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# **LOCAL AUTHORITY NOTICE**

## **LOCAL AUTHORITY NOTICE 133**

### **CITY OF TSHWANE METROPOLITAN MUNICIPALITY**

#### **CENTURION AMENDMENT SCHEME 1536C**

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

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

This amendment is known as Centurion Amendment Scheme 1536C.

(13/2/Kosmosdal x83 (1536C))  
 \_\_\_ February 2009

**Executive Director: Legal Services**  
 (Notice No /2009)

## **PLAASLIKE BESTUURSKENNISGEWING 133** **STAD TSHWANE METROPOLITAANSE MUNISIPALITEIT**

### **CENTURION WYSIGINGSKEMA 1536C**

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

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

Hierdie wysiging staan bekend as Centurion-wysigingskema 1536C

(13/2/Kosmosdal x83 (1536C))  
 \_\_\_ February 2009

**Uitvoerende Direkteur: Regsdienste**  
 (Kennissgewing No /2009)

## **CITY OF TSHWANE METROPOLITAN MUNICIPALITY**

### **DECLARATION OF KOSMOSDAL EXTENSION 83 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 Kosmosdal Extension 83 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(13/2/Kosmosdal x83 (1536C))

#### **SCHEDULE**

CONDITIONS UNDER WHICH THE APPLICATION MADE BY SAFRICH RPP JV (PTY) LTD IN TERMS 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 336 OF THE FARM OLIEVENHOUTBOSCH 389-JR, PROVINCE OF GAUTENG, HAS BEEN GRANTED.

#### **1. CONDITIONS OF ESTABLISHMENT**

##### **1.1 NAME**

The name of the township shall be Kosmosdal Extension 83.

##### **1.2 DESIGN**

The township shall consist of erven and streets as indicated on General Plan SG No 5217/2007

### 1.3 DISPOSAL OF EXISTING CONDITIONS OF TITLE

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

#### 1.3.1 The following servitudes which do not affect the township:

- (i) 1A(b) & 4A(a) - Geregtig tot 'n Servituut van 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 3173/48 en soos meer volledig beskrywe op Servituutkaart Nr A5624/47, geheg aan Akte van Verdelingstransport Nr 3173/1948.
- (ii) 1B - Kragtens Notariële Akte Nr K239/1973S 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 19de Februarie 1973.
- (iii) 4B Kragtens Notariële Akte Nr K403/1971S is die reg aan die 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 1ste dag van April 1971.
- (iv) 1C- The withinmentioned property is subject to a perpetual servitude for municipal purposes in extent 2,6231 (Two Comma Six Two Three One) Hectares as indicated on Diagram S.G. No. 4968/2002, which was expropriated and ceded to the City of Tshwane Metropolitan Municipality by virtue of Deed of Cession K7343/02 on 29 November 2002, as will more fully appear from the said Deed of Cession.
- (v) 4C- In terms of Expropriation notice 100/2003 the above mentioned property is subject to a perpetual servitude for municipal purposes in extent 2383 square metres as indicated on Diagram S.G.No.4970/2002 attached to Notarial Servitude K7343/02S, in favour of the City of Tshwane Municipality.
- (vi) By virtue of Notarial Deed of Servitude K268/2008S the withinmentioned property is subject to a Sewer Pipeline Servitude 3 (three) metres wide, as shown on Diagram S.G. 194/1981, in favour of the City of Tshwane Metropolitan Municipality as will more fully appear from the said Notarial Deed.
- (vii) By virtue of Notarial Deed of Servitude K269/2008S the withinmentioned property is subject to a Sewer Pipeline Servitude 3 (three) metres wide as indicated by the lines ABCDEF which lines represent the centre line of a Sewer Pipeline Servitude 3 (three) metres wide as shown on Diagram S.G. 199/1981, in favour of the City of Tshwane Metropolitan Municipality as will more fully appear from the said Notarial Deed
- (viii) By virtue of Notarial Deed of Servitude K270/08S the withinmentioned property is subject to a Sewer Pipeline Servitude 3 (three) metres wide as indicated by the lines ABCDEFG which lines represent the centre line of a Sewer Pipeline Servitude 3 (three) metres wide as shown on Diagram S.G. 7696/2007, in favour of the City of Tshwane Metropolitan Municipality as will more fully appear from the said Notarial Deed

#### 1.3.2 The following servitude which only affect Erven 5054, 5055 and 5056 in the township:

- (i) By virtue of a Notarial Deed of Servitude K209/09S dated 12 January 2009 the owner grants the City Council a servitude 30m wide indicated by the lines BCD on SG Diagram No 13241/1995 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 local authority in order to ensure that:

- (a) 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
- (b) 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 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.

#### 1.6 MINING ACTIVITIES

The developer shall notify prospective buyers of erven, in writing, of opencast mining activities in the vicinity, which may cause inconvenience with regard to noise, dust pollution and/or shock vibrations.

#### 1.7 ACOUSTIC SCREENING/ NOISE BARRIER:

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

#### 1.8 ADDITIONAL OBLIGATIONS WITH REGARD TO THE CONSTRUCTION OF SAMRAND AVENUE

Provision shall be made for taxi lay-by with adequate space for three (3) taxis at the entrance of the township, to the satisfaction of the City of Tshwane Metropolitan Municipality.

### 2. CONDITIONS OF TITLE

- 2.1 The erven mentioned hereunder 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, 1986.

#### 2.1.1 ALL ERVEN

As this erf (stand, land, etc) forms part of an area which may be subject to dust pollution, shock vibration and/or noise as a result of open-cast mining activities past, present or future in the vicinity thereof, the owner thereof accepts that inconvenience with regard to shock vibration, dust pollution and/or noise as a result thereof, may be experienced.

#### 2.1.2 ALL ERVEN

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.

2.1.2.1 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.

2.1.2.2 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.

2.1.3 ERF 5054 AND 5055

The erf is subject to a Right of Way and municipal servitude, in favour of the local authority as indicated on the General Plan.

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