a servitude 2m wide for municipal services (roads and storm water) on the eastern boundary in favour of the City of Tshwane Metropolitan Municipality, as indicated on the general plan.

2.1.3.2 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.

2.1.3.3 The City of Tshwane Metropolitan 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 City of Tshwane Metropolitan Municipality shall be entitled to reasonable access to the said property for the aforesaid purpose, subject to the provision that the City of Tshwane Metropolitan Municipality shall make good any damage caused during the laying, maintenance or removal of such main sewer pipelines and other works.

#### 2.1.4 ERF 1966

The erf shall be subject to:

2.1.4.1 A right of way servitude for road purposes in favour of the City of Tshwane Metropolitan Municipality as indicated on the general plan.

2.1.4.2 A right of way servitude for road purposes in favour of Erven 1934 to 1965 in the township as indicated on the general plan.

#### 2.1.5 ERVEN 1934 TO 1965 WITH THE EXCEPTION OF ERF 1966

2.1.5.1 The erven are entitled to a right of way servitude for road purposes over Erf 1966 as indicated on the general plan.

2.1.5.2 Upon transfer, the owner of each erf must automatically become a member of the Non Profit 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.

## 2.2 CONDITIONS IN FAVOUR OF THE NON PROFIT COMPANY

The following servitudes/conditions in favour of the Non Profit Company must be notarially executed and registered in the Office of the Registrar of Deeds before or simultaneously with the transfer of an erf in the township:

### 2.2.1 ALL ERVEN WITH THE EXCEPTION OF ERF 1966

2.2.1.1 The erf shall be subject to a servitude, 2m wide, for municipal services (water, sewer, electricity and storm water) (hereinafter referred to as "the services"), in favour of the Non Profit Company, along any two boundaries, excepting a street boundary and, in the case of a panhandle erf, an additional servitude for municipal purposes, 2 m 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.

2.2.1.2 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 2 m from it.

2.2.1.3 The Non Profit Company 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 Non Profit Company shall be entitled to reasonable access to the said property for the aforesaid purpose, subject to the provision that the Non Profit Company shall make good any damage caused during the laying, maintenance or removal of such services and other works.

### 2.2.2 ERVEN 1942, 1943, 1944 AND 1945

2.2.2.1 The erven shall be subject to a servitude, 3 m wide, for engineering services (roads and storm water) in favour of the Non Profit Company, as indicated on the general plan.

2.2.2.2 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.

2.2.3 ERF 1942

2.2.3.1 The erf shall be subject to a servitude 2m wide for municipal services (roads and storm water) on the eastern boundary in favour of the Non Profit Company, as indicated on the general plan.

2.2.3.2 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.

2.2.3.3 The Non Profit Company 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 City of Tshwane Metropolitan Municipality shall be entitled to reasonable access to the said property for the aforesaid purpose, subject to the provision that the City of Tshwane Metropolitan Municipality shall make good any damage caused during the laying, maintenance or removal of such main sewer pipelines and other works.

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