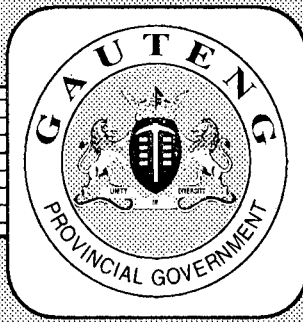


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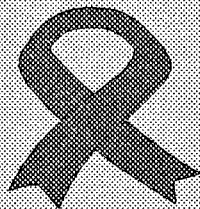
Vol. 9

PRETORIA, 17 NOVEMBER 2003

No. 497

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LOCAL AUTHORITY NOTICES

LOCAL AUTHORITY NOTICE 2434

STAD TSHWANE METROPOLITAANSE MUNISIPALITEIT

PRETORIA WYSIGINGSKEMA 9441

Hiermee 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 Metropolitaanse Munisipaliteit 'n wysigingskema met betrekking tot die grond in die dorp Moreletapark Uitbreiding 76, synde 'n wysiging van die Pretoria-dorpsbeplanningskema, 1974, goedgekeur het.

Kaart 3 en die skemaklousules van hierdie wysigingskema word deur die Waarnemende Hoofbestuurder: Regsdienste, in bewaring gehou en lê gedurende gewone kantoorure ter insae.

Hierdie wysiging staan bekend as Pretoria-wysigingskema 9441.

(K13/2/Moreletapark x76 (9441))

Waarnemende Hoofbestuurder: Regsdienste
(Kennisgewing No 823/2003)

PLAASLIKE BESTUURSKENNISGEWING 2434

CITY OF TSHWANE METROPOLITAN MUNICIPALITY

PRETORIA AMENDMENT SCHEME 9441

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 Metropolitan Municipality has approved an amendment scheme with regard to the land in the township of Moreletapark Extension 76, being an amendment of the Pretoria Town-planning Scheme, 1974.

Map 3 and the scheme clauses of this amendment scheme are filed with the Acting General Manager: Legal Services, and are open to inspection during normal office hours.

This amendment is known as Pretoria Amendment Scheme 9441.

(K13/2/Moreletapark x76 (9441))

Acting General Manager: Legal Services
(Notice No 823/2003)

LOCAL AUTHORITY NOTICE 2435**CITY OF TSHWANE METROPOLITAN MUNICIPALITY****DECLARATION OF MORELETAPARK EXTENSION 76 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 Metropolitan Municipality hereby declares the Township of Moreletapark Extension 76 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(K13/2/Moreletapark x76 (9441))

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY FORUM SA TRADING 284 (PTY) LIMITED IN TERMS OF THE PROVISIONS OF PART C OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE NO 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 577 OF THE FARM GARSTFONTEIN 374 JR, PROVINCE OF GAUTENG, HAS BEEN GRANTED.

1. CONDITIONS OF ESTABLISHMENT**1.1 NAME**

The name of the township shall be Moreletapark Extension 76.

1.2 DESIGN

The township shall consist of erven, parks and streets as indicated on General Plan SG No 8726/2002.

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 -

a) the following servitudes which do not affect the township;

1. "By Notarial Deed No. K255/1975S dated 23 October 1974 the within mentioned property is subject to a servitude of aquaduct by reasons of a pipeline 6 meters wide as indicated by the letters ABC on the annexed diagram No. A 5808/71 in favour of the City of Tshwane Metropolitan Municipality as will more fully appear from reference to the said Notarial Deed, a copy whereof is herewith annexed"; and
2. "By notarial Deed No K853/1976S dated 26 February 1976 the within mentioned property is subject to a pipeline servitude 12 and 1 metre wide in favour of the City of Tshwane Metropolitan Municipality as shown on diagram L.G. A6181/74 annexed thereto and as will more fully appear from reference to the said Notarial Deed, a copy whereof is hereinto annexed"; and
3. "Kragtens Notariële Akte van serwituut K5845/93S gedateer 2 September 1993, word 'n ewigdurende serwituut aan die Stad Tshwane Metropolitaanse Munisipaliteit verleen om op die binnegemelde elendom rioleringswerke aan te bring, te gebruik en in stand te hou binne 'n strook 3 meter breed aangedui deur die figuur ABCDEFA op kaart L.G. No. A1382/93 altesaam groot 408 m² soos meer volledig sal blyk uit gemelde Notariële Akte en kaart"; and
4. "By virtue of Deed of Transfer No. T27585/99 the within mentioned property is entitled to a perpetual water servitude over Erven 4481 and 4482, Moreletapark Extension 30 measuring 2769 m² and 2169 m² respectively of which the exact location is to be determined by agreement between the owners".

(b) Servitudes affecting the township:

1. "a servitude in favour of the City of Tshwane Metropolitan Municipality registered in terms of Notarial Deed of Servitude No K7965/1995S which effects Erven 7148 to and including Erf 7150, Erven 7154 to and including Erf 7162 and Erf 7178".
2. "n Serwituut vir rooaldoeleindes vir twee meter wyd, die middellyn waarvan aangedui word deur die lyn ABCDEFG en HJKLMNPQRSTUWV op kaart LG No A10054/1994 aangeheg by binne vermelde akte van sessie van serwituut."

1.4 ENDOWMENT

Payable to the City of Tshwane Metropolitan Municipality.

The township owner shall pay the City of Tshwane Metropolitan Municipality as endowment a total amount of R106 000,00 which amount shall be used by the City of Tshwane Metropolitan Municipality for the acquisition of land for park and/or public open space purposes.

The said endowment amount shall be payable in accordance with the provisions of section 81 of the Town-planning and Townships Ordinance, 1986 (Ordinance 15 of 1986).

1.5 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.

1.6 DEMOLITION OF BUILDINGS AND STRUCTURES

When required by the City of Tshwane Metropolitan Municipality to do so, the township owner shall at his own expense cause to be demolished to the satisfaction of the City of Tshwane Metropolitan Municipality all existing buildings and structures situated within building line reserves and side spaces or over common boundaries, or dilapidated structures.

1.7 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 City of Tshwane Metropolitan Municipality.

1.8 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.

1.9 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.

1.10 RESTRICTION ON THE ALIENATION OF LAND

Regardless of 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 conditions 1.11.1 to 1.11.5 and 1.12 inclusive below.

1.11 THE DEVELOPER'S OBLIGATIONS

1.11.1 ASSOCIATION AND STATUTES

The developer must register a section 21 company (homeowners' association) in terms of the provisions of the Companies Act, 1973 (Act 61 of 1973). A copy of the registered Deed of Association (CM4) and the Company's Statutes must be submitted to the City of Tshwane Metropolitan Municipality.

The Association and Statutes must clearly state that the main objective of the homeowners' association is the maintenance of the internal engineering services of the development (i.e. water, sewerage, electricity, the road and storm water sewers). The developer is deemed to be a member of the section 21 company, with all the rights and obligations of an ordinary member, until the last erf has been transferred.

1.11.2 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.

1.11.3 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 is certified that the internal engineering services have been completed and that the engineers accept liability for the services.

The 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 Municipality an undertaking that the developer will complete this service on or before a certain date and must provide the Municipality with a guarantee issued by a recognised financial institution.

No building plans will be approved before the services are completed and (if applicable) taken over by the divisions of the Service Delivery Department.

1.11.4 MAINTENANCE PERIOD AND GUARANTEE

A maintenance period of 12 (twelve) months commences when the last of the internal engineering services (i.e. water, sewerage, electricity, and the road and storm water sewers) have been completed. The developer must furnish the section 21 company with a maintenance guarantee, issued by a recognised financial institution, in respect of poor workmanship and/or materials with regard to the civil engineering services and the electricity service, which guarantee must be for an amount that is equal to 5% of the contract cost of the civil services and 10% of the contract cost of the electrical services, and proof of this must be submitted to the City of Tshwane Metropolitan Municipality.

1.11.5 APPROVAL OF BUILDING PLANS

No building plans will be approved before the services are completed and (if applicable) taken over by the divisions of the Service Delivery Department.

1.12 TRANSFER OF LAND TO THE SECTION 21 COMPANY (HOMEOWNERS' ASSOCIATION)

Erf 7178 shall be transferred to the homeowners' association (Section 21 Company) by and at the expense of the township owner prior to any other erf being transferred.

2. CONDITIONS OF TITLE

2.1 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):

2.1.1 ALL ERVEN

2.1.1.1 The erven shall be subject to a servitude, 2 metre wide, for municipal services (water, sewerage, 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, 2 metre 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.

2.1.1.2 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 metre from it.

2.1.1.3 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.

2.1.2 ERF 7117

2.1.2.1 The erf shall be subject to a servitude, 2 metres wide, for engineering services (stormwater) in favour of Section 21 Company as indicated on SG diagram 8271/2003.

2.1.2.2 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 metre there from.

2.1.3 ERF 7118

2.1.3.1 The erf shall be subject to a servitude, 2m wide, for engineering services (stormwater) in favour of the Section 21 Company as indicated on SG diagram 8272/2003.

2.1.3.2 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.

2.1.4 ERF 7127

2.1.4.1 The erf shall be subject to a servitude, 2m wide, for engineering services (stormwater) in favour of the Section 21 Company as indicated on SG diagram 8273/2003.

2.1.4.2 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.

2.1.5 ERF 7128

2.1.5.1 The erf shall be subject to a servitude, 2m wide, for engineering services (stormwater) in favour of the Section 21 Company as indicated on SG diagram 8274/2003.

2.1.5.2 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

2.1.6 ERF 7134

2.1.6.1 The erf shall be subject to a servitude, 3m wide, for municipal services (stormwater) in favour of the local authority as indicated on SG diagram 8275/2003.

2.1.6.2 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.

2.1.6.3 The 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 Tshwane Metropolitan Municipality shall be entitled to reasonable access to the said property for the aforesaid purpose, subject to the provision that the Tshwane Metropolitan Municipality shall make good any damage caused during the laying, maintenance or removal of such services and other works.

2.1.7 ERF 7138

The erf shall be subject to a servitude, 2 metres wide, for a water pipeline, in favour of the Wingate Park Country Club as indicated on the general plan.

2.1.8 ERF 7141

2.1.8.1 The erf shall be subject to a servitude, 2,5m and 4,0m wide, for municipal services (water) in favour of the local authority as indicated on the general plan.

2.1.8.2 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.

2.1.8.3 The 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 Tshwane Metropolitan Municipality shall be entitled to reasonable access to the said property for the aforesaid purpose, subject to the provision that the Tshwane Metropolitan Municipality shall make good any damage caused during the laying, maintenance or removal of such services and other works.

2.1.9 ERVEN 7142 AND 7144

2.1.9.1 The erven shall be subject to a servitude, 1,5m wide, for municipal services (water) in favour of the local authority as indicated on the general plan.

2.1.9.2 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.

2.1.9.3 The 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 Tshwane Metropolitan Municipality shall be entitled to reasonable access to the said property for the aforesaid purpose, subject to the provision that the Tshwane Metropolitan Municipality shall make good any damage caused during the laying, maintenance or removal of such services and other works.

2.1.10 ERF 7145

- 2.1.10.1**
- (i) The erf shall be subject to a servitude, 4m wide, for municipal services (water) in favour of the local authority as indicated on the general plan.
 - (ii) No buildings or other structures may be erected within the aforesaid servitude areas and no trees with large roots may be planted within the areas of such servitudes or within a distance of 2m from it.
 - (iii) The Tshwane Metropolitan Municipality shall be entitled to temporarily deposit on the land adjoining the aforesaid servitudes, 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 Tshwane Metropolitan Municipality shall be entitled to reasonable access to the said property for the aforesaid purpose, subject to the provision that the Tshwane Metropolitan Municipality shall make good any damage caused during the laying, maintenance or removal of such services and other works.

- 2.1.10.2**
- (i) The erf shall be subject to a servitude, 3m wide, for municipal services (stormwater) in favour of the local authority as indicated on the general plan.
 - (ii) No buildings or other structures may be erected within the aforesaid servitude areas and no trees with large roots may be planted within the areas of such servitudes or within a distance of 2m from it.
 - (iii) The Tshwane Metropolitan Municipality shall be entitled to temporarily deposit on the land adjoining the aforesaid servitudes, 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 Tshwane Metropolitan Municipality shall be entitled to reasonable access to the said property for the aforesaid purpose, subject to the provision that the Tshwane Metropolitan Municipality shall make good any damage caused during the laying, maintenance or removal of such services and other works.

- 2.1.10.3**
- (i) The erf shall be subject to a servitude, 1m wide, for engineering services (stormwater) in favour of the Section 21 Company as indicated on the general plan.
 - (ii) 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.

2.1.11 ERVEN 7146 UP TO AND INCLUDING ERF 7150 AND ERVEN 7154 UP TO AND INCLUDING ERF 7162

- 2.1.11.1**
- The erven shall be subject to a servitude, 1m wide, for engineering services (stormwater) in favour of the Section 21 Company as indicated on the general plan.

- 2.1.11.2**
- 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.

2.1.12 ERVEN 7169 AND 7170

- 2.1.12.1 The erven shall be subject to a servitude, 2m wide, for engineering services (sewer) in favour of the Section 21 Company as indicated on the general plan.
- 2.1.12.2 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.

2.1.13 ERF 7173

The erf shall be subject to a servitude for a borehole, a water pump as well as a pipeline, 2 metres wide, in favour of the Wingate Park Country Club as agreed upon.

2.1.14 ERF 7178

- 2.1.14.1 (i) The erf shall be subject to a servitude, 3m wide, for municipal services (stormwater) in favour of the local authority as indicated on SG diagram 8269/2003.
- (ii) 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.
- (iii) The 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 Tshwane Metropolitan Municipality shall be entitled to reasonable access to the said property for the aforesaid purpose, subject to the provision that the Tshwane Metropolitan Municipality shall make good any damage caused during the laying, maintenance or removal of such services and other works.
- 2.1.14.2 The erf shall be subject to a servitude, 2 metres wide, for a water pipeline, in favour of the Wingate Park Country Club as indicated on the general plan.
- 2.1.14.3 The erf is subject to a servitude of right of way and for engineering services in favour of Erven 7109 to 7177.

2.1.15 ERVEN 7109 TO 7177 INCLUSIVE

Upon transfer, the owner of the erf must automatically become a member of the section 21 company and remain a member until he or she ceases to be the registered owner of that erf, which condition must be included in the title deed of the portion.

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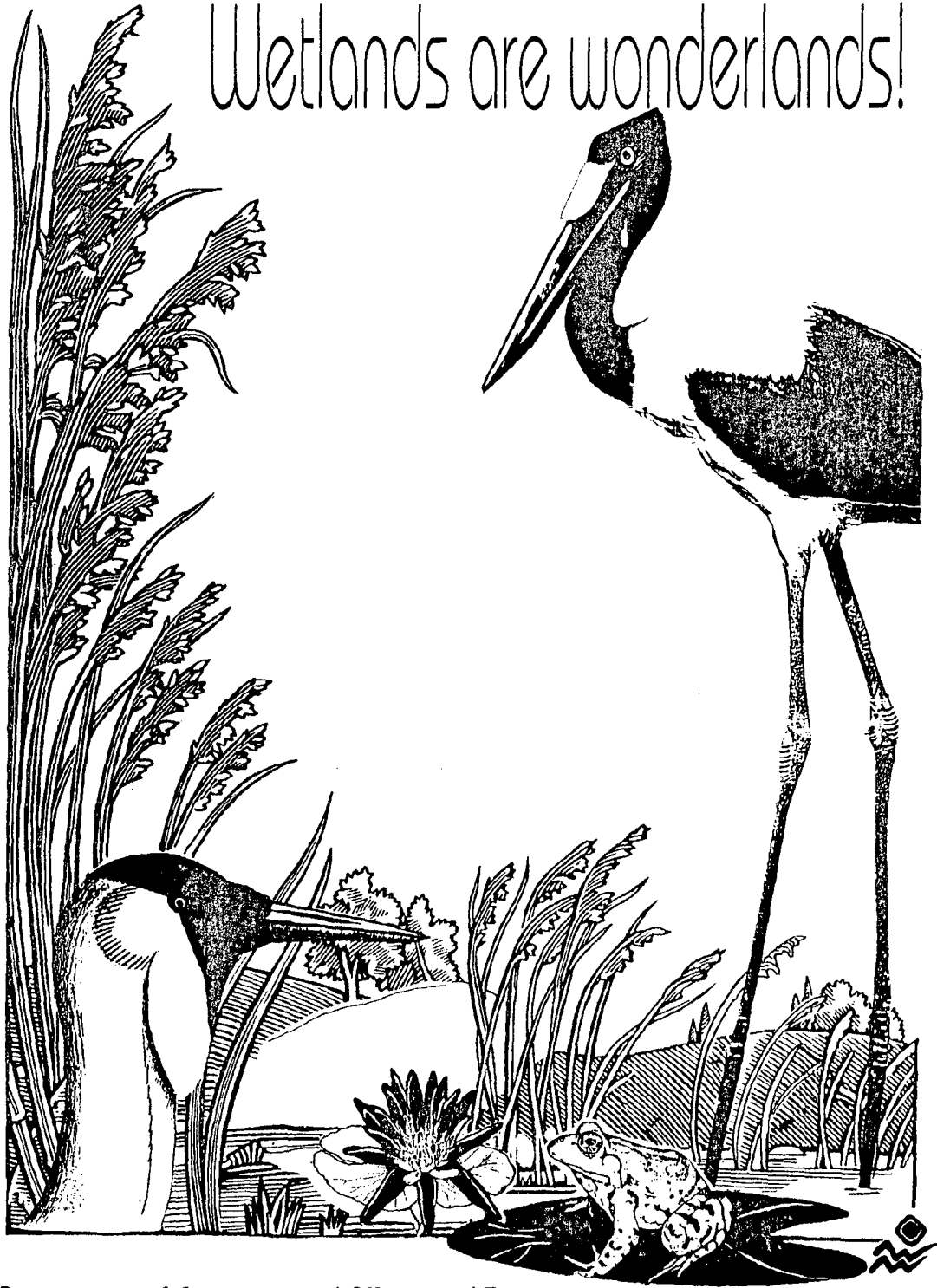
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