

***THE PROVINCE OF
GAUTENG***

***DIE PROVINSIE VAN
GAUTENG***

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PROCLAMATION • PROKLAMASIE

PROCLAMATION 129 OF 2019**CITY OF TSHWANE****PERI-URBAN AMENDMENT SCHEME 714PU**

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 9, 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 714PU.

(CPD 9/1/1/1-SIXFX9 0601) (714PU)(Item 27187)
(CPD 9/2/4/2-714PU)

CITY OF TSHWANE METROPOLITAN MUNICIPALITY

__ NOVEMBER 2019
(Notice 146/2019)

CITY OF TSHWANE**DECLARATION OF SIX FOUNTAINS EXTENSION 9 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 9 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(CPD 9/1/1/1-SIXFx9 0601)(714PU)(Item 27187)
(CPD 9/2/4/2-714PU)

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY UNIQON WONINGS (PTY) LTD (REGISTRATION NUMBER 1999/001441/07), 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 246 (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 9.

1.2 DESIGN

The township shall consist of erven and streets as indicated on Plan SG 3598/2015.

1.3 DISPOSAL OF EXISTING CONDITIONS OF TITLE

All erven shall be made subject to existing conditions and servitudes, where applicable, including the following servitudes which affect all erven in the township:

GEDEELTE 7 van die plaas ZWARTKOPPIES 364, J.R., die Provinsie van Gauteng (waarvan die gedeelte hiermee getransporeer 'n deel vorm), is spesiaal onderworpe aan die volgende voorwaardes:

1.3.1 "The terms of an order of the Water Court for the district of Pretoria, a copy of which is dated 12th September 1939.

1.3.2 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.

1.3.3 AND FURTHER ENTITLED TO a Right of Way Servitude over Portion 109 (Portion of Portion 13) of the farm Zwartloppies 364, Registration Division ABCDEFGHjKltuvwxyzA on Diagram SG No 3625/1999, the latter property held by Deed of Transfer No T 75046/1999.

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 THE TOWNSHIP APPLICANT'S OBLIGATIONS

1.9.1 ASSOCIATION AND STATUTES

The township applicant must register a Non Profit Company (NPC) in terms of the provisions of the Companies Act, 2008 (Act 71 of 2008). All the owners of erven in the township must become members of the NPC. A copy of the registered Deed of Association (CM4) and the Company's Statutes must be submitted to The City of Tshwane.

The Deed of Association and Statutes of the NPC 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 579 – 698 must automatically become a member of the NPC 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.

1.9.2 PROVISION OF ESSENTIAL ENGINEERING SERVICES

The township applicant must make the necessary arrangements with the The City of Tshwane and/or relevant service provider on behalf of the 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 said Municipality; 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.

1.9.3 PROVISION OF A CERTIFICATE BY A PROFESSIONAL ENGINEER

Before any erf is transferred, the 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 The City of Tshwane an undertaking that the township applicant will complete this service on or before a certain date and must provide the 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.

1.9.4 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 NPC 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 The City of Tshwane.

1.10 RESTRICTION ON THE TRANSFER AND REGISTRATION OF ERVEN/LAND

In terms of Section 82(1) of the Town-planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), no erf or erven in the township may be transferred until the City of Tshwane has certified that the township owner has complied with his obligations as contained in Section 82 and the conditions of establishment have been complied with.

In terms of Section 98(2) of the Town-planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), as a condition of approval of township establishment, the registration of a Certificate of Registered Title, the opening of a Sectional Title Scheme, or registration or transfer of a sectional title unit, resulting from the approval of this township, may not be performed unless the Local Authority certifies that all the requirements and conditions for the registration thereof, have been complied with, read with Section 53 of the Spatial Planning and Land Use Management Act, 16 of 2013, where applicable.

2. CONDITIONS OF TITLE

The erven mentioned below shall be subject to the conditions as indicated, laid down by the 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 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 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.
- 2.1.2 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.
- 2.1.3 The 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 The City of Tshwane shall be entitled to reasonable access to the said property for the aforesaid purpose, subject to the provision that the The City of Tshwane shall make good any damage caused during laying, maintenance or removal of such services and other works.

2.2 REGISTRATION OF SERVITUDES

ERVEN 685 TO 689

The erven shall be subject to a servitude (3m wide) for a sewer and storm water line (municipal services) in favour of The City of Tshwane as indicated on the General Plan.

3. CONDITIONS WHICH IN ADDITION TO THE EXISTING PROVISIONS OF THE RULING TOWN PLANNING SCHEME, HAVE TO BE INCORPORATED IN THE PERI URBAN TOWN PLANNING SCHEME, 1975, IN TERMS OF SECTION 125 OF ORDINANCE 15 OF 1986

3.1 ALL ERVEN: SOIL CONDITIONS

- 3.1.1 The erven are situated in areas with adverse soil conditions, which can cause damage to buildings and structures. To minimise potential damage, foundations and structure elements shall be designed by competent professionals.
- 3.1.2 Furthermore, proposals to overcome detrimental soil conditions to the satisfaction of the The City of Tshwane shall be contained in all the building plans submitted to the Municipality for approval, and all buildings shall be erected in accordance with the precautionary measures accepted by the Municipality.