

***THE PROVINCE OF
GAUTENG***

***DIE PROVINSIE VAN
GAUTENG***

**Provincial Gazette
Provinsiale Koerant**
EXTRAORDINARY • BUITENGEWOON

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

Vol. 25

PRETORIA
6 NOVEMBER 2019
6 NOVEMBER 2019

No. 347

CONTENTS

	<i>Gazette</i>	<i>Page</i>
	<i>No.</i>	<i>No.</i>
PROCLAMATION • PROKLAMASIE		
123 Spatial Planning and Land Use Management Act, Act 16 of 2013: Eldorette Extension 51	347	4

PROCLAMATION • PROKLAMASIE

PROCLAMATION 123 OF 2019

CITY OF TSHWANE

AKASIA/SOSHANGUVE AMENDMENT SCHEME 0567A

It is hereby notified in terms of the provisions of Section 33(4), read with Section 31 of the Development Facilitation Act, 1995 (the "DFA"), and further read with Section 60(2)(c) & (3) of the Spatial Planning and Land Use Management Act, Act 16 of 2013 ("SPLUMA"), that the City of Tshwane has approved an amendment scheme with regard to the land in the township of Eldorette Extension 51, being an amendment of the Akasia/Soshanguve Town-planning Scheme, 1996.

Map 3 and the scheme clauses of this amendment scheme are filed with the Department: Economic Development and Spatial Planning, and are open to inspection during normal office hours.

This amendment is known as Akasia/Soshanguve Amendment Scheme 0567A.

(CPD 9/2/4/2-567A (Scheme 0567A))

CITY OF TSHWANE METROPOLITAN MUNICIPALITY

__ NOVEMBER 2019
(Notice 143/2019)

CITY OF TSHWANE

DECLARATION OF ELDORETTE EXTENSION 51 AS APPROVED TOWNSHIP

In terms of Section 33(4) of the Development Facilitation Act, 1995, the City of Tshwane hereby declares the township of Eldorette Extension 51 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(CPD 9/2/4/2-567A (Scheme 0567A))

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY RAINY MOUNTAIN HOLDINGS (PTY) LTD (HEREINAFTER REFERRED TO AS THE APPLICANT) UNDER THE PROVISIONS OF SECTION 31 OF THE DEVELOPMENT FACILITATION ACT, 1995 (THE ACT) FOR PERMISSION TO ESTABLISH A LAND DEVELOPMENT AREA ON PORTION 778 (A PORTION OF PORTION 131) OF THE FARM WITFONTEIN 301JR, GAUTENG PROVINCE, HAS BEEN GRANTED BY THE GAUTENG DEVELOPMENT TRIBUNAL

1. CONDITIONS OF ESTABLISHMENT

1.1 NAME

The name of the land development area shall be Eldorette Extension 51.

1.2 DESIGN

The land development area shall consist of erven, parks and public roads as indicated on approved General Plan SG No 2474/2010.

1.3 OPEN SPACE ENDOWMENT

The applicant shall not pay any amount in lieu of open space as sufficient open space is provided for in the Layout Plan of the land development area.

1.4 DISPOSAL OF EXISTING CONDITIONS OF TITLE

All erven in the land development area shall be made subject and, where relevant, entitled to existing conditions and servitude, if any, but excluding the following servitude and condition which do not affect the erven in the land development area:

Condition No's 4 and 5 in Deed of Transfer No T064358/2005 on pages 4 & 5:

- "4. Further subject to the right in favour of the City Council of Pretoria to carry electricity by overhead power lines and underground cables over the property along a route to be agreed upon between the City Council of Pretoria and Heatherdale Holdings (Proprietary) Limited together with certain ancillary rights as will more fully appear from Notarial Deed No 1307/1956s, registered the 13th day of December 1956.

5. Further subject to the following condition as will more fully appear from Notarial Deed No 1306/1956s, registered the 13th day of December 1956.

The owner of the said property or any portion thereof shall be obliged to receive all stormwater or other water discharged thereon from any existing or future Provincial Road and its culverts and from any future alteration of such Provincial Road and its culverts and the owner shall have no claim whatsoever against the Government of the Union of South Africa or its servants for any damage caused by such water.”

1.5 ACCEPTANCE AND DISPOSAL OF STORMWATER

1.5.1 The stormwater plan for the development area must be integrated with the greater stormwater master plan for the total relevant catchment area including adjoining areas.

1.5.2 The low points in roads and the accumulation of stormwater in crescents, cul-de sacs and lower lying erven must be drained to the satisfaction of the local authority.

1.6 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 Registered Professional Engineer for water, sewerage, electricity, and the road and storm water services, in which it is certified that the engineering services have been completed and that the Professional Engineer accepts liability for the services.

2. CONDITIONS OF TITLE

The following conditions shall be registered against the title of each of the identified erven in the land development area:

2.1 ALL ERVEN

2.1.1 The erf is subject to a servitude, 2m wide, in favour of the Municipality for sewerage and other engineering services, along two boundaries other than a street boundary and in the case of a panhandle erf, an additional servitude for municipal services, 1m wide across the access portion of the erf, if and when required by the Municipality, Provided that the Municipality may dispense with any such servitude.

2.1.2 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 2m thereof.

2.1.3 The Municipality shall be entitled to deposit temporarily on the land adjoining the aforesaid servitude area any material as may be excavated by them during the course of the construction, maintenance or removal of such 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 works being made good by the Municipality.

2.2 ERF 353

The erf is subject to a servitude area for municipal services, access and access for emergency vehicles in favour of the City of Tshwane Metropolitan Municipality as indicated on the General Plan.

2.3 ERF 354

The erf is subject to a servitude area over its entire extent for, municipal services, access and access for emergency vehicles and shall be registered in favour of the City of Tshwane Metropolitan Municipality.

2.4 ERF 354

The erf is subject to a servitude area over its entire extent in favour of Erf 353 for right-of-way, access, access control and engineering services.

2.5 ERF 353

The erf is entitled to a servitude area for right-of-way, access, access control and engineering services over the entire extent of Erf 354.