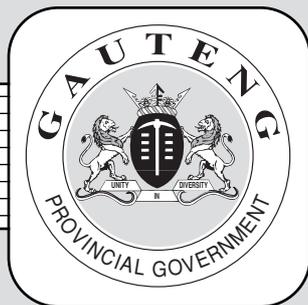


**THE PROVINCE OF
GAUTENG**



**DIE PROVINSIE
GAUTENG**

**Provincial Gazette Extraordinary
Buitengewone Provinsiale Koerant**

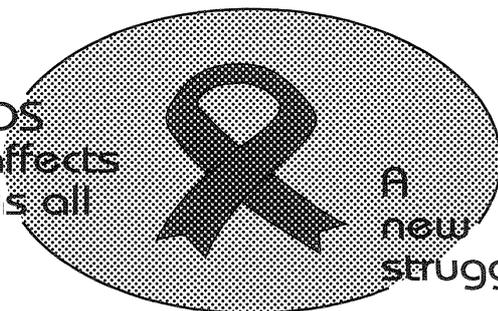
Vol. 20

**PRETORIA, 15 JULY
JULIE 2014**

No. 187

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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CONTENTS • INHOUD*No.**Page
No. Gazette
 No.***LOCAL AUTHORITY NOTICE**

962 Town-planning and Townships Ordinance (15/1986): City of Tshwane: Centurion Amendment Scheme 1567C 3 187

LOCAL AUTHORITY NOTICE

LOCAL AUTHORITY NOTICE 962

CITY OF TSHWANE

CENTURION AMENDMENT SCHEME 1567C

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

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 Centurion Amendment Scheme 1567C.

(13/2/Kosmosdal x72 (1567C)
__ July 2014

(Notice No 453/2014)

CHIEF LEGAL COUNSEL

PLAASLIKE BESTUURSKENNISGEWING 962

STAD TSHWANE

CENTURION WYSIGINGSKEMA 1567C

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 72, synde 'n wysiging van die Centurion-dorpsbeplanningskema, 1992, 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 Centurion-wysigingskema 1567C.

(13/2/Kosmosdal x72 (1567C)
__ Julie 2014

(Kennisgewing No 453/2014)

HOOFREGSADVISEUR

CITY OF TSHWANE

DECLARATION OF KOSMOSDAL EXTENSION 72 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 72 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(13/2/Kosmosdal x72 (1567C))

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY MITRAJAYA DEVELOPMENT SA (PROPRIETARY) LIMITED UNDER THE PROVISIONS SECTION A AND C OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 355 (A PORTION OF PORTION 251) OF THE FARM OLIEVENHOUTBOSCH 389, REGISTRATION DIVISION JR, PROVINCE OF GAUTENG, HAS BEEN GRANTED

1. CONDITIONS OF ESTABLISHMENT

1.1 NAME

The name of the township shall be Kosmosdal Extension 72.

1.2 DESIGN

The township consists of erven and streets as indicated on General Plan SG No 14117/2007.

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 area due to location:

- (i) The former Remaining Extent of Portion 2 of the farm Olievenhoutbosch 389-JR., Province Gauteng, whereof the property hereby registered forms a portion, was subject to Notarial Deed K155/74S, registered on 28th January 1974 whereby the right has been granted to ESKOM to convey electricity over the property hereby conveyed together with ancillary rights and subject to conditions, as will more fully appear from the said Notarial Deed and by virtue of Notarial Deed of Amendment of Servitude K2445/1979S the route is established, as will more fully appear from the said Notarial Deed of Amendment of Servitude.
- (ii) Die vorige Resterende gedeelte van Gedeelte 2 van die plaas Olievenhoutbosch 389, Registrasie afdeling JR, Provinsie van Gauteng, Groot 645,0113 hektaar (waarvan die eiendom hiermee getranspoteer deel vorm) is onderhewig aan 'n serwituu gebied vir munisipale doeleindes, groot 7,1266ha, met bykomende regte t.g.v. Stadsraad van Centurion soos meer volledig sal blyk uit Notariële Akte van serwituu K8139/1996 geregistreer op 20 November 1996.
- (iii) The property is subject to a servitude for municipal purposes together with ancillary rights and subject to conditions, as will more fully appear from the attached diagram SG No A2623/1999 where the lines abcdefghjkl represents the centre line of a Sewer Pipe Line servitude 2,00 (TWO) metres wide and the figure xyzw represents a servitude area, registered by virtue of Notarial Deed of Servitude K2944/99S."
- (iv) The property is subject to a servitude for municipal purposes together with ancillary rights and subject to conditions, as will more fully appear from the attached diagram SG No A2623/1999 where the line mnpqrstuvw represents the reference line of a sewer servitude 5,00 (FIVE) meters wide, registered by virtue of Notarial Deed of Servitude K2945/1999-S.

1.3.2 The following title condition, which effects all erven and streets in the township but should not be carried over to the erven and streets in the township:

"Further subject to the following condition laid down and enforceable by the City of Tshwane Metropolitan Municipality, namely: That the transferee may only erect buildings on the property on an area which is geologically suitable for building purposes."

1.4 PRECAUTIONARY MEASURES

The township owner shall at own expense make arrangements with the local authority in order to ensure that -

- 1.4.1 water will not accumulate to the effect that the entire surface of the township area is drained properly and that streets are sealed 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 REMOVAL OR REPLACEMENT OF TELKOM AND/OR MUNICIPAL SERVICES

If, by reason of the establishment of the township, it should become necessary to remove or replace any existing Telkom and/or municipal services, the cost thereof shall be borne by the township owner.

1.6 COMPLIANCE WITH CONDITIONS IMPOSED BY GDACE

The township owner shall at his own expense comply with all the conditions imposed by or by which the Gauteng Department of Agriculture, Conservation and Environment has granted the applicant authorization in terms of regulations No 1182 and 1183 promulgated in terms of sections 21, 22 and 26 of the Environmental Conservation Act, for the development of this township.

1.7 LAND TO BE TRANSFERRED TO THE NON PROFIT COMPANY (HOMEOWNERS' ASSOCIATION)

The following erven shall be transferred to the non profit Company within a period of 6 months after proclamation of the township or when the first erven in the township becomes transferable which ever the sooner, by and at the expense of the township owner:

Erven 4288 to 4290

1.8 RESTRICTIONS ON THE ALIENATION OF LAND

Regardless the issuing of a certificate as contemplated in section 82(1)(b)(ii)(cc) of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), no erf in the township may be transferred or be dealt with otherwise until the City of Tshwane Metropolitan Municipality certifies that the developer has complied with the provisions of condition 1.9.

1.9 THE DEVELOPER'S OBLIGATIONS

A. Association and Statutes

The developer must at his own cost establish a non profit company (homeowners' association) in terms of the provisions of the Companies Act, 2008 (Act 71 of 2008). All the owners of erven and/or units in the township must become members of the non profit company. A copy of the registered Memorandum of Incorporation must be submitted to the City of Tshwane Metropolitan Municipality.

The Memorandum of Incorporation must clearly state what the main objective of the homeowners' association is. The developer is deemed to be a member of the non profit company, with all the rights and obligations of an ordinary member, until the last erf has been transferred.

B. Provision Of Engineering Drawings

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

C. 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 water, sewerage, electricity, and the internal road and storm water sewers, in which it is certified that the 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 Department of Public Works and Infrastructure Development.

2. CONDITIONS OF TITLE

CONDITIONS IMPOSED BY THE LOCAL AUTHORITY IN TERMS OF THE PROVISIONS OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE 15 OF 1986

2.1 ALL ERVEN

- 2.1.1 The erf is subject to a servitude, 3m 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 3m wide 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 2m thereof.
- 2.1.3 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.

2.2 ERVEN 4288 TO 4290

The erf shall be subject to a general servitude for municipal purposes in favour of the City of Tshwane Metropolitan Municipality as indicated on the General Plan.

2.3 CONDITIONS OF TITLE IN FAVOUR OF THIRD PARTIES TO BE REGISTERED/ CREATED ON FIRST REGISTRATION OF THE ERVEN CONCERNED

No erf in the township may be transferred unless the following requirements have been complied with and the following conditions and servitudes are registered:

Erven 4193 to 4287 will be made subject to the following conditions:

- 2.3.1 Any owner of an erf, or any subdivision thereof, or any interest therein, or any unit as defined in terms of the Sectional titles Act 95 of 1986, shall become and shall remain a member of the HOME OWNERS ASSOCIATION and be subject to its MEMORANDUM OF INCORPORATION until it ceases to be an owner as aforesaid. No erf or any subdivision thereof, or interest therein, or any unit thereon, shall be transferred to any person who has not committed itself to the satisfaction of the HOME OWNERS ASSOCIATION to become a member of the HOME OWNERS ASSOCIATION.
- 2.3.2 The owner of the erf or any subdivision thereof, or any interest therein, or any unit as defined in terms of the Sectional Titles Act 95 of 1986, shall not be entitled to transfer the erf or any subdivision or any interest therein, or any unit thereon, without a clearance certificate from the HOME OWNERS ASSOCIATION that all moneys have been paid.
- 2.3.3 The term HOME OWNERS ASSOCIATION in the above context shall refer to the BLUE VALLEY GOLF AND COUNTRY ESTATE HOME OWNERS ASSOCIATION No 1999/018250/08 (Owners Association in terms of the provisions of the Companies Act, 2008 (Act 71 of 2008)).
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