

***THE PROVINCE OF
GAUTENG***

***DIE PROVINSIE VAN
GAUTENG***

**Provincial Gazette
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PROCLAMATION • PROKLAMASIE

PROCLAMATION 112 OF 2020**CITY OF TSHWANE****TSHWANE AMENDMENT SCHEME 4574T**

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 Annlin Extension 158, 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 4574T.

(CPD 9/2/4/2-4574T)

CITY OF TSHWANE METROPOLITAN MUNICIPALITY

27 NOVEMBER 2020
(Notice 130/2020)

CITY OF TSHWANE**DECLARATION OF ANNLIN EXTENSION 158 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 Annlin Extension 158 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(CPD 9/2/4/2-4574T)

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY BASTION DEVELOPMENT GROUP PROPRIETARY LIMITED REGISTRATION NUMBER 2018/372934/07, UNDER THE PROVISIONS OF CHAPTER III OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 409 (A PORTION OF PORTION 214) OF THE FARM WONDERBOOM 302JR, PROVINCE OF GAUTENG, HAS BEEN GRANTED

1. CONDITIONS OF ESTABLISHMENT**1.1 NAME**

The name of the township is Annlin Extension 158.

1.2 DESIGN

The township consists of erven and a road as indicated on General Plan SG No 3255/2017.

1.3 PROVISION AND INSTALLATION OF ENGINEERING SERVICES

The township owner shall, at its cost and to the satisfaction of the local authority, design, provide and construct all engineering services including the internal roads and the storm water reticulation, within the boundaries of the township, to the satisfaction of the local authority. If external services are not available or the existing services are not sufficient to accommodate the township, special arrangements shall have to be made after consultation with the applicable departments to the satisfaction of the local authority.

1.4 ACCESS

Access to or egress from the township shall only be permitted via the servitude of right of way to be registered over Erven 2070 and 2071 and shall be to the satisfaction of the local authority.

1.5 ACCEPTANCE AND DISPOSAL OF STORM WATER DRAINAGE

The township owner shall arrange for the drainage of the township to fit in with that of the adjacent road/roads and all storm water running off or being diverted from the road/roads shall be received and disposed of, to the satisfaction of the local authority.

1.6 REFUSE REMOVAL

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

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 off all refuse.

1.7 REMOVAL OR REPLACEMENT OF EXISTING SERVICES

If, by reason of the establishment of the township, it should be necessary to remove or replace any existing municipal, TELKOM and/or ESKOM services, the cost of such removal or replacement shall be borne by the township owner. For purposes of removal or replacement the township owner shall, at its own costs, protect the services by means of the registration of servitudes in favour of the City of Tshwane, should it be deemed necessary.

1.8 DEMOLITION OF BUILDINGS AND STRUCTURES

The township owner shall at its own costs cause all existing buildings/structures situated within the building line reserves, side spaces or over common boundaries to be demolished to the satisfaction of the local authority, when requested thereto by the local authority or where buildings/structures are dilapidated.

1.9 CONSOLIDATION OF ERVEN

1.9.1 The township owner shall, at its own cost, after proclamation of the township but prior to the development of any erf/unit in the township, consolidate Erven 2070 and 2071 to the satisfaction of the Municipality.

1.9.2 The Municipality hereby grants approval for the consolidation of Erven 2070 and 2071 in terms of section 16(12)(d) of By-law read with section 15(6) of the By-law, which consolidation approval shall only come into operation on proclamation of the township and subject to the section 16(10) certification in terms of the By-law by the City of Tshwane.

1.9.3 The township owner shall simultaneously with an application for a section 16(10) certification for the registration of erven in the township apply for a section 16(10) certification for purposes of the consolidation and shall comply with the conditions of the consolidation and the township for issuing of both certifications.

1.10 ENDOWMENT

1.10.1 The township owner shall, in terms of the provisions of Section 98(2) read with Regulation 44 of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), pay a lump sum as endowment to the local authority in lieu of the provision of land for a park (public open space) for **540m²**.

1.11 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.

1.12 THE DEVELOPER'S OBLIGATIONS

1.12.1 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.

1.12.2 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.

1.12.3 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.

1.12.4 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. DISPOSAL OF EXISTING CONDITIONS OF TITLE

All erven shall be made subject to existing conditions and servitudes in Deed of Transfer T10443/2020, if any, including the following which do affect Erven 2070 and 2071 in the township and shall be made applicable to the individual erven in the township:

"B. *The abovementioned property is subject to a Servitude Area as indicated by the figure xyzGx on SG Diagram No 4406/2016.*"

3. CONDITIONS OF TITLE

3.1 CONDITIONS OF TITLE IMPOSED IN FAVOUR OF THE LOCAL AUTHORITY IN TERMS OF THE PROVISIONS OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986)

3.1.1 ALL ERVEN

3.1.1.1 Each erf is subject to a servitude, 2m wide, in favour of the local authority, for sewerage and other municipal purposes, along any two boundaries other than a street boundary and in the case of a panhandle erf, an additional servitude for municipal purposes 2m wide across the access portion of the erf, if and when required by the local authority: Provided that the local authority may dispense with any such servitude.

3.1.1.2 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.

3.1.1.3 The local authority shall be entitled to deposit temporarily on the land adjoining the aforesaid servitude such material as may be excavated by it during the process of the construction, maintenance or removal of such sewerage mains and other 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 sewerage mains and other works being made good by the local authority.

3.1.2 ERVEN 2070 AND 2071

3.1.2.1 The erf shall be subject to a servitude for right of way and services in favour of the City of Tshwane, as indicated on the general plan.

3.1.2.2 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 there from.

3.1.2.3 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 essential, 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 main sewer pipelines and other works.

3.1.3 ERF 2071

3.1.3.1 The erf shall be subject to a servitude for sewer purposes in favour of the City of Tshwane, as indicated on the general plan.

3.1.3.2 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 there from.

3.1.3.3 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 essential, 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 main sewer pipelines and other works.