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GAUTENG**



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PROCLAMATION • PROKLAMASIE

PROCLAMATION 102 OF 2018**CITY OF TSHWANE METROPOLITAN MUNICIPALITY****TSHWANE AMENDMENT SCHEME 4572T**

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 Metropolitan Municipality has approved an amendment scheme with regard to the land in the township of Soshanguve East Extension 11, 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 4572T.

(13/2/Soshanguve East x11 (4572T))
(CPD 9/1/1/1-SOSH-EASTx11 094)
(CPD 9/2/4/2-4572T)

CITY OF TSHWANE METROPOLITAN MUNICIPALITY

__ AUGUST 2018
(Notice 188/2018)

CITY OF TSHWANE METROPOLITAN MUNICIPALITY**DECLARATION OF SOSHANGUVE EAST EXTENSION 11 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 Soshanguve East Extension 11 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(13/2/Soshanguve East x11 (4572T))
(CPD 9/1/1/1-SOSH-EASTx11 094)
(CPD 9/2/4/2-4572T)

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY SAFDEV SSDC (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 12 OF THE FARM WENTZELRUST 223JR, PROVINCE OF GAUTENG, HAS BEEN GRANTED

1. CONDITIONS OF ESTABLISHMENT**1.1 NAME**

The name of the township shall be Soshanguve East Extension 11.

1.2 DESIGN

The township shall consist of erven, parks and streets as indicated on the General Plan No SG 1460/2017.

1.3 LAND FOR MUNICIPAL PURPOSES

The following erf/erven shall be transferred to the City of Tshwane Metropolitan Municipality by and at the expense of the township owner:

Parks (public open space): Erf 8112

1.4 ENDOWMENT

Payable to the City of Tshwane Metropolitan Municipality.

The township owner shall pay in terms of Section 98(2) of the Ordinance, 1986 read with Regulation 44(1) of the Town-planning and Townships Regulations, to the City of Tshwane Metropolitan Municipality as endowment a total amount of **R10 800,00** for an area of **4 626m²**. The amount of this area shall be used by the City of Tshwane Metropolitan Municipality 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 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.

1.6 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 Municipality all existing buildings and structures situated within building line reserves and side spaces or over common boundaries, or dilapidated structures.

1.7 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 Municipality.

1.8 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.

1.9 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 take all the necessary steps at his own expense to comply with and strictly adhere to all the conditions and requirements imposed by the Gauteng Department of Agriculture and Rural Development, if legally applicable, those by which exemption has been granted from compliance with regulations number 1182 and 1183, promulgated in terms of Section 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. The township owner indemnifies the City of Tshwane Metropolitan Municipality in this regard.

1.11 COMPLIANCE WITH CONDITIONS IMPOSED BY THE DEPARTMENT OF ROADS AND TRANSPORT

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

1.12 ERECTION OF FENCE OR OTHER PHYSICAL BARRIER

The township owner shall at his own expense erect a fence or other physical barrier to the satisfaction of the Gauteng Department of Roads and Transport, 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.

1.13 ACCESS

1.13.1 Ingress from Road K4 (Ruth First Road) to the township and egress to Road K4 (Ruth First Road) from the township shall be restricted to the junction of Umphafa Street with such road.

1.13.2 The township owner shall at his own expense arrange for a geometric lay-out design of the ingress and egress points referred to in (a) above and specifications for the construction of the junction to be compiled and shall submit it to the Gauteng Department of Roads and Transport, for approval. After the design and specifications have been approved, the township owner shall construct the entrances at his own expense to the satisfaction of the Gauteng Department of Roads and Transport.

1.14 RECEIVING AND DISPOSAL OF STORMWATER

The township owner shall arrange the stormwater drainage of the township in such a way as to fit in with that of Road K4 (Ruth First Road) and he shall receive and dispose of the storm water running off being diverted from the road.

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

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 or with any other act of registration such as the issuing of a Certificate of Title.

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

The Local Authority shall install and provide external engineering services for the township as provided for in the services agreement.

3. 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 –

3.1 excluding the following conditions and servitudes in Deed of Transfer T83608/2007 which do not affect the township area due to its locality:

A. The former REMAINDER OF PORTION 1 (BRAUNBRAES) of the farm KRUIS-FONTEIN NO 262, Registration Division JR, Gauteng Province, measuring 342,6128 hectares as indicated by the figure ABCHJKLA on Diagram SG No A7669/82 (of which this property hereby transferred forms a portion), is subject to the following conditions:

(a) Subject to a power line servitude in favour of Eskom as depicted by the centre lines abc, def on Diagram SG No A7669/82 annexed to Certificate of Consolidated Title T45400/84, 11 metres wide on either side to convey electricity over the property hereby transferred together with ancillary rights and subject to conditions as will more fully appear and refers to Notarial Deed No K1757/78S which the routes thereof has been determined by the figure aBb and cEd on Diagram SG No A834/83 annexed to Notarial Deed of Route description K2566/84S.

- B. The former Remainder of Portion 8 (a portion of Portion 1) of the farm Haakdoornboom No 267, Registration Division JR, Gauteng Province, measuring 342,6128 hectares, as indicated by the figure HCDEFGH on diagram SG No A7669/82, annexed to Certificate of Consolidated Title T45400/1984 (of which this property hereby transferred forms a portion), is subject to the following servitude:
- (a) Subject to a Power Line Servitude in favour of ESCOM as depicted by the centre lines g.h.j.,k.m.n. on diagram SG No A7669/82, 11,00 metres wide on either side, to convey electricity over the property hereby held together with ancillary rights and subject to conditions as will more fully appear on reference to Notarial Deed No K1757/78S, of which the routes thereof has been determined by the figure aBb and cEd on Diagram SG No A837/83, annexed to Notarial Deed of Route description K2566/84S.
- C. The former farm WENTZELRUST No 223, Registration Division JR, Gauteng Province, measuring 599,8520 hectares (of which this property hereby transferred forms a portion), is subject to the following condition:
- (a) "Kragtens Notariële Akte K2076/89S is die reg aan Eskom verleen om elektrisiteit oor die eiendom hiermee getransporteer te vervoer, tesame met bykomende regte, soos meer volledig sal blyk uit gesegde Akte welke roete van die serwituut aangedui deur die lyne ab, cG, de, fFg en hJ op LG kaart no A6934/89, aangeheg by Notariële Akte van Roetebepaling K5355/90S."
- D. The former Remaining Extent of the farm WENTZELRUST No 223, Registration Division JR, Gauteng Province, measuring 593,6937 hectares (of which this property hereby transferred forms a portion), is subject to the following condition:
- (a) Subject to a road servitude 15 (fifteen) metres wide, as indicated by the figure ABCD on diagram SG No 4728/92, in favour of the South African Rail Commuter Corporation Limited as will more fully appear from Deed of Cession No K 1853/1992S.
- F. The former Remaining Extent of the farm WENTZELRUST No 223, Registration Division JR, Gauteng Province, measuring 348,8229 hectares (of which this property hereby transferred forms a portion), is subject to the following condition:
- (a) In terms of Premiers Notice No 51 dated 26 November 1997, the Premier declared an increase of the Road reserve of roads PWV9 and 2758 and an access road over the within land being 4,8418 hectares (road reserve) and 0,1913 hectares (access road) with a total of 5,0331 hectares with plans PR593/63/5V relating thereto and appeared from documents filed ex 67/98.
- G. The former Remaining Extent of the farm WENTZELRUST No 223, Registration Division JR, Gauteng Province, measuring 348,8229 hectares (of which this property hereby transferred forms a portion), is subject to the following condition:
- (a) The withinmentioned property is subject to a powerline servitude in favour of ESCOM with ancillary rights as will more fully appear from Deed of Notarial Servitude No K 01892/99.
- H. The former Remaining Extent of the farm WENTZELRUST No 223, Registration Division JR, Gauteng Province, measuring 348,8229 hectares (of which this property hereby transferred forms a portion), is subject to the following condition:
- (a) The withinmentioned property is subject to perpetual electrical powerline servitude 31m wide, line ab and cd being the middle lines of servitude indicated on SG No 7798/97, in favour of Greater Pretoria Metropolitan Council as indicated by Deed of Notarial Servitude No K3983/98 S.

3.2 excluding the following right which shall not be passed on to the erven in the township;

E. The former Remaining Extent of the farm WENTZELRUST No 223, Registration Division JR, Gauteng Province, measuring 593,6937 hectares (of which this property hereby transferred forms a portion), is subject to the following condition:

(a) RANDSTEPHNE RANCHES CC or its nominee, retains herewith the pre-emptive right to purchase 10 (ten) Hectares of the Southern Portion of Wentzelsrust No 223, adjoining the Mabopane Highway, for an amount of **R150 000,00** (One Hundred and Fifty Thousand Rand) from SOSHANGUVE SOUTH DEVELOPMENT COMPANY (PROPRIETARY) LIMITED.

3.3 excluding the following servitude which affect Erf 8111 and a street in the township only;

The former Remaining Extent of the farm WENTZELRUST No 223, Registration Division JR, Gauteng Province, measuring 102,2215 hectares (of which this property hereby transferred forms a portion), is subject to the following condition:

By virtue of Notarial Deed of Servitude K2181/2018S dated 15 May 2018, the within-mentioned property is subject to a water pipeline servitude 5 781m² in extent with ancillary rights, indicated by the figure A B C D E F G H on servitude diagram SG No A8269/1994, annexed thereto in favour of the City of Tshwane Metropolitan Municipality, as will more fully appear from the said Notarial Deed of Servitude.

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 METROPOLITAN MUNICIPALITY IN TERMS OF THE PROVISIONS OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986)

4.1.1 ALL ERVEN, EXCEPT ERF 8112

4.1.1.1 The erf shall be subject to a servitude, 3m wide, for municipal services (water, sewer, electricity and storm water) (hereinafter referred to as "the services"), in favour of the Municipality, along any two boundaries, excepting a street boundary and, in the case of a panhandle erf, an additional servitude for municipal purposes, 3m wide, over the entrance portion of the erf, if and when required by the Municipality: Provided that the Municipality may waive any such servitude.

4.1.1.2 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 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.

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Contact Centre Tel: 012-748 6200. eMail: info.egazette@gpw.gov.za
Publications: Tel: (012) 748 6053, 748 6061, 748 6065