

***THE PROVINCE OF  
GAUTENG***

***DIE PROVINSIE VAN  
GAUTENG***

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**LOCAL AUTHORITY NOTICES • PLAASLIKE OWERHEIDS KENNISGEWINGS****LOCAL AUTHORITY NOTICE 717 OF 2021****CITY OF TSHWANE****TSHWANE AMENDMENT SCHEME 3985T****DECLARATION OF AN APPROVED TOWNSHIP AND NOTICE OF ADOPTION OF AN AMENDMENT SCHEME IN TERMS OF SECTION 16(9) OF THE CITY OF TSHWANE LAND USE MANAGEMENT BY-LAW, 2016 FOR AN APPROVED TOWNSHIP****DORINGKLOOF EXTENSION 2**

It is hereby declared that in terms of the provisions of Section 16(9) of the City of Tshwane Land Use Management By-law, 2016, that Doringkloof Extension 2 is an approved township, subject to the conditions as set out in the schedules hereto.

It is hereby notified in terms of the provisions of section 16(9) of the City of Tshwane Land Use Management By-Law, 2016 that the City of Tshwane has approved and hereby adopted the land development application for the amendment scheme with regard to the property(ies) in the township of Doringkloof Extension 2, being an amendment of the Tshwane Town-planning Scheme, 2008 (Revised 2014).

The Tshwane Town-planning Scheme, 2008 (Revised 2014), and the adopted scheme map and the adopted annexures of this amendment scheme are filed with the Municipality, and are open to inspection during normal office hours.

This amendment is known as Tshwane Amendment Scheme 3985T and shall come into operation on the date of publication of the notice.

(CPD 9/2/4/2-3985T (Item 26016))

**CITY OF TSHWANE METROPOLITAN MUNICIPALITY**

\_\_\_ JULY 2021  
(Notice 121 of 2021)

**CITY OF TSHWANE****DECLARATION OF DORINGKLOOF EXTENSION 2 AS APPROVED TOWNSHIP**

It is hereby declared that in terms of the provisions of Section 16(9) of the City of Tshwane Land Use Management By-law, 2016, that Doringkloof Extension 2 is an approved township, subject to the conditions as set out in the schedules hereto.

(CPD 9/2/4/2-3985T (Item 26016))

**SCHEDULE**

CONDITIONS UNDER WHICH THE APPLICATION MADE BY SOM PROPRIETARY LIMITED, REGISTRATION NUMBER 2001/022744/07, GIFLO PROPERTIES PROPRIETARY LIMITED, REGISTRATION NUMBER: 2000/021693/07, ABFUND PROPRIETARY LIMITED, REGISTRATION NUMBER: 2015/294064/07, CRH INVESTMENTS PROPRIETARY LIMITED, REGISTRATION NUMBER: 1946/021713/07, AND LIGHTSIDE INVESTMENTS PROPRIETARY LIMITED, REGISTRATION NUMBER: 2000/016535/07, IN TERMS OF SECTION 16(4)(f)(i) OF THE CITY OF TSHWANE LAND USE MANAGEMENT BY-LAW, 2016 FOR THE ESTABLISHMENT OF A TOWNSHIP ON THE REMAINING EXTENT OF PORTION 47 (A PORTION OF PORTION 1) OF THE FARM DOORNKLOOF NO 391JR, PROVINCE OF GAUTENG, HAS BEEN GRANTED

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

The name of the township shall be Doringkloof Extension 2.

**1.2 DESIGN**

The township consists of Erven 1136 and 1137 as indicated on General Plan SG No 2176/2018.

### 1.3 PROVISION AND INSTALLATION OF ENGINEERING SERVICES

The Township Owner, or in the case where the Township Owners are more than one owner by virtue of undivided shares in the property, shall at his/their costs, jointly and severally in the case of multiple owners, shall at his cost provide the township with such engineering services, social infrastructure and open spaces as the Municipality may deem necessary for the proper development of the township and comply with the engineering services agreement entered into between the township owner and the Municipality as required in terms of Section 21(3) of the By-law and in accordance with section 49 of the Spatial Planning and Land Use Management Act, 16 of 2013.

### 1.4 PRECAUTIONARY MEASURES (APPLICABLE TO DOLOMITIC AREAS)

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

1.4.1.1 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

1.4.1.2 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.

1.4.1.3 the township owner and its successors in title including the owner of any erven within the township shall comply with the conditions imposed by the Council for Geoscience and shall comply with the geotechnical or dolomite stability or similar report aimed at managing the development in so far as it is located on dolomite.

1.4.2 A detailed Construction Report, which shall 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.

1.4.3 A detailed 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 shall be included. The township owner is responsible to facilitate the procedure to transfer the responsibility for the management for the Dolomite Risk Management plan legally to a representative Body Corporate or similar entity, as applicable.

### 1.5 ACCEPTANCE AND DISPOSAL OF STORMWATER

The township owner shall arrange for the drainage of the township to fit in with that of the adjacent road (or roads) and all stormwater running off or being diverted from the road (or roads) and higher lying areas shall be received and disposed of, to the satisfaction of the Municipality.

### 1.6 CONDITIONS IMPOSED BY THE SOUTH AFRICAN NATIONAL AND REGIONAL ROADS AUTHORITIES

The township owner shall, at its own cost, comply with and strictly adhere to all the conditions and/or requirements imposed by the South African National Roads Agency Limited and where applicable as imposed by the Municipality.

A line of no access and 20m building line shall be applicable alongside the proclaimed N1-21 Road reserve which shall only be relaxed with the written consent of the South African National Roads Agency Limited.

The applicant shall arrange for the drainage of the development area and for all stormwater running off or being diverted, to be received and disposed of into the South African National Roads Agency Limited's existing stormwater system as approved by the South African National Roads Agency Limited. The South African Road Agency shall not be liable for any damage caused on the property by the storm-water.

No contractor shall enter the road reserve without the express written permission of the South African National Roads Agency Limited.

No advertisements that may be visible from National Road N1-21 shall be displayed without the written approval of the South African National Roads Agency Limited and the Municipality.

#### 1.7 ACCESS CONDITIONS

1.7.1 Access to or egress from the township shall be provided to the satisfaction of the Municipality.

1.7.2 No access to or egress from the township shall be permitted along the lines of no access as indicated on the approved layout plan of the township No CPD DORINGKLOOF X 2/4

#### 2. CONDITIONS TO BE COMPLIED WITH BEFORE THE ERVEN IN THE TOWNSHIP BECOME REGISTRABLE WHICH SHALL BE READ WITH THE CONDITIONS OF ESTABLISHMENT INDICATED IN 2 ABOVE IN TERMS OF SECTION 16(10) OF THE BY-LAW AND SECTION 53 OF THE SPATIAL PLANNING AND LAND USE MANAGEMENT ACT, 16 OF 2013

##### 2.1 REFUSE REMOVAL

2.1.1 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 City of Tshwane.

2.1.2 The township owner shall provide sufficient refuse collection points in the township and shall make arrangements to the satisfaction of the Municipality for the removal of all refuse.

##### 2.2 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, TELKOM and/or ESKOM should it be deemed necessary.

##### 2.3 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 Municipality, when requested thereto by the Municipality or where buildings/structures are dilapidated.

##### 2.4 CONSOLIDATION OF ERVEN

The township owner shall, at its own costs, after proclamation of the township but prior to the development of any erf/unit in the township, consolidate Erven 1136 and 1137 to the satisfaction of the Municipality.

The Municipality hereby grants approval for the consolidation of Erven 1136 and 1137 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.

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.

## 2.5 NOTARIAL TIE OF ERVEN

The township owner shall, at its own costs, after proclamation of the township but prior to the development of any erf/unit in the township, notarially tie the following erven to the satisfaction of the Municipality:

- 2.5.1 The consolidated erf of Doringkloof Extension 2, Erf 1138 with Erf 1135, Doringkloof.
- 2.5.2 The Service Agreements for Doringkloof Extension 2 shall also include and provide for all Service Upgrades and Services Contributions, as may be required by the Municipality for the development of Erf 1135, Doringkloof.

## 2.6 RESTRICTION ON REGISTRATION AND TRANSFER OF ERVEN FROM THE TOWNSHIP

In terms of section 16(10) of the By-law read with section 53 of Spatial Planning and Land Use Management Act, (Act 16 of 2013) no property(ies) or land and/or erf/erven and/or sections and/or units, sectional title schemes/registers or other registration transaction/s, in a land development area, which registration transactions results from a land development application(s), may be submitted by the applicant and/or owner, to the Registrar of Deed for registration, including transfer and the registration of a Certificate of Consolidated Title and/or Certificate of Registered in the name of the owner; prior to the Municipality certifying to the Registrar of Deeds that:

- 2.6.1 all engineering services have been designed and constructed to the satisfaction of the Municipality, including the provision of guarantees, and maintenance guarantees, for services having been provided to the satisfaction of the Municipality as may be required;
- 2.6.2 all engineering services contributions and open spaces and parks contributions and/or development charges and/or other monies have been paid;
- 2.6.3 all engineering services have been or will be protected to the satisfaction of the Municipality by means of servitudes;
- 2.6.4 all conditions of the approval of the land development application have been complied with or that arrangements for compliance to the satisfaction of the Municipality have been made, which arrangements shall form part of an agreement read with Chapter 7 of the By-law, to the satisfaction of the Municipality;
- 2.6.5 it is in a position to consider a final building plan; and
- 2.6.6 all the properties have either been transferred in terms of subsection 16(11) hereof or shall be transferred simultaneously with the first transfer or registration of a newly created property or sectional title scheme.

## 3. DISPOSAL OF EXISTING CONDITIONS OF TITLE IN TERMS OF SECTION 16(4)(g)

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

- 3.1 Including the following condition which affects Erven 1136, 1137 and Impala Road in the township:

“B. AND FURTHER SUBJECT to the following conditions:-

*The property hereby transferred shall have no claim to any water rights including riparian rights to which the Remaining Extent of Portion called Irene of the said farm Doornkloof measuring as such 911,4026 hectares presently registered in the name of DAVID GEOFFREY VAN DER BYL and JOHN HENRY VAN DER BYL, or their Successors in title (a portion whereof is hereby transferred) is entitled. Such rights are retained by the said DAVID GEOFFREY VAN DER BYL and JOHN HENRY VAN DER BYL and their Successors in title as owners of the said Remaining Extent or any reduced area thereof.”*

- 3.2 Including the following servitude which affects Erven 1136 and 1137 in the township:

“C. *Kragtens Notariële Akte No 1626/1972-S gedateer 9 November 1971 is die eiendom onderhewig aan 'n stormwaterserwituut 3,15 meter wyd ten gunste van die Stadsraad van Verwoerdburg.”*

**4. CONDITIONS OF TITLE****4.1 Conditions of Title imposed in favour of the Municipality in terms of the section 16(4)(g) of the By-law****4.1.1 Erven 1136 and 1137**

4.1.1.1 Each erf is subject to a servitude, 2m wide, in favour of the Municipality, for sewerage and other municipal purposes, along any boundary 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 Municipality: Provided that the Municipality may dispense with any such servitude.

4.1.1.2 No building or other structure or any part of its foundation 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.

4.1.1.3 The Municipality 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 Municipality.

4.1.1.4 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.

**4.1.2 ERVEN 1136 AND 1137**

4.1.2.1 The erf shall be subject to a 3 meter wide servitude for sewer purposes as indicated on the General Plan, in favour of the Municipality.

**4.2 Conditions of Title imposed by the South African National Roads Agency Limited in terms of the Gauteng Transport Infrastructure Act, 2001 (Act 8 of 2001)****4.2.1 ERVEN 1136 AND 1137**

The registered owner of the erf shall maintain, to the satisfaction of the South African National Roads Agency Limited, the physical barrier erected along the erf boundary abutting National Road N1-21 (ROAD PROCLAMATION 274/65)-