

**THE PROVINCE OF
GAUTENG**



**DIE PROVINSIE VAN
GAUTENG**

Provincial Gazette Provinsiale Koerant

EXTRAORDINARY • BUITENGEWOON

Selling price • Verkoopprys: **R2.50**
Other countries • Buitelands: **R3.25**

Vol. 24

PRETORIA
9 FEBRUARY 2018
9 FEBRUARIE 2018

No. 29

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ISSN 1682-4525



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PROCLAMATION • PROKLAMASIE

PROCLAMATION 16 OF 2018**CITY OF TSHWANE****PERI-URBAN AMENDMENT SCHEME 450PU**

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 14, 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 450PU.

(13/2/Bronberg x14 (450PU)
FEBRUARY 2018

GROUP LEGAL AND SECRETARIAT SERVICES
(Notice 158/2018)

PROKLAMASIE 16 VAN 2018**STAD TSHWANE****PERI-URBAN WYSIGINGSKEMA 450PU**

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 14, synde 'n wysiging van die Peri-Urban dorpsbeplanningskema, 1975, goedgekeur het.

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

Hierdie wysiging staan bekend as Peri-Urban wysigingskema 450PU.

(13/2/Bronberg x14 (450PU))
 _____ FEBRUARIE 2018

GROEP REGS EN SEKRETARIAAT DIENSTE
 (Kennisgewing 158/2018)

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CITY OF TSHWANE

DECLARATION OF BRONBERG EXTENSION 14 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 Bronberg Extension 14 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(13/2/Bronberg x14 (450PU))

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY MR MICHAEL JOHANNES OLLEWAGEN WERNER, 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 THE REMAINDER OF PORTION 139 (A PORTION OF PORTION 3) 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 14.

1.2 LAYOUT/DESIGN

The township shall consist of erven as indicated on General Plan SG No 5876/2008.

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, via the existing street network of the township Bronberg Extension 8 and with the consent of the Crowthorn Homeowners Association.

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 (a) 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 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, 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.

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 storm water drainage and the installation of systems thereof, to the satisfaction of the City of Tshwane Metro Municipality 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 Metro Municipality complete as-built 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 Metro Municipality 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 Metro Municipality.

1.8.2 NON-PROFIT COMPANY (HOMEOWNER'S ASSOCIATION)

A Non-profit Company (Homeowner's Association) in terms of the provisions of the Companies Act, 1973 (Act 61 of 1973) already exists and is functioning for the Crowthorn Estate. All owners of units in the township, shall 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.

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 NON-PROFIT COMPANY (HOMEOWNERS' ASSOCIATION)

Erf 574 shall be transferred to the Non-profit 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 erf may not be transferred thereafter by the Non-profit Company before the consent of the City of Tshwane first been obtained.

A servitude for access and municipal and engineering services shall be registered over Erf 574 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.
- 3.2 The following rights, described in the Title Deed T24861/1993 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 30th 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.**

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. 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 ERF 574

The entire erf shall be subject to a servitude municipal engineering services in favour of the City of Tshwane.

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 Non-profit 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 (Non-profit Company) 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.

4.2.2 ERF 574

The entire erf shall be subject to a right of way servitude in favour of the Non-profit Company to be established by the owners of Erf 562 up to and including Erf 573.

4.2.3 ERF 562 UP TO AND INCLUDING ERF 573

The erven shall be entitled to a right of way servitude over the entire Erf 574.

Printed by the Government Printer, Bosman Street, Private Bag X85, Pretoria, 0001,
for the **Gauteng Provincial Administration**, Johannesburg.

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