

***THE PROVINCE OF
GAUTENG***



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PROVINCIAL NOTICES • PROVINSIALE KENNISGEWINGS

PROVINCIAL NOTICE 732 OF 2018**CITY OF TSHWANE****TSHWANE AMENDMENT SCHEME 4380T**

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 Celtisdal Extension 74, being an amendment of the Tshwane Town-planning Scheme, 2008.

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 Tshwane Amendment Scheme 4380T.

(CPD 9/2/4/2-4380T) & (CPD 9/1/1/1-CLTx74 085))
(13/2/Celtisdal x74 (4380T))

CITY OF TSHWANE METROPOLITAN MUNICIPALITY

(Notice 186/2018)
___ JULY 2018

CITY OF TSHWANE**DECLARATION OF CELTISDAL EXTENSION 74 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 Celtisdal Extension 74 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(CPD 9/2/4/2-4380T) & (CPD 9/1/1/1-CLTx74 085))
(13/2/Celtisdal x74 (4380T))

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY ROAD CUBS PROPRIETARY LIMITED, 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 321 (A PORTION OF PORTION 1) OF THE FARM SWARTKOP 383JR, PROVINCE OF GAUTENG, HAS BEEN GRANTED

1. CONDITIONS OF ESTABLISHMENT**1.1 NAME**

The name of the township shall be Celtisdal Extension 74.

1.2 DESIGN

The township shall consist of erven, parks and streets as indicated on Layout Plan CPD 9/1/1/1-CLTX74/6 and General Plan 2433/2017.

1.3 PRECAUTIONARY MEASURES

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

1.3.1.1 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

1.3.1.2 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.

1.4 RECEIVING AND DISPOSAL OF STORMWATER

The stormwater plan for this township must be integrated with the greater stormwater master plan for the total relevant catchment area, including adjoining areas.

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

1.5 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.

1.6 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.

1.7 REMOVAL OF LITTER

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

The township owner shall provide sufficient refuse collection points in the township and shall make arrangements to the satisfaction of the local authority for the removal of all refuse.

1.8 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.

1.9 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.

1.10 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.

1.11 OBLIGATIONS WITH REGARD TO SERVICES AND RESTRICTION REGARDING THE ALIENATION OF ERVEN

The township owner shall within such period as the Local Authority may determine, fulfil its obligations in respect of the provision of water, electricity and sanitary services as well as the construction of roads and stormwater drainage and the installation of systems thereof, as previously agreed upon between the township owner and the local authority. Erven may not be transferred into the name of a purchaser prior to the Local Authority certifying that sufficient guarantees/ cash contributions in respect of the supply of services by the township owner have been submitted or paid to the said Local Authority.

1.12 ENDOWMENT

Payable to the City of Tshwane.

The township owner shall, in terms of the provisions of Section 98(2) of the Ordinance, 1986, read with Regulation 44(1) of the Town-planning and Townships Regulations, pay an endowment amount to the City of Tshwane. The said endowment amount shall be paid to the Municipality in lieu of land for the provision of opens spaces and parks equal to 1 008m².

The township owner has agreed to the provision and development of an open area of 653m² on the consolidated erf, to be developed and kept free of structures and shall be indicated on the Site Development Plan.

The endowment payable for the shortfall of 355m² totals an amount of R175 000,00. The amount shall be used by the City of Tshwane for the acquisition of land for park and/or public open space purposes.

If at any time, the areas agreed to is not available for open space purposes, the developer or the successor in title shall pay in terms of Section 98(2) of the Ordinance, 1886 read with Regulation 44(1) of the Town-planning and Townships Regulations an endowment amount to the City of Tshwane.

The said endowment amount shall be payable in accordance with the provisions of Section 81 of the town-planning and Townships Ordinance, 1986 (Ordinance 15 of 1986).

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

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.

2.2 RESTRICTIONS ON THE ALIENATION OF LAND

Regardless the issuing of a certificate as contemplated in section 82(1)(b)(ii)(cc) of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), no erf in the township may be transferred or be dealt with otherwise until the City of Tshwane certifies that the developer has complied with the provisions of condition 2.3.

2.3 THE DEVELOPER'S OBLIGATIONS

2.3.1 PROVISION OF DETAILED ENGINEERING DRAWINGS:

2.3.1.1 The developer must submit to the CoT complete detail design drawings in respect of roads and stormwater infrastructure for approval prior to the commencement of the construction of the said services.

2.3.1.2 The detail design drawings will only be evaluated after the required Services Report in respect of roads and stormwater has been approved.

2.3.1.3 The developer must obtain a way leave from the Municipality prior to commencement of construction work, if such work will be done on Municipal property.

2.3.1.4 A 10% retention guarantee will be applicable for the Civil Engineering Services, which will be held in place for a period of 12 months after takeover of the services or proclamation of the township, whichever date is the latter.

2.3.2 PROVISION OF A CERTIFICATE BY A PROFESSIONAL ENGINEER

Before any erf is transferred, 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 sewers, 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 sewers. If this is the case, the developer must give the City of Tshwane an undertaking that the developer will complete this service on or before a certain date and must provide the City of Tshwane with a guarantee issued by a recognized financial institution.

No building plans will be approved before the services are completed and (if applicable) taken over by the divisions of the Public Works and Infrastructure Development Department.

3. DISPOSAL OF EXISTING CONDITIONS OF TITLE

3.1 All erven shall be made subject to existing conditions and servitudes in Deed of Transfer T7088/2017, but excluding –

3.1.1 The following servitude which does affect Erf 1522 in the township and will be registered against the title deed of the erf:

“2. Die eiendom hiermee getransporteer is spesiaal onderhewig aan ‘n riool servituut 3 (DRIE) meter wyd op die oostelike grens ten gunste van die Stadsraad van Verwoerdburg”.

3.1.2 The following servitude which does affect Erf 1521 and Lochner Road in the township and will be registered against the title deed of the erf:

- “3. *Kragtens Notariële Akte Nommer K2096/1998S gedateer 27 Mei 1997 is die hierinvermelde eiendom onderhewig aan 'n waterregte-pompterrein en pyplyn-serwituut soos aangedui op figuur ABCD op LG kaart A13099/97 ten gunste van GEDEELTE 84 (GEDEELTE VAN GEDEELTE 1) VAN DIE PLAAS SWARTKOP 383, REGISTRASIE AFDELING J.R., PROVINSIE VAN GAUTENG, GROOT: 2,4370 (TWEË KOMMA VIER DRIE SEWE NUL) HEKTAAR GEHOU KRAGTENS Akte van Transport T93053/1994”.*

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

- 4.1.1.1 The erf shall be subject to a servitude, 3 m 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.

- 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 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.

4.1.2 ERF 1522

- 4.1.2.1 The erf is subject to a right of way servitude in favour of the Municipality, for the purpose of a turning circle.

4.1.3 ERVEN 1521 AND 1522

The erven lie in an area with soil conditions that can cause serious damage to buildings and structures. In order to limit such damage, foundations and other structural elements of buildings and structures must be designed by a competent professional engineer and erected under his supervision. Building plans submitted to the Municipality for consideration shall indicate measures to be taken, to limit possible damage to buildings and structures as a result of detrimental foundation conditions. The owner of the erf shall comply with these measures in accordance with the recommendations contained in the Geotechnical report for the township and conditions imposed by the Council for Geoscience, unless it is proven to the Municipality and the Council for Geoscience, that such measures are unnecessary or that the same purpose can be achieved by other more effective means.

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