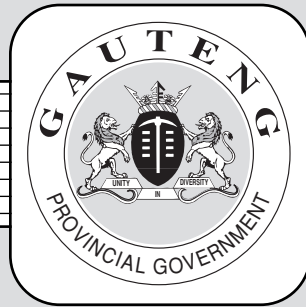


**THE PROVINCE OF  
GAUTENG**



**DIE PROVINSIE  
GAUTENG**

# Provincial Gazette Extraordinary Buitengewone Provinsiale Koerant

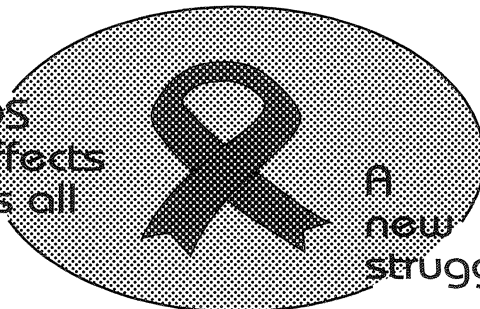
**Vol. 19**

**PRETORIA, 13 SEPTEMBER 2013**

**No. 270**

**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

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### LOCAL AUTHORITY NOTICE 1295

#### CITY OF TSHWANE

#### TSHWANE AMENDMENT SCHEME 337T

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 Rosslyn Extension 44, being an amendment of the Tshwane Town-planning Scheme, 2008.

Map 3 and the scheme clauses of this amendment scheme are filed with the Chief Legal Counsel, and are open to inspection during normal office hours.

This amendment is known as Tshwane Amendment Scheme 337T.

(13/2/Rosslyn x44 (337T))  
\_\_ September 2013

**Chief Legal Counsel**  
(Notice No 529/2013)

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### PLAASLIKE BESTUURSKENNISGEWING 1295

#### STAD TSHWANE

#### TSHWANE WYSIGINGSKEMA 337T

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 Rosslyn Uitbreiding 44, synde 'n wysiging van die Tshwane dorpsbeplanningskema, 2008, goedgekeur het.

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

Hierdie wysiging staan bekend as Tshwane wysigingskema 337T.

(13/2/Rosslyn x44 (337T))  
\_\_ September 2013

**Hoofregsadviseur**  
(Kennisgewing No 529/2013)

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#### CITY OF TSHWANE

#### DECLARATION OF ROSSLYN EXTENSION 44 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 Rosslyn Extension 44 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(13/2/Rosslyn x44 (337T))

#### SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY COSMOPOLITAN PROJECTS TSHWANE PROPRIETARY LIMITED IN TERMS OF THE PROVISIONS OF CHAPTER III: PART C (or CHAPTER IV) OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE NO 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 330 (A PORTION OF PORTION 315) OF THE FARM KLIPFONTEIN 268JR, PROVINCE OF GAUTENG, HAS BEEN GRANTED

#### 1. CONDITIONS OF ESTABLISHMENT

##### 1.1 NAME

The name of the township shall be Rosslyn Extension 44.

##### 1.2 DESIGN

The township consists of erven, parks and streets as indicated on General Plan SG No 79/2012.

1.3 LAND FOR MUNICIPAL PURPOSES

The following erf shall be transferred to the City of Tshwane Metropolitan Municipality by and at the expense of the township owner simultaneously with the first transfer of any erf in the township:

Parks (public open space): Erf 2447.

1.4 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.

1.5 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 Municipality all existing buildings and structures situated within building line reserves and side spaces or over common boundaries, or dilapidated structures.

1.6 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 Municipality.

1.7 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.

1.8 REMOVAL AND/OR REPLACEMENT OF TELKOM SERVICES

Should it become necessary to remove and/or replace any existing TELKOM services as a result of the establishment of the township, the cost thereof shall be borne by the township owner.

1.9 COMPLIANCE WITH CONDITIONS IMPOSED BY GDARD

The township owner shall at his own expense comply with all the conditions imposed, by which the Gauteng Department of Agriculture and Rural Development including if applicable those by which exemption has been granted from compliance with Regulations No 1182 and 1183 promulgated in terms of Sections 21, 22 and 26 of the Environmental Conservation Act, (Act 73 of 1989) or the National Environmental Management Act, 1998 (Act 107 of 1998) and Regulations thereto, as the case may be, for the development of this township.

1.10 OBLIGATIONS WITH REGARD TO SERVICES AND RESTRICTIONS REGARDING THE ALIENATION OF ERVEN

The township owner shall within such period as the Local Authority may determine fulfil its obligations in respect of the provision of water, electricity and sanitary services as well as the construction of roads and stormwater drainage and the installation of systems thereof, as previously agreed upon between the township owner and the local authority. Erven may not be alienated or transferred into the name of a purchaser prior to the Local Authority certifying that sufficient guarantees/cash contributions in respect of the supply of services by the township owner have been submitted or paid to the said Local Authority.

2. CONDITIONS TO BE COMPLIED WITH BEFORE THE ERVEN IN THE TOWNSHIP BECOME REGISTERABLE

2.1 INSTALLATION OF INTERNAL AND EXTERNAL SERVICES

A certificate issued in terms of section 82 of the town-planning and Townships Ordinance (Ordinance 15 of 1986) must be lodged with the first transfer or with any other act of registration such as the issuing of a Certificate of Title.

The township applicant shall install and provide internal engineering services in the township as provided for in the services agreement.

The Local Authority shall install and provide external engineering services for the township as provided for in the services agreement.

### 3. DISPOSAL OF EXISTING CONDITIONS OF TITLE

All erven shall be made subject to existing conditions and servitudes, if any, but:

3.1 excluding the following servitudes which do not affect the township due to its locality;

"A. Die voormalige Resterende Gedeelte van Gedeelte 1 van die plaas KLIPFONTEIN voormeld groot as sodanige 1785,7561 hektaar (waarvan die eiendom hiermee getranspoteer 'n gedeelte uitmaak) is:

(a) "Special onderworpen aan een servituut ten faveure van Gedeelte "B" van gezegde plaas groot 2217,9082 hektaar, zoals getranspoteer onder Transport No 743/1905 van een eeuwigdurend recht van helft van het water van zekere fontein gelegen op gemelde Gedeelte 1, asook het eeuwigdurend rech gezegde water te leiden van al de fontein langs de bestaande watervoor over gemelde Gedeelte 1.

B. "Die restant van Gedeelte 1 van die plaas KLIPFONTEIN 268, Registrasie afdeling JR, Provinsie van Gauteng, groot 148,0437 hektaar ('n gedeelte waarvan hierby gehou word) is onderhewig aan:

Onderhewig aan die reg verleen aan EVKOM om elektrisiteit oor die hierinvermelde eiendom te vervoer, tesame met bykomende regte, en onderworpe aan voorwaardes soos meer volledig sal blyk uit Notariële Akte K 2993/1981S en waarvan die roete bepaal is kragtens Notariële Akte van Roetebepaling K6626/2000S geregistreer op 11 Desember 2000."

C. "The former Remaining Extent of portion 1 of the farm KLIPFONTEIN 268, Registration Division JR, Province of Gautemg (a portion whereof is hereby held) is subject to a sewer servitude in favour of the City of Tshwane Metropolitan Municipality, 6 (six) metres wide with ancillary rights, as will more fully appear from Notarial Deed of Servitude K2983/08S.

3.2 the following rights/entitlements which shall not be passed on to the erven in the township:

(b) Geregigt tot 'n servituut van reg van weg oor Gedeelte 9 van gedeelte "B", groot 141,9484 hektaar van genoemde plaas Klipfontein, gehou onder Akte van Transport No 13230/1940 soos meer volledig uiteengesit in en sal blyk uit Akte van Servituut No 345/1941S geregistreer op 2 Junie 1941.

(c) Geregigt tot sekere voorwaardes en restriksies met betrekking tot bou, geboue en bewoning en die voorbehoud van handelsregte teen die volgende eiendomme, naamlik:

(i) Gedeelte 83 ('n gedeelte van gedeelte 1) van die plaas Klipfontein voormeld soos meer ten volle sal blyk uit Akte van Transport no 8394/1948 gedateer 16 Maart 1948.

(ii) Sekere Gedeelte 149 ('n gedeelte van gedeelte 125) van die plaas Klipfontein voormeld, gehou kragtens Akte van Transport Nr 13656/1958 gedateer 11 Junie 1956.

(iii) Sekere Gedeelte 145 ('n gedeelte van gedeelte 125) van die plaas Klipfontein voormeld, gehou kragtens Akte van Transport No 19268/1958 gedateer 30 Julie 1958.

(iv) Sekere Gedeelte 141 ('n gedeelte van gedeelte 125) van die plaas Klipfontein voormeld, gehou kragtens Akte van Transport No 19730/1962 gedateer 14 September 1962.

- 3.3 the following entitlements which shall be made applicable to all erven in the township:

The erf shall be entitled to a perpetual right of way servitude in extent 7 336 (SEVEN THREE THREE SIX) square metres over the Remaining Extent of Portion 1 of the farm KLIPFONTEIN 268, Registration division JR, Province of Gauteng, measuring 99,4281 (NINETY NINE comma FOUR TWO EIGHT ONE) hectares; as indicated by the figure A B C D E F G H J K L M N P Q R S T A on Servitude Diagram LG No 77/2012.

4. CONDITIONS OF TITLE

- 4.1 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)

- 4.1.1 ALL ERVEN WITH THE EXCEPTION OF THE ERF REFERRED TO IN CLAUSE 1.3

4.1.1.1 The erf shall be subject to a servitude, 3m wide, for municipal services (water, sewer, 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, 3m 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.

4.1.1.2 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 thereof.

4.1.1.3 The 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 Municipality shall be entitled to reasonable access to the said property for the aforesaid purpose, subject to the provision that the Municipality shall make good any damage caused during the laying, maintenance or removal of such services and other works.

- 4.1.2 ERF 2206

In addition to the relevant conditions set out in paragraph 4.1.1 above, the Erf 2206 shall be subject to the following further conditions:

4.1.2.1 The erf shall be subject to a servitude 2m wide for municipal services (stormwater) in favour of the City of Tshwane Metropolitan Municipality, as indicated on the general plan.

4.1.2.2 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 2 m therefrom.

4.1.2.3 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 essential, 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 main sewer pipelines and other works.



