

***THE PROVINCE OF
GAUTENG***



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PROVINCIAL NOTICES • PROVINSIALE KENNISGEWINGS

PROVINCIAL NOTICE 912 OF 2017

CITY OF TSHWANE

TSHWANE AMENDMENT SCHEME 3081T

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 47, being an amendment of the Tshwane Town-planning Scheme, 2008.

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

This amendment is known as Tshwane Amendment Scheme 3081T.

(13/2/Rosslyn x47 (3081T))
__ SEPTEMBER 2017

GROUP LEGAL AND SECRETARIAT SERVICES
(Notice 252/2017)

PROVINSIALE KENNISGEWING 912 VAN 2017

STAD TSHWANE

TSHWANE WYSIGINGSKEMA 3081T

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 47, synde 'n wysiging van die Tshwane dorpsbeplanningskema, 2008, goedgekeur het.

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

Hierdie wysiging staan bekend as Tshwane wysigingskema 3081T.

(13/2/Rosslyn x47 (3081T))
__ SEPTEMBER 2017

GROEP REGS EN SEKRETARIAAT DIENSTE
(Kennisgewing 252/2017)

CITY OF TSHWANE

DECLARATION OF ROSSLYN EXTENSION 47 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 47 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(13/2/Rosslyn x47 (3081T))

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY COSMOPOLITAN PROJECTS TSHWANE PROPRIETARY LIMITED, IN TERMS OF THE PROVISIONS OF CHAPTER III: PART C OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE NO 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 353 (A PORTION OF PORTION 315) AND PORTION 354 (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 47.

1.2 DESIGN

The township shall consist of erven, parks and streets as indicated on General Plan SG No 4201/2014.

1.3 LAND FOR MUNICIPAL PURPOSES

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

Parks (public open space): Erven 3272 and 3273
Electric Power Line : Erven 3268 to 3271

1.4 COMPLIANCE WITH CONDITIONS IMPOSED BY THE GAUTENG DEPARTMENT OF ROADS AND TRANSPORT

The township owner shall at his own expense comply with all the conditions imposed by the Gauteng Department of Roads and Transport when consent was granted for the development.

1.5 ACCESS

1.5.1 Ingress from Road K217 to the township and egress to Road K217 from the township shall be restricted to the junction of Ikhambi Street with such road.

1.5.2 The township owner shall at his own expense arrange for a geometric lay-out design (Scale 1:500) of the ingress and egress points referred to in (a) above and specifications for the construction of the junctions to be compiled and shall submit it to the Gauteng Department of Roads and Transport, for approval. After the design and specifications have been approved, the township owner shall construct the entrances at his own expense to the satisfaction of the Department of Roads and Transport.

1.6 RECEIVING AND DISPOSAL OF STORMWATER

The township owner shall arrange the stormwater drainage of the township in such a way as to fit in with that of Road K217 and he shall receive and dispose of the storm water running off or being diverted from the road.

The Service Report containing the stormwater design proposal must be submitted to the Municipality for approval at the time of the application, i.e. before Township Proclamation.

1.7 ACOUSTIC SCREENING MEASURES/NOISE BARRIER

The applicant/Municipality shall be responsible for any costs involved in the erection of acoustic screening along Road K217, if and when the need arises to erect such screening.

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 Gauteng Department of Roads and Transport, 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 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.

1.10 DEMOLITION OF BUILDINGS AND STRUCTURES

When required by the City of Tshwane 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.

1.11 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, when required to do so by the Municipality.

1.12 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.

1.13 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.

1.14 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.

1.15 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, –

3.1 excluding the following entitlements which shall not be passed on to erven in the township;

“A. Die voormalige Resterende Gedeelte van Gedeelte 1 van die plaas Klipfontein voormeld groot as sodanige 1785,7561 hektaar (waarvan die eiendom hiermee getransporeer ‘n gedeelte uitmaak) is:

(b) Geregtig tot ‘n servituut van reg van weg oor Gedeelte 9 van gedeelte “B”, groot 141,9474 hektaar van genoemde plaas Klipfontein, gehou onder Akte van Transport No 14230/1940 soos meer volledig uiteengesit in en sal blyk uit Akte van Servituut No 345/1941S geregistreer op 2 Junie 1941.

(c) Geregtig 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.
 - (iii) 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.
- 3.2 excluding the following servitude in Deed of Transfer T69893/2011 which affect erven 3268 to 3271 and streets in the township only;
 - C. "ONDERHEWIG aan die reg verleen aan EVKOM om elektrisiteit oor die hierin-vermelde 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 lyne ab en cd op die aangehegte kaart L.G. No. A 417/2008 die omvang en wydte van die servituut, synde 11 (ELF) meter aan beide kante van die gemelde lyne aantoon, soos meer volledig sal blyk uit Notariële Akte van Roetebepaling K6626/2000S geregistreer op 11 Desember 2000."
- 3.3 excluding the following servitude in Deed of Transfer T69893/2011 which affect Erf 3272 in the township only;
 - D. The former Remaining Extent of Portion 1 of the farm KLIPFONTEIN 268 Registration Division JR, Province of Gauteng, (whereof that portion of land represented by the figure ABCDEFGHJKLMNPQRS on subdivisional Diagram SG No 417/2008, annexed hereto and herewith transferred, forms a part), is subject to a sewer servitude in favour of the City of Tshwane, 6 (SIX) metres wide, the centre of which is reflected by the line xy on diagram SG No 417/2008 annexed thereto, as will more fully appear from Notarial Deed of Servitude K2983/08-S.
- 3.4 Including the following servitudes which affect all erven in the township
 - 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 plaats groot 2217,9082 hektaar, zoals getranspoteer onder Transport Nr 743/1905 van een eeuwigdurend recht van helft van het water van zekere fontein gelegen op gemelde Gedeelte 1, alsook het eeuwigdurend rech gezegde water te leiden van af de fontein langs die bestaande watervoer over gemelde Gedeelte 1.
- 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 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 ERVEN REFERRED TO IN CLAUSE 1.3
 - 4.1.1.1 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, 3 m 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 2 m 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 ERVEN SUBJECT TO SPECIAL CONDITIONS IMPOSED BY THE CITY OF TSHWANE

In addition to the relevant conditions set out in paragraph 4.1.1.1, 4.1.1.2 and 4.1.1.3 above, the under mentioned erven shall be subject to the conditions as indicated;

4.1.3 ERVEN 3058 TO 3068 AND ERF 3225

4.1.3.1 The erf shall be subject to a servitude 3m wide for municipal services (stormwater) in favour of the City of Tshwane, as indicated on the General Plan.

4.1.3.2 No building or other structure 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 2m thereof.

4.1.3.3 The City of Tshwane shall be entitled to temporarily deposit on land adjoining the aforesaid servitude, any material it may excavate during the laying, maintenance or removal of such services and other works which in its discretion it regards necessary, furthermore the City of Tshwane shall be entitled to reasonable access to the said property for the aforesaid purpose, subject to the provision that the City of Tshwane shall make good any damage caused during the laying, maintenance or removal of such services and other works.

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