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GAUTENG***



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PROCLAMATIONS • PROKLAMASIES**PROCLAMATION NOTICE 9 OF 2024****CITY OF TSHWANE METROPOLITAN MUNICIPALITY****TSHWANE AMENDMENT SCHEME 441T**

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 Equestria Extension 257, being an amendment of the Tshwane Town-planning Scheme, 2008.

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

This amendment is known as Tshwane Amendment Scheme 441T.

(CPD 9/1/1/1-EQSx257 0015)
(CPD 9/2/4/2-441T)

CITY OF TSHWANE METROPOLITAN MUNICIPALITY

29 JANUARY 2024
(Notice 103/2024)

CITY OF TSHWANE METROPOLITAN MUNICIPALITY**DECLARATION OF EQUESTRIA EXTENSION 257 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 Metropolitan Municipality hereby declares the township of Equestria Extension 257 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(CPD 9/1/1/1-EQSx257 0015)
(CPD 9/2/4/2-441T)

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY PROCPROPS 151 (PTY) LTD, IN TERMS OF 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 737 OF THE FARM THE WILLOWS 340JR, PROVINCE OF GAUTENG, HAS BEEN GRANTED

1. CONDITIONS OF ESTABLISHMENT**1.1 NAME**

The name of the township shall be Equestria Extension 257.

1.2 DESIGN

The township shall consist of erven and streets as indicated on General Plan SG No 3611/2014.

1.3 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.

1.4 CONSOLIDATION OF ERVEN

The township owner shall at his own expense have Erf 1819 and Erf 1820 in the township consolidated. The City of Tshwane Metropolitan Municipality hereby grants its consent to the consolidation in respect of Section 92(1) (b) of Ordinance 15 of 1986.

1.5 DEMOLITION OF BUILDINGS AND STRUCTURES

When required by the City of Tshwane Metropolitan Municipality to do so, the township owner shall at his own expense cause to be demolished to the satisfaction of the City of Tshwane Metropolitan Municipality all existing buildings and structures situated within building line reserves and side spaces or over common boundaries, or dilapidated structures.

1.6 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 Metropolitan Municipality, when required to do so by the City of Tshwane Metropolitan Municipality.

1.7 REMOVAL AND/OR REPLACEMENT OF ESKOM POWER LINES

Should it become necessary to remove and/or replace any existing power lines of Eskom as a result of the establishment of the township, the cost thereof shall be borne by the township owner.

1.8 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.

1.9 COMPLIANCE WITH CONDITIONS IMPOSED BY GDACE

The township owner shall at his own expense comply with all the conditions imposed, by which the Gauteng Department of Agriculture, Conservation, Environment and Land Affairs has granted the applicant exemption 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) for the development of this township.

1.10 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 and that any conditions that may affect the township are incorporated in these conditions as amendments to these conditions.

1.11 CONDITIONS IMPOSED BY THE DEPARTMENT OF PUBLIC TRANSPORT, ROADS AND WORKS

1.11.1 The township owner shall at its own expense comply with all the conditions imposed, by which the Gauteng Department of Public Transport, Roads and Works, has granted consent for the development.

1.11.2 The applicant shall be responsible for any costs involved in the erection of acoustic screening along Solomon Mahlangu Drive (K69).

1.11.3 The township owner shall at its own expense erect a fence or other physical barrier along Solomon Mahlangu Drive (K69) and partly along Stellenberg Road, to the satisfaction of the Head of the Department: Gauteng Provincial Government: Department of Public Transport, Roads and Works, as and when required by him to do so, and the township owner shall maintain such fence or physical barrier in a good state of repair until such time as the erven in the township are transferred to ensuing landowners, after which the responsibility for the maintenance of such fence or physical barrier rests with the latter.

1.11.4 No ingress from Provincial Road: Solomon Mahlangu (K69) and Stellenberg Road to the township and no egress to Provincial Road: Solomon Mahlangu (K69) and Stellenberg Road from the township shall be allowed along the line of no access on the layout plan Equestria x257/02.

1.11.5 The township owner shall arrange the stormwater drainage of the township in such a way as to fit in with that of Solomon Mahlangu Drive (K69) and Stellenberg Road and he shall receive and dispose of the stormwater running off or being diverted from the road.

2. CONDITIONS TO BE COMPLIED WITH BEFORE THE ERVEN IN THE TOWNSHIP BECOME REGISTRABLE

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 township applicant shall install and provide internal engineering services in the township as provided for in the services agreement.

The City of Tshwane Metropolitan Municipality shall install and provide external engineering services for the township as provided for in the services agreement.

2.2 RESTRICTIONS ON THE ALIENATION OF 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 Metropolitan 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 not be performed unless the City of Tshwane Metropolitan Municipality 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.

2.3 THE DEVELOPER'S OBLIGATIONS

2.3.1 PROVISION OF ENGINEERING DRAWINGS

The developer must submit to the City of Tshwane Metropolitan Municipality complete engineering drawings in respect of internal sewers and sewer connection points and complete detail design engineering drawings in respect of the internal road and storm water sewers as well as water and electricity services, prior to the commencement of the construction of the said services.

The detail design drawings will only be evaluated after the required Services Reports have been approved.

The Developer must obtain a way-leave from the Municipality prior to commencement of construction work, if such work will be done on Municipal property.

2.3.2 PROVISION OF A CERTIFICATE BY A PROFESSIONAL ENGINEER

Before any erf is transferred, the City of Tshwane Metropolitan Municipality must be provided with a certificate by a Professional Engineer for water, sewerage, electricity, and the internal road and storm water 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 Metropolitan Municipality may at its own discretion allow an exception in respect of the internal road and storm water sewers. If this is the case, the developer must give the City of Tshwane Metropolitan Municipality an undertaking that the developer will complete this service on or before a certain date and must provide the City of Tshwane Metropolitan Municipality 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 Municipality has certified that the provisions of Section 82 (1)(b)(ii)(cc) of the Town-Planning and Townships Ordinance 15 of 1986 have been complied with and when the last of the internal engineering services (ie water, sewerage, electricity), and the road and storm water sewers have been completed.

All internal and external water-and sanitation infrastructure will be maintained by the Municipality. The developer must furnish the City of Tshwane Metropolitan Municipality with a 10% guarantee of the estimate contract cost with regard to the water and sewerage services, issued by a recognized financial institution before the commencement date of the contract. Proof of this must be submitted to the City of Tshwane Metropolitan Municipality.

3. DISPOSAL OF EXISTING CONDITIONS OF TITLE

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

4. CONDITIONS OF TITLE

THE ERVEN MENTIONED BELOW SHALL BE SUBJECT TO THE CONDITION AS INDICATED, LAID DOWN BY THE CITY OF TSHWANE METROPOLITAN MUNICIPALITY IN TERMS OF THE PROVISIONS OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986)

4.1 ALL ERVEN

4.1.1 The erf shall be subject to a servitude, 2m wide, for municipal services (water, sewer, electricity and storm-water) (hereinafter referred to as "the services"), in favour of the City of Tshwane Metropolitan Municipality, along any two boundaries, excepting a street boundary and, in the case of a panhandle erf, an additional servitude for municipal purposes, 2m wide, over the entrance portion of the erf, if and when required by the Municipality: Provided that the Municipality may waive any such servitude.

4.1.2 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 2m from it.

4.1.3 The City of Tshwane Metropolitan 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 City of Tshwane Metropolitan Municipality shall be entitled to reasonable access to the said property for the aforesaid purpose, subject to the provision that the City of Tshwane Metropolitan Municipality shall make good any damage caused during the laying, maintenance or removal of such services and other works.

4.2 ERF 1820

The erf is subject to a stormwater servitude 2 metres wide on the southern boundary of Erf 1820 in favour of the City of Tshwane Metropolitan Municipality as shown on the General Plan.

4.3 ERF 1819

The erf is subject to a 3m x 6m electrical servitude over proposed Erf 1819 in favour of the City of Tshwane Metropolitan Municipality as shown on the General Plan.

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Contact Centre Tel: 012-748 6200. eMail: info.egazette@gpw.gov.za
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