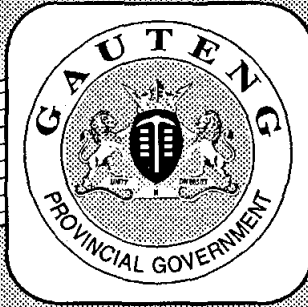


**THE PROVINCE OF  
GAUTENG**



**DIE PROVINSIE  
GAUTENG**

# Provincial Gazette Extraordinary Buitengewone Provinsiale Koerant

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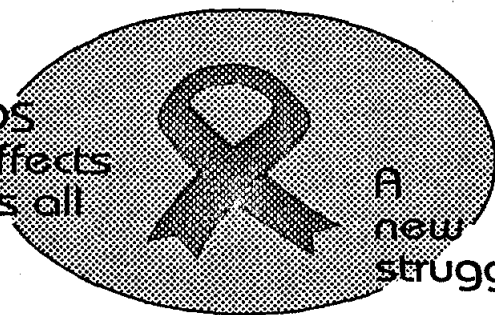
Vol. 10

PRETORIA, 27 SEPTEMBER 2004

No. 402

**We all have the power to prevent AIDS**

AIDS  
affects  
us all



A  
new  
struggle

**Prevention is the cure**

**AIDS  
HELPLINE**

**0800 012 322**

DEPARTMENT OF HEALTH



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## LOCAL AUTHORITY NOTICE

### LOCAL AUTHORITY NOTICE 2067 CITY OF TSHWANE METROPOLITAN MUNICIPALITY CENTURION AMENDMENT SCHEME 1180

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 Kosmosdal Extension 51, being an amendment of the Centurion Town-planning Scheme, 1992.

Map 3 and the scheme clauses of this amendment scheme are filed with the Acting General Manager: Legal Services, and are open to inspection during normal office hours.

This amendment is known as Centurion Amendment Scheme 1180.

(16/3/1/1078)  
September 2004

Acting General Manager: Legal Services  
(Notice No \_\_\_\_\_/2004)

### PLAASLIKE BESTUURSKENNISGEWING 2067 STAD TSHWANE METROPOLITAANSE MUNISIPALITEIT CENTURION WYSIGINGSKEMA 1180

Hierby word ingevolge die bepalings van artikel 125 (1) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986), bekend gemaak dat die Stad Tshwane Metropolitaanse Munisipaliteit 'n wysigingskema met betrekking tot die grond in die dorp Kosmosdal Uitbreiding 51, synde 'n wysiging van die Centurion-dorpsbeplanningskema, 1992, goedgekeur het.

Kaart 3 en die skemaklousules van hierdie wysigingskema word deur die Waarnemende Hoofbestuurder: Regsdienste, in bewaring gehou en lê gedurende gewone kantoorure ter insae.

Hierdie wysiging staan bekend as Centurion-wysigingskema 1180.

(16/3/1/1078)  
September 2004

Waarnemende Hoofbestuurder: Regsdienste  
(Kennisgewing No \_\_\_\_\_/2004)

### CITY OF TSHWANE METROPOLITAN MUNICIPALITY DECLARATION OF KOSMOSDAL EXTENSION 51 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 Kosmosdal Extension 51 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(16/3/1/1078)

#### SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY SAFRICH RPP JV (PTY) LTD IN TERMS OF THE PROVISIONS OF CHAPTER 3 OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE NO 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 291 (A PORTION OF PORTION 290) OF THE FARM OLIEVENHOUTBOSCH 389 JR, PROVINCE OF GAUTENG, HAS BEEN GRANTED.

#### 1. CONDITIONS OF ESTABLISHMENT

##### 1.1 NAME

The name of the township shall be Kosmosdal Extension 51.

##### 1.2 DESIGN

The township shall consist of erven, parks and streets as indicated on General Plan SG No 3698/2004.

### 1.3 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, but excluding the following:

- (a) The following servitude which only affects Erven 2042 and 2043:

3B Kragtens Notariële Akte Nr K839/1971S is die reg aan Eskom verleen om elektrisiteit oor die hierin gemelde eiendom te vervoer tesame met bykomende regte en onderhewig aan die kondisies soos meer volledig sal blyk uit gesegde Notariële Akte geregistreer op die 21ste Julie 1971.

- (b) The following servitude which affects Rooihuiskraal Road only:

3C By virtue of Notarial Deed of servitude K3602/97S dated 6 June 1997 the within mentioned property is subject to a perpetual servitude for Municipal purposes and a right of way, 2867 square meter in extent, as indicated by the figures ABCDEF on SG 5278/96 with ancillary rights in favour of the Town Council Centurion as will more fully appear from the said Notarial Deed.\*

### 1.4 PRECAUTIONARY MEASURES

The township owner shall at its own expense, make arrangements with the local authority, in order to ensure that:

- (a) water will not dam up, that the entire surface of the dolomite area/s is drained properly and that streets are sealed effectively with tar, cement or bitumen; and
- (b) trenches and excavations for foundations, pipes and cables or for any other purposes, are properly refilled with damp soil in layers not thicker than 150 mm, and compacted until the same grade of compaction as that of the surrounding material is obtained.

### 1.5 DEMOLITION OF BUILDINGS AND STRUCTURES

The township owner shall at its own expense cause all existing buildings and structures situated within the building line reserves, side spaces or over common boundaries to be demolished to the satisfaction of the Local Authority, when required by the Local Authority to do so.

### 1.6 REMOVAL OR REPLACEMENT OF MUNICIPAL AND/OR TELKOM SERVICES

If, by reason of the establishment of the township, it should become necessary to remove or replace any existing municipal or Telkom services, the cost thereof shall be borne by the township owner.

### 1.7 THE DEVELOPERS OBLIGATION

#### 1.7.1 ASSOCIATION AND STATUTES

The developer must register a Section 21 company (homeowners' association) in terms of the provisions of the Companies Act, 1973 (Act 61 of 1973). A copy of the registered Deed of Association (CM4) and the Company's Statutes must be submitted to the City of Tshwane Metropolitan Municipality.

The Association and Statutes must clearly state that the main objective of the homeowners' association is the maintenance of the road, stormwater and electrical services of the development. The developer is deemed to be a member of the Section 21 company, with all the rights and obligations of an ordinary member, until the last erf has been transferred.

**1.7.2 PROVISION OF ENGINEERING DRAWINGS**

The developer must submit to the Municipality complete engineering drawings in respect of internal services and sewer connection points and complete engineering drawings in respect of the internal road and stormwater services as well as water and electricity services, prior to the commencement of the construction of the said services.

**1.7.3 PROVISION OF A CERTIFICATE BY A PROFESSIONAL ENGINEER**

Before any erf is transferred, the Municipality must be provided with a certificate by a Professional Engineer for water, sewerage, electricity, and the internal road and stormwater services, in which it is certified that the internal engineering services have been completed and that the engineers accept liability for the services. The Municipality may at its own discretion allow an exception in respect of the internal road and stormwater services. If this is the case, the developer must give the Municipality an undertaking that the developer will complete these services on or before a certain date and must provide the 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 Service Delivery Department.

**1.7.4 MAINTENANCE PERIOD AND GUARANTEE**

A maintenance period of 12 (twelve) months commences when the last of the internal engineering services (i.e. water, sewerage, electricity, and the road and stormwater services) have been completed. The developer must:

- (a) Furnish the Section 21 company with a maintenance guarantee, issued by a recognized financial institution, in respect of poor workmanship and/or materials with regard to internal road and stormwater services and the electricity services, which guarantee must be for an amount that is equal to 5% of the contract cost of the road and stormwater sewer and 10% of the contract cost of the electrical services, and proof of this must be submitted to the Municipality.
- (b) Furnish the Municipality with a maintenance guarantee, issued by a recognized financial institution, in respect of poor workmanship and/or materials with regard to the sewer and water services, which guarantee must be for an amount that is equal to 10% of the contract cost of these services.

**1.8 TRANSFER OF LAND TO THE SECTION 21 COMPANY**

Erven 2091, 2102, 2105, 2106, 2143 and 2156 shall be transferred by and at the cost of the applicant to a homeowners' association (Section 21 Company), registered in terms of the Companies Act, 1973.

**1.9 LAND FOR MUNICIPAL PURPOSES**

Erven 2157 and 2158 and Erven 2042 and 2043 shall be transferred to the Local Authority by and at the expense of the township owner as Parks and erven for Municipal Purposes respectively.

**2. CONDITIONS OF TITLE**

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):

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- 2.1 ALL ERVEN WITH THE EXCEPTION OF ERVEN 2063, 2079, 2091, 2102, 2105, 2106, 2143, 2156, 2157 AND 2158
- (a) The erf shall be subject to a servitude, 2 metre wide, for municipal services (water, sewerage, electricity and stormwater) (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, 3 metre wide, over the entrance portion of the erf, if and when required by the local authority: Provided that the local authority may waive any such servitude.
- (b) 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 2 metre from it.
- (c) 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.
- 2.2 ERF 2156

The entire erf is subject to a servitude for general municipal services in favour of the local authority.

## STAD TSHWANE METROPOLITAANSE MUNISIPALITEIT

### VERKLARING VAN KOSMOSDAL UITBREIDING 51 TOT GOEDGEKEURDE DORP

Ingevolge artikel 103 van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie No 15 van 1986), verklaar die Stad Tshwane Metropolitaanse Munisipaliteit hierby die dorp Kosmosdal Uitbreiding 51 tot 'n goedgekeurde dorp, onderworpe aan die voorwaardes uiteengesit in die bygaande Bylae.

(16/3/1/1078)

#### BYLAE

STAAT VAN VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR SAFRICH RPP JV (PTY) LTD INGEVOLGE DIE BEPALINGS VAN HOOFSTUK 3 VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986 (ORDONNANSIE NO 15 VAN 1986), OM TOESTEMMING OM 'N DORP OP GEDEELTE 291('N GEDEELTE VAN GEDEELTE 290) VAN DIE PLAAS OLIEVENHOUTBOSCH 389 JR, GAUTENG, TE STIG, TOEGESTAAN IS.

#### 1. STIGTINGSVOORWAARDES

##### 1.1 NAAM

Die naam van die dorp is Kosmosdal Uitbreiding 51.

##### 1.2 ONTWERP

Die dorp bestaan uit erwe, parke en strate soos aangedui op Algemene Plan LG No 3698/2004.

##### 1.3 BESIKKING OOR BESTAANDE TITELVOORWAARDES

Alle erwe moet onderworpe gemaak word aan bestaande voorwaardes en servitute, as daar is, met inbegrip van die voorbehoud van die regte op minerale, maar uitgesonderd die volgende:

- (a) Die volgende servitute wat slegs Erwe 2042 en 2043 raak:

3B Kragtens Notariële Akte Nr K839/1971S is die reg aan Eskom verleen om elektrisiteit oor die hierin gemelde eiendom te vervoer tesame met bykomende regte en onderhewig aan die kondisies soos meer volledig sal blyk uit gesegde Notariële Akte geregistreer op die 21ste Julie 1971.

- (b) Die volgende serwitut wat slegs Rooihuiskraalweg raak:  
 3C By virtue of Notarial Deed of servitude K3602/97S dated 6 June 1997 the within mentioned property is subject to a perpetual servitude for Municipal purposes and a right of way, 2867 square meter in extent, as indicated by the figures ABCDEF on SG 5278/96 with ancillary rights in favour of the Town Council Centurion as will more fully appear from the said Notarial Deed."

**1.4 VOORKOMENDE MAATRELS**

Die dorpselenaar moet op eie koste reëlings met die plaaslike bestuur tref om te verseker dat –

- (a) water nie opdam nie, dat die hele oppervlakte van die dolomiet areas behoorlik gedreineer word en dat die strate doeltreffend met teer, beton of bitumen geseël word; en
- (b) slope en uitgrawings vir fondamente, pype kables of vir enige ander doeleindes behoorlik met klam grond in lae wat nie dikker as 150mm is nie, opgevul word en gekompakteer word totdat dieselfde verdigtingsgraad as wat die omliggende materiaal is, verkry is.

**1.5 SLOPING VAN GEBOUE EN STRUKTURE**

Die dorpselenaar moet op eie koste alle bestaande geboue en strukture wat binne boulynreserwes, kantruimtes of oor gemeenskaplike grense geleë is, laat sloop tot bevrediging van die Plaaslike Bestuur wanneer die Plaaslike Bestuur dit vereis.

**1.6 VERSKUIWING OF DIE VERVANGING VAN MUNISIPALE EN TELKOM DIENSTE**

Indien, as gevolg van die stigting van die dorp, dit mag nodig word om enige bestaande munisipale of Telkom dienste te verskuif, verwyder of te vervang, sal die koste daarvan deur die dorpselenaar gedra word.

**1.7 VERPLIGTINGE VAN DIE ONTWIKKELAARS**

**1.7.1 AKTE VAN OPRIGTING**

Die dorpselenaar moet 'n Artikel 21 Maatskappy (huiseienaarsvereniging) registreer Ingevolge van die Maatskappywet, 1973 (Wet 61 van 1973). 'n Kople van die geregistreerde Akte van Oprigting (CM4) en die Maatskappy Statute moet Ingedien word by die Stad Tshwane Metropolitaanse Munisipaliteit.

Die Akte van Oprigting moet duidelik stipuleer dat die hoofdoelwit van die Maatskappy/Huiseienaarsvereniging die instandhouding van die interne ingenieursdienste van die dorp is (bv water, riool, elektrisiteit, paaie en stormwater riolering). Die dorpselenaar moet 'n lid van die Artikel 21 Maatskappy wees met alle regte en verpligte van 'n gewone lid tot en met die oordrag van die laaste erf.

**1.7.2 VOORSIENING VAN INGENIEURSTEKENINGE**

Die dorpselenaar moet volledige Ingenieurstekening met betrekking tot die interne rioleringsstelsel en rioolaansluitingspunte en volledige ingenieurstekeninge ten opsigte van die interne paaie en stormwaterriolering asook water en elektrisiteitsdienste by die Stad Tshwane Metropolitaanse Munisipaliteit indien alvorens konstruksie aan enige van die gemelde dienste begin mag word.

**1.7.3 VOORSIENING VAN 'N SERTIFIKAAT DEUR 'N PROFESSIONELE INGENIEUR**

'n Ingenieursertifikaat onderteken deur 'n Professionele Ingenieur moet by die Stad van Tshwane Metropolitaanse Munisipaliteit ingehandig word (alvorens enige erwe oorgedra mag word) met betrekking tot water, riool, elektrisiteit en interne paaie en stormwaterriolering wat sertifiseer dat die interne ingenieursdienste voltooi is en dat die ingenieur verantwoordelikheid aanvaar vir alle dienste. Die Munisipaliteit beskik oor die diskresie om 'n uitsondering te maak met betrekking tot interne paaie en stormwaterriolering. Indien laasgenoemde van toepassing is, moet die dorpselenaar aan die Munisipaliteit 'n onderneming gee dat die dienste voltooi sal wees teen 'n vasgestelde datum en moet die ontwikkelaar 'n waarborg dienooreenkomstig inhandig wat deur 'n erkende finansiële instelling uitgereik is.

Bouplanne sal nie goedgekeur word alvorens die dienste voltooi en deur die Dienste Departemente oorgeneem is nie (indien van toepassing).

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**1.7.4 INSTANDHOUDINGSTERMYN EN WAARBORG**

Na voltooiing van alle interne ingenieursdienste (bv. water, riool, elektrisiteit en die paaie en stormwaterriolering) sal 'n instandhoudingstermy n van 12 (TWAALF) maande daarop van toepassing wees. Die dorpseienaar moet:

- (a) 'n Instandhoudingswaarborg aan die Artikel 21 Maatskappy voorsien, uitgereik deur 'n erkende finansiële instelling en gelykstaande aan 5% van die kontrakkoste ten opsigte van die geïnstalleerde paaie en stormwaterdienste en 10 % van die kontrakkoste ten opsigte van die geïnstalleerde elektrisiteitsdienste, welke waarborg voorsiening maak om enige defekti ewe vakmanskap en/of materiale met betrekking tot die paaie en stormwaterdienste en elektrisiteitsdienste te herstel. 'n Bewys van hierdie waarborg moet by die Stad Tshwane Metropolitaanse Munisipaliteit ingehandig word.
- (b) 'n Instandhoudingswaarborg aan die Munisipaliteit voorsien, uitgereik deur 'n erkende finansiële instelling, welke waarborg gelykstaande moet wees aan 10% van die kontrakkoste van die geïnstalleerde water en riooldienste en welke waarborg voorsiening maak om enige defekti ewe vakmanskap en/of materiale met betrekking tot die water en riool dienste te herstel.

**1.8 OORDRAG VAN GROND NA DIE ARTIKEL 21 MAATSKAPPY**

Erwe 2091, 2102, 2105, 2106, 2143 en 2156 moet oorgedra word deur en op koste van die applikant aan 'n huiseienaarsvereniging (Artikel 21 Maatskappy), geregistreer in terme van die Maatskappye Wet, 1973.

**1.9 GROND VIR MUNISIPALE DOELEINDES**

Erwe 2157 en 2158 en Erwe 2042 en 2043 moet deur en op koste van die dorpseienaar aan die Plaaslike Bestuur as Parke en erwe vir Munisipale Doeleindes oorgedra word, onderskeldelik.

**2. TITELVOORWAARDES**

Die erwe hieronder genoem, is onderworpe aan die voorwaardes soos aangedui, opgelê deur die Stad Tshwane Metropolitaanse Munisipaliteit ingevolge die bepalings van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986):

**2.1 ALLE ERWE MET DIE UITSONDERING VAN ERWE 2063, 2079, 2091, 2102, 2105, 2106, 2143, 2156, 2157 EN 2158**

- (a) Die erf is onderworpe aan 'n serwituut, 2 meter breed, vir munisipale dienste (water, riool, elektrisiteit, stormwater) (hierna "die dienste" genoem), ten gunste van die Stad Tshwane Metropolitaanse Munisipaliteit langs enige twee grense, uitgesonderd 'n straatgrens en, in die geval van 'n pypsteelerf, 'n addisionele serwituut vir munisipale doeleindes, 3 meter breed, oor die toegangsgedeelte van die erf, indien en wanneer die plaaslike bestuur dit verlang. Met dien verstande dat die plaaslike bestuur van enige sodanige serwituut mag afsien.
- (b) Geen geboue of ander strukture mag binne die voornoemde serwituutgebied opgerig word nie en geen grootwortelbome mag binne die gebied van sodanige serwituut of binne 'n afstand van 2 meter daarvan geplant word nie.
- (c) Die Stad Tshwane Metropolitaanse Munisipaliteit is daarop geregtig om enige materiaal wat deur hom uitgegrawe word tydens die aanleg, onderhoud of verwydering van sodanige dienste en ander werke wat hy na goe ddunke noodsaaklik ag, tydelik te plaas op grond wat aan die voornoemde serwituut grens, en voorts is die Stad Tshwane Metropolitaanse Munisipaliteit geregtig op redelike toegang tot genoemde grond vir die voornoemde doel, onderworpe daaraan dat die Stad Tshwane Metropolitaanse Munisipaliteit enige skade vergoed wat gedurende die aanleg, onderhoud of verwydering van sodanige dienste en ander werke veroorsaak word.

**2.2 ERF 2156**

Die hele erf is onderworpe aan 'n serwituut vir algemene munisipale dienste ten gunste van die plaaslike bestuur.