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LOCAL AUTHORITY NOTICE

LOCAL AUTHORITY NOTICE 1427

CITY OF TSHWANE

CENTURION AMENDMENT SCHEME 1605C

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 Rooihuiskraal Extension 39, 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 1605C.

(13/2/Rooihuiskraal x39 (1605C))
___ October 2010

Acting Executive Director: Legal Services
(Notice No 522/2010)

PLAASLIKE BESTUURSKENNISGEWING 1427

STAD TSHWANE

CENTURION WYSIGINGSKEMA 1605C

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 Rooihuiskraal Uitbreiding 39, 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 1605C.

(13/2/Rooihuiskraal x39 (1605C))
___ Oktober 2010

Waarnemende Uitvoerende Direkteur: Regsdienste
(Kennisgewing No 522/2010)

CITY OF TSHWANE

DECLARATION OF ROOIHUISKRAAL EXTENSION 39 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 Rooihuiskraal Extension 39 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(13/2/Rooihuiskraal x39 (1605C))

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY THE SOUTH AFRICAN NATIONAL ROADS AGENCY LIMITED 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 184 (A PORTION OF PORTION 5) OF THE FARM BRAKFORTEIN 390 JR, PROVINCE OF GAUTENG, HAS BEEN GRANTED

1. CONDITIONS OF ESTABLISHMENT

1.1 NAME

The name of the township shall be Rooihuiskraal Extension 39.

1.2 DESIGN

The township shall consist of erven and streets as indicated on General Plan SG No 3972/2009.

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 servitudes which do not affect the township:

"A. Die Resterende Gedeelte van die plaas BRAKFORTEIN Nr.390, geleë in die Registrasie Afdeling J.R., distrik Pretoria ('n gedeelte waarvan hiermee getranspoteer word) is geregtig tot 'n reg van derugang tussen die bakens gemerk P. en Q. op Kaart S.G. No. A3427/47, geheg aan Akte van Verdelingstransport Nr. 3172/1948, geregistreer op 2 Februarie 1948, langs die mees gerieflike roete, soos van tyd tot tyd ooreengekom sal word deur die partye, hiertoe betrokke; oor Gedeelte 2 van gemelde plaas, gehou onder gesegde Akte van Verdelingstransport."

"C. Kragtens Notariële Akte K. 563/1986S gedateer 6 Februarie 1986 en geregistreer op 19 Februarie 1986, is die hierinvermelde eiendom onderhewig aan 'n ewigdurende servituut, 6 meter wyd, vir munisipale doeleindes, die suidelike grens van welke servituut aangedui word deur die lyn A B C op die Diagram S.G No. A.9923/86 ten gunste van die STADSRAAD VAN VERWOERDBURG, soos meer volledig sal blyk uit gemelde Notariële Akte."

"D. Kragtens Notariële Akte van Servituut K3086/97S, gedateer 1ste November 1996, is die binne gemelde eiendom onderhewig aan 'n ewigdurende reg tot 'n servituut vir munisipale doeleindes oor die eiendom, 4 meter wyd, die noord- westelike grens waarvan aangedui deur die lyn A.B op Kaart L.G. Nr. 11579/95 ten gunste van die STADSRAAD VAN CENTURION, soos meer volledig sal blyk uit gemelde Notariële Akte van Servituut."

1.3.2 the following condition that affects Waterberg Street, Assegai Wood Street and Erf 2885 in the township:

(I) Condition B under Paragraph 2 in Deed of Transfer T97544/2006 which reads:

"B. By virtue of Notarial Deed No. K 1490/1972 S dated 23 November 1972 the withinmentioned property is subject to a right to the Electricity Provision Commission (ESKOM) to transfer electricity over the property with additional rights and subject to conditions as more fully appear in the said Notarial Deed."

1.4 RECEIVING AND DISPOSAL OF STORMWATER

The stormwater plan for this township must be integrated with the greater stormwater master plan for the total relevant catchments area including adjoining areas.

The low points in roads and the accumulation of stormwater in crescents, cull-de-sacs and lower lying erven must be drained to the satisfaction of the Municipality.

1.5 PRECAUTIONARY MEASURES

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

(a) 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; to the satisfaction of the Municipality; 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, to the satisfaction of the Municipality.

1.6 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.

1.7 ACCESS

No ingress from Road N1 to the township and no egress to Road N1 from the township shall be allowed.

1.8 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 SOUTH AFRICAN NATIONAL ROADS AGENCY LIMITED, 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.

1.9 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.

1.10 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.

1.11 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.

1.12 COMPLIANCE WITH CONDITIONS IMPOSED BY DEAT

The township owner shall at his own expense comply with all the conditions imposed by the Department of Environmental Affairs and Tourism 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.

1.13 CONSOLIDATION OF ERVEN

The township owner shall at his own expense have erven 2884 and 2885 in the township consolidated. The City of Tshwane Metropolitan Municipality hereby grants its consent to the consolidation in respect of Section 92(2) of Ordinance 15 of 1986.

2. CONDITIONS OF TITLE

THE ERVEN MENTIONED BELOW SHALL BE SUBJECT TO THE CONDITION 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)

2.1 ALL ERVEN

- 2.1.1 The erf shall be subject to a servitude, 3 m 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, 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.
 - 2.1.2 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.
 - 2.1.3 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.
 - 2.1.4 The owner of the erf must be made aware of the risk involved in developing in the vicinity of the South African Mint, as the latter has been registered as a major hazardous installation in terms of the Major Hazardous Installation Regulations as contained in the Occupational, Health and Safety Act, 1993 (Act No.85 of 1993).
 - 2.1.5 The applicant with full knowledge of the potential environmental impacts including but not limited to noise, air and light pollution waves any claim it may have against the SANRAL. The applicant indemnifies and holds the SANRAL harmless from any loss, actual expenses, claims, harm or damage of whatsoever nature that the applicant may suffer whatsoever arising from the property's close proximity to the N1 highway which waiver and indemnity SANRAL hereby accepts.
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