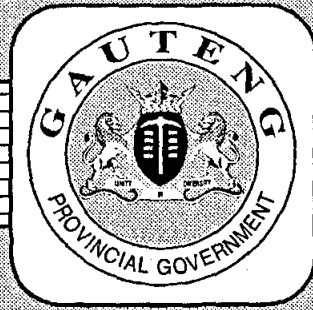


**THE PROVINCE OF
GAUTENG**



**DIE PROVINSIE
GAUTENG**

Provincial Gazette Extraordinary Buitengewone Provinsiale Koerant

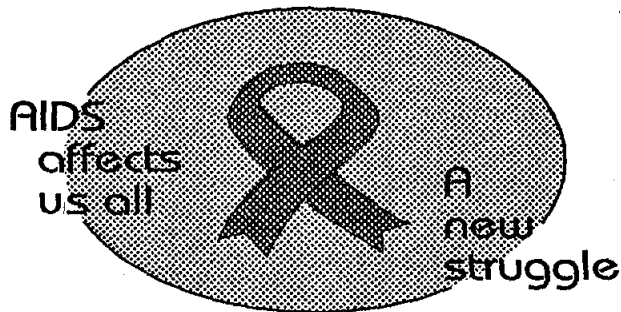
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Vol. 11

PRETORIA, 27 OCTOBER 2005
OKTOBER

No. 458

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LOCAL AUTHORITY NOTICE

LOCAL AUTHORITY NOTICE 2732

CITY OF TSHWANE METROPOLITAN MUNICIPALITY

CENTURION AMENDMENT SCHEME 1424C

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 Rooihuiskraal Noord Extension 23, being an amendment of the Pretoria Town-planning Scheme, 1974.

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 1424C.

(K13/2/Rooihuiskraal Noord x23)
21 October 2005

Acting General Manager: Legal Services
(Notice No)

PLAASLIKE BESTUURSKENNISGEWING 2732

STAD TSHWANE METROPOLITAANSE MUNISIPALITEIT

CENTURION WYSIGINGSKEMA 1424C

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 Rooihuiskraal Noord Uitbreiding 23, synde 'n wysiging van die Pretoria-dorpsbeplanningskema, 1974, 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 1424C.

(K13/2/Rooihuiskraal Noord x23)
21 Oktober 2005

Waarnemende Hoofbestuurder: Regsdienste
(Kennisgewing No)

CITY OF TSHWANE METROPOLITAN MUNICIPALITY

DECLARATION OF ROOIHUISKRAAL EXTENSION 23 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 Rooihuiskraal Noord Extension 23 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(K13/2/Rooihuiskraal Noord x23)

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY ABSA PROPERTY DEVELOPMENT (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 A PORTION OF THE REMAINING EXTENT OF THE FARM BRAKFRONTEIN 399JR, PROVINCE OF GAUTENG, HAS BEEN GRANTED.

1. CONDITIONS OF ESTABLISHMENT

1.1 NAME

The name of the township shall be Rooihuiskraal Noord Extension 23.

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1.2 DESIGN

The township shall consist of erven and streets as indicated on Plan 500/863/2 and General Plan No. 1602/2005.

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 minerals, but excluding-

(i) The following servitudes which do not affect the township:

1. Kragtens Notariële Akte Nr. 779/88S gedateer 26 Februarie 1988 is die hierinvermelde eiendom onderhewig aan 'n ewigdurende reg om elektrisiteit te voorsien. Servituutgebied Abcd soos op diagram LG Nr. A 5034/86 het betrekking soos meer volledig sal blyk uit die gemelde Akte waarvan 'n afskrif hieraan geheg is.
2. The former Remaining Extent of the above mentioned Farm Brakfontein 399, measuring as such 902,1251 hectares (a portion whereof is being transferred hereby) is subject to a servitude of Way-Leave for the passage of electrical power and ancillary rights in favour of the CITY COUNCIL OF PRETORIA, as will more fully appear from Notarial Servitude of Way-Leave 739/56-S registered on the 6th July, 1956.
3. Kragtens Notariële Akte Nr. K.1603/1964-S gedateer 17 Desember 1964 en geregistreer op 30 Desember 1964 is die reg aan die STADSRAAD VAN PRETORIA verleen om elektrisiteit oor Gedeelte 5 ('n gedeelte van Gedeelte 1 genoem Rooihuiskraal) van die plaas BRAKFORTEIN 399 voormeld, groot 169,8248 hektaar ('n gedeelte waarvan hiermee getranspoteer word) te vervoer, tesame met bykomende regte, en onderhewig aan kondisies, soos meer volledig sal blyk uit die gesegde Notariële Akte en Kaart daaraan geheg.
4. Kragtens Notariële Akte van Servituut Nr. K3020/1980-S geregistreer op 13 November 1980, is die reg verleen aan die STADSRAAD VAN VERWOERDBURG om elektrisiteit oor 'n area groot 2,1721 hektaar te vervoer oor die hierinvermelde eiendom tesame met bykomende regte op voorwaardes soos meer volledig blyk uit die vermelde Notariële Akte.
5. Kragtens Notariële Akte van Servituut Nr. 5826/97-S geregistreer op 15 September 1997 is die hierinvermelde eiendom onderhewig aan servituut vir munisipale doeleindes 3.00 meter wyd, die suidelike grens van welke servituut aangedui word deur die lyn AB op die aangehegte kaart LG Nr. A2819/78 soos meer volledig sal blyk uit genoemde Notariële Akte.
6. By Notarial Deed of Servitude No. 4575/2001-S dated 19 March 2001 the within-mentioned property is subject to a servitude for municipal purposes and a right of way 7634m² in extent indicated by the figure ABCDEFGHJKLMNPQA on Diagram SG No. 7820/2000 in favour of the City of Tshwane with ancillary rights as will more fully appear from reference to the said Notarial Deed, a copy whereof is hereunto annexed.
7. By Notarial Deed No. K 4828/2002-S dated 26 February 2002 the within mentioned property is subject to a perpetual servitude for municipal purposes 242 (Two Hundred and Forty Two) square metres in extent indicated by the figure A B C D A on diagram S.G. No 6104/2001 in favour of City of Tshwane Metropolitan Municipality as will more fully appear from the said notarial deed.
8. By Notarial Deed No. K 4830/2002-S dated 26 February 2002 the within mentioned property is subject to a perpetual servitude for municipal purposes 10 (Ten) square metres in extent indicated by the figure a b c d e a on diagram S.G. No 6106/2001 in favour of City of Tshwane Metropolitan Municipality as will more fully appear from the said Notarial deed.

9. By Notarial Deed No. K 4831/2002-S dated 26 February 2002 the within mentioned property is subject to a perpetual servitude for municipal purposes 30 (Thirty) square metres in extent indicated by the figure A B C D A on diagram S.G. No 6107/2001 in favour of City of Tshwane Metropolitan Municipality as will more fully appear from the said Notarial deed.
10. By Notarial Deed No. K 2703/2003-S dated 1st April 2003 the within mentioned property is subject to a pipeline servitude for municipal purposes 20,50 metres wide, the northern boundary of which servitude is indicated by the lines AB, BC, CD, DE, EF, FG, GH, HJ, JK, KL and LM on diagram S.G. No 712/2002 in favour of the City of Tshwane Metropolitan Municipality as will more fully appear from the said Notarial deed.
11. By Notarial Deed No. K 2704/2003-S dated 1st April 2003 the within mentioned property is subject to a servitude of Right of Way, in extent 2,2228 hectares which servitude is indicated by the figure A B C D E F G H J K L M N P Q R S T U V W X Y A on diagram S.G. No 713/2002 in favour of the City of Tshwane Metropolitan Municipality as will more fully appear from the said Notarial deed.
12. Kragtens Notariële Akte No. K 4576/2001-S gedateer 8 Junie 2001 is die hierinvermelde eiendom onderhewig aan 'n servituut vir munisipale doeleindes 1379 vierkante meter groot ten gunste van die Stad van Tshwane Metropolitaanse Munisipaliteit soos aangetoon deur die figuur AVCA op Kaart L.G. 5889/2000 met meegaande regte soos meer volledig sal blyk uit gemelde notariële akte.
13. By Notarial Deed No. K 1178/2003-S dated 26 February 2002 the remaining extent of Portion 5 (a portion of Portion 1 called Rooihuiskraal) of the farm BRAKFORTEIN 399, J.R., 21,6086 hectares is subject to a perpetual servitude for municipal purposes 476 square metres as indicated by the figure ABCDEFGHA on S.G. No 6108/2001 with ancillary rights as will more fully appear from the said notarial deed.
14. By Notarial Deed No. K 2705/2003-S dated 1st April 2003 the within mentioned property is subject to a pipeline servitude for sewerage purposes 6,00 (Six) metres wide the centre line of which servitude is indicated by the line A.B.C.D.E.F.G.H.J.K.L.M.N.P.Q.R.S.T.U.V.W. X.Y.Z. and a pipeline servitude for sewerage purposes 3,00 (Three) metres wide the centre line of which servitude is indicated by the line N.a.b.c.d.e.f.g.h.i.j.k.l.m. in favour of the City of Tshwane Metropolitan Municipality on diagram S.G. No 201/1981 as will more fully appear from the said Notarial Deed.
15. By Notarial Deed No. K 1179/2002-S dated 26 February 2002 the within mentioned property is subject to a perpetual servitude for municipal purposes, in extent 502 square metres, as indicated by the figure ABCDEA on S.G. No 6109/2001 with ancillary rights as will more fully appear from the said notarial deed.

(ii) The following servitudes that affect Lenchen Avenue in the township only:

1. Kragtens Notariële Akte van Servituut Nr. K5010/97-S gedateer 7 April 1997 is die bovermelde eiendom onderhewig aan 'n pyplyn en werkeservituut 6,00 meter wyd soos aangedui deur die lyn ABCDEFGHIJKLMNOPQRS op aangehegte kaart LG Nr. 11886/96 ten gunste van GASKOR met bykomende regte soos meer volledig sal blyk uit gemelde Notariële Akte.
2. The servitude in favour of the CITY OF TSHWANE METROPOLITAN MUNICIPALITY registered in terms of Notarial Deed of Servitude No. K4832/2002 S and Diagram SG No. 6118/2001.
3. By Notarial Deed No. K 4829/2002-S dated 26 February 2002 the within mentioned property is subject to a perpetual servitude for sewerage purposes 3,00 (Three) metres wide, the centre line of which servitude is indicated by the

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figure ABCDEFGHJKLMN on diagram S.G. No 6105/2001 in favour of City of Tshwane Metropolitan Municipality as will more fully appear from the said Notarial deed.

1.4 LAND FOR MUNICIPAL PURPOSES

Erven 3638, 3639 and 3644 shall be transferred to the City of Tshwane Metropolitan Municipality by and at the expense of the township owner as parks.

1.5 ACCESS

- (i) No ingress from Provincial Road K73 to the township and no egress to Provincial Road K73 from the township shall be allowed.
- (ii) (a) Ingress from Provincial Road K73 to the township and egress to Provincial Road K73 from the township shall be restricted to the intersection of Lenchen Avenue with the said road.

(b) The township owner shall at its own expense, submit a geometric design layout (scale 1:500) of the ingress and egress points referred to in (ii)(a) above, and specifications for the construction of the accesses, to the Department of Public Transport, Roads and Works, for approval. The township owner shall after approval of the layout and specifications, construct the said ingress and egress points at its own expense to the satisfaction of the Department of Public Transport, Roads and Works.

1.6 ACCEPTANCE AND DISPOSAL OF STORMWATER

The township owner shall arrange for the drainage of the township to fit in with that of Road K73 and for all stormwater running off or being diverted from the road to be received and disposed of.

1.7 PRECAUTIONARY MEASURES

The township owner shall at its own expense, make arrangements with the City of Tshwane Metropolitan Municipality in order to ensure that -

- (i) water will not dam up, that the entire surface of the township area is drained properly and that streets are sealed effectively with tar, cement or bitumen; and
- (ii) trenches and excavations for foundations, pipes, 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.

1.8 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 and/or Telkom services, the cost thereof shall be borne by the township owner.

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

1.10 OBLIGATIONS WITH REGARD TO THE CONSTITUTION OF A HOMEOWNER'S ASSOCIATION

- (i) The applicant must register a Section 21 company (home owners association) in terms of provisions of the Companies Act, 1973 (Act 61 of 1973). A copy of the registered Deed of Association (CMA) and the Company Statutes must be submitted to the City of Tshwane Metropolitan Municipality.

- (ii) Association and Statutes must clearly state that the main objective of the home owners' association is the maintenance of the internal engineering services of the development (i.e. water, sewerage, electricity and the road and stormwater sewers). 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 in the township has been transferred.
- (iii) Erven 3636, 3637, 3640 up to and including 3643, 3645 up to and including 3650 shall, prior to or simultaneously with the registration of the first erven in the township be transferred to the Home Owners Association as private open space. The Home Owners Association shall take full responsibility for the development, landscaping and maintenance of Erven 3640 up to including 3643, 3645 up to and including 3650 in the township.
- (iv) The applicant shall construct the private road and access control facility and then transfer Erven 3520 and 3635 to the Home Owners Association who shall be responsible for the maintenance thereof.
- (v) The City of Tshwane Metropolitan Municipality shall not be liable for any damage to the private road, access control facility or the stormwater drainage system in the township.

1.11 OBLIGATIONS IN REGARD TO THE CONSTRUCTION AND ESTHETICAL TREATMENT OF LENCHEN AVENUE

- (i) Provision shall be made for pedestrian movement along Lenchen Avenue to the satisfaction of the City of Tshwane Metropolitan Municipality.
- (ii) The sidewalks and entrances along Lenchen Avenue shall be landscaped and planted with trees to the satisfaction of the City of Tshwane Metropolitan Municipality.
- (iii) A taxi lay-bay shall be provided at the entrance of the township on Lenchen Avenue to the satisfaction of the City of Tshwane Metropolitan Municipality.

1.12 COMPLIANCE WITH CONDITIONS IMPOSED BY GAUTENG DEPARTMENT OF AGRICULTURE, CONSERVATION AND ENVIRONMENT

The township owner shall at his own expense comply with all the conditions imposed by or by which the Gauteng Department of Agriculture, Conservation, Environment and Land Affairs has granted the applicant authorisation in terms of Regulations No R1182 and R1183 (as amended) promulgated in terms of sections 21, 22 and 26 of the Environmental Conservation Act, for the development of this township.

2. CONDITIONS OF TITLE

CONDITIONS IMPOSED BY THE CITY OF TSHWANE METROPOLITAN MUNICIPALITY IN TERMS OF THE PROVISIONS OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE 15 OF 1986

2.1 ALL ERVEN WITH THE EXCEPTION OF THE ERVEN MENTIONED IN CLAUSE 2(4)

The erven with the exception of the erven mentioned in clause 2(4) shall be subject to the following conditions imposed by the Administrator in terms of the provisions of the Town-planning and Townships Ordinance, 1986.

- (i) The erf is subject to a servitude, 3 m wide, in favour of the City of Tshwane Metropolitan Municipality, 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 2 m wide across the access portion of the erf, if and when required by the City of Tshwane Metropolitan Municipality: Provided that the City of Tshwane Metropolitan Municipality may dispense with any such servitude.
- (ii) 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 2 m thereof.

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- (iii) The City of Tshwane Metropolitan Municipality 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 City of Tshwane Metropolitan Municipality.

2.2 ERVEN 3370, 3371 UP TO AND INCLUDING 3517, 3518, 3519, 3521 UP TO AND INCLUDING 3634

The owner of each erf or of any subdivision thereof, or of any sectional title unit thereon or of any interest therein, shall automatically become and shall remain members of the Home Owners Association and be subject to its memorandum and articles until such owners cease to be owner as aforesaid. None of the said erven, nor any unit erected thereon, nor any interest therein, shall be transferred to any person who has not bound himself/herself/itself to the satisfaction of the Home Owners Association to become a member thereof and without the prior written confirmation of the Home Owners Association that all amounts due to the Home Owners Association by the owner have been paid in full.

2.3 ERVEN 3520 AND 3635

The erf is in totality subject to a servitude for municipal purposes as well as a servitude of Right of Way in favour of all other erven as well as the City of Tshwane Metropolitan Municipality as indicated on the General Plan.

2.4 ERVEN 3462 UP TO AND INCLUDING 3473, 3509 UP TO AND INCLUDING 3518 AND ERVEN 3645 UP TO AND INCLUDING 3647

The erf is subject to a 2 metre wide sewer servitude in favour of the Municipality as indicated on the General Plan.
