

***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. 27

PRETORIA
14 JANUARY 2021
14 JANUARIE 2021

No. 5

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LOCAL AUTHORITY NOTICES • PLAASLIKE OWERHEIDS KENNISGEWINGS

LOCAL AUTHORITY NOTICE 34 OF 2021**CITY OF TSHWANE****TSHWANE AMENDMENT SCHEME 486T**

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 Monavoni Extension 65, being an amendment of the Tshwane Town-planning Scheme, 2008.

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

This amendment is known as Tshwane Amendment Scheme 486T.

(CPD 9/2/4/2-486T)
(CPD 9/1/1/1-MVOx65 0802)

CITY OF TSHWANE METROPOLITAN MUNICIPALITY

(Notice 102/2021)
__ JANUARY 2021

CITY OF TSHWANE**DECLARATION OF MONAVONI EXTENSION 65 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 Monavoni Extension 65 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(CPD 9/2/4/2-486T)
(CPD 9/1/1/1-MVOx65 0802)

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY JR 209 INVESTMENTS (PTY) LTD REGISTRATION NUMBER 2000/020447/07, UNDER 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 312 OF THE FARM SWARTKOP 383JR, PROVINCE OF GAUTENG, HAS BEEN GRANTED

1. CONDITIONS OF ESTABLISHMENT**1.1 NAME**

The name of the township shall be Monavoni Extension 65.

1.2 DESIGN

The township shall consist of erven and streets as indicated on General Plan SG No 2967/2015.

1.3 LAND FOR MUNICIPAL PURPOSES

None

1.4 PROVISION OF OPEN SPACE AND/OR ENDOWMENT

1.4.1 The township owner has agreed to the provision of at least the following open areas on the erven by means of servitudes over the erven in favour of Municipality for purposes of the protection of open spaces in lieu of the provision of open spaces and parks contemplated in Regulation 44 of the Ordinance:

1 368m² on Erf 1151, and
2 070m² on Erf 1152.

1.4.2 Such area shall be developed as private open space and kept free of structures, shall be indicated on the Site and Landscape Development Plans, be protected by means of a servitude and shall be developed by the applicant.

1.4.3 Should the servitudes at any time not make provision for the full extent of 3 438m² or these areas are not available for open space purposes to the satisfaction of the Municipality, the developer or the successor in title will pay endowment as prescribed in Regulation 44 of the Ordinance.

An endowment will be payable to the City of Tshwane full or in lieu of the shortfall for the provision of land for the open spaces or private open space calculated on the value per square as determined by the Valuation Department of the Municipality in terms of Regulation 44 (1) of the Town-planning and Townships Regulations, to the City of Tshwane. The amount of this area shall be used by the City of Tshwane for the acquisition of land for park and/or public open space purposes.

The said endowment amount shall be payable in accordance with the provisions of section 81 of the Town-planning and Townships Ordinance, 1986 (Ordinance 15 of 1986).

1.5 RECEIVING AND DISPOSAL OF STORMWATER

The Applicant shall arrange for the drainage of the development area to fit in with that of the surrounding area and for all stormwater running off or being diverted from the said road to be received and disposed of to the satisfaction of the Municipality.

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.

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

1.6 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.

1.7 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.

1.8 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.

1.9 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.

1.10 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 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 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 this township.

1.11 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.

1.12 OBLIGATIONS WITH REGARD TO SERVICES AND RESTRICTIONS REGARDING THE ALIENATION OF ERVEN

The township owner shall within such period as the Local Authority may determine fulfil its obligations in respect of the provision of water, electricity and sanitary services as well as the construction of roads and stormwater drainage and the installation of systems thereof, as previously agreed upon between the township owner and the local authority. Erven may not be transferred into the name of a purchaser prior to the Local Authority certifying that sufficient guarantees/cash contributions in respect of the supply of services by the township owner have been submitted or paid to the said Local Authority.

1.13 NOTARIAL TIE OF ERVEN

The township owner shall at his own expense have the proposed Erf 1151, Monavoni Extension 65 and the Consolidated Erven 1154 and 1155, Monavoni Extension 70 notarially tied for the exclusive use of members of the Non Profit company (home owner's association) incorporated in terms of the provisions of the Companies Act, 2008 (Act 71 of 2008). The Township owner shall comply with this condition as and when the various townships are established.

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 Applicant shall install the internal and external engineering services and shall provide any necessary financial guarantees for the provision of services and shall pay the external services contributions to the Municipality and other services providers in respect of the applicable Extension as contained in the Services Agreement and/or any addenda thereto. The Applicant shall procure written confirmation of compliance in this regard from the Municipality and other services providers and file such with the Municipality.

2.2 RESTRICTIONS ON THE TRANSFER OF LAND

2.2.1 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.

2.2.2 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.

2.2.3 Where by virtue of a condition of approval of this township application, in terms of this Ordinance or any other applicable law including legislation referred to in section 2(2) of the Act, a property or land shall be transferred to the Municipality, a non-profit company and or anybody or person as required by the Municipality, or a servitude as contemplated in clause 1.4 of the Condition of Establishment be registered in favour of the Municipality, the property or land shall be transferred or the servitude shall be registered prior to any registration of any property(ies) resulting from a land development application, including prior to the registration of a certificate of registered title and/or transfer of a property(ies), or portion of property(ies), the opening of a sectional title scheme and/or registration of a unit in a sectional title scheme, read with section 82 or 98(2) of the Ordinance; and t the cost of the owner.

2.3 THE DEVELOPER'S OBLIGATIONS

2.3.1 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 road and storm water drainage as well as water and electricity services, prior to the commencement of the construction of the said services.

2.3.2 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 storm water drainage, 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 storm water drainage. 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.

2.3.3 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 stormwater have been completed.

A retention guarantee must be issued for a period of 12 months after takeover of the services or proclamation of the township by a recognized financial institution, in respect of poor workmanship and/or materials with regard to the civil engineering services (water and sewerage), roads and stormwater and the electricity services, which guarantee must be issued in favour of the local authority for an amount that is equal to 10% of the contract cost, and proof of this must be submitted to the City of Tshwane.

3. DISPOSAL OF EXISTING CONDITIONS OF TITLE

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

3.1 Excluding the following entitlement in Title Deed T123765/2004, which shall not be transferred to erven in the township:

2. By virtue of Notarial Deed of Servitude K. 2534/1986-S the within mentioned property is entitled to a servitude of right of way over Portion 9 of the farm Swartkop 383, Registration Division JR, in extent 8,5653 hectares in extent, as indicated by the figure B F E B on diagram SG no A.5112/1952 annexed to Certificate of Registered Title T37631/1968 as will more fully appear from the above-mentioned notarial deed and diagram.

3.2 Excluding the following servitude which appears as an endorsement on page 1 of Deed of Transfer T130259/2004, and do not affect the township due to location.

By virtue of Notarial Deed of Servitude K5460/2008S, dated 23/07/2008, the within mentioned property is subject to the following conditions in favour of the City of Tshwane:

1. A power line servitude, 2 meters wide, the centre line of which is indicate by the line ABCD on servitude diagram SG No 2350/2008 annexed hereto, whereby JR 209 Investments Proprietary Limited grant to the council the perpetual right to convey electricity across the property overhead or underground by means of wires and or cables or other appliances.

2. A sewer servitude 3 meters wide, the center line of which is indicated by the line EFGH on SG No 2350/2008 annexed hereto.
 3. A servitude are for stormwater, as indicated by the figure JKLMNPQR on SG No 23501/2008 annexed hereto as will more fully appear from the said Notarial Deed.
- 3.3 Excluding the following servitude which affects Erf 1153 only and appears as endorsement on page 4 of Deed of Transfer T130259/2004.

By virtue of notarial deed of Servitude K1475/2011S dated 02/02/2011 the within mentioned property is subject to a servitude area for stormwater which is 2,5 meters wide as indicated by the figure ABCDA on SG diagram No 2771/2010 attached thereto in favour of the City of Tshwane. As will more fully appear from the said notarial deed.

- 3.4 Excluding the following servitudes which affects Erf 1153 only and appears as endorsement on page 5 of Deed of Transfer T130259/2004.

By virtue of notarial deed of Servitude K1476/2011S dated 02/02/2011 the within mentioned property is subject to the following conditions in favour of the City of Tshwane:

1. A sewer servitude 3 meters wide the Northern and Eastern boundaries if which are indicated by the line ABC on Servitude diagram SG No 2772/2010 annexed thereto.
2. A servitude area for stormwater 2,5 metres wide, the southern boundary of which is indicated by the figure ab on diagram SG No 2772/2010 annexed thereto. As will more fully appear from the said notarial deed.

4. CONDITIONS OF TITLE

- 4.1 THE ERVEN MENTIONED BELOW SHALL BE SUBJECT TO THE CONDITIONS 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)

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 local authority, along any two boundaries, excepting a street boundary and, in the case of a panhandle erf, an additional servitude for municipal purposes, 3 m wide, over the entrance portion of the erf, if and when required by the local authority: Provided that the local authority 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 thereof.

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 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 ERVEN SUBJECT TO SPECIAL CONDITIONS

In addition to the relevant conditions set out in paragraph 4.1.1 above, the undermentioned erven shall be subject to the conditions as indicated.

4.1.2.1 ERVEN 1151 AND 1152

- (a) The erven are subject to a servitude 3m wide for municipal purposes (sewer), in favour of the Municipality, as indicated on the General Plan.

4.1.2.2 ERVEN 1151 AND 1152

- (a) The erven are subject to a servitude 2,5m wide for municipal purposes (stormwater), in favour of the Municipality, as indicated on the General Plan.

4.1.2.3 ERF 1152

- (a) The erf is subject to a servitude 3m wide for Municipal purposes (Stormwater), in favour of the Municipality, as indicated on the General Plan.

4.1.2.4 ERF 1153

- (a) The erf is subject to a servitude 3m wide for Municipal purposes (Stormwater), in favour of the Municipality, as indicated on the General Plan.

4.1.2.5 ERF 1151

- (a) The erf is subject to a servitude for right of way, 8 m wide in favour of Erf 1153, as indicated on the General Plan.
- (b) 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 metre there from.
- (c) The servitude must be notarially executed and registered prior or simultaneously with the first transfer of an erf in the Township.

4.1.2.6 ERF 1153

- (a) The erf is entitled to a servitude of right of way, 8m wide over Erf 1151, as indicated on the General Plan.
- (b) 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 metre there from.
- (c) The servitude must be notarially executed and registered prior or simultaneously with the first transfer of an erf in the Township.

4.1.2.7 ERF 1151

The Erf shall be subject to a servitude for private open space purposes in favour of the residents, provided that such servitude may not be cancelled without the written consent of the Municipality provided further that the final location and the extent thereof, will be agreed between Township owner and the Municipality.

4.1.2.8 ERF 1152

The Erf shall be subject to a servitude for private open space purposes in favour of the residents, provided that such servitude may not be cancelled without the written consent of the Municipality provided further that the final location and the extent thereof, will be agreed between Township owner and the Municipality.

LOCAL AUTHORITY NOTICE 35 OF 2021**CITY OF TSHWANE****TSHWANE AMENDMENT SCHEME 487T**

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 Monavoni Extension 70, being an amendment of the Tshwane Town-planning Scheme, 2008.

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

This amendment is known as Tshwane Amendment Scheme 487T.

(CPD 9/2/4/2-487T)
(CPD 9/1/1/1-MVOx70 802)

CITY OF TSHWANE METROPOLITAN MUNICIPALITY

(Notice 103/2021)
__ JANUARY 2021

CITY OF TSHWANE**DECLARATION OF MONAVONI EXTENSION 70 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 Monavoni Extension 70 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(CPD 9/2/4/2-487T)
(CPD 9/1/1/1-MVOx70 802)

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY JR 209 INVESTMENTS (PTY) LTD REGISTRATION NUMBER 2000/020447/07, UNDER 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 313 OF THE FARM SWARTKOP 383JR, PROVINCE OF GAUTENG, HAS BEEN GRANTED

1. CONDITIONS OF ESTABLISHMENT**1.1 NAME**

The name of the township shall be Monavoni Extension 70.

1.2 DESIGN

The township shall consist of erven and streets as indicated on General Plan SG No 2968/2015.

1.3 LAND FOR MUNICIPAL PURPOSES

None

1.4 PROVISION OF OPEN SPACE AND/OR ENDOWMENT

1.4.1 The township owner has agreed to the provision of at least the following open areas on the erven by means of servitudes over the erven in favour of Municipality for purposes of the protection of open spaces in lieu of the provision of open spaces and parks contemplated in Regulation 44 of the Ordinance:

2 916m² on the Consolidated Erven 1154 and 1155

- 1.4.2 Such area shall be developed as private open space and kept free of structures, shall be indicated on the Site and Landscape Development Plans, be protected by means of a servitude and shall be developed by the applicant.
- 1.4.3 Should the servitudes at any time not make provision for the full extent of 2 916m² or these areas are not available for open space purposes to the satisfaction of the Municipality, the developer or the successor in title will pay endowment as prescribed in Regulation 44 of the Ordinance.

An endowment will be payable to the City of Tshwane full or in lieu of the shortfall for the provision of land for the open spaces or private open space calculated on the value per square as determined by the Valuation Department of the Municipality in terms of Regulation 44 (1) of the Town-planning and Townships Regulations, to the City of Tshwane. The amount of this area shall be used by the City of Tshwane for the acquisition of land for park and/or public open space purposes.

The said endowment amount shall be payable in accordance with the provisions of section 81 of the Town-planning and Townships Ordinance, 1986 (Ordinance 15 of 1986).

1.5 RECEIVING AND DISPOSAL OF STORMWATER

The Applicant shall arrange for the drainage of the development area to fit in with that of the surrounding area and for all stormwater running off or being diverted from the said road to be received and disposed of to the satisfaction of the Municipality.

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.

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

1.6 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.

1.7 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.

1.8 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.

1.9 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.

1.10 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 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 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 this township.

1.11 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.

1.12 OBLIGATIONS WITH REGARD TO SERVICES AND RESTRICTIONS REGARDING THE ALIENATION OF ERVEN

The township owner shall within such period as the Local Authority may determine fulfil its obligations in respect of the provision of water, electricity and sanitary services as well as the construction of roads and stormwater drainage and the installation of systems thereof, as previously agreed upon between the township owner and the local authority. Erven may not be transferred into the name of a purchaser prior to the Local Authority certifying that sufficient guarantees/cash contributions in respect of the supply of services by the township owner have been submitted or paid to the said Local Authority.

1.13 CONSOLIDATION OF ERVEN

The township owner shall at his own expense have Erven 1154 and 1155 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.

1.14 NOTARIAL TIE OF ERVEN

The township owner shall at his own expense have the proposed Erf 1151, Monavoni Extension 65 and the Consolidated Erven 1154 and 1155, Monavoni Extension 70 notarially tied for the exclusive use of members of the Non Profit company (home owner's association) incorporated in terms of the provisions of the Companies Act, 2008 (Act 71 of 2008). The Township owner shall comply with this condition as and when the various townships are established.

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 Applicant shall install the internal and external engineering services and shall provide any necessary financial guarantees for the provision of services and shall pay the external services contributions to the Municipality and other services providers in respect of the applicable Extension as contained in the Services Agreement and/or any addenda thereto. The Applicant shall procure written confirmation of compliance in this regard from the Municipality and other services providers and file such with the Municipality.

2.2 RESTRICTIONS ON THE TRANSFER OF LAND

2.2.1 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.

2.2.2 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.

- 2.2.3 Where by virtue of a condition of approval of this township application, in terms of this Ordinance or any other applicable law including legislation referred to in section 2(2) of the Act, a property or land shall be transferred to the Municipality, a non-profit company and or anybody or person as required by the Municipality, or a servitude as contemplated in clause 2.4 of the Condition of Establishment be registered in favour of the Municipality, the property or land shall be transferred or the servitude shall be registered prior to any registration of any property(ies) resulting from a land development application, including prior to the registration of a certificate of registered title and/or transfer of a property(ies), or portion of property(ies), the opening of a sectional title scheme and/or registration of a unit in a sectional title scheme, read with section 82 or 98(2) of the Ordinance; and t the cost of the owner.

2.3 THE DEVELOPER'S OBLIGATIONS

2.3.1 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 road and storm water drainage as well as water and electricity services, prior to the commencement of the construction of the said services.

2.3.2 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 storm water drainage, 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 storm water drainage. 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.

2.3.3 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 stormwater have been completed.

A retention guarantee must be issued for a period of 12 months after takeover of the services or proclamation of the township by a recognized financial institution, in respect of poor workmanship and/or materials with regard to the civil engineering services (water and sewerage), roads and stormwater and the electricity services, which guarantee must be issued in favour of the local authority for an amount that is equal to 10% of the contract cost, and proof of this must be submitted to the City of Tshwane.

3. DISPOSAL OF EXISTING CONDITIONS OF TITLE

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

- 3.1 Excluding the following entitlement in Title Deed T123765/2004, which shall not be transferred to erven in the township:
2. By virtue of Notarial Deed of Servitude K. 2534/1986-S the within mentioned property is entitled to a servitude of right of way over Portion 9 of the farm Swartkop 383, Registration Division J.R., in extent 8,5653 hectares in extent, as indicated by the figure B F E B on diagram SG no A.5112/1952 annexed to Certificate of Registered Title T.37631/1968 as will more fully appear from the above-mentioned notarial deed and diagram.

- 3.2 Excluding the following servitude which appears as an endorsement on page 1 of Deed of Transfer T130259/2004, and do not affect the township due to location.

By virtue of Notarial Deed of Servitude K5460/2008S, dated 23/07/2008, the within mentioned property is subject to the following conditions in favour of the City of Tshwane:

1. A power line servitude, 2 meters wide, the centre line of which is indicate by the line ABCD on servitude diagram S.G No 2350/2008 annexed hereto, whereby JR 209 Investments Proprietary Limited grant to the council the perpetual right to convey electricity across the property overhead or underground by means of wires and or cables or other appliances.
2. A sewer servitude 3 meters wide, the centre line of which is indicated by the line EFGH on SG No 2350/2008 annexed hereto.
3. A servitude are for stormwater, as indicated by the figure JKLMNPQR on SG No 23501/2008 annexed hereto as will more fully appear from the said Notarial Deed.

- 3.3 Excluding the following servitude which appears as an endorsement on page 4 of Deed of Transfer T130259/2004 and does not affect the township due to location:

By virtue of notarial deed of Servitude K1475/2011S dated 02/02/2011 the within mentioned property is subject to a servitude area for stormwater which is 2,5 meters wide as indicated by the figure ABCDA on SG diagram No 2771/2010 attached thereto in favour of the City of Tshwane. As will more fully appear from the said notarial deed.

- 3.4 Excluding the following servitude that appears as endorsement on page 5 of Deed of Transfer T130259/2004 and does not affect the township due to location:

By virtue of notarial deed of Servitude K1476/2011S dated 02/02/2011 the within mentioned property is subject to the following conditions in favour of the City of Tshwane:

1. A sewer servitude 3 meters wide the Northern and Eastern boundaries if which are indicated by the line ABC on Servitude diagram SG No 2772/2010 annexed thereto.
2. A servitude area for stormwater 2,5 metres wide, the southern boundary of which is indicated by the figure ab on diagram SG No 2772/2010 annexed thereto. As will more fully appear from the said notarial deed.

4. CONDITIONS OF TITLE

- 4.1 THE ERVEN MENTIONED BELOW SHALL BE SUBJECT TO THE CONDITIONS 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)

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 local authority, along any two boundaries, excepting a street boundary and, in the case of a panhandle erf, an additional servitude for municipal purposes, 3 m wide, over the entrance portion of the erf, if and when required by the local authority: Provided that the local authority 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 thereof.

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 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 ERVEN SUBJECT TO SPECIAL CONDITIONS

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

4.1.2.1 ERF 1154

- (a) The erf is subject to a servitude 3m wide for municipal purposes (sewer), in favour of the Municipality, as indicated on the General Plan.
- (b) The erf is subject to a servitude, 2,5 metres wide for Municipal Purposes (Stormwater) in favour of the Municipality as indicated on the General Plan.

4.1.2.2 ERF 1154 AND 1155

- (a) The erf is subject to a servitude 2,5m wide for municipal purposes (stormwater), in favour of the Municipality, as indicated on the General Plan.

4.1.2.3 ERF 1154 AND 1155

Erf 1154 and Erf 1155 shall be subject to a servitude(s) for private open space purposes in favour of the residents, provided that such servitude(s) may not be cancelled without the written consent of the Municipality provided further that the final location and the extent thereof, will be agreed between Township owner and the Municipality.