

***THE PROVINCE OF  
GAUTENG***

***DIE PROVINSIE VAN  
GAUTENG***

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## Contents

<i>No.</i>		<i>Gazette No.</i>	<i>Page No.</i>
	<b>LOCAL AUTHORITY NOTICES • PLAASLIKE OWERHEIDS KENNISGEWINGS</b>		
996	Town-planning and Townships Ordinance (15/1986): Highveld Extension 132.....	302	3

**LOCAL AUTHORITY NOTICES • PLAASLIKE OWERHEIDS KENNISGEWINGS****LOCAL AUTHORITY NOTICE 996 OF 2021****CITY OF TSHWANE****TSHWANE AMENDMENT SCHEME 406T**

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 132, 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 406T.

(CPD 9/1/1/1-HVDx132 0298)  
(CPD 9/2/4/2-406T))

**CITY OF TSHWANE METROPOLITAN MUNICIPALITY**

\_\_\_\_\_ 2021  
(Notice 129/2021)

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**CITY OF TSHWANE****DECLARATION OF HIGHVELD EXTENSION 132 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 132 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(CPD 9/1/1/1-HVDx132 0298)  
(CPD 9/2/4/2-406T))

**SCHEDULE**

CONDITIONS UNDER WHICH THE APPLICATION MADE BY JR 209 INVESTMENTS (PTY) LTD REGISTRATION NUMBER 2000/020447/07, 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 218 (A PORTION OF PORTION 60) OF THE FARM BRAKFORTEIN 390JR, PROVINCE OF GAUTENG, HAS BEEN GRANTED

**1. CONDITIONS OF ESTABLISHMENT****1.1 NAME**

The name of the township shall be Highveld Extension 132.

**1.2 DESIGN**

The township shall consist of erven, parks and streets as indicated on General Plan No SG 3567/2013.

**1.3 DISPOSAL OF EXISTING CONDITIONS OF TITLE**

All erven shall be made subject to existing conditions and servitudes, if any, but excluding –

- 1.3.1 The following conditions in Title Deed T74351/2002, which do not affect the township, due to location:
- (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 binne-gemelde 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 ABCD en EFGHJKLMNO PQ op Diagram LG Nr A.5338/1978 ten gunste van die Stad Tshwane.
  - (c) Kragtens Notariële Akte van Serwituut nr K3561/1982S gedateer 29 November 1982 is die Resterende Gedeelte van Gedeelte 2 van die plaas Brakfontein 390, groot 565,9643 hektaar, waavan die binne-gemelde 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 A6202/1981 en AB en BC op Diagram LG Nr A3167/1982.
  - (d) Die voormalige Resterende Gedeelte van Gedeelte 2 van die plaas Brakfontein 390, groot 331,7435 hektaar, waavan die binne-gemelde 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 serwituut gebied 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 serwituut gebied aan te lê, welke serwituut geregistreer is kragtens Notariële Akte van Serwituut Nr K214/1995-S.
  - (e) Die voormalige Resterende Gedeelte van Gedeelte 2 van die plaas Brakfontein 390, groot 331,7435 hektaar, waavan die binne-gemelde eiendom 'n deel vorm, is verder onderhewig aan 'n ewigdurende reg van serwituut ten gunste van die Stad Tshwane vir munisipale doeleindes, vir elektrisiteitsgeleiding, vir stormwaterafvoer, watertoevoer en vir die installasie en onderhoud van 'n rioolpyplyn, oor 'n serwituut gebied soos aangedui deur die letters ABCDEFGHJKLM op die Serwituut Kaart LG Nr A.6652/1989 en verder deur 'n aangrensende 4 meter wye serwituutgebied soos aangedui deur die verwysingslyn NPQRSTUVWX en meegaande rigtingswysers op die Serwituut Kaart LG Nr A.6652/1989 en verder 'n 3 meter wye aangrensende serwituut gebied waarvan die middellyn aangetoon word deur die letters YZA<sup>1</sup>B<sup>1</sup> op aangehegte Serwituutkaart LG No A6652/1989, 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 serwituut gebied 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, waavan die binne-gemelde eiendom 'n deel vorm, onderhewig aan 'n ewigdurende serwituut vir munisipale doeleindes, naamlik paddoeleindes oor 'n serwituut gebied 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 aan die 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 Diagram SG Nr 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 patrolleer, 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 KLMN, LPQ 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 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.

- (l) By Notarial Deed of Servitude K1118/2012S the Remaining Extent of Portion 60 (a Portion of Portion 2) of the farm Brakfontein 390, in Extent 134,6330 hectares, (of which the within mentioned property forms a portion) is subject to a Right of Way servitude, in extent 5,0076 (FIVE comma ZERO ZERO SEVEN SIX) hectares, in favour of the City of Tswhane, 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 K4 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 SG No 2787/2011 and will more fully appear from the said Notarial Deed of Servitude.

- 1.3.2 The following condition which appears as an endorsement on page 9 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.

- 1.3.3 The following endorsement which appears on Page 10 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.

1.3.4 The following servitude in Deed of transfer T74351/2002, which shall not be transferred to erven in the township:-

1.3.4.1 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 390 JR soos meer ten volle sal blyk uit bogenoemde Notariële Akte.

1.3.5 The following condition which appears as an endorsement on page 6 of Deed of Transfer T.74351/2002 which affects Erf 3167 in the township only:-

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 hectares (of which the within mentioned property forms a part) is subject to a sewer and drain servitude, 5 metres wide and a right of access for inspection, maintenance, repairs in favour of the City of Tshwane, the centre line of which is indicated by the lines a b and c d on diagram SG No 3559/2013, attached hereto.

#### 1.4 LAND FOR MUNICIPAL PURPOSES

The following erven shall within 6 months of proclamation, or such longer period as agreed to by the applicant and the Municipality, be rehabilitated in accordance with the Master Site Development Plan and Landscape Development as approved by the Municipality prior to the transfer of the erven to the City of Tshwane by and at the expense of the township owner:

Parks (public open space): Erven 3167 and 3168, Highveld Extension 132.

#### 1.5 PRECAUTIONARY MEASURES

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

1.5.1.1 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 designation for each stand within the township must be included. Certification on the method of backfilling of the boreholes must also be included.

1.5.1.2 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.

1.5.2 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.

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

1.5.3.1 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

1.5.3.2 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.

1.6 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 the Gauteng Department of Roads and Transport when consent was granted for the development.

1.7 ACCESS

No ingress from Provincial Road K111 to the township and no egress to Provincial Road K111 from the township shall be permitted.

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.

1.8 RECEIVING AND DISPOSAL OF STORMWATER

1.8.1 The stormwater plan for this development must be integrated with the greater stormwater master plan for the total relevant catchment area, including adjoining areas. Any new or enlarged stormwater systems to address all stormwater runoff must be investigated and designed by a professional civil engineer to the satisfaction of the local authority.

1.8.2 The low points in roads and the accumulation of stormwater in crescents, cul-de-sac's and lower lying erven must be drained to the satisfaction of the Municipality.

1.9 ACOUSTIC SCREENING MEASURES/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.

1.10 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 Gauteng 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.

1.11 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.

1.12 DEMOLITION OF BUILDINGS AND STRUCTURES

When required by the City of Tshwane 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.

1.13 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, when required to do so by the Municipality.

1.14 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.

1.15 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.

1.16 COMPLIANCE WITH CONDITIONS IMPOSED BY GDARD

The township owner shall at his own expense comply with all the conditions imposed, by which 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.

1.17 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.

1.18 CONSOLIDATION OF ERVEN

The township owner shall, at its own costs, after proclamation of the township but prior to the development of any erf/unit in the township, consolidate Erven 3167 and 3168 to the satisfaction of the local authority. The local authority hereby grants its consent for the consolidation of Erven 3167 and 3168 in terms of section 92(1)(b) of Ordinance 15 of 1986, which consolidation shall only come into operation on proclamation of the township.

2. CONDITIONS OF TITLE

2.1 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)

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

2.1.1.1 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 local authority, along any two boundaries, excepting a street boundary and, in the case of a panhandle erf, an additional servitude for municipal purposes, 3 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 thereof.

2.1.1.3 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.