

**THE PROVINCE OF  
GAUTENG**



**DIE PROVINSIE VAN  
GAUTENG**

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21 NOVEMBER 2017

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**PROVINCIAL NOTICES • PROVINSIALE KENNISGEWINGS**

**PROVINCIAL NOTICE 1094 OF 2017**

**CITY OF TSHWANE**

**PERI-URBAN AMENDMENT SCHEME 719PU**

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 Bronberg Extension 22, 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 Group Head: Legal and Secretariat Services, and are open to inspection during normal office hours.

This amendment is known as Peri-Urban Amendment Scheme 719PU.

(13/2/Bronberg x22 (719PU))  
 \_\_\_ NOVEMBER 2017

**GROUP LEGAL AND SECRETARIAT SERVICES**  
 (Notice 237/2017)

**PROVINSIALE KENNISGEWING 1094 VAN 2017**

**STAD TSHWANE**

**PERI-URBAN WYSIGINGSKEMA 719PU**

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 Bronberg Uitbreiding 22, synde 'n wysiging van die Peri-Urban dorpsbeplanningskema, 1975, goedgekeur het.

Kaart 3 en die skemaklousules van hierdie wysigingskema word deur die Groephoof: Regs en Sekretariaat dienste, in bewaring gehou en lê gedurende gewone kantoorure ter insae.

Hierdie wysiging staan bekend as Peri-Urban wysigingskema 719PU.

(13/2/Bronberg x22 (719PU))  
 \_\_\_ NOVEMBER 2017

**GROEP REGS EN SEKRETARIAAT DIENSTE**  
 (Kennisgewing 237/2017)

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**CITY OF TSHWANE**

**DECLARATION OF BRONBERG EXTENSION 22 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 Bronberg Extension 22 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(13/2/Bronberg x22 (719PU))

## SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY LANDOWIZ PTY LTD, IN TERMS OF THE PROVISIONS OF CHAPTER III OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE NO 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 159 (A PORTION OF PORTION 143) OF THE FARM TWEEFONTEIN NO 372JR, PROVINCE OF GAUTENG, HAS BEEN GRANTED

## 1. CONDITIONS OF ESTABLISHMENT

## 1.1 NAME

The name of the township shall be Bronberg Extension 22.

## 1.2 DESIGN

The township shall consist of erven as indicated on General Plan SG No 637/2010.

## 1.3 ACCESS

1.3.1 Ingress and egress to and from the township to a Public Road shall be provided to the satisfaction of the Local Authority.

1.3.2 The township applicant shall at its own expense, submit a geometric design layout plan (scale 1:500) of the ingress and egress points referred to in 1.3.1 above, and specifications for the construction of the accesses, to the Local Authority for approval. The township owner shall after approval of the layout and specifications, construct the said ingress and egress points at its own expense to the satisfaction of the Local Authority.

## 1.4 ACCEPTANCE AND DISPOSAL OF STORM WATER

The township applicant shall arrange for the drainage of the township to fit in with that of any public road and for all storm water running of or being diverted from any said road to be received and disposed of.

## 1.5 REMOVAL, REPOSITIONING, MODIFICATION OR REPLACEMENT OF EXISTING SERVICES

If, by reason of the establishment of the township, it should become necessary to remove, reposition, modify or replace any existing municipal service, Post Office/ Telkom plant, the cost thereof shall be borne by the township applicant.

## 1.6 DEMOLITION OF BUILDINGS AND STRUCTURES

The township owner must, at his own expense, demolish all existing buildings and structures that lie within the building reserves or over communal boundaries, or demolish dilapidated structures to the satisfaction of the local municipality, when the municipality demands it.

## 1.7 ENVIRONMENTAL MANAGEMENT

The township applicant shall ensure that all requirements and conditions of Record of Decision No GAUT 002/03-04/440 dated 6 July 2005 issued by the Gauteng Department of Agriculture and Rural Development in terms of Section 22 of the National Environmental Management Act are complied with.

## 1.8 OBLIGATIONS OF THE DEVELOPER

### 1.8.1 Provision of Engineering Services

The township owner shall fulfill its obligations in respect of the provision of water, electricity and sanitary services as well as the construction of roads and stormwater drainage and the installation of systems thereof, to the satisfaction of the City of Tshwane as previously agreed upon between the township owner and the said local authority. Erven may not be alienated or be transferred into the name of a purchaser prior to the local authority certifying that services are completed to its satisfaction or alternatively that sufficient guarantees/cash contributions in respect of the supply of services in terms of Section 81 of the Ordinance by the township owner have been submitted or paid to the said local authority.

The developer shall submit to the City of Tshwane complete as-build drawings in respect of internal sewers, and sewer connections, internal roads and storm water sewers, water and electrical networks at the completion of the works.

Before any erf is transferred, the City of Tshwane must be provided with a certificate by a Professional Engineer for water, sewerage, electricity and internal road and storm water sewers, certifying that the internal engineering services have been completed and that the engineers accept liability for the services. No building plans will be approved before the services are completed and certified.

A maintenance period of 12 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 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 said engineering services, which guarantee must be for an amount of 10% of the contract cost of such services. Proof of such guarantees must be submitted to the City of Tshwane.

### 1.8.2 Section 21 Company (Homeowner's Association)

A Section 21 Company (Homeowner's Association) shall be registered by the Developer in terms of the provisions of the Companies Act, 1973 (Act 61 of 1973). All owners of units in the township, as well as the owner of Portion 160 of the farm Tweefontein 372-JR must become members of the said Homeowner's Association.

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 responsibility for the ownership and maintenance of internal engineering services of the development (i.e. water sewerage, electricity, and the road and storm water services). 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/unit has been transferred.

## 1.9 LAND TO BE TRANSFERRED TO THE SECTION 21 COMPANY (HOMEOWNERS' ASSOCIATION)

Erven 654 and 655 shall be transferred to the Section 21 Company (homeowners' 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 erven may not be transferred thereafter by the Section 21 Company before the consent of the City of Tshwane Metropolitan Municipality first been obtained.

A servitude for access and municipal and engineering services shall be registered over Erven 654 and 655 in favour of the Homeowner's Association (to the benefit of all the erven in the township) and the City of Tshwane Metro Municipality.

2. CONDITIONS TO BE COMPLIED WITH BEFORE THE ERVEN IN THE TOWNSHIP BECOME REGISTERABLE

Installation and provision of services

- 2.1 The township applicant shall install and provide internal engineering services in the township as provided for in the services agreement.
- 2.2 The Local Authority shall install and provide external engineering services for the township as provided for in the services agreement.

3. DISPOSAL OF EXISTING CONDITIONS OF TITLE

3.1 All erven shall be made subject to existing conditions and servitudes, if any.

3.1.1 The following rights, described in the Title Deed T...../2011 shall not be passed on to the erven in the township, being the conditions do not affect the erven:

- i. *"Par A: Reservation of Mineral Rights in favour of VANBEND ESTATES (PROPRIETARY) LIMITED, as will more fully appear from Certificate of Mineral Rights No 351/1964 R.M. dated the 30<sup>th</sup> day of June 1964, which reservation is in respect of the Remaining Extent of Olympus Agricultural Holdings situate on Portion 3 (a portion of Portion A) of the farm TWEEFONTEIN NO 372, Registration Division J.R, Transvaal, measuring 338,8519 Hectares."*
- ii. *"Par B: Portion 3 (a portion of Portion A) of the farm Tweefontein 372 (formally 423) Registration Division JR, Transvaal (of which the holding hereby transferred forms a portion) is subject to the following:*

*Subject to an Order of the Water Court (Supreme Court) North district 21, dated Pretoria 22 November 1948 and June 1949 as will more fully appear from Servitude 620A/1949S."*

4. CONDITIONS OF TITLE

4.1 IMPOSED IN TERMS OF THE PROVISIONS OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986)

4.1.1 ALL ERVEN

4.1.1.1 The erf is subjected to a servitude, 2 metres wide along any two boundaries in favour of the Local Authority for sewerage and other municipal purposes and, in the case of a panhandle erf, an additional servitude for municipal purposes 2 metres wide across the access portion of the erf, if and when required by the Local Authority: Provided that the Local Authority may relax or grant exemption from the required servitudes.

4.1.1.2 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 2 metres thereof.

4.1.1.3 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.

#### 4.1.2 REGISTRATION OF SERVITUDES

The applicant shall at his own expense have servitudes registered over the small-scale map as follows:

4.1.2.1 The whole of Erven 654 and 655 are subject to a servitude of right of way in favour of the City of Tshwane Metropolitan Municipality, in favour of every erf in the township and in favour of Portion 160 of the farm Tweefontein 372-JR.

4.1.2.2 Erven 580 to 592 and 594 to 639 and 641 to 653 and 655 are subject to servitudes for sewer purposes 2,00 metres wide, in favour of the Section 21 Company, as indicated on the general plan.

4.1.2.3 Erf 593 is subject to a servitude for sewer purposes 2.98 meters wide, in favour of the Section 21 Company, as indicated on the general plan.

4.1.2.4 Erven 583 and 584, 587 and 588, 641 and 642 are subject to a reciprocal servitude of right of way 2,00 metres wide, as indicated on the general plan.

4.1.2.5 Erven 591 and 592 are subject to a reciprocal servitude of right of way 2,50 metres wide as indicated on the general plan.

#### 4.2 CONDITIONS OF TITLE IN FAVOUR OF THIRD PARTIES TO BE REGISTERED/ CREATED ON FIRST REGISTRATION OF THE ERVEN CONCERNED:

No erf in the township may be transferred unless the following requirements have been complied with and the following conditions and servitudes are registered:

4.2.1 All the erven will be subjected to the following conditions in favour of the Section 21 Company to be created on transfer of the erven to any purchaser:

The erf is subject to the articles and rules of a Homeowners Association (Section 21 Co) and specifically the following conditions:

4.2.1.1 Every owner shall automatically be and become and shall remain a member of the Association and be subject to its articles until the owner ceases to be an owner as aforesaid.

Neither the property nor any subdivision or neither consolidation thereof nor any unit erected thereon, nor any interest therein or thereto, shall be transferred to any person who has not agreed to become a member of the Association and to be bound by its constitution; and who has not secured payment by way of a debit order of the monthly levy due to the Association.

4.2.1.2 The owner of the property, or of any subdivision thereof, or of any sectional title unit erected thereon, or of any interest therein or thereto, shall not be entitled to transfer the property, or any subdivision or consolidation thereof, or any unit or any interest therein, without the Association's prior written consent which will not unreasonably be withheld, and without the Association having confirmed in writing that all amounts due to it by the owner have been paid;

4.2.1.3 In the event of disposing of the property, or in the event of the owner being an artificial person, such as a close corporation, company or trust and the member's interest, shares or beneficial interest (as the case may be), being disposed of, then in that event, the owner shall be responsible for payment of an administration fee charged by the Association, or its nominee, in consideration for attending to the formalities of the Association in this regard.

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Contact Centre Tel: 012-748 6200. eMail: [info.egazette@gpw.gov.za](mailto:info.egazette@gpw.gov.za)  
Publications: Tel: (012) 748 6053, 748 6061, 748 6065