

***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: 27**

**PRETORIA**  
16 SEPTEMBER 2022  
16 SEPTEMBER 2022

**No: 379**

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DEPARTMENT OF HEALTH

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ISSN 1682-4520



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**LOCAL AUTHORITY NOTICES • PLAASLIKE OWERHEIDS KENNISGEWINGS****LOCAL AUTHORITY NOTICE 1655 OF 2022****CITY OF TSHWANE METROPOLITAN MUNICIPALITY****TSHWANE AMENDMENT SCHEME 5249T**

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 Clubview Extension 120, being an amendment of the Tshwane Town-planning Scheme, 2008.

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

This amendment is known as Tshwane Amendment Scheme 5249T.

(CPD 9/1/1/1-CLVx120 109 (Item 30398))  
(CPD 9/2/4/2-5249T)

**CITY OF TSHWANE METROPOLITAN MUNICIPALITY**

\_\_ SEPTEMBER 2022  
(Notice 120/2022)

**CITY OF TSHWANE METROPOLITAN MUNICIPALITY****DECLARATION OF CLUBVIEW EXTENSION 120 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 Clubview Extension 120 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(CPD 9/1/1/1-CLVx120 109 (Item 30398))  
(CPD 9/2/4/2-5249T)

**SCHEDULE**

CONDITIONS UNDER WHICH THE APPLICATION MADE BY ERF 1083 ROOIHUISKRAAL (PTY) LTD (REG. NO. 1999/018213/07), 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 THE REMAINDER OF PORTION 285 (A PORTION OF PORTION 90) OF THE FARM ZWARTKOP 356JR, PROVINCE OF GAUTENG, HAS BEEN GRANTED

**1. CONDITIONS OF ESTABLISHMENT****1.1 NAME**

The name of the township shall be Clubview Extension 120.

**1.2 DESIGN**

The township shall consist of erven and a street as indicated on Lay-out Plan CLUBVIEWX120/6 and General Plan SG No 720/2019.

**1.3 ACCESS**

Access to the township shall be designed, constructed and maintained to the satisfaction of the Municipality.

**1.4 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 adjacent roads and he shall receive and dispose of the storm water running off or being diverted from the road.

The Service Report containing the stormwater design proposal must be submitted to the Municipality for approval at the time of the application, i.e. before Township Proclamation.

**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 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 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 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.

**1.11 PRECAUTIONARY MEASURES****1.11.1 The township owner shall appoint a competent person(s) to:-**

**1.11.1.1 A 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.

**1.11.1.2 A 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.

**1.11.2** The township owner is responsible to facilitate the procedure to transfer the responsibility for the management of the Dolomite Risk Management plan legally to a representative Body Corporate or similar entity, as applicable.

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

**1.11.3.1** water will not accumulate, the entire surface of the township area is drained properly and streets are sealed effectively with tar, cement or bitumen to the satisfaction of the Municipality; and

**1.11.3.2** 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.

1.12 OBLIGATIONS WITH REGARD TO SERVICES AND RESTRICTION 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 alienated or 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.

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

2.2 RESTRICTIONS ON THE TRANSFER AND REGISTRATION OF ERVEN/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 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 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.

2.3 THE DEVELOPER'S OBLIGATION

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

2.3.2 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.

### 2.3.3 COMPLETION OF THE SCHEME

The developer remains liable for the development of the entire housing scheme in accordance with the approved site development plan, provided that the scheme may also be developed in phases with the consent of the City of Tshwane Metropolitan Municipality, and provided further that the entire development takes place under the supervision of one architectural firm. If another architect or architectural firm is appointed at any stage during the execution of the scheme, the City of Tshwane Metropolitan Municipality must be notified of this without delay.

### 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)

#### 4.1.1 ALL ERVEN

4.1.1.1 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 local authority, 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, is and when required by the local authority: Provided that the local authority may waive any such servitudes.

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.

4.1.1.4 The erven lie in an area with soil conditions that can cause serious damage to buildings and structures. In order to limit such damage, foundations and other structural elements of buildings and structures must be designed by a competent professional engineer and erected under his supervision. Building plans submitted to the Municipality for consideration shall indicate measures to be taken, to limit possible damage to buildings and structures as a result of detrimental foundation conditions. The owner of the erf shall comply with these measures in accordance with the recommendations contained in the Geo-technical report for the township and conditions imposed by the Council for Geoscience, unless it is proven to the Municipality and the Council for Geoscience, that such measures are unnecessary or that the same purpose can be achieved by other more effective means.

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

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Publications: Tel: (012) 748 6053, 748 6061, 748 6065

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