

***THE PROVINCE OF
GAUTENG***

***DIE PROVINSIE VAN
GAUTENG***

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LOCAL AUTHORITY NOTICES • PLAASLIKE OWERHEIDS KENNISGEWINGS

LOCAL AUTHORITY NOTICE 795 OF 2019**CITY OF TSHWANE****TSHWANE AMENDMENT SCHEME 323T**

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 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 Economic Development and Spatial Planning Department, and are open to inspection during normal office hours.

This amendment is known as Tshwane Amendment Scheme 323T.

(CPD 9/1/1/1-HVDx112 298)
(CPD 9/2/4/2-323T))

CITY OF TSHWANE METROPOLITAN MUNICIPALITY

___ APRIL 2019
(Notice 120/2019)

CITY OF TSHWANE**DECLARATION OF HIGHVELD 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 Highveld Extension 112 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(CPD 9/1/1/1-HVDx112 298)
(CPD 9/2/4/2-323T))

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY JR 209 INVESTMENTS (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 209 (A PORTION OF PORTION 60) OF THE FARM BRAKFRONTEIN 390, REGISTRATION DIVISION JR, PROVINCE OF GAUTENG, HAS BEEN GRANTED

1. CONDITIONS OF ESTABLISHMENT**1.1 NAME**

The name of the township shall be Highveld Extension 112.

1.2 DESIGN

The township shall consist of erven, parks and streets as indicated on General Plan SG No 3608/2011.

1.3 LAND FOR MUNICIPAL PURPOSES

The following erf shall be transferred to the Municipality by and at the expense of the township owner:

Parks (public open space): None

1.4 PRECAUTIONARY MEASURES

1.4.1 The township owner shall appoint a competent person(s) to:-

- (i) A CONSTRUCTION REPORT, which must include the mapping details of the trenches and the revised stability map, confirming the conditions on site and the positioning of structures and wet services. A table indicating the stand sizes, risk classification and D designation for each stand within the township must be included. Certification on the method of backfilling of the boreholes must also be included.
- (ii) A DOLOMITE RISK MANAGEMENT PLAN, specific to the development. The legal transfer of the responsibility for the management of the Risk Management Plan, to a representative Body Corporate or similar as applicable must be included.

1.4.2 The township owner is responsible to facilitate the procedure to transfer the responsibility for the management of the Dolomite Risk Management plan legally to a representative Body Corporate or similar entity, as applicable.

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

- 1.4.3.1 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 to the satisfaction of the Municipality; and
- 1.4.3.2 trenches and excavations for foundations, pipes, cables or for any other purposes, are properly refilled with damp soil in layers not thicker than 150mm, and compacted until the same grade of compaction as that of the surrounding material is obtained, to the satisfaction of the Municipality.

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

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

1.6 ACCESS

No ingress from Provincial Road K111 to the township and no egress to Provincial Road K111 from the township shall be allowed as well as for a distance of 100m along Olievenhoutbosch Road from the intersection thereof with Road K111.

Ingress from Olievenhoutbosch Road to the township and egress to Olievenhoutbosch Road from the township shall be restricted to the position as approved by the Municipality.

1.7 RECEIVING AND DISPOSAL OF STORMWATER

The township owner shall arrange the stormwater drainage of the township in such a way as to fit in with that of adjacent roads and he shall receive and dispose of the storm water running off or being diverted from the road.

The Service Report containing the stormwater design proposal must be submitted to the Municipality for approval at the time of the application, i.e. before Township Proclamation.

1.8 ACOUSTIC SCREENING/ NOISE BARRIER

The applicant/ Municipality shall be responsible for any costs involved in the erection of Acoustic Screening along adjacent roads, if and when the need arises to erect such screening.

1.9 ERECTION OF FENCE OR OTHER PHYSICAL BARRIER

The township owner shall at his own expense erect a fence or other physical barrier to the satisfaction of the the Head of the Department: Gauteng Provincial Government: Department of Roads and Transport, as and when required by him to do so, and the township owner shall maintain such fence or physical barrier in a good state of repair until such time as the erven in the township are transferred to ensuing landowners, after which the responsibility for the maintenance of such fence or physical barrier rests with the latter.

1.10 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.

1.11 DEMOLITION OF BUILDINGS AND STRUCTURES

When required by the Municipality to do so, the township owner shall at his own expense cause to be demolished to the satisfaction of the Municipality all existing buildings and structures situated within building line reserves and side spaces or over common boundaries, or dilapidated structures.

1.12 REMOVAL OF LITTER

The township owner shall at his own expense have all litter within the township area removed to the satisfaction of the Municipality, when required to do so by the Municipality.

1.13 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.

1.14 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.

1.15 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, (Act 73 of 1989) or the National Environmental Management Act, 1998 (Act 107 of 1998) and Regulations thereto, as the case may be, for the development of this township.

1.16 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.

1.17 CONSOLIDATION OF ERVEN

The township owner shall, at its own cost, after proclamation of the township but prior to the development of any erf/unit in the Township, consolidate Erven 3143 and 3144 to the satisfaction of the local authority. The local authority hereby grants its consent for the consolidation of Erven 3143 and 3144 in terms of section 92(1) (b) of Ordinance 15 of 1986, which consolidation shall only come into operation on proclamation of the Township and subject to the section 82 certificate being issued by the City of Tshwane.

1.18 RESTRICTION ON THE DISPOSAL OF ERVEN IN THE TOWNSHIP

The consolidated erf (Erf 3143 and 3144) must be notarially tied with the consolidated erf (Erf 3145 and 3146) in Highveld Extension 113 and shall not be separately disposed of without the written consent of the Local Authority.

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

2.1 INSTALLATION OF INTERNAL AND EXTERNAL SERVICES

A certificate issued in terms of section 82 of the town-planning and Townships Ordinance (Ordinance 15 of 1986) must be lodged with the first transfer or with any other act of registration such as the issuing of a Certificate of Title.

The township applicant shall install and provide internal engineering services in the township as provided for in the services agreement.

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

All erven shall be made subject to existing conditions and servitudes, if any, including the reservation of rights to minerals, but excluding -

Excluding the following conditions in Title Deed T74351/2002, which do not affect the townships due to its location:

- '(a) Kragtens Notariële Akte van Serwituut K.4200/1993-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 390JR en (2) Gedeelte 42 van die plaas Brakfontein 390JR, 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 A.5338/1978 ten gunste van die Stad Tshwane Metropolitan Municipality.
- '(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 Stad Tshwane Metropolitan Municipality 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.
- '(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 Stad Tshwane Metropolitan Municipality vir munisipale doeleindes vir 'n kraglyn oor 'n serwituurgebied 3 meter wyd waarvan die oostelike grens aangedui word deur die lyn AB op die Serwituut Kaart LG Nr A.5069/1984, 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 K.214/1995-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 Stad Tshwane Metropolitan Municipality 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 A.6652/1989 en verder deur 'n aangrensende 4 meter wyd serwituutgebied soos aangedui deur die verwysingslyn NPQRSTU VWX en meegaande rigtingswysers op die Serwituut Kaart LG Nr A.6652/1989, welke serwituut geregistreer is kragtens Notariële Akte van Serwituut Nr K.215/1995S.

- '(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, waavan die binne gemelde 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 Metropolitan Municipality, 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, waavan die binne gemelde 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 Metropolitan Municipality, 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, waavan die binne gemelde eiendom 'n deel vorm, is onderhewig aandie volgende voorwaardes:
- '(i) 'n ewigdurende 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 verlê.
- '(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 patrolleer, inspekteer, in stand te hou, herstel, hernieu, verwyder en te verlê.

Ten gunste van die Suid-Afrikaanse Gasdistribusie korporasie Beperk Nr. 64/06005/06 soos meer volledig sal blyk uit Notariële Serwituut Akte Nr K.3517/1997S met aangehegte Serwituut Diagram SG Nr 5284/1996.

The following condition which appears as an endorsement on page 6 of Deed of Transfer T.74351/2002 which do not affect the township:

By Notarial Deed of Servitude K.8556/2003, 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 Metropolitan Municipality, depicted by line ABCDEFGHJKLMNPQRSTUVWXYZ on diagram SG No 6101/98.

The following endorsement which appears on Page 9 in Deed of transfer 74351/2002 which do 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.

The following condition which appears as an endorsement on page 10 in Deed of Transfer 74351/2002 which do not affect the township-

By Notarial Deed of Servitude K.7177/2006, 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, for municipal purposes/ engineering services and a right of way, as indicated by the figure ABCDEFGHJKLMNPQRSTU on servitude diagram SG No 5816/2006.

The following condition which appears as an endorsement on page 15 in Deed of Transfer 74351/2002 which do not affect the township due to its location-

By Notarial Deed of Servitude K 01118/2012-S, dated 17 January 2013, the within mentioned property is subject to a right of way servitude, in extent 5,0076 (FIVE comma ZERO ZERO SEVEN SIX) hectares, indicated by the figure A B C D E F G H J K L M N P Q R S T U V W X Y Z A1 H4 J4 L4 M4 N4 C1 D1 E1 F1 G1 H1 J1 K1 L1 M1 N1 P1 Q1 R1 S1 T1 U1 V1 W1 X1 Y1 Z1 A2 B2 C2 D2 E2 F2 G2 H2 J2 K2 L2 M2 N2 P2 Q2 R2 S2 T2 U2 V2 W2 A EXCLUDING THE FIGURES B X2 Y2 Z2 A3 B3 C3 D3 E3 F3 G3 H3 J3 K3 L3 M3 N3 P3 Q3 R3 S3 T3 U3 B and V3 W3 X3 Y3 Z3 A4 B4 C4 D4 E4 F4 G4 V3 on servitude diagram S.G. No 2787/2011 in favour of the City of Tshwane Metropolitan Municipality over property as will more fully appear from reference to the said Notarial Deed of servitude"

4. CONDITIONS OF TITLE

4.1 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)

4.1.1 ALL ERVEN WITH THE EXCEPTION OF THE ERVEN REFERRED TO IN CLAUSE 1.4

4.1.1.1 The erf shall be subject to a servitude, 3m wide, for municipal services (water, sewer, electricity and stormwater) (hereinafter referred to as "the services"), in favour of the Municipality, along any two boundaries, excepting a street boundary and, in the case of a panhandle erf, an additional servitude for municipal purposes, 2m wide, over the entrance portion of the erf, if and when required by the Municipality: Provided that the Municipality may waive any such servitude.

4.1.1.2 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 thereof.

4.1.1.3 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 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.

4.1.2 ERVEN 3143 AND 3144

The erven are subject to a servitude, 7m wide, for sewerage purposes in favour of the Municipality as indicated on the General Plan.

4.1.3 ERVEN 3143 AND 3144

The erven are subject to a servitude, 6m wide, for stormwater purposes in favour of the Municipality as indicated on the General Plan.

4.1.4 ERVEN 3143 AND 3144

The erf is subject to a servitude, 3m wide, for stormwater purposes in favour of the Municipality as indicated on the General Plan.

4.1.5 ERVEN 3143 AND 3144

The erf is subject to a servitude, 3m wide, for sewerage purposes in favour of the Municipality as indicated on the General Plan.

LOCAL AUTHORITY NOTICE 796 OF 2019**CITY OF TSHWANE****TSHWANE AMENDMENT SCHEME 324T**

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 113, being an amendment of the Tshwane Town-planning Scheme, 2008.

Map 3 and the scheme clauses of this amendment scheme are filed with the Economic Development and Spatial Planning Department, and are open to inspection during normal office hours.

This amendment is known as Tshwane Amendment Scheme 324T.

(CPD 9/1/1/1-HVDx113 298)
(CPD 9/2/4/2-324T))

CITY OF TSHWANE METROPOLITAN MUNICIPALITY

__ APRIL 2019
(Notice 121/2019)

CITY OF TSHWANE**DECLARATION OF HIGHVELD EXTENSION 113 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 113 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(CPD 9/1/1/1-HVDx113 298)
(CPD 9/2/4/2-324T))

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY JR 209 INVESTMENTS (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 210 (A PORTION OF PORTION 60) OF THE FARM BRAKFORTEIN 390, REGISTRATION DIVISION JR, PROVINCE OF GAUTENG, HAS BEEN GRANTED

1. CONDITIONS OF ESTABLISHMENT**1.1 NAME**

The name of the township shall be Highveld Extension 113.

1.2 DESIGN

The township shall consist of erven, parks and streets as indicated on General Plan SG No 3609/2011.

1.3 LAND FOR MUNICIPAL PURPOSES

The following erf shall be transferred to the Municipality by and at the expense of the township owner:

Parks (public open space): None

1.4 PRECAUTIONARY MEASURES

1.4.1 The township owner shall appoint a competent person(s) to:-

- (i) A CONSTRUCTION REPORT, which must include the mapping details of the trenches and the revised stability map, confirming the conditions on site and the positioning of structures and wet services. A table indicating the stand sizes, risk classification and D designation for each stand within the township must be included. Certification on the method of backfilling of the boreholes must also be included.
- (ii) A DOLOMITE RISK MANAGEMENT PLAN, specific to the development. The legal transfer of the responsibility for the management of the Risk Management Plan, to a representative Body Corporate or similar as applicable must be included.

1.4.2 The township owner is responsible to facilitate the procedure to transfer the responsibility for the management of the Dolomite Risk Management plan legally to a representative Body Corporate or similar entity, as applicable.

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

1.4.3.1 water will not dam up, that the entire surface of the township area is drained properly and that streets are sealed effectively with tar, cement or bitumen to the satisfaction of the Municipality; and

1.4.3.2 trenches and excavations for foundations, pipes, cables or for any other purposes, are properly refilled with damp soil in layers not thicker than 150mm, and compacted until the same grade of compaction as that of the surrounding material is obtained, to the satisfaction of the Municipality.

1.5 ACCESS

Ingress from Olievenhoutbosch Road to the township and egress to Olievenhoutbosch Road from the township shall be restricted to the position as approved by the Municipality.

1.6 RECEIVING AND DISPOSAL OF STORMWATER

The township owner shall arrange the stormwater drainage of the township in such a way as to fit in with that of adjacent roads and he shall receive and dispose of the storm water running off or being diverted from the road.

The Service Report containing the stormwater design proposal must be submitted to the Municipality for approval at the time of the application, i.e. before Township Proclamation.

1.7 ACOUSTIC SCREENING/ NOISE BARRIER

The applicant/ Municipality shall be responsible for any costs involved in the erection of Acoustic Screening along adjacent roads, if and when the need arises to erect such screening.

1.8 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.

1.9 DEMOLITION OF BUILDINGS AND STRUCTURES

When required by the Municipality to do so, the township owner shall at his own expense cause to be demolished to the satisfaction of the Municipality all existing buildings and structures situated within building line reserves and side spaces or over common boundaries, or dilapidated structures.

1.10 REMOVAL OF LITTER

The township owner shall at his own expense have all litter within the township area removed to the satisfaction of the Municipality, when required to do so by the Municipality.

1.11 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.

1.12 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.

1.13 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, (Act 73 of 1989) or the National Environmental Management Act, 1998 (Act 107 of 1998) and Regulations thereto, as the case may be, for the development of this township.

1.14 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.

1.15 CONSOLIDATION OF ERVEN

The township owner shall, at its own cost, after proclamation of the township but prior to the development of any erf/unit in the township, consolidate Erven 3145 and 3146 to the satisfaction of the local authority. The local authority hereby grants its consent for the consolidation of Erven 3145 and 3146 in terms of section 92(1) (b) of Ordinance 15 of 1986, which consolidation shall only come into operation on proclamation of the Township and subject to the section 82 certificate being issued by the City of Tshwane.

1.16 RESTRICTION ON THE DISPOSAL OF ERVEN IN THE TOWNSHIP

The consolidated erf (Erf 3145 and 3146) must be notarially tied with the consolidated erf (Erf 3143 and 3144) in Highveld Extension 112 and shall not be separately disposed of without the written consent of the Local Authority.

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

2.1 INSTALLATION OF INTERNAL AND EXTERNAL SERVICES

A certificate issued in terms of section 82 of the town-planning and Townships Ordinance (Ordinance 15 of 1986) must be lodged with the first transfer or with any other act of registration such as the issuing of a Certificate of Title.

The township applicant shall install and provide internal engineering services in the township as provided for in the services agreement.

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, including the reservation of rights to minerals, if any;

Excluding the following conditions in Title Deed T74351/2002, which do not affect the townships due to its location:

- (a) Kragtens Notariële Akte van Serwituut K.4200/1993-S gedateer 15 Maart 1993 is die Resterende Gedeelte van Gedeelte 2 van die plaas Brakfontein 390, groot 349,2487 hektaar, waavan 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 390JR, 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, waavan die binnegemelde eiendom 'n deel vorm, onderhewig aan 'n ewigdurende reg om eletrisiteit te voorsien deur middel van drade en/of kables en ander toebehore ondergronds en/of bogronds langs roete aangedui deur letters ABC en EFGHJKLMNOPQ op Diagram LG Nr A.5338/1978 ten gunste van die Stad 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, waavan die binnegemelde eiendom 'n deel vorm, onderhewig aan die ewigdurende reg ten gunste van die Stad 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.
- (d) Die voormalige Resterende Gedeelte van Gedeelte 2 van die plaas Brakfontein 390, groot 331,7435 hektaar, waavan die binnegemelde eiendom 'n deel vorm, is verder onderhewig aan 'n ewigdurende reg van serwituut ten gunste van die Stad 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 A.5069/1984, 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 K.214/1995-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 Stad Tshwane vir munisipale doeleindes, vir elektriesiteitsgeleiding, 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 A.6652/1989 en verder deur 'n aangrensende 4 meter wyd serwituutgebied soos aangedui deur die verwysingslyn NPQRSTUVWXYZ en meegaande rigtingswysers op die Serwituut Kaart LG Nr A.6652/1989, welke serwituut geregistreer is kragtens Notariële Akte van Serwituut Nr K.215/1995S.
- (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, waavan 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 Stad 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 Stad 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 aandie volgende voorwaardes:
- '(i) 'n ewigdurende 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 verlê.
- (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 beskermings-toerusting 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 verlê.

Ten gunste van die Suid-Afrikaanse Gasdistribusiekorporasie Beperk Nr 64/06005/06 soos meer volledig sal blyk uit Notariële Serwituut Akte Nr K.3517/1997S met aangehegte Serwituut Diagram SG Nr 5284/1996.

The following condition which appears as an endorsement on page 6 of Deed of Transfer T.74351/2002 which do not affect the township due to its location:

By Notarial Deed of Servitude K.8556/2003, the within mentioned property 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, depicted by the line ABCDEFGHJKLMNPQRSTUVWXYZ on diagram SG No 6101/98, as will more fully appear from reference to the said Notarial Deed of Servitude”;

The following endorsement which appears on Page 9 in Deed of transfer 74351/2002 which do not affect the township due to its location:-

In terms of Section 24(1) of Act 8/2001 Notice of Expropriation No EX61/2008 dated 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.

The following condition which appears as an endorsement on page 10 in Deed of Transfer 74351/2002 which do not affect the township due to its location-

By Notarial Deed of Servitude K.7177/2006, the within mentioned property is subject to a servitude in extent 2,3765 hectares, for municipal purposes/engineering services and a right of way in favour of the City of Tshwane as indicated by the figure ABCDEFGHJKLMNPQRSTU on servitude diagram SG No 5816/2006, as will more fully appears from reference to the said Notarial Deeds.”

The following condition which appears as an endorsement on page 15 in Deed of Transfer 74351/2002 which do not affect the township due to its location-

By Notarial Deed of Servitude K 01118/2012-S, dated 17 January 2013, the within mentioned property is subject to a right of way servitude, in extent 5,0076 (FIVE comma ZERO ZERO SEVEN SIX) hectares, indicated by the figure A B C D E F G H J K L M N P Q R S T U V W X Y Z A1 H4 J4 L4 M4 N4 C1 D1 E1 F1 G1 H1 J1 K1 L1 M1 N1 P1 Q1 R1 S1 T1 U1 V1 W1 X1 Y1 Z1 A2 B2 C2 D2 E2 F2 G2 H2 J2 K2 L2 M2 N2 P2 Q2 R2 S2 T2 U2 V2 W2 A EXCLUDING THE FIGURES B X2 Y2 Z2 A3 B3 C3 D3 E3 F3 G3 H3 J3 K3 L3 M3 N3 P3 Q3 R3 S3 T3 U3 B and V3 W3 X3 Y3 Z3 A4 B4 C4 D4

E4 F4 G4 V3 on servitude diagram S.G. No 2787/2011 in favour of the City of Tshwane over property as will more fully appear from reference to the said Notarial Deed of servitude"

4. CONDITIONS OF TITLE

4.1 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)

4.1.1 ALL ERVEN WITH THE EXCEPTION OF THE ERVEN REFERRED TO IN CLAUSE 1.4

4.1.1.1 The erf shall be subject to a servitude, 3m wide, for municipal services (water, sewer, electricity and stormwater) (hereinafter referred to as "the services"), in favour of the Municipality, along any two boundaries, excepting a street boundary and, in the case of a panhandle erf, an additional servitude for municipal purposes, 2m wide, over the entrance portion of the erf, if and when required by the Municipality: Provided that the Municipality may waive any such servitude.

4.1.1.2 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 thereof.

4.1.1.3 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 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.

4.1.2 ERF 3145

4.1.2.1 The erf is subject to a servitude, 3 m X 6 m, for electrical purposes in favour of the Municipality as indicated on the General Plan.

4.1.2.2 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 metre there form.

4.1.2.3 The City of Tshwane 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 shall be entitled to reasonable access to the said property for the purpose, subject to the provision that the City of Tshwane shall make good any damage caused during the laying. Maintenance or removal of such main sewer pipeline and other works.

4.1.3 ERF 3146

4.1.3.1 The erf is subject to a servitude for sewer purposes in favour of the Municipality as indicated on the General Plan.

4.1.3.2 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 2 metre there form.

4.1.3.3 The City of Tshwane 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 shall be entitled to reasonable access to the said property for the purpose, subject to the provision that the City of Tshwane shall make good any damage caused during the laying. Maintenance or removal of such main sewer pipeline and other works.