

**THE PROVINCE OF  
GAUTENG**



**DIE PROVINSIE VAN  
GAUTENG**

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# PROCLAMATION • PROKLAMASIE

## PROCLAMATION 95 OF 2018

### CITY OF TSHWANE

#### CENTURION AMENDMENT SCHEME 3475C

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 Heuweloord Extension 19, being an amendment of the Centurion Town-planning Scheme, 1992.

Map 3 and the scheme clauses of this amendment scheme are filed with Group Legal and Secretariat Services, and are open to inspection during normal office hours.

This amendment is known as Centurion Amendment Scheme 3475C.

(13/2/Heuweloord x19 (3475C)  
\_\_ AUGUST 2018

**CITY OF TSHWANE METROPOLITAN MUNICIPALITY**  
(Notice 163/2018)

### CITY OF TSHWANE

#### DECLARATION OF HEUWELOORD EXTENSION 19 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 Heuweloord Extension 19 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(13/2/Heuweloord x19 (3475C))

#### SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY NABUVAX PROPRIETARY LIMITED, IN TERMS OF THE PROVISIONS OF PART C OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE NO 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 165 (A PORTION OF PORTION 108) OF THE FARM BRAKFORTEIN 399JR, PROVINCE OF GAUTENG, HAS BEEN GRANTED

#### 1. CONDITIONS OF ESTABLISHMENT

##### 1.1 NAME

The name of the township shall be Heuweloord Extension 19.

##### 1.2 DESIGN

The township shall consist of erven, parks and streets as indicated on General Plan SG No 1564/2012.

##### 1.3 DISPOSAL OF EXISTING CONDITIONS OF TITLE

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

##### 1.3.1 the following servitudes which do not affect the township due to location;

Conditions B and C in Deed of Transfer T 50498/2013:

“B. Die vorige resterende gedeelte van die plaas BRAKFORTEIN 399, Registrasie Afdeling JR, groot 519,4322 hektaar (waarvan die eiendom hieronder gehou deel uitmaak) is kragtens Notariële Akte No K5010/97S gedateer 7 April 1997 onderhewig aan 'n pyplyn en werkeservitude ses (6,00) meter wyd soos aangedui deur die lyn ABCDEFGHJKLMNPQRS op Kaart LG No 11886/96 ten gunste van GASKOR met bykomende regte, soos meer volledig sal blyk uit gemelde Notariële Akte.”

“C. The former Remaining Extent of the abovementioned farm BRAKFONTEIN 399, measuring as such 514,3246 hectares (a portion whereof is being transferred hereby) is subject to a servitude for municipal purposes and a right of way 7 634 square metres in extent indicated by the figure abcdJKghijklmnpa on the annexed diagram SG No 6114/2003 in favour of City of Tshwane with ancillary rights as will more fully appear from Notarial Deed No K 4575/2001S dated 19 March 2001.”

- 1.3.2 the following servitude which does not affect the township due to the fact that it is no longer required and will be cancelled:

Conditions “A” in Deed of Transfer T 50498/2013:

“A. “The former Remaining Extent of the abovementioned farm BRAKFONTEIN 399, measuring as such 902,1251 hectares (a portion whereof is being transferred hereby) is subject to a Servitude of Way-Learn for the passage of electrical power and ancillary rights in favour of the CITY COUNCIL OF PRETORIA, as will more fully appear from Notarial Servitude of Way-learn 739/56-S, registered on the 6<sup>th</sup> July, 1956.”

- 1.3.3 the following conditions which affects Erven 1885 and 1886 in the township only;

Conditions “D” and “E” in Deed of Transfer T 50498/2013:

“D. The property hereby transferred is subject to a water pipeline servitude 3,00 (Three) metres wide, the centre line of which servitude is indicated by the line rstuvw on the annexed diagram SG No 6114/2003 in favour of CITY OF TSHWANE METROPOLITAN MUNICIPALITY.”

“E. The property hereby transferred is subject to the following condition:

No building plans will be approved until a dolomite stability and foundation investigation have been carried out on all the areas on which there is to be built, to the satisfaction of the local authority.

An engineer must be appointed before building plans are submitted, who must submit, together with the building plans, a certificate which states that he has studied the relevant geological report and that he has established the necessary measures with regard to building work, drainage of the buildings and the site and the installation of wet services so that the entire development is safe as far as possible from a geological point of view. On completion of the buildings he must certify that all his specifications have been met.”

#### 1.4 PRECAUTIONARY MEASURES

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

1.4.1.1 compile a complete RISK MANAGEMENT PLAN and WET SERVICES PLAN; and

1.4.1.2 compile 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 boreholes must also 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 the land owner(s).

- 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; 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.

1.5 COMPLIANCE WITH CONDITIONS IMPOSED BY THE GAUTENG 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

1.6.1 No ingress from roads P102-1 and P66-1 (K71) to the township and no egress to roads P102-1 and P66-1 (K71) from the township shall be allowed.

1.6.2 Access is via Apiesdoring Drive, and shall not be closer than 100m from the road reserve of the roads mentioned in (a) above. Ingress from Road P66-1 (K71) to the township and egress to Road P66-1 (K71) from the township shall be restricted to the intersection of Apiesdoring Drive with such road.

1.6.3 The township owner shall at his own expense arrange for a geometric lay-out design (scale 1:500) of the ingress and egress points referred to in (a) above and specifications for the construction of the junctions to be compiled and shall submit it to the Head of the department: Gauteng Provincial Government Department of Roads and Transport, for approval. After the design and specifications have been approved, the township owner shall construct the entrances at his own expense to the satisfaction of the Head of the Department: Department of Roads and Transport.

1.7 RECEIVING AND DISPOSAL OF STORMWATER

The township owner shall arrange the storm water drainage of the township in such a way as to fit in with that of Roads P102-1 and P66-1 (K71) and he shall receive and dispose of the storm water running off or being diverted from the road.

The Service Report containing the storm water design proposal must be submitted to this Department 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 P102-1 and P66-1 (K71), 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 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 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.

1.12 REMOVAL OF LITTER

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

### 1.13 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.

### 1.14 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 his own expense have Erven 1885 and 1886 in the township consolidated. The City of Tshwane hereby grants its consent to the consolidation in respect of Section 92(2) of Ordinance 15 of 1986.

## 2. CONDITIONS OF TITLE

### 2.1 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)

#### 2.1.1 ALL ERVEN

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 Municipality, along any two boundaries, excepting a street boundary and, in the case of a panhandle erf, an additional servitude for municipal purposes, 3m wide, over the entrance portion of the erf, if and when required by the Municipality: Provided that the Municipality 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 3m 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 the 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 the laying, maintenance or removal of such services and other works.

#### 2.1.2 ERF 1885

2.1.2.1 The erf shall be subject to a servitude, 6m wide for municipal services (water) (hereinafter referred to as "the services"), in favour of the Municipality, as indicated on the General Plan.

2.1.2.2 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 3m from it.

2.1.2.3 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 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 the laying, maintenance or removal of such services and other works.



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