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LOCAL AUTHORITY NOTICE

LOCAL AUTHORITY NOTICE 1864

CITY OF TSHWANE METROPOLITAN MUNICIPALITY

CENTURION AMENDMENT SCHEME 1526C

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 Rietvlei, 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 Head: Legal and Secretarial Services, and are open to inspection during normal office hours.

This amendment is known as Centurion Amendment Scheme 1526C.

(13121Rietvlei (1526C))
_JULY 2007

Acting Head: Legal and Secretarial Services
(Notice No 95212007)

PLAASLIKE BESTUURSKENNISGEWING 1864

STAD TSHWANE METROPOLITAANSE MUNISIPALITEIT

CENTURION WYSIGINGSKEMA 1526C

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 Rietvlei, synde 'n wysiging van die Centurion-dorpsbeplanningskema, 1992, goedgekeur het.

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

Hierdie wysiging staan bekend as Centurion-wysigingskema 1526C.

(13/21Rietvlei (1526C))
Julie 2007

Waarnemende Hoof: Regs- en Sekretariële Dienste
(Kennisgewing No 95212007)

CITY OF TSHWANE METROPOLITAN MUNICIPALITY

DECLARATION OF RIETVLEI 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 Rietvlei, to be an approved township, subject to the conditions as set out in the Schedule hereto.

(13121Rietvlei (1526C))

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY JR 209 INVESTMENTS (PTY) LTD REG NO 2000/02044/7107 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 743 (A PORTION OF PORTION 5) OF THE FARM DOORNKLOOF 391JR, PROVINCE OF GAUTENG, HAS BEEN GRANTED.

1. CONDITIONS OF ESTABLISHMENT

1.1 NAME

The name of the township shall be Rietvlei.

1.2 DESIGN

The township shall consist of erven and streets as indicated on General Plan SG No 4376/2007.

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 –

1.3.1 the following conditions in Title Deed T75640/97 which do not affect the township:

G. The former remaining extent of Portion 5 of the said farm, measuring 1045,7783 hectares, a portion whereof is hereby transferred, is by Notarial Deed K1636/72S subject to the following servitudes-

- (1) a right of way 8 metres wide, as indicated by figures C.G. on diagram SG No 4594n2S;
- (2) a servitude of aqueduct 6 metres wide, marked E F on diagram SG No A4594n2

I. The former remaining extent of portion 5 of the said farm, measuring 959,2555 hectares, portion whereof is hereby transferred;

(2) is by Notarial Deed K2702/76S subject to servitude of pipeline as indicated on diagram SG No 110n5 in favour of the RAND WATER BOARD, which servitude includes ancillary rights, as will more fully appear from reference to the said notarial deed.

(3) is by Notarial Deed K2703n6S Subject to a servitude of pipeline as indicated on diagram SG 109/75 thereto annexed, in favour of the RAND WATER BOARD, which servitude includes ancillary rights, as will more fully appear from reference to the said Notarial deed.

K. The former remaining extent of portion 5 of the aid farm measuring 953,92B5 hectares, portion whereof is hereby transferred is

(1) by Notarial Deed K1087/85 subject in favour of the CITY COUNCIL OF CENTURION to a right of way 1410 square metres in extent, indicated by the figure ABC D E A on the diagram annexed to the said Notarial Deed as will more fully appear from reference thereto.

(2) by Notarial Deed K2931/86S Subject to a perpetual right to provide electricity by way of wires etc. over the servitude area indicated by the line a B x on diagram LG A9002/B5 in favour of the CITY COUNCIL OF CENTURION.

(3) by Notarial Deed of Servitude K1414/90S subject to a perpetual right of way 5,0491 hectares in extent, indicated by the figure ABCDEFGHJKLMNPQRSTUVWXYZ A'B'C'D'E'F'G' on diagram SG No A6093/B9, in favour of the CITY COUNCIL OF VERWOERD-BURG, together with ancillary rights, as will more fully appear from reference to the said Notarial deed.

(4) By virtue of Notarial Deed K1118/92S subject to servitude flood water purposes in favour of the CITY COUNCIL OF VERWOERD-BURG, the middle line whereof is indicated by the line AB on servitude LG No A3605/87, being 8 metres wide and 120 metres in length, as will more fully appear from reference to the said Notarial deed.

L. The former remaining extent of portion 5 of the said farm, measuring 952,2540 hectares, portion Whereof is hereby transferred, is by Notarial Deed of Servitude K5009/93S dated 3rd May 1993 subject to a water pipeline servitude -

a. as indicated by the figure ABCD on diagram L G A3656/93 and

b. as indicated by the figure ABCDEFGH on diagram L G A3657/93

in favour of the CITY COUNCIL OF VERWOERDBURG, as will more fully appear from reference to the said Notarial Deed.

The following servitude appearing as an endorsement on page 23 of Deed of Transfer T 75640/97 -

"Kragtens notariële akte van serwituut K6038/99 S gedateer 24 November 1999, is die binnegemelde eiendom onderhewig aan

- (A) 'n Ewigdurende serwituut van kraglyn 3 meter wyd, aangedui deur die figuur AB op kaart L G. NO 1679/78
- (B) aan 'n Ewigdurende serwituut van kraglyn, 3 meter wyd aangedui deur figuur ABCD op kaart LG. NO 2065187 ten gunste van die stadsraad van Centurion, soos meer volledig sal blyk uit die gemenlde notariële akte"

The following servitudes appearing as endorsements on page 24 of Deed of Transfer T 75460/97 -

By Notarial Deed No K 323812000 S dated 24 May 2000, the within mentioned property is subject to a servitude in perpetuity in respect of pipeline already laid along a strip of ground 1,3365 (one comma three, three six five) hectares in extent as depicted by the figure ABCD a Mid River bA on Servitude Diagram S.G. No 2827/98 as will more fully appear from reference to the said Notarial Deed a copy whereof is annexed hereto.

By Notarial Deed No K 4995/2001 dated 27 July 2001, the within mentioned property is subject to a servitude of pipeline for the Rand Water Board, depicted by the line ABCDEFA on Diagram S.G. 645412000, 2934m² in extent as will more fully appear from reference to the said Notarial Deed a copy whereof is annexed hereto.

1.3.2 The following conditions in Title Deed T 75640197, which do not affect the erven in the township:

- A. The remaining extent of portion 5 of the said farm, measuring 1046,8662 hectares, portion Whereof is hereby transferred, is SUBject and entitled to the following servitudes nameiy -
 - (1) SUBJECT to Notarial Deed of Servitude no 125/1904 registered on the 13th June 1904, in respect of certain dams, water furrows and water rights.
 - (2) SUBJECT to the terms of an Order of the Water Court, true copy marked "B" of which is annexed op Deed of Transfer No 10851/1920;
 - (4) ENTITLED to the terms of Notarial Deed No K210/1931S relating to the rights to water in the Kaalspruit and water in the Hennopsrivier above the eastern boundary of the fanm Zwartkop 476 district Pretoria, as will more fully appear from the said Notarial Deed.
- B. The fonmer remaining extent of portion 5 of the said farm, measuring 1147,1435 hectares, of which property is hereby transferred, fonms portion, or any reduced areas thereof, is entitled to a right of way 15,74 metres wide along the boundary DE as shown on diagram S G No AZ007/57 annexed to Deed of Transfer no 2516/1958 dated 1st February 1958 over portion 44 (a portion of portion called Irene) of the said farm, held under the aforesaid Deed of Transfer.
- C. The former remaining extent of portion 5 of the said farm DOORNKLOOF, measuring 1112,4934 hectares, or any reduced area thereof, is entitled to a servitude of right of way 15,74 metres wide along the boundary AB as shown on diagram S G NO AZ006/57 over portion 43 (a portion of portion B) of the said farm DOORNKLOOF heid under Deed of Transfer no 2516/1958 dated the 1st February 1958.

- D. The former remaining extent of portion 5 of the said farm DOORNKLOOF measuring 1074,9148 hectares, or any reduced area thereof, is subject to the condition that the owners or their successors in title of the remaining extent of portion 5 of the said farm, measuring as aforesaid, shall be entitled to a pre-emptive right at the price offered, should JOHN J KIRKNESS LIMITED decide to sell portion 48 (portion of portion 5), held by Deed of Transfer No 19297/58 dated 30th July 1958.
- E. The former remaining extent of portion 5 of the said farm, measuring 1046,8662 hectares, is subject and entitled to the following further conditions, namely -
- (a) ENTITLED to a servitude of right of way 15,74 metres wide, over portion 55 (a portion of portion B) of the said farm Doornkloof, which said right of way shall at the option of the owners of the property hereby transferred, be capable of being converted into a public right of way or road, indicated by the figure O C D E F G H P Q R S T U on diagram S G NO A3895/65 annexed to Deed of Transfer No 35113/1965 dated the 22nd September 1965;
- (c) ENTITLED to a right of way 15,74 metres over portion 103 (a portion of portion C of portion) of the farm WATERKLOOF 370 Registration Division J R measuring 24,9954 hectares, held under Deed of Transfer no T 3511/1965 dated the 22nd September 1965 indicated by the figure R C D E F G Q P U N M L R on diagram S G NO A3894/65 annexed hereto.
- F. The former remaining extent measuring 1046,8662 hectares, a portion whereof is hereby transferred, or an reduced area thereof is subject and entitled to the following servitudes -
- (a) entitled by virtue of Notarial Deed K661171S to a servitude of building restrictions against portion 52 (a portion of a Portion called Irene) of the said farm DOORNKLOOF, measuring 67,1306 hectares, held by Deed of Transfer No T17057/59;
- (b) entitled to certain servitudes over portion 114 (a portion of portion called Irene) measuring 15,1500 hectares of the said farm, held under Deed of Transfer No T18746/71;
- H. The former remaining extent of portion 5 of the said farm, measuring 959,2555 hectares, or any reduced area, is entitled to all claims to water including riparian rights to which the remainder may be entitled as will more fully appear from condition C of Deed of Transfer No 132871/83;
- I. The former remaining extent of portion 5 of the said farm, measuring 959,2555 hectares, portion whereof is hereby transferred;
- (1) is by Notarial Deed K705/76S Subject to a servitude of pipeline in favour of the REPUBLIC OF SOUTH AFRICA, in its Administration of Railways and Harbours Administration.
- J. The former remaining extent of portion 5 of the said farm, measuring 953,9285 hectares, portion whereof is hereby transferred, is subject to an Order of the Supreme Court of South Africa, made on the 3rd July 1979 in CASE NO M1722/79. The said Order and agreement is filed under BC9566/83.
- 1.3.3 The following servitudes which only affect-
- 1.3.3.1 Erven 3, 7, 8 and 120 are affected by a 6m wide Petronet servitude vide diagram SG 4570/1975 as indicated on the General Plan.
- 1.3.3.2 Erven 1, 78, 79, 102, 114, 115 and 120 are affected by a 6m wide water servitude vide diagram SG. 10051/1995 as indicated on the General plan.

1.3.3.3 The following servitude in Deed of Transfer T75640/97, which affects Erf 120 in the township only:

A. The remaining extent of portion 5 of the said farm, measuring 1046,8662 hectares, portion whereof is hereby transferred, is subject and entitled to the following servitudes namely -

(3) SUBJECT to a servitude of aqueduct in favour of the Town Council of Pretoria, as will more fully appear from Notarial Deed No 798/1929S. The rights granted under the said Notarial Deed No 798/1929S have been supplemented and added to as will more fully appear from Notarial Deed K391/1931S.

1.4 LAND FOR MUNICIPAL PURPOSES

The following erven shaH be transferred to the City of Tshwane Metropolitan Municipality by and at the expense of the township owner

Municipal: Erf 116
Parks (public open space): Erf 120

1.5 PRECAUTIONARY MEASURES

1.5.1 The township owner shall appoint a competent person(s) to:-

- (i) compile a complete RISK MANAGEMENT PLAN and WET SERVICES PLAN; and
- (ii) compile 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 borehoies must also be included.

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

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

1.5.3.1 water will not accumulate to the effect that the entire surface of the doiomite area/s is drained properly and that streets are sealed effectively with tar, cement or bitumen; and

1.5.3.2 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.

1.6 ACCESS

No ingress from Provincial Road K54 to the township and no egress to Provincial Road K54 from the township shall be allowed.

1.7 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 Provincial Road K54 and he shall receive and dispose of the stormwater running off or being diverted from the road.

The Service Report containing the stormwater design proposal must be submitted to this Department for approval at the time of the application, ie before Township Proclamation.

1.8 ACOUSTIC SCREENING/ NOISE BARRIER

The applicant shall be responsible for any costs involved in the erection of Acoustic Screening, if and when the need arises to erect such screening

1.9 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 Head of the Department: Gauteng Provincial Government: Department of Public Transport, Roads and Works, 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.

1.10 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.

1.11 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 City of Tshwane Metropolitan Municipality all existing buildings and structures situated within building line reserves and side spaces or over common boundaries, or dilapidated structures.

1.12 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 City of Tshwane Metropolitan Municipality.

1.13 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.

1.14 COMPLIANCE WITH CONDITIONS IMPOSED BY GDACEL

The township owner shall at his own expense comply with all the conditions imposed, by which the Gauteng Department of Agriculture, Conservation and Environment, as well as any other applicable provisions, in terms of the provisions of the Environmental Conservation Act, 73 of 1989 or the National Environmental Management Act, 107 of 1998 as the case may be.

1.15 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.

1.16 LAND TO BE TRANSFERRED TO THE SECTION 21 COMPANY (HOMEOWNERS' ASSOCIATION)

Erven 63, 115, 117, 118 and 119 shall be transferred to the Section 21 Company (homeowners' association) within a period of 6 months after proclamation of the township or when the first erven in the township becomes transferable whichever ever the sooner, by and at the expense of the township owner.

1.17 THE DEVELOPER'S OBLIGATIONS

1.17.1 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). All the owners of erven and/or units in the township must become members of the section 21 company. 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 internal engineering services of the development (i.e. roads and storm water 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 has been transferred.

1.17.2 PROVISION OF ENGINEERING DRAWINGS

The developer must submit to the City of Tshwane Metropolitan Municipality complete engineering drawings in respect of the internal road and storm water sewers prior to the commencement of the construction of the said services.

1.17.3 PROVISION OF A CERTIFICATE BY A PROFESSIONAL ENGINEER

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

1.17.4 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 storm water sewers) have been completed. The developer must 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 the roads and stormwater services, which guarantee must be for an amount that is equal to 5% of the contract cost of the roads and stormwater services and proof of this must be submitted to the City of Tshwane Metropolitan Municipality.

All internal and external water and sanitation infrastructure will be maintained by the Municipality and not by the Section 21 Company. The developer must furnish the City of Tshwane Metropolitan Municipality with a 100% guarantee of the estimate contract cost, issued by a recognized financial institution before the commencement date of the contract.

The developer must furnish the City of Tshwane Metropolitan Municipality with a maintenance guarantee, issued by a recognized financial institution, in respect of poor workmanship and/or material with regard to the water and sewerage services, which guarantee must be for an amount that is equal to 10% of the contract cost.

2 CONDITIONS OF TITLE

2.1 THE ERVEN MENTIONED HEREUNDER ARE SUBJECT TO THE CONDITIONS AS IMPOSED BY THE MUNICIPALITY IN TERMS OF THE PROVISIONS OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986)

2.1.1 ALL ERVEN WITH THE EXCEPTION OF THE ERVEN REFERRED TO IN CLAUSE 1.4

2.1.1.1 The erf shall be subject to a servitude, 3m wide, for municipal services (water, sewer, and electricity) (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, if and when required by the local authority: Provided that the local authority may waive any such servitude.

2.1.1.2 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 it.

2.1.1.3 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.

2.1.2 ERF 115

2.1.2.1 The entire erf, except for figure "S1-S2-S3-S4-S1" representing the gatehouse, shall be subject to a servitude for engineering services (water, electricity, and sewerage) in favour of the City of Tshwane Metropolitan Municipality.

2.1.2.2 No building 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 there from.

2.1.3 ERF 115

The entire erf, except for figure "a-b-e-d-a" representing the gatehouse, is subject to a servitude of right of way in favour of Erven 1 up to and including 31, Erf 40 up to and including Erf 62, Erf 63, Erf 64 up to and including Erf 114, Erf 115, Erf 120 and Erf 116, as well as in favour of the Municipality for purposes of exercising its rights as referred to in Paragraph 2.1.2.1 and further subject to the use of engineering services in favour of the Section 21 Company.

2.1.4 ERVEN 1,2,10-12,19-23,41,42,44,48-53,56,58,62,63,69-72,85,91,92,97,99,101-106 AND 109

The erven are subject to a servitude 3m wide for municipal purposes (sewer), in favour of the Municipality, as indicated on the General Plan.

2.1.5 ERVEN2AND116

The erven are subject to a servitude 2m wide for engineering services (stormwater) in favour of the Section 21 Company as indicated on the General Plan.

21,6 ERVEN 2, 115, 117, 118AND120

The erven are subject to a servitude 2m wide for municipal purposes (water), vide diagram 5G No 11179/2006, as indicated on the General Plan,

2,1,7 ERVEN 62, 63 AND 120

The erven are subject to a servitudes 4m wide for municipal purposes vide diagram 5G No 11180/2006, as indicated on the General Plan.

2,1,8 ERVEN 62, 63 AND 120

The erven are Subject to a servitude 3m wide for municipal purposes (sewer) vide diagram 5G No 11182/2006, as indicated on the General Plan,
