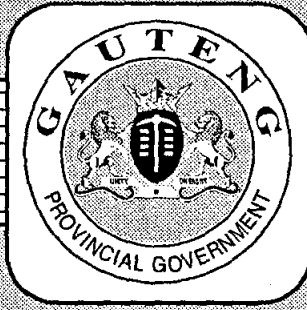


**THE PROVINCE OF  
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**Provincial Gazette Extraordinary  
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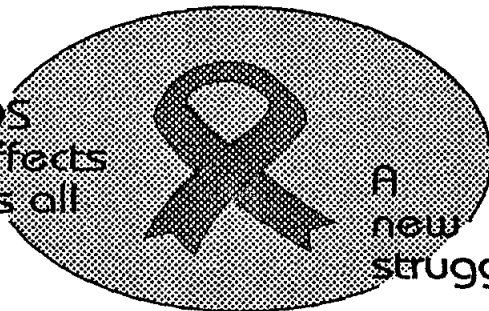
Vol. 11

PRETORIA, 13 DECEMBER 2005  
DESEMBER

No. 534

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AIDS  
affects  
us all



A  
new  
struggle

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## LOCAL AUTHORITY NOTICES

### LOCAL AUTHORITY NOTICE 3205

#### CITY OF JOHANNESBURG AMENDMENT SCHEME 03-2237

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 Peri-Urban Areas Town Planning Scheme, 1975, comprising the same land, as included in the Township of **KENGIES EXTENSION 14**.

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 Peri-Urban Areas Town Planning Scheme, 1975, Amendment Scheme No.03-2237.

**Executive Director: Development Planning  
Transportation and Environment**  
Notice No. 1231

### PLAASLIKE BESTUURSKENNISGEWING 3205

#### STAD VAN JOHANNESBURG WYSIGINGSKEMA 03-2237

Die Stadsraad verklaar hiermee ingevolge die bepaling van artikel 125 van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986, dat dit 'n wysigingskema synde 'n wysiging van die Buitestedelike Gebiede Dorpsbeplanningskema, 1975, bestaande uit dieselfde grond as die dorp **KENGIES UITBREIDING 14**, goedgekeur het.

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

Hierdie wysigingskema staan bekend as Buitestedelike Gebiede Dorpsbeplanningskema, 1975, Wysigingskema No. 03-2237.

**Uitvoerende Direkteur: Ontwikkelings  
Beplanning, Vervoer en Omgewing**  
Kennisgewing No. 1231

### LOCAL AUTHORITY NOTICE 3206

#### 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 **KENGIES EXTENSION 14** to be an approved township subject to the conditions set out in the Schedule hereto.

#### SCHEDULE

**CONDITIONS UNDER WHICH THE APPLICATION MADE BY KENGIES EXTENSION 14 (PTY) LTD (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 436 OF THE FARM ZEVENFONTEIN 407 JR, PROVINCE OF GAUTENG, HAS BEEN GRANTED.**

#### 1. CONDITIONS OF ESTABLISHMENT

- (1) NAME  
The name of the township shall be **KENGIES EXTENSION 14**.

- (2) **DESIGN**  
The township shall consist of erven and streets, as indicated on General Plan SG No. 4595/2005.
- (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 Eskom / City Power.
- (4) **OBLIGATIONS IN RESPECT OF SERVICES AND LIMITATIONS IN RESPECT OF THE ALIENATION OF ERVEN**  
The township owner shall, in terms of a prior agreement with the Council, fulfill its obligations with regard to the provision of engineering services in and for the township in terms of Chapter 5 of the Ordinance.

In terms of the Town Planning and Township's Ordinance, 15 of 1986, a contribution towards the provision of external engineering services and bulk sewer shall be payable.

No erven may be alienated or transferred in the name of a purchaser prior to the Council having confirmed that sufficient guarantees/cash contributions have been furnished in respect of the provision of services by the township owner to the Council.

- (5) **REMOVAL OR 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 CONDITION OF TITLE**  
All erven shall be made subject to existing conditions and servitudes, if any, including the reservation of rights to minerals.
- (7) **FORMATION AND DUTIES OF SECTION 21 COMPANY OR SIMILAR LEGAL ENTITIES**  
The applicant shall properly and legally constitute a Residents Association 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)**
- (a) The access erf (Erf 243) and private open space erf (Erf 169) shall be registered in the name of the Resident's Association and said road portion and private open space may not be sold or in any way disposed of without prior written consent of the Council.
  - (b) Each and every owner of Erven 155 to 168 and 170 to 242 shall become a member of the Residents Association upon transfer of the erf.
  - (c) 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.
  - (d) 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.
  - (e) A servitude for municipal purposes shall be registered over Erf 169 and Erf 243 in favour of, and to the satisfaction of, the Council.
  - (f) Access from Erven 155 to 168 and 170 to 242 to a public road shall be across Erf 243.
  - (g) The Council shall have unrestricted access to Erf 169 and Erf 243 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) ERVEN 206, 233 and 237

The erven are subject to a 2m wide sewer servitude in favour of the Council as indicated on the General Plan.

**Executive Director: Development Planning  
Transportation and Environment  
Notice No. 1232**

**PLAASLIKE BESTUURSKENNISGEWING 3206**

**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 METROPOLITAANSE MUNISIPALITEIT hiermee die dorp **KENGIES UITBREIDING 14** tot 'n goedgekeurde dorp onderworpe aan die voorwaardes uiteengesit in die bygaande Bylae.

**BYLAE**

**VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR KENGIES EXTENSION 14 (EDMS) BPK (HIERNA DIE APPLIKANT GENOEM) INGEVOLGE DIE BEPALINGS VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986, (ORDONNANSIE NO 15 VAN 1986) OM TOESTEMMING OM 'N DORP TE STIG OP GEDEELTE 436 VAN DIE PLAAS ZEVENFONTEIN 407 JR, PROVINSIE GAUTENG, TOEGESTAAN IS.**

**1. STIGTINGSVOORWAARDES**

- (1) NAAM  
Die naam van die dorp sal wees **KENGIES UITBREIDING 14**.
- (2) ONTWERP  
Die dorp sal bestaan uit erwe en strate soos aangedui op Algemene Plan SG 4595/2005.
- (3) VOORSIENING EN INSTALLERING VAN INGENIEURSDIENSTE  
Die dorpseienaar sal ingenieursdienste voorsien in die dorp, onderhewig aan die goedkeuring van die Stadsraad en/of Eskom / City Power.
- (4) VERPLIGTINGE TEN OPSIGTE VAN DIENSTE EN BEPERKINGE TEN OPSIGTE VAN DIE VERVREEMDING VAN ERWE  
Die dorpseienaars sal, in terme van 'n vooraf ooreengekome ooreenkoms met die Stadsraad, sy verpligtinge nakom rakende die voorsiening van ingenieursdienste in en aan die dorp, in terme van Hoofstuk 5 van die Ordonnansie.

In terme van die Ordonnansie op Dorpsbeplanning en Dorpe, 15 van 1986, sal bydraes tot die voorsiening van eksterne ingenieursdienste en grootmaat riool betaalbaar wees.

Geen erwe mag vervreem of oorgedra word in die naam van 'n koper alvorens die Stadsraad bevestig het dat voldoende waarborge/ kontantbydraes ten opsigte van die voorsiening van dienste deur die dorpseienaar aan die Stadsraad gelewer is.

- (5) **VERWYDERING EN VERVANGING VAN MUNISIPALE DIENSTE**  
Indien dit as gevolg van die stigting van die dorp nodig word om enige bestaande munisipale dienste te verwyder of te vervang moet die koste daarvan deur die dorpseienaars gedra word.
- (6) **BESKIKKING OOR BESTAANDE TITELVOORWAARDES**  
Alle erwe moet onderworpe gemaak word aan bestaande voorwaardes en serwitute, as daar is, met inbegrip van die regte op minerale.
- (7) **SAMESTELLING EN PLIGTE VAN ARTIKEL 21 MAATSKAPPY OF SOORTGELYKE REGS ENTITEITE**  
Die applikant sal 'n Inwoners Vereniging, behoorlik en wettiglik saamstel tot bevrediging van die Stadsraad, voor die verkoop van die eerste erf. (**Hierdie Vereniging mag nie de-registreer sonder die toestemming van die Stadsraad nie.**)
- (a) Die toegangserf (Erf 243) en die "Privaat Oop Ruimte erf" (Erf 169) sal in die naam van die Inwoners Vereniging geregistreer word en **die gemelde padgedeelte en privaat oop ruimtes mag nie verkoop of op enige wyse vervreem word, sonder die vooraf geskrewe toestemming van die Stadsraad nie.**
- (b) Iedere en elke eienaar van Erwe 155 tot 168 en Erwe 170 tot 242, sal 'n lid van die Inwoners Vereniging word met oordrag van die erf.
- (c) Die Inwoners Vereniging sal volle wettike mag hê om van een en elke lid die kostes te verhaal wat nodig is om sy werk te verrig en sal regtens gemagtig wees om sodanige fooie in te vorder in die geval van wanbetaling deur enige lid.
- (d) Die Stadsraad kan nie aanspreeklik gehou word vir enige defekte in die oppervlak van die toegangserf en/of die stormwater dreinerings-stelsel en/of enige noodsaaklike dienste nie, met die uitsondering van die rioleringsstelsel.
- (e) 'n Serwituut vir munisipale doeleindes sal geregistreer word oor Erf 169 en Erf 243 ten gunste van, en tot bevrediging van die Stadsraad.
- (f) Toegang van Erwe 155 tot 168 en 170 tot 242 tot 'n openbare pad sal wees oor Erf 243.
- (g) Die Stadsraad sal te alle tye onverhinderde toegang hê tot Erf 169 en Erf 243.

## 2. TITELVOORWAARDES

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

- (1) **ALLE ERWE**
- (a) Die erf is onderworpe aan '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 goeie denke 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) **ERWE 206, 233 en 237**  
Die erwe is onderworpe aan 'n 2 meter wye rioolserwituut ten gunste van die Stadsraad soos aangedui op die Algemene Plan.

**Uitvoerende Direkteur: Ontwikkelings Beplanning,  
Vervoer en Omgewing  
Kennisgewing No. 1232**

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**HENNIE MALAN**

Director: Financial Management  
Office of the Premier (Gauteng)

