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LOCAL AUTHORITY NOTICE

LOCAL AUTHORITY NOTICE 1240

CITY OF TSHWANE

CENTURION AMENDMENT SCHEME 1569C

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 has approved an amendment scheme with regard to the land in the township of Kosmosdal Extension 53, 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 Executive Director: Legal Services, and are open to inspection during normal office hours.

This amendment is known as Centurion Amendment Scheme 1569C.

(13/2/Kosmosdal x53 (1569C))
__ May 2011

Acting Executive Director: Legal Services
(Notice No 294/2011)

PLAASLIKE BESTUURSKENNISGEWING 1240

STAD TSHWANE

CENTURION WYSIGINGSKEMA 1569C

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 'n wysigingskema met betrekking tot die grond in die dorp Kosmosdal Uitbreiding 53, synde 'n wysiging van die Centurion-dorpsbeplanningskema, 1992, goedgekeur het.

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

Hierdie wysiging staan bekend as Centurion-wysigingskema 1569C.

(13/2/Kosmosdal x53 (1569C))
__ Mei 2011

Waarnemende Uitvoerende Direkteur: Regsdienste
(Kennisgewing No 294/2011)

CITY OF TSHWANE

DECLARATION OF KOSMOSDAL EXTENSION 53 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 hereby declares the township of Kosmosdal Extension 53 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(13/2/Kosmosdal x53 (1569C))

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY SAFRICH RPP JV (PTY) LTD IN TERMS OF THE PROVISIONS OF CHAPTER III: SECTION A AND C OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE NO 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 328 (A PORTION OF PORTION 290) OF THE FARM OLIEVENHOUTBOSCH NO 389 JR, PROVINCE OF GAUTENG, HAS BEEN GRANTED

1. CONDITIONS OF ESTABLISHMENT

1.1 NAME

The name of the township shall be Kosmosdal Extension 53.

1.2 DESIGN

The township shall consist of erven and streets as indicated on General Plan SG No 4934/2007.

1.3 DISPOSAL OF EXISTING CONDITIONS OF TITLE

All erven shall be made subject to existing conditions and servitudes, if any, but excluding the following which do not affect the erven in the township:

1.3.1 the following servitudes which do not affect the township:

- "A Geregigt tot 'n reg-van-weg 9,45 meter wyd oor die Resterende Gedeelte van die plaas "Brakfontein Nr 104, geleë in die distrik Pretoria, groot as sodanig 940,2815 hektaar, soos gehou kragtens Akte van Verdelingstransport Nr 3173/1948, soos meer volledig sal blyk uit die daar aangehegte Serwituutkaart Nr A5624/47."
- "B. Kragtens Notariële Akte Nr K49/1972S 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 19 de Januarie 1972, welke serwituut aangedui word deur figuur npq op diagram SG 3695/2004."
- "C. Kragtens Notariële Akte Nr K1500/1983S is die hierinvermelde eiendom onderhewig aan 'n serwituut om water deur middel van pyplyne te vervoer ten gunste van die Randse Waterraad soos meer volledig sal blyk uit die gemeld Notariële Akte en Kaart LG Nr A1382/1977 geregistreer op die 8 ste Januarie 1993, welke serwituut aangedui word deur figuur r.s.t.u.v.w.r. op diagram SG 3695/2004."
- "D. 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 29 ste Julie, 1971, welke serwituut aangedui word deur figuur mn op diagram SG 3695/2004."
- "E. By virtue of Notarial Deed of Servitude K3602/97S, dated 6 June 1997 the withinmentioned property is subject to a perpetual servitude for municipal purposes and a right of way, 2867 square metres in extent, as indicated by the figure x.y.z.1a.1b.1c.x on SG 3695/2004 with ancillary rights in favour of the Town Council of Centurion as will more fully appear from the said Notarial Deed."
- "F. By virtue of Notarial Deed of Servitude K6497/2004S the withinmentioned property is subject to a sewer servitude, 3 (three) metres wide as indicated by the lines f.g.h.j.k. which lines represent the centre line of a
- "G. By virtue of Notarial Deed of Servitude K6498/2004S the withinmentioned property is subject to a sewer servitude, 3 (three) metres wide as indicated by the lines a.b.c.d.e.f. which lines represent the centre line of a Sewer Servitude 3 (Sewer Servitude 3 (three) metres wide as shown on diagram SG 3695/2004 in favour of the local council."

1.3.2 The following servitude which only affects a street in the township:

"Kragtens 'n Natariële akte van serwituut gedateer 28/12/2005 is die binnegemelde eiendom onderhewig aan 'n serwituut van reg van weg, groot 3191 vierkante meter soos aangetoon word deur die figuur ABCDEFA op Diagram LG No 7480/2005, soos dit sal volledig blyk uit Akte van Serwituut."

1.3.3 The following servitude which only affects Erven 5076 and 5077;

By virtue of a Notarial Deed of Servitude No K2857/2009S dated 8 June 2009 the owners grants the City Council a servitude 3m wide, the southern boundary indicated by the lines abcE on SG Diagram No. 4934/2007 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 Municipality in order to ensure that:

- 1.4.1 water will not dam up, that the entire surface of the township area is drained properly and that streets are scaled effectively with tar, cement or bitumen; and
- 1.4.2 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.

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 Municipality, when required by the Municipality 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 ENDOWMENT

Payable to the City of Tshwane.

The township owner shall pay as endowment total amount of R1 017 000,00 for an area of 2430 m² in terms of Regulation 44(1) of the Town-planning and Townships Regulations, to the City of Tshwane. The amount of this area shall be used by the City of Tshwane for the acquisition of land for park and/or public open space purposes.

The said endowment amount shall be payable in accordance with the provisions of section 81 of the Town-planning and Townships Ordinance, 1986 (Ordinance 15 of 1986).

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.

2. CONDITIONS OF TITLE

The erven mentioned hereunder shall be subject to the conditions as indicated, imposed by the Municipality in terms of the provisions of the Town-planning and Townships Ordinance, 1986.

2.1 ERVEN WITH THE EXCEPTION OF ERF 5077

- 2.1.1 The erf is subject to a servitude, 3 m wide, in favour of the 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 Municipality: Provided that the Municipality may dispense with any such 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 2 m thereof.
- 2.1.3 The 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 Municipality.