

***THE PROVINCE OF
GAUTENG***

***DIE PROVINSIE VAN
GAUTENG***

**Provincial Gazette
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IMPORTANT NOTICE:

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PROVINCIAL NOTICES • PROVINSIALE KENNISGEWINGS

PROVINCIAL NOTICE 380 OF 2018

CITY OF TSHWANE

PERI-URBAN AMENDMENT SCHEME 694PU

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 Six Fountains 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 Group Head: Economic Development and Spatial Planning, and are open to inspection during normal office hours.

This amendment is known as Peri-Urban Amendment Scheme 694PU.

(CPD 9/1/1/1-SIXFx2 0601)
(13/2/Six Fountains x2 (694PU))
__ APRIL 2018

CITY OF TSHWANE METROPOLITAN MUNICIPALITY
(Notice 173/2018)

PROVINSIALE KENNISGEWING 380 VAN 2018

STAD TSHWANE

PERI-URBAN WYSIGINGSKEMA 694PU

Hierby word ingeвоolge 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 Six Fountains Uitbreiding 2, synde 'n wysiging van die Peri-Urban dorpsbeplanningskema, 1975, goedgekeur het.

Kaart 3 en die skemaklousules van hierdie wysigingskema word deur die Groep Hoof: Ekonomiese Ontwikkeling en Ruimtelike Beplanning, in bewaring gehou en lê gedurende gewone kantoorure ter insae.

Hierdie wysiging staan bekend as Peri-Urban wysigingskema 694PU.

(CPD 9/1/1/1-SIXFx2 0601)
(13/2/Six Fountains x2 (694PU))
__ APRIL 2018

STAD TSHWANE METROPOLITAANSE MUNISIPALITEIT
(Kennissgewing 173/2018)

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CITY OF TSHWANE

DECLARATION OF SIX FOUNTAINS 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 hereby declares the township of Six Fountains Extension 2 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(CPD 9/1/1/1-SIXFx2 0601)
(13/2/Six Fountains x2 (694PU))

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY UNIQON WONINGS PROPRIETARY LIMITED, 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 240 (A PORTION OF PORTION 190) OF THE FARM ZWARTKOPPIES 364JR, PROVINCE OF GAUTENG, HAS BEEN GRANTED

1. CONDITIONS OF ESTABLISHMENT

1.1 NAME

The name of the township shall be Six Fountains Extension 2.

1.2 DESIGN

The township shall consist of erven and streets as indicated on the General Plan No 1743/2013.

1.3 DISPOSAL OF EXISTING CONDITIONS OF TITLE

All erven shall be made subject to existing conditions and servitudes, where applicable, but excluding the following entitlement that will not be passed onto the erven in the township:

1.3.1 A. GEDEELTE 7 van die plaas ZWARTKOPPIES 364, JR, die Provinsie van Gauteng (waarvan die gedeelte hiermee getranspoteer 'n deel vorm), is spesiaal onderworpe aan die volgende voorwaardes:

(b) Specially entitled to the condition that the land hereby transferred is entitled to a reasonable right of way over the Remaining Extent of the south western portion of the aforesaid farm, measuring as such 1927,2730 hectare held as aforesaid, to the Donkerhoek main road.

1.3.2 The following servitude that affects Erf 500, Erf 504, Erf 508, Erf 511 (Six Fountains Boulevard), Bendeman Boulevard and Johan Street in the township only:

B. EN VERDER ONDERWORPE aan die ewigdurende reg verleen aan die Randwaterraad om water te neem en te vervoer oor of deur die binnegenoemde eiendom deur middel van pypleidings wat reeds gelê is en wat gelê mag word binne 'n strook grond, 2,4283 (TWEË komma VIER TWEË AGT DRIE) hektaar, soos aangedui deur die figuur r s t u v w op die aangehegte L G Kaart nr. 1742/2013 tesame met bykomende regte, soos meer volledig sal blyk uit Notariële Akte van Serwituut nr. K.8137/1995-S, gedateer 22 November 1995.

1.3.3 The following servitude that affects Erf 506 in the township only:

"By virtue of Notarial Deed of Servitude K.5480/2012-S, dated the 2nd day of October 2012, the within mentioned property is subject to a perpetual servitude for storm water purposes, 3 (three) metres wide, over the PROPERTY, the north western boundary of which is indicated by the line A B C D E F G on the attached Servitude Diagram SG Number 1742/2013"

1.4 ENDOWMENT

The applicant shall in terms of the provisions of Section 63(1)(b) of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986) not be liable for the payment of contributions in respect of the provision of open spaces or parks.

1.5 REMOVAL OF LITTER

The township applicant shall at his own expense cause all litter within the township area to be removed to the satisfaction of the City of Tshwane, if and when required to do so.

1.6 REMOVAL AND/OR REPLACEMENT OF TELKOM SERVICES

Should it become necessary to remove and/or replace any existing Telkom Services as a result of establishment of the township, the cost thereof shall be borne by the township applicant.

1.7 REMOVAL AND/OR REPLACEMENT OF MUNICIPAL SERVICES

Should it become necessary to remove and/or replace any existing municipal services as a result of establishment of the township, the cost thereof shall be borne by the township applicant.

1.8 COMPLIANCE WITH CONDITIONS IMPOSED BY THE DEPARTMENT OF AGRICULTURE AND RURAL DEVELOPMENT, GAUTENG PROVINCIAL GOVERNMENT

The township applicant shall at his own expense comply with conditions imposed by the Department of Agriculture and Rural Development, Gauteng Provincial Government, if any.

1.9 LAND TO BE TRANSFERRED TO THE SECTION 21 COMPANY

The following erven shall be transferred to the Section 21 Company within a period of 6 months after proclamation of the township or when the first erven in the township become transferable, whichever the sooner, by and at the expense of the township owner:

Erven 504, 505, 506, 507, 508 and 509 (Private Open Space, Storm water runoff control and management);

Erf 510 (Access, access control and essential engineering services)

Erf 511 (Special for a Public Street – Six Fountains Boulevard)

1.10 THE TOWNSHIP APPLICANT'S OBLIGATIONS

1.10.1 ASSOCIATION AND STATUTES

The township applicant must register a Section 21 Company in terms of the provisions of the Companies Act, 1973 (Act 61 of 1973). All the owners of erven 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.

The Section 21 Company Deed of Association and Statutes must clearly state that the main objective of the said Company is the maintenance of the internal engineering services of the development. The township applicant 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.

Upon transfer, the owner of Erven 495 - 503 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.

1.10.2 PROVISION OF ESSENTIAL ENGINEERING SERVICES

The township applicant must make the necessary arrangements with the City of Tshwane and/or relevant service provider on behalf of the City of Tshwane regarding the provision of water, electricity, sanitation as well as the building of roads and stormwater drainage in the township and such services shall comply to the standards of the City of Tshwane; PROVIDED THAT services reports and services agreements in respect of the provision and installation of internal as well as external essential engineering services to emanate from the said arrangements shall firstly be submitted by the township applicant to representative Attorneys at Law as designated by the City of Tshwane for evaluation and thereafter be submitted to the City of Tshwane for approval.

1.10.3 PROVISION OF A CERTIFICATE BY A PROFESSIONAL ENGINEER

Before any erf is transferred, the City of Tshwane must be provided with a certificate by a Professional Engineer for water, sewerage, electricity, and the internal road and storm water systems, 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 may at its own discretion allow an exception in respect of the internal road and storm water systems. If this is the case, the township applicant must give the City of Tshwane an undertaking that the township applicant will complete this service on or before a certain date and must provide the City of Tshwane with a guarantee issued by a recognised 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.

1.10.4 MAINTENANCE PERIOD AND GUARANTEE

A maintenance period of 12 (twelve) months shall commence when the last of the internal engineering services (i.e. water, sewerage, electricity, and the road and storm water systems) have been completed. The township applicant must furnish the Section 21 Company with a maintenance guarantee, issued by a recognised 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 5% 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.

1.11 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 dealt with otherwise until the City of Tshwane certifies that the township applicant has complied with the provisions of Condition 1.10 above.

2. CONDITIONS OF TITLE

The erven mentioned below shall be subject to the conditions 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 ALL ERVEN

2.1.1 All erven with exception of Erf 510 (Access, Access Control and Essential Engineering Services), Erven 504, 505, 506, 507, 508 and 509 (Private Open Space, Storm water Runoff Control and Management) and Erf 511 (Special for a Public Street).

2.1.1.1 The erf shall be subject to a servitude, 2 metres wide, for municipal services (water, sewer, electricity and stormwater) (hereinafter referred to as 'the services'), in favour of the City of Tshwane, along any two boundaries, except in respect of a street boundary and, in the case of a panhandle erf, an additional servitude for municipal purposes, 2 metres wide, over the entrance portion of the erf, if and when required by the local authority.

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 2 metres from it.

2.1.1.3 The City of Tshwane shall be entitled to temporarily deposit on the land adjoining the aforesaid servitude, any material it excavates during laying, maintenance or removal of such services and other works which in its discretion it regards necessary, and furthermore the City of Tshwane shall be entitled to reasonable access to the said property for the aforesaid purpose, subject to the provision that the City of Tshwane shall make good any damage caused during laying, maintenance or removal of such services and other works.

2.1.2 REGISTRATION OF SERVITUDES

2.1.2.1 Erven 496 – 499, 506 and 507

The erven shall be subject to a servitude (2 m wide) for a sewer line (municipal services) in favour of the City of Tshwane as indicated on the General Plan.

2.1.2.2 Erf 502

The erf shall be subject to a 2m wide sewer servitude (municipal services) along the eastern boundary in favour of the City of Tshwane as indicated on the General Plan.

2.1.2.3 Erf 502

The erf shall be subject to a (6m x 3m) electrical substation servitude (municipal services) in favour of the City of Tshwane as indicated on the General Plan.

2.1.2.4 Erf 511

The erf shall be subject to a servitude (2 m wide) for a sewer line (municipal services) in favour of the City of Tshwane as indicated on the General Plan.

2.1.2.5 Erf 510

The erf shall be subject to a Right of Way (25m wide) in favour of the City of Tshwane as indicated on the General Plan.

2.1.2.6 Erven 504, 506, 507, 508 and 509

The full extent of the erven will be subject to a servitude for storm water and flood water management in favour of the City of Tshwane.