

**THE PROVINCE OF  
GAUTENG**



**DIE PROVINSIE VAN  
GAUTENG**

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22 OCTOBER 2018  
22 OKTOBER 2018

**No. 302**

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### CONTENTS

|                                   |   | <i>Gazette</i> | <i>Page</i> |
|-----------------------------------|---|----------------|-------------|
|                                   |   | <i>No.</i>     | <i>No.</i>  |
| <b>PROCLAMATION • PROKLAMASIE</b> |   |                |             |
| 145                               | Town-planning and Townships Ordinance (15/1986): Gem Valley Extension 16..... | 302            | 3           |
| 146                               | Town-planning and Townships Ordinance (15/1986): Montana Extension 169.....   | 302            | 9           |

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**PROCLAMATION • PROKLAMASIE**

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**PROCLAMATION 145 OF 2018****CITY OF TSHWANE****TSHWANE AMENDMENT SCHEME 4319T**

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 Gem Valley Extension 16, 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 4319T.

(CPD 9/1/1/1-GMVx16 1260)  
(13/2/Gem Valley x16 (4319T))

**CITY OF TSHWANE METROPOLITAN MUNICIPALITY**

22 OCTOBER 2018  
(Notice 207/2018)

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**CITY OF TSHWANE****DECLARATION OF GEM VALLEY EXTENSION 16 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 Gem Valley Extension 16 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(CPD 9/1/1/1-GMVx16 1260)  
(13/2/Gem Valley x16 (4319T))

**SCHEDULE**

CONDITIONS UNDER WHICH THE APPLICATION MADE BY COSMOPOLITAN PROJECTS TSHWANE (PTY) LTD, UNDER 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 THE REMAINDER OF PORTION 208 OF THE FARM FRANSPOORT 332JR, PROVINCE OF GAUTENG, HAS BEEN GRANTED

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

The name of the township shall be Gem Valley Extension 16.

**1.2 DESIGN**

The township shall consist of erven and streets as indicated on General Plan SG No 1213/2017.

**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 Metropolitan Municipality 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 Metropolitan Municipality, 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.

## 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.

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 Metropolitan Municipality 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 City of Tshwane Metropolitan Municipality 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 SITE DEVELOPMENT PLAN

A complete Site Development Plan for the whole development must be submitted before any building construction may commence, at the cost of the applicant, for the approval of the Division: Roads and Stormwater. Engineers Drawings with details regarding access, parking layout and stormwater drainage must be submitted with the Site Development Plan.

#### 2.3.3 PROVISION OF A CERTIFICATE BY A PROFESSIONAL ENGINEER

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

#### 2.4 ERF FOR MUNICIPAL PURPOSES

Erf 3933 shall, prior to or simultaneously with registration of transfer of the first Erf in the township and at the cost of the township owner, be transferred to the City of Tshwane Metropolitan Municipality for municipal purposes.

The township owner shall, at its own costs and to the satisfaction of the Municipality, remove all refuse, building rubble and/or other materials from Erf 3933, prior to the transfer of the erf in the name of the City of Tshwane.

### 3. DISPOSAL OF EXISTING CONDITIONS OF TITLE

All erven shall be made subject to existing conditions and servitudes, if any, as contained in Deed of Transfer No T35707/2012 including the reservation of the rights to minerals –

3.1 excluding the following conditions, which do not affect the township due to locality:

- “(B) The property hereby transferred is further subject to an Electric Power line Servitude with ancillary rights and a Telecommunication Servitude with related purposes in favour of ESKOM as will more fully appear from Notarial Deed of Servitude K.5281/2005 and the route of such servitude of 55 metres wide is indicated on Diagram SG No 9476/2007 and SG No 9475/2007 attached to Notarial Deed of Servitude K.13/2010S and which is represented by the lines k 1s m and m n on attached Consolidation diagram SG No 1240/2009.
- (C) The property hereby transferred is subject to a Power line Servitude in favour of ESKOM as indicated on Diagram SG No 9477/2007 and as will more fully appear from Notarial Deed of Servitude K 2393/2012S and which is represented by the line 1m 1n on attached Consolidation diagram SG No 1240/2009.
- (D) The property hereby transferred is subject to a sewer servitude of 6 (six) metre wide as indicated on Diagram SG No 3757/1999, which servitude is in favour of The City of Tshwane Metropolitan Municipality and will more fully appear from Notarial Deed of Servitude K.2395/2012S, which is represented by the lines p q and r s t on attached Consolidation diagram SG No 1240/2009.
- (E) The property hereby transferred is subject to a sewer servitude of 6 (six) metre wide as indicated on Diagram SG No 3758/1999, which servitude is in favour of The City of Tshwane Metropolitan Municipality and will more fully appear from Notarial Deed of Servitude K.2396/2012S which is represented by the line t u v w x y z 1a on attached Consolidation diagram SG No 1240/2009.
- (H) The property hereby transferred is subject to a Servitude to convey and transmit stormwater by means of a Pipeline below ground level, an open channel and suitable dissipation area as shown on Diagram SG No 1733/1999 in favour of the City Council of Pretoria as will more fully appear from Notarial Deed K5576/1999 and which is represented by the line 1g 1h on attached Consolidation Diagram SG No 1240/2009.
- (I) By virtue of Notarial Deed no K1479/2013S dated 13/2/13 the withinmentioned property is subject to a stormwater servitude area of 81m<sup>2</sup> as indicated by the figure ABCDA on Servitude Diagram SG No 1273/2007 and indicated by the figure 1j 1k 1r on Consolidation Diagram SG no 1240/2009 attached hereto in favour of City of Tshwane Metropolitan Municipality as will more fully appear from the said notarial deed.”
- (J) The Remaining extent of portion 208 of the farm Franspoort No 332 Registration Division JR; Province of Gauteng, In extent 63,2276 hectares is subject to a storm water servitude in favour of the City of Tshwane Metropolitan Municipality measuring 3 metres wide as indicated by the figure A B C D E F on diagram SG Number 307/2014, as will more fully appear from Notarial Deed of Servitude K01298/2016S dated 2 February 2016.
- (K) Remaining Extent of Portion 208 of the farm Franspoort No 332, Registration Division J.R.; Province of Gauteng, In extent 63,2276 hectares is subject to a services servitude represented by the figure ABCD middle of Edendale Spruit indicated by the figure EFGHJKLMNPQRSTUVWXYZA1B1C1D1E1F1G1H1J1 K1L1M1N1P1Q1R1S1T1U1V1W1X1Y1Z1A2B2C2D2E2F2G2H2J2K2L2M2 N2P2A on SG Diagram Number 2297/2014 as will more fully appear from Notarial Deed of Servitude K3439/2016S.

- (L) The Remainder of Portion 208 of the Farm Franspoort No 332, Registration Division JR; Province of Gauteng Measuring 51,3860 Hectares is subject to a Stormwater Servitude 3 metres wide with ancillary rights in favour of the City of Tshwane Metropolitan Municipality which servitude is represented by the line "A B" which indicates the centre line of the Stormwater Servitude on SG No 2295/2014 as will more fully appear from Notarial Deed of Servitude K3632/2017S dated 30 May 2017.
- (M) The Remainder of Portion 208 of the Farm Franspoort No 332, Registration Division JR; Province of Gauteng Measuring 51,3860 Hectares is subject to a Stormwater Servitude 3 metres wide with ancillary rights in favour of the City of Tshwane Metropolitan Municipality which servitude is represented by the line "A B" which indicates the centre line of the Stormwater Servitude on SG No 309/2014 as will more fully appear from Notarial Deed of Servitude K3633/2017S dated 30 May 2017.
- (N) The Remainder of Portion 208 of the Farm Franspoort No 332, Registration Division JR; Province of Gauteng Measuring 51,3860 Hectares is subject to a Sewerage Line Servitude 5 metres wide with ancillary rights in favour of the City of Tshwane Metropolitan Municipality which servitude is represented by the line "ABCDEFGH AND JKLM" as indicated on SG No 382/2014 as will more fully appear from Notarial Deed of Servitude K3634/2017S dated 30 May 2017.
- (O) The Remainder of Portion 208 of the Farm Franspoort No 332, Registration Division J.R.; Province of Gauteng Measuring 51,3860 Hectares is subject to a Servitude for a Pipeline 67 square metres wide with ancillary rights in favour of the City of Tshwane Metropolitan Municipality which servitude is represented by the line "ABCD" as indicated on SG No 3515/2015 as will more fully appear from Notarial Deed of Servitude K3635/2017S dated 30 May 2017.
- (P) The Remainder of Portion 208 of the Farm Franspoort No 332, Registration Division JR; Province of Gauteng Measuring 51,3860 Hectares is subject to a Stormwater Servitude 3 metres wide with ancillary rights in favour of the City of Tshwane Metropolitan Municipality which servitude is represented by the line "ABC" as indicated on SG No 308/2014 as will more fully appear from Notarial Deed of Servitude K3636/2017S dated 30 May 2017.
- (Q) The Remainder of Portion 208 of the Farm Franspoort No 332, Registration Division JR; Province of Gauteng Measuring 51,3860 Hectares is subject to a Stormwater Servitude 3 metres wide with ancillary rights in favour of the City of Tshwane Metropolitan Municipality which servitude is represented by the line "AB" as indicated on SG No 2296/2014 as will more fully appear from Notarial Deed of Servitude K3637/2017S dated 30 May 2017."
- 3.2 excluding the following conditions which do affect Erf 3932 and Letoaba Avenue in the township:
- "(F) The property is further subject to a Sewer Line Servitude 6 metres wide in favour of the City of Tshwane Metropolitan Municipality, as indicated on diagram SG No 3759/1999 and as will more fully appear from Notarial Deed of Servitude K2394/2012S which is represented by the line 1a 1b 1c 1d 1e on attached Consolidation Diagram SG No 1240/2009.
- (G) The property hereby transferred is subject to a Servitude to convey sewerage under the surface by means of a Pipeline below ground level, as indicated on diagram SG No 1734/1999 in favour of the City of Pretoria and as will more fully appear from Notarial Deed K5577/1999 and which is represented by the line 1d 1f on attached Consolidation Diagram SG No 1240/2009."

#### 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 METROPOLITAN MUNICIPALITY IN TERMS OF THE PROVISIONS OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986)

##### 4.1.1 ERF 3932

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 Metropolitan 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 City of Tshwane Metropolitan Municipality shall be entitled to reasonable access to the said property for the aforesaid purpose, subject to the provision that the City of Tshwane Metropolitan Municipality shall make good any damage caused during the laying, maintenance or removal of such services and other works.

##### 4.1.2 ERF 3932

The erf is subject to stormwater servitudes, 4m wide, in favour of the City of Tshwane Metropolitan Municipality, as indicated on the General Plan.



**PROCLAMATION 146 OF 2018****CITY OF TSHWANE****TSHWANE AMENDMENT SCHEME 4260T**

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 Montana Extension 169, 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 4260T.

(CPD 9/1/1/1-MNAX169 434)  
(13/2/Montana x169 (4260T))

**CITY OF TSHWANE METROPOLITAN MUNICIPALITY**

22 OCTOBER 2018  
(Notice 208/2018)

**CITY OF TSHWANE****DECLARATION OF MONTANA EXTENSION 169 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 Montana Extension 169 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(CPD 9/1/1/1-MNAX169 434)  
(13/2/Montana x169 (4260T))

**SCHEDULE**

CONDITIONS UNDER WHICH THE APPLICATION MADE BY BASTION DEVELOPMENT GROUP CC, UNDER 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 613 OF THE FARM HARTEBEESTFONTEIN 324JR, PROVINCE OF GAUTENG, HAS BEEN GRANTED

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

The name of the township shall be Montana Extension 169.

**1.2 DESIGN**

The township shall consist of erven, parks and streets as indicated on General Plan SG No 3021/2017.

**1.3 DISPOSAL OF EXISTING CONDITIONS OF TITLE**

All erven shall be made subject to existing conditions and servitudes, if any.

**1.4 ENDOWMENT**

Payable to the City of Tshwane Metropolitan Municipality.

The township owner shall pay endowment of **R310 000,00** for an area of **1 098m<sup>2</sup>** in terms of Regulation 44(1) of the Town-Planning and Townships Regulations, to the City of Tshwane. The amount of this area shall be used by the City of Tshwane for the acquisition of land for park and/or public open space purposes.

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).

**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 CONSOLIDATION OF ERVEN

The township owner shall at his own expense have Erven 2179 and 2180 in the township consolidated. The Tshwane Metropolitan Municipality hereby grants consent to the consolidation in respect of Section 92(1)(b) of Ordinance 15 of 1986.

#### 1.7 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.

#### 1.8 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.

#### 1.9 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.

#### 1.10 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.

#### 1.11 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, for the development of this township.

#### 1.12 RESTRICTIONS 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 Municipality 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 be 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.

#### 1.13 THE DEVELOPER'S OBLIGATIONS

##### 1.13.1 PROVISION OF ENGINEERING DRAWINGS

The developer must submit to the City of Tshwane complete engineering drawings in respect of internal sewers and sewer connection points and complete engineering drawings in respect of the internal roads, stormwater and sewers as well as water and electricity services, prior to the commencement of the construction of the said services.

### 1.13.2 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 stormwater 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 stormwater 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 Service Delivery Department.

### 1.13.3 MAINTENANCE PERIOD AND GUARANTEE

A maintenance period of 12 (twelve) months commences on the date on which the Council has certified that the provisions of Section 82 (1)(b)(ii)(cc) of the Town-Planning and Townships Ordinance 15 of 1986 has been complied with and when the last of the internal engineering services (i.e. water, sewerage, electricity, and the road and storm water sewers) have been completed.

A maintenance guarantee must be issued for the said period by a recognized 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 issued in favour of the Section 21 company for an amount that is equal to 10% 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 City of Tshwane.

### 1.13.4 COMPLETION OF THE SCHEME

The developer remains liable for the development of the entire housing scheme in accordance with the approved site development plan, provided that the scheme may also be developed in phases with the consent of the City of Tshwane, and provided further that the entire development takes place under the supervision of one architectural firm. If another architect or architectural firm is appointed at any stage during the execution of the scheme, the City of Tshwane must be notified of this without delay.

## 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, 2m 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, 2m 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 2m from thereof.

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.

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