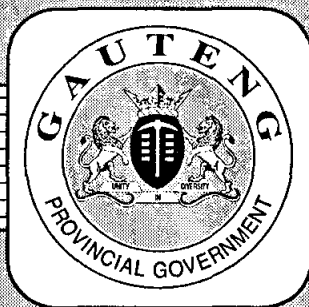


**THE PROVINCE OF  
GAUTENG**



**DIE PROVINSIE  
GAUTENG**

# Provincial Gazette Extraordinary Buitengewone Provinsiale Koerant

Selling price • Verkoopprys: **R2,50**  
Other countries • Buitelands: **R3,25**

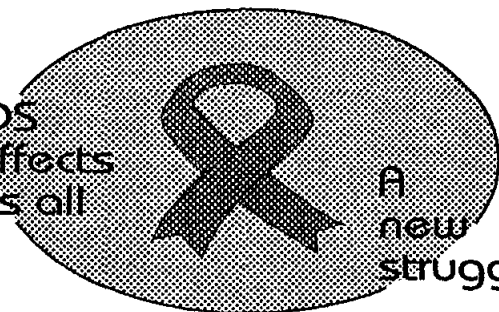
Vol. 11

PRETORIA, 22 SEPTEMBER 2005

No. 399

**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



05399

9771682452005

---

## CONTENTS • INHOUD

No.		Page No.	Gazette No.
<b>LOCAL AUTHORITY NOTICES</b>			
2283	Town-planning and Townships Ordinance (15/1986): City of Johannesburg: Amendment Scheme 07-1822.....	3	399
2284	do.: do.: Declaration as approved township: Kyalami Hills Extension 8.....	3	399

---



### THE GOVERNMENT PRINTING WORKS

### PUBLICATIONS DIVISION

NB: The Publications Division of the Government Printing Works will be relocating to its new premises within the:

**MASADA BUILDING at 196 PROES STREET, PRETORIA  
(i.e. CORNER OF PAUL KRUGER AND PROES STREETS)**  
with effect from **3 May 2005**.

For enquiries and information:

**Mr M Z Montjane**  
**Tel: (012) 334-4653**  
**Cell: 083 640 6121**

---

## LOCAL AUTHORITY NOTICES

---

### LOCAL AUTHORITY NOTICE 2283

#### CITY OF JOHANNESBURG AMENDMENT SCHEME 07-1822

The Council hereby in terms of provisions of Section 125 of the Town-planning and Townships Ordinance, 1986, declares that it has approved the amendment scheme, being an amendment of the Halfway House – Clayville Town-planning Scheme 1976, comprising the same land, as included in the Township of **KYALAMI HILLS EXTENSION 8**

Map 3, Annexure and scheme clauses of the amendment scheme are filed with the Executive Director: Development Planning, Transportation and Environment: City of Johannesburg and are open for inspection at all reasonable times.

The amendment scheme is known as Amendment Scheme 07-1822

**Executive Director: Development Planning, Transportation and Environment**  
Notice No. /2005

---

### PLAASLIKE BESTUURSKENNISGEWING 2283

#### STAD VAN JOHANNESBURG WYSIGINGSKEMA 07-1822

Die Stadraad verklaar hierby ingevolge die bepalings van artikel 125 van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986, dat dit 'n wysigingskema synde 'n wysiging van Halfway House - Clayville dorpsbeplanningskema, 1976, wat uit dieselfde grond as die dorp **KYALAMI HILLS UITBREIDING 8** bestaan, goedgekeur het.

Kaart 3, Bylae en die skemaklousules van die wysigingskema word in bewaring gehou deur Uitvoerende Direkteur: Ontwikkelings Beplanning, Vervoer en Omgewing, Stad van Johannesburg en is beskikbaar vir inspeksie te alle redelike tye.

Hierdie wysiging staan bekend as wysigingskema 07-1822

**Uitvoerende Direkteur: Ontwikkelings Beplanning, Vervoer en Omgewing**  
Notice No. /2005

---

### LOCAL AUTHORITY NOTICE 2284

#### CITY OF JOHANNESBURG DECLARATION AS APPROVED TOWNSHIP

In terms of section 103(1) of the Town-planning and Townships Ordinance, 1986 (Ordinance No. 15 of 1986) the CITY OF JOHANNESBURG METROPOLITAN MUNICIPALITY declares **KYALAMI HILLS EXTENSION 8** to be an approved township subject to the conditions set out in the Schedule hereto.

#### SCHEDULE

**CONDITIONS UNDER WHICH THE APPLICATION MADE BY FORVIROMENT INTERNATIONAL PROPERTY DEVELOPMENT (PROPRIETARY) LIMITED (HEREIN AFTER REFERRED TO AS THE APPLICANT) UNDER THE PROVISIONS OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE 1986 (ORDINANCE NO 15 OF 1986) FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 233 OF THE FARM BOTHASFONTEIN 408 JR, PROVINCE OF GAUTENG, HAS BEEN GRANTED.**

#### 1. CONDITIONS OF ESTABLISHMENT

##### 1. Name

The name of the township shall be **KYALAMI HILLS EXTENSION 8**

2. **Design**  
The township shall consist of erven as indicated on **General Plan S.G. 3984/2005**
3. **Provision and installation of engineering services**  
The township owner shall provide engineering services in the township, subject to the approval of the Council and/or City Power / Eskom.
4. **Obligations in respect of services and limitations in respect of the alienation or erven**
  - (a) The Township owners shall, in terms of a prior agreement with the Council, fulfill their obligations with the regard to the provision of engineering services in and for the township in terms of Chapter 5 of the Ordinance.
  - (b) Contributions towards the provisions of external engineering services, bulk sewer and endowment in lieu of parkland shall be payable in terms of the Ordinance.
  - (c) No erven may be alienated or be transferred into the name of a buyer prior to the Council having confirmed that sufficient guarantees / cash contributions / endowments in respect of the supply of services by the township owner has been made to the said Council.
5. **Removal and replacement of Municipal Services**  
If, by reason of the establishment of the township, it should become necessary to remove or replace any existing municipal services, the cost thereof shall be borne by the township owner.
6. **Disposal of existing Conditions of Title**  
All erven shall be made subject to existing conditions and servitudes, if any, and to delete the following conditions:-
  - Conditions 1(a) and (b) in Title Deed No. T44618/1969.
7. The township owner shall at his own expense erect a fence or other physical barrier to the satisfaction of the Gauteng Provincial Government: Department of Transport and Public Works as and when required for him to do so.
8. **FORMATION AND DUTIES OF SECTION 21 COMPANIES OR OTHER SIMILAR LEGAL ENTITIES**
  - (a) The applicant shall properly and legally constitute a Property Owners or Residents Association ("the Association") under Section 21 of the Companies Act 61 of 1973, to the satisfaction of the Council before the sale of the first erf, which association shall not be de-registered without the consent of the Council.
  - (b) The Access erf (Erf 285) and park erven (Erven 286, 287, 288 and 289) shall be registered in the name of the Resident's Association, and said road/park portions may not be sold or in any way disposed of without prior written consent of the Council.
  - (c) The construction and maintenance of the road over the Right-of-way shall be the responsibility of the applicant until that responsibility can be taken over by the Association.
  - (d) Each and every owner of Erven 241 to 252 and 254 to 284 shall become a member of the Residents Association upon transfer of the erf, Such Association shall have full responsibility for the Erven 286, 287, 288 and 289 (Private Open Space) and Erf 285 (Access Erf).
  - (e) The Resident's Association shall have full legal power to levy from each and every member the costs incurred in fulfilling its function, and shall have legal recourse to recover such fees in the event of a default in payments by any member.
  - (f) The Council shall not be liable for the malfunction of the surfacing of the access way

and/or the stormwater drainage system, and/or any essential services, with the exception of the sewerage system.

- (g) A servitude for municipal purposes shall be registered over Erf 285 in favour of, and to the satisfaction of, the Council.
- (h) The Council shall be indemnified from any responsibility for the cost of repairs to the access roadway in the event of it having to gain access or provide underground services in the future.
- (i) Access from Erven 241 to 252 and 254 to 284 to a public road shall be across Erf 285.
- (j) The Council shall have unrestricted access to Erf 285 at all times.

## 2. CONDITIONS OF TITLE

The erven mentioned hereunder shall be subject to the conditions, as indicated, imposed by the Council in terms of the provisions of the Town-planning and Townships Ordinance, 1986.

### 1. ALL ERVEN

- (a) The erf is subject to a servitude, 2m wide, in favour of the Council 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 Council : Provided that the Council may dispense with any such servitude.
- (b) 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.
- (c) The Council 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 Council.

### 2. **ERF 285**

The erf is subject to a Right-of-way servitude in favour of and to the satisfaction of the Council.

### 3. **ERF 258**

The erf is subject to a 20m Right-of-way servitude in favour of the Council.

### 4. **ERF 288**

The erf is subject to an Electrical servitude, as indicated on the plan.

### 5. **ERF 287**

The erf is subject to a Sewer servitude, as indicated on the plan.

**Executive Director: Development Planning, Transportation and Environment**

Notice No. /2005

**PLAASLIKE BESTUURSKENNISGEWING 2284****STAD VAN JOHANNESBURG  
VERKLARING TOT GOEDGEKEURDE DORP**

Ingevolge artikel 103(1) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie No. 15 van 1986) verklaar die STAD VAN JOHANNESBURG hierby die dorp **KYALAMI HILLS UITBREIDING 8** tot 'n goedgekeurde dorp onderworpe aan die voorwaardes uiteengesit in die bygaande Bylae.

**BYLAE**

**VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR FORVIROMENT INTERNATIONAL PROPERTY DEVELOPMENT (PTY) LTD. (HIERNA DIE AANSOEKDOENER GENOEM) INGEVOLGE DIE BEPALINGS VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986, OM TOESTEMMING OM 'N DORP TE STIG OP GEDEELTE 233 VAN DIE PLAAS BOTHASFONTEIN 408 JR, PROVINSIE GAUTENG, TOEGESTAAN IS.**

**1. STIGTINGSVOORWAARDES**

1. **NAAM**  
Die naam van die dorp is **KYALAMI HILLS UITBREIDING 8**
2. **ONTWERP**  
Die dorp bestaan uit erwe soos aangedui op **Algemene Plan SG No. 3984/2005**
3. **VOORSIENING EN INSTALLERING VAN DIENSTE**  
Die dorpseienaar moet die nodige reelings met die Raad tref vir die voorsiening en instalering van water en sanitere dienste asook die konstruksie van strate en stormwaterdreinerings in die dorp, tot bevrediging van die Raad en/of City Power / Eskom.
4. **VERPLIGTINGE TEN OPSIGTE VAN NOODSAAKLIKE DIENSTE ASOOK DIE BEPERKING TEN OPSIGTE VAN VERVREMING OF OORDRAGTE**
  - (a) Die dorpseienaars sal, in terme van n vooraf gereelde ooreenkoms met die Raad, sy verpligtinge rakende tot die voorsiening van ingenieursdienste in en vir die dorp, in terme van Hoofstuk 5 van die Ordonnansie.
  - (b) n Bydrae tot die voorsiening van ingenieursdienste en begiftiging ten opsigte van parkegrond sal betaalbaar wees.
  - (b) Geen erwe mag vervreem of oorgedra word in die naam van 'n koper alvorens die plaaslike bestuur bevestig het dat voldoende waarborge/kontantbydraes ten opsigte van die voorsiening van dienste deur die dorpseienaar aan die Stadsraad gelewer is nie.
5. **VERSKUIWING OF DIE VERVANGING VAN MUNISIPALE DIENSTE**  
Indien dit as gevolg van die stigting van die dorp nodig word om enige bestaande munisipale dienste te verskuif of te vervang moet die koste daarvan deur die dorpseienaars gedra word.
6. **BESKIKKING OOR BESTAANDE TITELVOORWAARDES**  
Alle erwe moet onderhewig gemaak word aan bestaande titelvoorwaardes en servitute, indien enige, en die verwydering van die volgende voorwaarde:-
  - Voorwaardes 1(a) en (b) in Titel Akte No. T44618/1969.
7. Die eienaar van die dorp sal op sy eie onkoste n heining of enige ander fisiese verspersing oprig, tot die bevrediging van die Gauteng Provincial Government: Departement van Openbare Vervoer, Paaie en Werke, soos en wanneer van hom verlang word om dit te doen.
8. **STIGTING EN VERPLIGTING VAN ARTIKEL 21 MAATSKAPPY OF SOORTGELYKE REGS ENTITEITE**
  - (a) Die aansoekers moet wetiglik en volgens voorskrif die Inwoners-vereniging tot goedkeuring van die Stadraad saamstel, voor of met die verkoop van die eerste erf in die dorp, (waarvan vereniging nie mag de-registreer sonder die toestemming van die Raad).
  - (b) Die Toegangserf (Erf 285) en Park erwe (Erwe 286, 287, 288 en 289) sal in die naam van die Inwoners-Vereniging geregistreer word, waarvan die genoemde pad / park gedeelte nie mag verkoop of vervreem word, sonder vooraf geskrewe toestemming van die Raad.
  - (c) Die konstruksie en onderhou van die pad oor die Reg-van-weg, sal die verantwoordelikheid van die eienaar wees, tot en met die verantwoordelikheid oorgeneem word deur die Vereniging.

- (d) Iedere en elke eienaar van Erwe 241 tot 252 en 254 tot 284 sal 'n lid van die Inwoners-vereniging word met oordrag van die erf. Sodanige Vereniging sal volle verantwoordelijkheid neem oor Erwe 286, 287, 288 en 289 (Privaat Oop Ruimte) en Erf 285 (Toegangserf).
- (e) Die Inwoners-vereniging sal die wettige reg hê om die kostes aangegaan ter vervulling van sy doel van ieder en elke lid te hef en sal toegang he tot regshulp ter verhaling van sodanige fooi in die geval van die wanbetaling deur enige lid.
- (f) Die Stadsraad sal nie aanspreeklik wees vir die gebrekkigheid van die oppervlak van die toegangsweg en of die vloedwater dreineringsstelsel en of enige noodsaaklike dienste, met die uitsondering van die rioleringstelsel.
- (g) 'n Serwituut vir munisipaliteit doeleindes sal geregistreer word oor Erf 285 ten gunste van die Raad.
- (h) Die plaaslike regering is gevrywaar van enige verpligting ten opsigte van enige kostes vir die onderhoud van die toegangs gedeelte insluitend enige ondergrondse werke of installering van dienste van watter aard ookal.
- (i) Toegang van Erwe 241 tot 252 en 254 tot 284 tot 'n openbare pad sal oor die toegangs-erf 285 wees.
- (j) Die Raad sal onbeperkte toegang tot Erf 285 te alle tye, verkry.

## 2. TITELVOORWAARDES

Die erwe hieronder genoem sal onderworpe wees aan die voorwaardes soos aangedui, opgele deur die Raad ingevolge die bepalings van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986.

### (1) ALLE ERWE

- (a) Die erf is geregtig op 'n serwituut van 2 meter breed vir riolerings- en ander munisipale doeleindes, ten gunste van die Raad langs enige twee grense, uitgesonderd 'n straatgrens en, in die geval van 'n pypsteelerf, 'n addisionele serwituut vir munisipale doeleindes 2 meter breed oor die toegangsgedeelte van die erf, indien en wanneer verlang deur die Raad : Met dien verstande dat die Raad van enige sodanige serwituut mag afsien.
- (b) Geen geboue of ander struktuur mag binne die voornoemde serwituutgebied opgerig word nie en geen grootwortelbome mag binne die gebied van sodanige serwituut of binne 'n afstand van 2 meter daarvan geplant word nie.
- (c) Die Raad is geregtig om enige materiaal wat deur hom uitgegrawe word tydens die aanleg, onderhoud of verwydering van sodanige rioolhoofpyleidings en ander werke wat hy volgens goeiddunke noodsaaklik ag, tydelik te plaas op die grond wat aan die voornoemde serwituut grens en is voorts geregtig tot redelike toegang tot genoemde grond vir die voornoemde doel, onderworpe daaraan dat die Raad enige skade vergoed wat gedurende die aanleg onderhoud of verwydering van sodanige rioolhoofpyleidings en ander werke veroorsaak word.

### (2) ERF 285

Die erf is onderworpe aan n Reg-van-weg serwituut ten gunste van en bevrediging van die Raad.

### (3) ERF 258

Die erf is onderworpe aan n 20m Reg-van-weg serwituut ten gunste van die Raad.

### (4) ERF 288

Die erf is onderworpe aan n Elektriese serwituut, soos aangedui op die Algemene Plan.

### (5) ERF 287

Die erf is onderworpe aan n Riol serwituut, soos aangedui op die Algemene Plan.

**Uitvoerende Direkteur: Ontwikkelings, Beplanning, Vervoer en Omgewing**

Notice No. /2005

