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Please be advised that the GPW Publications office will no longer move to 88 Visagie Street as indicated in the previous notices.

The move has been suspended due to the fact that the new building in 88 Visagie Street is not ready for occupation yet.

We will later on issue another notice informing you of the new date of relocation.

We are doing everything possible to ensure that our service to you is not disrupted.

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We apologise for any inconvenience this might have caused.

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PROVINCIAL NOTICES • PROVINSIALE KENNISGEWINGS

PROVINCIAL NOTICE 1167 OF 2019**CITY OF TSHWANE****TSHWANE AMENDMENT SCHEME 4865T**

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 Monumentpark Extension 15, being an amendment of the Tshwane Town-planning Scheme, 2008.

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 Tshwane Amendment Scheme 4865T.

(CPD 9/1/1/1-MPKx15 0444 (4865T))

CITY OF TSHWANE METROPOLITAN MUNICIPALITY

__ NOVEMBER 2019
(Notice 144/2019)

CITY OF TSHWANE**DECLARATION OF MONUMENTPARK EXTENSION 15 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 Monumentpark Extension 15 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(CPD 9/1/1/1-MPKx15 0444 (4865T))

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY SOLIDARITEIT EIENDOMME (PTY) LTD (REGISTRATION NUMBER 2004/029912/07), 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 139 OF THE FARM WATERKLOOF 378JR, PROVINCE OF GAUTENG, HAS BEEN GRANTED

1. CONDITIONS OF ESTABLISHMENT (CONDITIONS WHICH WILL BE APPLICABLE TO THE APPROVED TOWNSHIP IN TERMS OF SECTION 103 OF ORDINANCE 15 OF 1986)

1.1 NAME

The name of the township shall be Monumentpark Extension 15.

1.2 DESIGN

The township shall consist of erven and a street as indicated on General Plan SG No 1951/2018.

1.3 PRECAUTIONARY MEASURES

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

1.3.1.1 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 the boreholes must also be included.

1.3.1.2 A DOLOMITE RISK MANAGEMENT PLAN, specific to the development. The legal transfer of the responsibility for the management of the Risk Management Plan, to a representative Body Corporate (or similar, as applicable) must be included.

1.3.2 The township owner is responsible to facilitate the procedure to transfer the responsibility for the management of the Dolomite Risk Management Plan legally to a representative Body Corporate or similar entity, as applicable.

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

1.3.3.1 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 to the satisfaction of the Municipality; and

1.3.3.2 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, to the satisfaction of the Municipality.

1.4 COMPLIANCE WITH CONDITIONS IMPOSED BY THE DEPARTMENT OF ROADS AND TRANSPORT

The township owner shall at its own expense comply with all the conditions imposed, by which the Gauteng Department of Roads and Transport has granted consent for the development.

1.5 ACCESS

1.5.1 No ingress from future Road K69 to the township and no egress to future Road K69 from the township shall be allowed.

1.5.2 Provisional access will be permitted from Military Road (Provincial Road P102-01) as indicated on Plan CPD/9/1/1/1/- MPKX15/07.

1.5.3 The township owner shall at its own expense arrange for a geometric lay-out design (scale 1:500) of the ingress and egress point referred to in paragraph 1.5.2 above and specifications for the construction of the junction to be compiled and shall submit it to the Gauteng Department of Roads and Transport, for approval. After the design and specifications have been approved, the township owner shall construct the entrance at its own expense to the satisfaction of the Municipality.

1.6 RECEIVING AND DISPOSAL OF STORMWATER

The township owner shall arrange the stormwater drainage of the township in such a way as to fit in with that of Military Road (Provincial Road P102-01) and Road K69 and it shall receive and dispose of the stormwater running off or being diverted from the road.

The Service Report containing the stormwater design proposal must be submitted to the Head of the Department: Department of Roads and Transport for approval, i.e. before Township Proclamation.

The stormwater plan for this township must be integrated with the greater stormwater master plan for the total relevant catchment area, including adjoining areas. Any new or enlarged stormwater systems to address all stormwater runoff must be investigated and designed by a professional civil engineer to the satisfaction of the Municipality.

The low points in roads and the accumulation of stormwater in crescents, culs-de-sac and lower lying erven must be drained to the satisfaction of the Municipality.

1.7 ACOUSTIC SCREENING/ NOISE BARRIER

The applicant/ Municipality shall be responsible for any costs involved in the erection of Acoustic Screening along Military Road (Provincial Road P102-01) and Road K69, if and when the need arises to erect such screening.

1.8 ERECTION OF FENCE OR OTHER PHYSICAL BARRIER

The township owner shall at its own expense erect a fence or other physical barrier along Military Road (Provincial Road P102-01) and Road K-69 to the satisfaction of the Gauteng Department of Roads and Transport, as and when required 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 vests with the latter.

1.9 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.

1.10 REMOVAL OR REPLACEMENT OF ESKOM POWER LINES

Should it become necessary to remove 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.

1.11 REMOVAL OR REPLACEMENT OF TELKOM SERVICES

Should it become necessary to remove 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.

1.12 DEMOLITION OF BUILDINGS AND STRUCTURES

When required by the Municipality to do so, the township owner shall at its 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 properties, or dilapidated structures.

1.13 REMOVAL OF LITTER

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

1.14 COMPLIANCE WITH CONDITIONS IMPOSED BY GDARD

The township owner shall at its 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 Environment 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 the township.

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

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 Municipality shall install and provide external engineering services to the township as provided for in the services agreement.

2.2 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 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.

Erven 1494, 1495 and 1496 may not be transferred by the Developer unless the consent of the Municipality had first been obtained.

2.3 THE DEVELOPER'S OBLIGATIONS

2.3.1 PROVISION OF ENGINEERING DRAWINGS

The developer must submit to the Municipality complete engineering drawings in respect of internal sewers and sewer connection points and complete detail design engineering drawings in respect of the internal road and storm water sewers as well as water and electricity services, prior to the commencement of the construction of the said services.

The detail design drawings will only be evaluated after the required Services Reports have been approved.

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.

2.3.2 PROVISION OF A CERTIFICATE BY A PROFESSIONAL ENGINEER

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

2.3.3 MAINTENANCE PERIOD AND GUARANTEE

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

The Municipality must be furnished with a maintenance guarantee, issued by a recognised financial institution, in respect of poor workmanship and / or materials with regard to the engineering services, which guarantee must be for an amount that is equal to 10% of the contract cost of these services, prior to the commencement date of the contract.

3. DISPOSAL OF EXISTING CONDITIONS OF TITLE

All erven shall be made subject to existing title conditions:

- 3.1 Excluding the following entitlement that will not be passed on to the erven in the Township:

Conditions B(a) of Title Deed T72911/2010, viz:

“Entitled to a right-of-way 3,15 (THREE comma ONE FIVE) metres wide over Portion 40 and the Remaining Extent of the said Portion G measuring as such 22,8350 Hectares, as transferred under Deed of Transfer T.19827/1941 and T 19828/1941, along the line B.E. as shown on diagrams S.G.No.A.2316/1939.”

- 3.2 Excluding the following servitude that does not effect the township due to its location:

Condition B(b) of Title Deed T72911/2010, viz:

“Subject to a right-of-way 3,15 (THREE comma ONE FIVE) metres wide over Portion 38 of the said Portion “G”, transferred under Deed of Transfer T.19825/1941, and the said Remaining Extent of Portion “G” along the line A.B. as shown on the said Diagram SG.No A.2315/1939.”

4. CONDITIONS OF TITLE

- 4.1 THE ERVEN MENTIONED BELOW SHALL BE SUBJECT TO THE CONDITION AS INDICATED, LAID DOWN BY THE MUNICIPALITY 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, except 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 2 m from it.

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

4.1.2 ERVEN SUBJECT TO SPECIAL CONDITIONS

In addition to the relevant conditions set out in paragraph 4.1.1 above, the under-mentioned erven shall be subject to the conditions as indicated:

4.1.2.1 ERF 1493

4.1.2.1.1 The erf shall be subject to a varying width (2-metre wide sewerage and 3m wide sewerage and stormwater) servitude over Erf 1493 in favour of the Municipality, as depicted on the General Plan;

4.1.2.1.2 The erf shall be subject to an electrical servitude over Erf 1493 in favour of the Municipality, as depicted on the General Plan;

4.1.2.1.3 No buildings or other structures may be erected within the aforesaid servitude areas and no trees with large roots may be planted within the area of such servitude or within a distance of 2m from it.

4.1.2.1.4 The 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 essential, and furthermore shall the Municipality be entitled to reasonable access to the said property for the aforesaid purpose, subject to the provision that the Municipality shall make good any damage caused during the laying, maintenance or removal of such main sewer pipelines and other works.

4.1.2.2 ERF 1494

4.1.2.2.1 The erf shall be subject to a 3-metre wide general services servitude over Erf 1494 in favour of the Municipality, as depicted on the General Plan.

4.1.2.2.2 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 2m from it.

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

4.1.2.3 ERVEN 1493 to 1496

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 Geo-technical 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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