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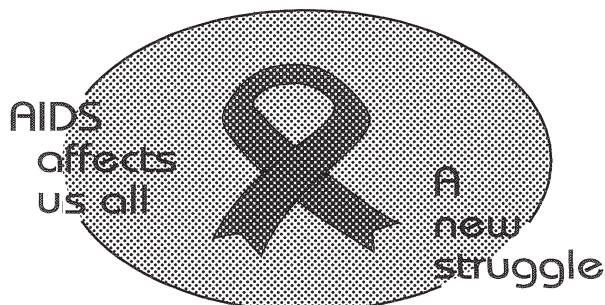
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PRETORIA
27 OCTOBER 2020
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No. 201

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PROCLAMATION • PROKLAMASIE

PROCLAMATION 90 OF 2020**CITY OF TSHWANE METROPOLITAN MUNICIPALITY****TSHWANE AMENDMENT SCHEME 3736T**

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 Equestria Extension 258, being an amendment of the Tshwane Town-planning Scheme, 2008.

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

This amendment is known as Tshwane Amendment Scheme 3736T.

((CPD 9/1/1/1-EQSx258 0015)
(CPD 9/2/4/2-3736T)

CITY OF TSHWANE METROPOLITAN MUNICIPALITY

27 OCTOBER 2020
(Notice 123/2020)

CITY OF TSHWANE METROPOLITAN MUNICIPALITY**DECLARATION OF EQUESTRIA EXTENSION 258 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 Metropolitan Municipality hereby declares the township of Equestria Extension 258 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(CPD 9/1/1/1-EQSx258 0015)
(CPD 9/2/4/2-3736T)

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY BASTION DEVELOPMENT GROUP (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 752 OF THE FARM THE WILLOWS 340JR, PROVINCE OF GAUTENG, HAS BEEN GRANTED

1. CONDITIONS OF ESTABLISHMENT**1.1 NAME**

The name of the township shall be Equestria Extension 258.

1.2 DESIGN

The township shall consist of erven as indicated on General Plan SG No 1462/2016.

1.3 DISPOSAL OF EXISTING CONDITIONS OF TITLE

All erven shall be made subject to existing conditions and servitudes, if any, but excluding the following servitude, which affects Erf 1826 and Stellenberg Road in the township only:

1. *The land herein is subject to a stormwater- and sewer servitude 270 square metres in extent in favour of the City of Tshwane which servitude is indicated by the figure ABCDEA on the Servitude Diagram SG no 5105/2013. As will more fully appear on Notarial Deed of Servitude K4848/2014S dated 14 August 2014.*

1.4 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.

1.5 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.

1.6 CONSOLIDATION OF ERVEN

The township owner shall at his own expense have Erf 1826 and Erf 1827 in the township consolidated. The City of Tshwane hereby grants its consent to the consolidation in respect of Section 92(1) (b) of Ordinance 15 of 1986.

1.7 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.

1.8 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.

1.9 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 the township.

1.12 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.

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

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 owner shall install and provide internal engineering services in the township as provided for in the services agreement.

The City of Tshwane shall install and provide external engineering services for the township as provided for in the services agreement.

2.2 THE DEVELOPER'S OBLIGATIONS

2.2.1 PROVISION OF ENGINEERING DRAWINGS

The township owner must submit to the City of Tshwane 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 stormwater 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 township owner must obtain a way-leave from the Municipality prior to commencement of construction work, if such work will be done on Municipal property.

2.2.2 PROVISION OF A CERTIFICATE BY A PROFESSIONAL ENGINEER

Before any property in the township 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 Public Works and Infrastructure Development Department.

2.2.3 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 the Town-Planning and Townships 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 storm water sewers have been completed.

All internal and external water-and sanitation infrastructure will be maintained by the Municipality. The township owner must furnish the City of Tshwane with a guarantee of 10% of the estimate contract cost with regard to the water and sewerage services, issued by a recognized financial institution before the commencement date of the contract. Proof of this must be submitted to the City of Tshwane.

3. CONDITIONS OF TITLE

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)

3.1 ALL ERVEN

3.1.1 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.

3.1.2 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.

3.1.3 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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