

***THE PROVINCE OF
GAUTENG***



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LOCAL AUTHORITY NOTICES • PLAASLIKE OWERHEIDS KENNISGEWINGS**LOCAL AUTHORITY NOTICE 911 OF 2022****CITY OF TSHWANE****TSHWANE AMENDMENT SCHEME 4471T****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****CELTISDAL EXTENSION 80**

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 Celtisdal Extension 80, 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 **4471T** and shall come into operation on the date of publication of the notice.

(CPD 9/2/4/2-44717T (Item 27702))

CITY OF TSHWANE METROPOLITAN MUNICIPALITY

__ JUNE 2022
(Notice 114 of 2022)

CITY OF TSHWANE**DECLARATION OF CELTISDAL EXTENSION 80 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 Celtisdal Extension 80 is an approved township, subject to the conditions as set out in the schedules hereto.

(CPD 9/2/4/2-4471T (Item 27702))

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY INDEPENDENT INSTITUTE OF EDUCATION PROPRIETARY LIMITED, (REGISTRATION NUMBER 1987/004754/07), 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 PORTION 339 (A PORTION OF PORTION 338) 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 Celtisdal Extension 80.

1.2 DESIGN

The township consists of erven as indicated on General Plan SG No 1863/2019.

1.3 PROVISION AND INSTALLATION OF ENGINEERING SERVICES

The township owner 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

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

- 1.4.1 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
- 1.4.2 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.
- 1.4.3 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.

1.5 ACCEPTANCE AND DISPOSAL OF STORMWATER

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

1.6 CONDITIONS IMPOSED BY 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, the Department of Roads and Transport (Gauteng Provincial Government), Department of Water and Environmental Affairs and where applicable as imposed by 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 roads P102-1, K52 and K73 will be permitted as indicated on the approved layout plan of the township No CLTx80/5.

1.8 CONDITIONS IMPOSED BY THE GAUTENG PROVINCIAL GOVERNMENT: DEPARTMENT OF ROADS AND TRANSPORT

- 1.8.1 Should the township not be proclaimed in terms of section 16(9) of the By-law before 12 December 2027, the application to establish the township, shall be resubmitted to the Department of Roads and Transport for reconsideration.
- 1.8.2 If however, before the expiry date mentioned in 1.8.1 above, circumstances change in the opinion of the Municipality in such a manner that roads and/or PWV routes under the control of the said Department are affected by the proposed layout of the township, the township owner shall resubmit the application for the purpose of fulfillment of the requirements of the controlling authority in terms of the provisions of Section 48 of the Gauteng Transport Infrastructure Act, 2001 (Act 8 of 2001).
- 1.8.3 The township owner shall comply with the conditions of the Department as set out in the Department's letter dated 12 December 2017.
- 1.8.4 The township owner shall at his own expense comply with all the conditions imposed, by which the Gauteng Department of Roads and Transport (hereafter referred to as Gautrans) has granted consent for the development.
- 1.8.5 The access to the land development area on Aletta Avenue will be designed by a professional engineer and constructed in accordance with the latest requirements as laid down by Gautrans.

- 1.8.6 Access to the township will be permitted as agreed to with the Department of Roads and Transport and the Municipality, depending on the construction of Road K73.
 - 1.8.7 Lines of no access will be applicable along Roads K73, K52, Ruimte Road (P102-1) and a distance along Aletta Avenue as required by the Department and the Municipality.
 - 1.8.8 A physical barrier, in compliance with EXECUTIVE COMMITTEE RESOLUTION NO 1112 of 26 June 1978 and signed by the Deputy Director-General: Community Development and in accordance with the most recent standards of Gautrans will be erected along the lines of no access on the boundary of the development area fronting on provincial roads.
 - 1.8.9 Except for the physical barrier referred to in the paragraph above, a swimming pool and any essential stormwater drainage structure, no building or structure of any kind which is attached to the land, even though it does not form part of that land, shall be erected nor shall anything be constructed or laid under or below the surface of the erf within a distance less than 16m from the boundary of the erven abutting on Road K73 and Ruimte Road (P102-1), nor shall any alteration or addition to any existing structure of building situated within such distance of the said boundary be made except with the consent in writing of the Gautrans.
 - 1.8.10 In terms of EXECUTIVE COMMITTEE RESOLUTION NO 1112 of 26 June 1978 as signed by the Deputy Director-General: Community Development, the following building lines are applicable:

16m building line from K73, K52 and Ruimte Road (P102-1) affecting Erven 1527 and 1528.
 - 1.8.11 The applicant shall arrange for the drainage of the development area to fit in with that of Provincial Road K73, K52 and Ruimte Road (P102-1) and for all stormwater running off or being diverted from Provincial Roads K 73 to be received and disposed of.
 - 1.8.12 The Services report containing the stormwater design proposal must be submitted to the Department for approval at the time of the application, i.e. before Township proclamation.
 - 1.8.13 No advertisements that may be visible from Provincial Roads K73, K52 and Ruimte Road (P102-1) shall be displayed without the written approval of Gautrans and the Municipality.
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 1527 and 1528 to the satisfaction of the Municipality.

The Municipality hereby grants approval for the consolidation of Erven 1527 and 1528 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(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 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:

- 2.5.1 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;
- 2.5.2 all engineering services contributions and open spaces and parks contributions and/or development charges and/or other monies have been paid;
- 2.5.3 all engineering services have been or will be protected to the satisfaction of the Municipality by means of servitudes;
- 2.5.4 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;
- 2.5.5 it is in a position to consider a final building plan; and
- 2.5.6 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.

2.6 CONDITIONS TO BE COMPLIED WITH SIMULTANEOUSLY WITH THE REGISTRATION OF ANY PROPERTY/ERF/ERVEN OR UNIT WITHIN THE LAND DEVELOPMENT AREA

The following reports must be submitted:

- 2.6.1 A detailed Construction Report, which must 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.

- 2.6.2 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 must 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.

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.

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 ALL ERVEN

- 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.

4.1.2 ERVEN 1527 AND 1528

The erf is subject to a 3 (three) meter wide servitude for stormwater purposes in favour of the local authority, as indicated on General Plan SG No 1863/2019.

4.1.3 ERF1528

The erf is subject to a right of way servitude, 20 metres wide, in favour of the local authority, as indicated on General Plan SG No 1863/2019.

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