

***THE PROVINCE OF  
GAUTENG***



***DIE PROVINSIE VAN  
GAUTENG***

# **Provincial Gazette Provinsiale Koerant**

**EXTRAORDINARY • BUITENGEWOON**

Selling price • Verkoopprys: **R2.50**  
Other countries • Buitelands: **R3.25**

**Vol. 26**

**PRETORIA**  
27 NOVEMBER 2020  
27 NOVEMBER 2020

**No. 238**

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ISSN 1682-4525



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**CONTENTS**

*Gazette*    *Page*  
*No.*        *No.*

**PROCLAMATION • PROKLAMASIE**

113	City of Tshwane Land Use Management By-Law, 2016: Extension of boundaries of an approved township: Portion 493 of the Farm Elandspoort 357 JR, Gauteng Province (to be known as Erf 3621), has been approved.....	238	3
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**PROCLAMATION • PROKLAMASIE**

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**PROCLAMATION 113 OF 2020****EXTENSION OF BOUNDARIES OF AN APPROVED TOWNSHIP**

In terms of Section 49(1) of the Deeds Registry Act, 1937 (Act No 47 of 1937), read with Section 16(9) of the City of Tshwane Land Use Management By-Law, 2016, I Randall Williams, Executive Mayor of the City of Tshwane, hereby extend the boundaries of the Pretoria Township to incorporate Erf 3621, which is to be established on Portion 493 of the farm Elandspoort 357 JR, Province of Gauteng, subject to the conditions set out in the Schedule hereto.

Given under my hand at Pretoria on this the 27<sup>th</sup> day of November 2020.11.27

Mr. Randall Williams, Executive Mayor of the City of Tshwane Metropolitan Municipality.

**SCHEDULE****EXTENSION OF BOUNDARIES**

**STATEMENT OF CONDITIONS UNDER WHICH THE APPLICATION MADE BY THE NATIONAL DEPARTMENT OF PUBLIC WORKS (HEREINAFTER REFERRED TO AS THE TOWNSHIP OWNER) IN TERMS OF SECTION 16(4)(f)(i) OF THE CITY OF TSHWANE LAND USE MANAGEMENT BY-LW, 2016 FOR THE EXTENSION OF THE TOWNSHIP BOUNDARIES ON PORTION 493 OF THE FARM ELANDSPOORT 357 JR, GAUTENG PROVINCE (TO BE KNOWN AS ERF 3621) HAS BEEN APPROVED**

**1. CONDITIONS OF EXTENSION OF TOWNSHIP BOUNDARIES****1.1 CONDITIONS TO BE COMPLIED WITH BEFORE THE ERVEN IN THE TOWNSHIP BECOME REGISTRABLE 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****REFUSE REMOVAL**

- (a) The township owner shall at his own expense have all litter within the township area removed to the satisfaction of the City of Tshwane Metropolitan Municipality, when required to do so by the City of Tshwane Metropolitan Municipality.
- (b) 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.

**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.

**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.

## 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, 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 Title in the name of the owner;

prior to the Municipality certifying to the Registrar of Deeds that:

- (i) 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;
- (ii) all engineering services contributions and open spaces and parks contributions and/or development charges and/or other monies have been paid;
- (iii) all engineering services have been or will be protected to the satisfaction of the Municipality by means of servitudes;
- (iv) 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;
- (v) it is in a position to consider a final building plan; and
- (vi) 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.

## CONSOLIDATION OF ERVEN

The township owner shall, at its own costs, after proclamation of the township but prior to the development of any erf in the township, consolidate Erven 3615 and 3621 to the satisfaction of the Municipality.

The Municipality hereby grants approval for the consolidation of Erven 3615 and 3621 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 term of the By-law by the City of Tshwane.

The Township Owner shall simultaneously with an application for a section 16(7) 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.

## 1.2 DISPOSAL OF EXISTING CONDITIONS OF TITLE

All erven shall be made subject to existing conditions and servitudes, if any, including the reservation of the rights to minerals.

## 1.3 CONDITIONS OF TITLE.

Conditions of Title imposed in favour of the Municipality in terms of the section 16(4)(g) of the By-law.

### ALL ERVEN

- (a) 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.

- (b) 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.
- (c) 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.

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## **CITY OF TSHWANE**

### **TSHWANE AMENDMENT SCHEME 4949T**

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 Erf 3621 in township of Pretoria, being an amendment of the Tshwane Town Planning Scheme, 2008 (revised 2014).

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 4949T.

(CPD 9/2/4/2/-4949T)

(Item No.29357)

## **CITY OF TSHWANE METROPOLITAN MUNICIPALITY**

27 November 2020

(Notice ..../2020)





Printed by the Government Printer, Bosman Street, Private Bag X85, Pretoria, 0001,  
for the **Gauteng Provincial Administration**, Johannesburg.

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