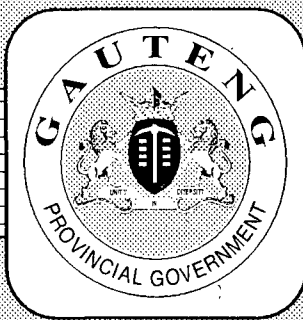


**THE PROVINCE OF  
GAUTENG**



**DIE PROVINSIE  
GAUTENG**

# Provincial Gazette Extraordinary Buitengewone Provinsiale Koerant

Selling price • Verkoopprys: **R2,50**  
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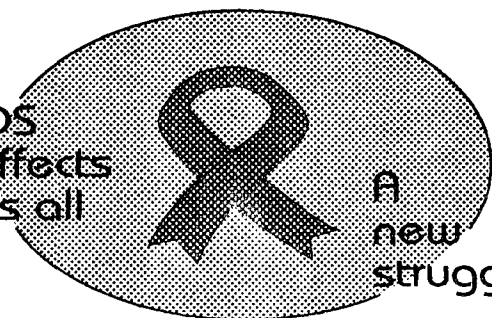
Vol. 11

PRETORIA, 3 AUGUST  
AUGUSTUS 2005

No. 322

**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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**CONTENTS • INHOUD**

<i>No.</i>	<i>Page No.</i>	<i>Gazette No.</i>
<b>LOCAL AUTHORITY NOTICE</b>		
1816 Town-planning and Townships Ordinance (15/1986): City of Tshwane Metropolitan Municipality: Centurion Amendment Scheme 1300C.....	3	322

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## LOCAL AUTHORITY NOTICE

### LOCAL AUTHORITY NOTICE 1816

#### CITY OF TSHWANE METROPOLITAN MUNICIPALITY

#### CENTURION AMENDMENT SCHEME 1300C

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 38, being an amendment of the Centurion Town-planning Scheme, 1992.

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

This amendment is known as the Centurion Amendment Scheme 1300C.

(16/3/1/689)  
4 August 2005

(Notice No 761/2005)

Head: Legal and Secretarial Services

### PLAASLIKE BESTUURSKENNISGEWING 1816

#### STAD TSHWANE METROPOLITAANSE MUNISIPALITEIT

#### CENTURION WYSIGINGSKEMA 1300C

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 38, synde 'n wysiging van die Centurion Dorpsbeplanningskema, 1992, goedgekeur het.

Kaart 3 en die skemaklousules van hierdie wysigingskema word deur die Hoof: Regs- en Sekretariële Dienste, in bewaring gehou en lê gedurende gewone kantoorure ter insae.

Hierdie wysiging staan bekend as die Centurion Wysigingskema 1300C.

(16/3/1/689)  
4 Augustus 2005

Hoof: Regs- en Sekretariële Dienste  
(Kennisgewing No 761/2005)

#### CITY OF TSHWANE METROPOLITAN MUNICIPALITY

#### DECLARATION OF KOSMOSDAL EXTENSION 38 AS APPROVED TOWNSHIP

In terms of section 103(1) of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), the City of Tshwane Metropolitan Municipality hereby declares the township Kosmosdal Extension 38 to be an approved township, subject to the conditions set out in the Schedule hereto.

#### SCHEDULE

STATEMENT OF THE CONDITIONS UNDER WHICH THE APPLICATION MADE BY SAMRAND MITRAJAYA DEVELOPMENT (PROPRIETARY) LIMITED (HEREINAFTER REFERRED TO AS THE TOWNSHIP APPLICANT) UNDER THE PROVISIONS OF SECTION A AND C OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 294 (A PORTION OF PORTION 249) OF THE FARM OLIEVENHOUTBOSCH 389 JR HAS BEEN GRANTED

#### 1. CONDITIONS OF ESTABLISHMENT

#### 1.1 NAME

The name of the township shall be Kosmosdal Extension 38.

## 1.2 DESIGN

The township shall consist of erven and streets as indicated on General Plan SG No. 4156/2004.

## 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 rights to mineral, but excluding:

(a) the following servitudes which do not affect the township area:

- (i) "The former Remaining Extent of Portion 2 of the farm Olievenhoutbosch 389-JR., Province Gauteng, whereof the property hereby registered forms a portion, was subject to Notarial Deed K155/74S, registered on 28<sup>th</sup> January 1974 whereby the right has been granted to ESKOM to convey electricity over the property hereby conveyed together with ancillary rights and subject to conditions, as will more fully appear from the said Notarial Deed and by virtue of Notarial Deed of Amendment of Servitude K2445/1979S the route is established, as will more fully appear from the said Notarial Deed of Amendment of Servitude."
- (ii) "Die vorige Resterende gedeelte van Gedeelte 2 van die plaas Olievenhoutbosch 389, Registrasie afdeling J.R., Provinsie van Gauteng, Groot 645,0113 hektaar (waarvan die eiendom hiermee getranspoteer deel vorm) is onderhewig aan 'n servituutgebied vir munisipale doeleindes, groot 7,1266ha, met bykomende regte ten gunste van die Stadsraad van Centurion soos meer volledig sal blyk uit Notariële Akte van servituut K8139/1996 geregistreer op 20 November 1996."
- (iii) "The property is subject to a servitude for municipal purposes together with ancillary rights and subject to conditions, as will more fully appear from the attached diagram SG No A2623/1999 where the lines abcdefghijkl represents the centre line of a Sewer Pipe Line servitude 2, 00 (TWO) metres wide and the figure xyzw' represents a servitude area, registered by virtue of Notarial Deed of Servitude K2944/99S."
- (iv) "By virtue of Notarial Deed No K4991/1999S dated 20 September 1999, the under mentioned property is subject to a servitude for municipal services indicated by the figures ABCDEA which represents a servitude area of 103m<sup>2</sup> on diagram SG No 3398/1999 in favour of the Centurion Town Council."
- (v) "By virtue of Notarial Deed K4992/1999S dated 20 September 1999, the under mentioned property is subject to a servitude of Right of Way indicated by the figures ABCDA which represents a servitude area of 105m<sup>2</sup> on diagram SG No. 3396/1999 in favour of the Town Council of Centurion."
- (vi) "By virtue of Notarial Deed K4993/1999S dated 20 September 1999 the under mentioned property is subject to a servitude of municipal services indicated by the figures ABCDEFGHA which represents a servitude area of 8 012m<sup>2</sup> on diagram SG No 3397/1999 in favour of the Town Council of Centurion."
- (vii) "By virtue of Notarial Deed K4994/1999S dated 20 September 1999, the under mentioned property is subject to a servitude of Right of Way indicated by the figures ABCDEFGHJK LMNPQRSTUVWXYZA'B'C'D'E'F'G'H'J'K'L'M'N'P'Q'A which represents a servitude area of 4,0095ha on diagram SG No 3394/1999 in favour of the Town Council of Centurion."
- (viii) "By virtue of Notarial Deed K4995/1999S dated 20 September 1999 the under mentioned property is subject to a servitude of Right of Way indicated by the figures ABCDEFGHJK LMNPQRSTUVWXYZA'B'C'D'E'F'G'H'J'K'L'M'N'P'Q'R'S'T'U'V'W'X'A which represents a servitude area of 8,9268ha on diagram SG No 3395/1999 in favour of the Town Council of Centurion."
- (ix) "By virtue of Notarial Deed K6079/2003S dated 18 December 2002, the property is subject to a perpetual right of way indicated by the figure ABCDEFGHJKLMA, which represents a servitude area of 3 392m<sup>2</sup> on Diagram SG No 2213/2002 in favour of City of Tshwane Metropolitan Municipality, together with ancillary rights."

- (x) "By virtue of Notarial Deed K8104/2003S dated 18 November 2003, the property is subject to servitudes for municipal purposes, 3,00 (THREE) metres wide, where the lines ABCDEF and GHJKL represents the centre lines of such servitudes, as will more fully appear from SG Diagram No 5493/2000."
- (xi) "By virtue of Notarial Deed K8166/2003S dated 18 November 2003, the property is subject to a perpetual servitude for municipal purposes 3,00 (THREE) metres wide, where the line ABCD represents the southern boundary of such servitude as indicated on Diagram SG No 6208/2002, in favour of the City of Tshwane Metropolitan Municipality."
- (xii) "By virtue of Notarial Deed K8304/2002S dated 18 November 2003, the property is subject to a servitude of right of way for municipal purposes, 275 (TWO HUNDRED AND SEVENTY FIVE) square metres in extent, indicated by the figure ABCA on Diagram SG No 3580/2000, in favour of the City of Tshwane Metropolitan Municipality."
- (xiii) "By virtue of Notarial Deed K8243/2003S dated 18 November 2003, the property is subject to servitudes for municipal purposes 3,00 (THREE) metres wide, where the lines AB and CD respectively represent the western and eastern boundaries of such servitudes, as will more fully appear from servitude diagram SG No. 664/2000, in favour of the City of Tshwane Metropolitan Municipality."
- (xiv) "By virtue of Notarial Deed K207/2004S dated 11 November 2003, the property is subjected to servitude of Right of Way, 987 (NINE HUNDRED AND EIGHTY SEVEN) square metres in extent, indicated by the figure ABCDEA on Diagram SG No 5367/2003, in favour of the City of Tshwane Metropolitan Municipality."
- (xv) "By virtue of Notarial Deed K208/2004S dated 11 November 2003, the property is subject to a servitude for municipal purposes 4,00 (FOUR) metres wide, where the line ABCD represents the western boundary of such servitude, as will more fully appear from servitude diagram SG No. 5734/2002, in favour of the City of Tshwane Metropolitan Municipality."
- (xvi) "By virtue of Notarial Deed K209/2004S dated 18 November 2003, the property is subjected to a servitude for municipal purposes 3,00 (THREE) metres wide, where the lines ABCDEFGHJK and EL represent the centre line of such servitudes, as will more fully appear from servitude diagram SG No 9251/2000, in favour of the City of Tshwane Metropolitan Municipality."
- (xvii) "By virtue of Notarial Deed K1485/2004S dated 24 February 2004, the property is subject to a servitude for municipal purposes 4,00 (FOUR) metres wide, where the lines AB, BC and CD represents the western boundary of such servitude, as will more fully appear from servitude diagram SG No 5735/2002, in favour of the City of Tshwane Metropolitan Municipality."
- (xviii) "By virtue of Notarial Deed K1486/2004S dated 24 February 2004, the property is subject to a servitude for municipal purposes 4,00 (FOUR) metres wide, the centre line of which servitude is indicated by the line ABCDEFG on servitude diagram SG No 5733/2002, in favour of the City of Tshwane Metropolitan Municipality."
- (xix) "By virtue of Notarial Deed K1982/2004S dated 31 March 2004, the property is subject to a servitude for municipal purposes, 117 (ONE HUNDRED AND SEVENTEEN) square metres in extent, indicated by ABCA on servitude diagram SG No 5736/2002, in favour of the City of Tshwane Metropolitan Municipality."

#### 1.4 PRECAUTIONARY MEASURES

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

- (a) water will not accumulate to the effect 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 REMOVAL OR REPLACEMENT OF TELKOM AND/OR MUNICIPAL SERVICES**

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

**1.6 SECTION 21 COMPANY (HOME OWNERS ASSOCIATION)**

Erven 2358 to 2407 will be made subject to the following conditions:

- a) Any owner of an erf, or any subdivision thereof, or any interest therein, or any unit as defined in terms of the Section Titles Act 95 of 1986, shall become and shall remain a member of the HOME OWNERS ASSOCIATION and be subject to its MEMORANDUM AND ARTICLES OF ASSOCIATION until it ceases to be an owner as aforesaid. No erf or any subdivision thereof, or interest therein, or any unit thereon, shall be transferred to any person who has not committed itself to the satisfaction of the HOME OWNERS ASSOCIATION to become a member of the HOME OWNERS ASSOCIATION.
- b) The owner of the erf or any subdivision thereof, or any interest therein, or any unit as defined in terms of the Sectional Titles Act 95 of 1986, shall not be entitled to transfer the erf or any subdivision or any interest therein or any unit thereon, without a clearance certificate from the HOME OWNERS ASSOCIATION that all monies have been paid.
- c) The term HOME OWNERS ASSOCIATION in the above context shall refer to the BLUE VALLEY GOLF AND COUNTRY ESTATE HOME OWNERS ASSOCIATION No 1999/018250/08 (Owners Association incorporated under Section 21 of the Companies Act).

**2. CONDITIONS OF TITLE****A. THE UNDERMENTIONED ERVEN SHALL BE SUBJECT TO THE CONDITIONS AS INDICATED, IMPOSED BY THE LOCAL AUTHORITY IN TERMS OF THE PROVISIONS OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE 15 OF 1986****2.1 ALL ERVEN**

- 2.1.1 The erf is subject to a servitude, 2m wide, in favour of the local authority, for sewerage and other municipal purposes, along any two boundaries 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 local authority: Provided that the local authority may dispense with any such servitude. Where the erf is actually affected by a Council sewer line it must be protected by a 3 metre wide servitude.
- 2.1.2 No building or other structure 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.
- 2.1.3 The local authority shall be entitled to deposit temporarily on the land adjoining the aforesaid servitude such material as may be excavated by it during the course 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 local authority.

**2.2 ERF 2386**

The erf is subject to a servitude, 3m wide, for municipal purposes in favour of the local authority as indicated on the General Plan.

**2.3 ERVEN 2384 AND 2390**

The erven is subject to a servitude, 4 metre wide, for municipal purposes in favour of the local authority, as indicated on the general plan.

2.4 ERVEN 2361, 2368 AND 2378

The erven is subject to a servitude, 4 metre wide, for municipal purposes and Right of Way in favour of the local authority, as indicated on the general plan.

B. CONDITIONS IMPOSED BY THE REGIONAL DIRECTOR: MINERAL AND ENERGY AFFAIRS FOR THE PWV REGION IN TERMS OF SECTION 68(1) OF THE MINERALS ACT, 1991

ERVEN 2358 TO 2398 AND 2400 TO 2402

This erf (stand, land, etc) is situated in an area where nearby open cast mining operations and activities incidental thereto are being conducted and the owner thereof accepts that inconvenience with regard to dust pollution and noise as a result of such mining operations and activities, may be experienced and no liability shall devolve upon the State, Centurion Town Council, or its employees.

