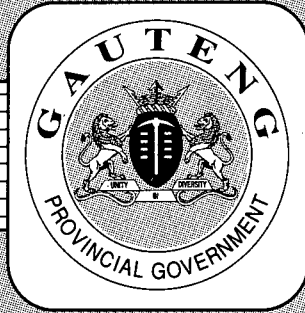


**THE PROVINCE OF  
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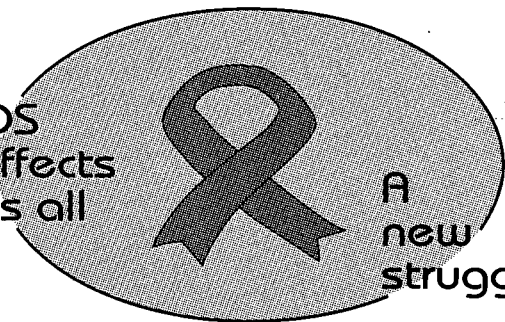
**Vol. 10**

**PRETORIA, 13 FEBRUARY 2004  
FEBRUARIE**

**No. 56**

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## LOCAL AUTHORITY NOTICES

### LOCAL AUTHORITY NOTICE 226

#### CITY OF TSHWANE METROPOLITAN MUNICIPALITY

#### DECLARATION OF MAGALIESKRUIN EXTENSION 60 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 Magalieskruin Extension 60 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(K13/2/Magalieskruin x60 (9431))

#### SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY OSTIPROP 1098 PTY LTD 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 415 (A PORTION OF PORTION 40) OF THE FARM HARTEBEESTFONTEIN 324JR, PROVINCE OF GAUTENG, HAS BEEN GRANTED.

#### 1. CONDITIONS OF ESTABLISHMENT

##### 1.1 NAME

The name of the township shall be Magalieskruin Extension 60.

##### 1.2 DESIGN

The township shall consist of erven, parks and streets as indicated on General Plan SG No 4293/2003.

##### 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 servitude of right of way as contained in paragraph C of Deed of Transfer No T32484/2000 which affect(s) the street in the township only;

"C. Gedeelte 10 van die plaas Hartebeestfontein Nr 324JR, distrik Pretoria en die Resterende gedeelte van Gedeelte E van die gemelde plaas (waarvan die hoewe hieronder getranspoteer 'n deel uitmaak) groot as sodanig 426,1381 hektaar, is wederkerig onderworpe aan en geregtig tot die reg-van-weg 12,59 meter wyd soos aangetoon op Kaart SG Nr A2596/1942, geheg aan Akte van Transport Nr 24553/1942, gedateer die 7de dag van Desember 1942."

##### 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 R37 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 Municipality certifies that the developer has complied with the provisions of condition 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 (ie water, sewerage, electricity, and the road and stormwater 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 Municipality complete engineering drawings in respect of internal sewers and sewer connection points and complete engineering drawings in respect of the internal road and stormwater 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 Municipality must be provided with a certificate by a Professional Engineer for water, sewerage, electricity, and the internal road and stormwater sewers, in which it 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 stormwater 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 recognized 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 (ie water, sewerage, electricity, and the road and stormwater sewers) have been completed. The developer must furnish the section 21 company with a maintenance guarantee, issued by a recognized financial institution, in respect of poor workmanship and/or materials with regard to the civil engineering services and the electricity services, 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 Municipality.

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

Erf 887, shall be transferred to the homeowners' association (Section 21 Company) by and at the expense of the township owner.

2. CONDITIONS OF TITLE

2.1 The erven mentioned below shall be subject to the conditions 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 WITH THE EXCEPTION OF ERF 887

2.1.1.1 The erf 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 Section 21 company, 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 Section 21 company.

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.

2.1.2 ERF 869

2.1.2.1 The erf shall be subject to a servitude, 2m wide, for engineering services (hereinafter referred to as "the service"), in favour of the Section 21 company, as indicated on the general plan.

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 887

The erf shall be subject to a servitude of right of way in favour of the Remainder of Portion 415 (a portion of Portion 40) of the farm Hartebeestfontein 324JR

**PLAASLIKE BESTUURSKENNISGEWING 226****STAD TSHWANE METROPOLITAANSE MUNISIPALITEIT****VERKLARING VAN MAGALIESKRUIN UITBREIDING 60 TOT GOEDGEKEURDE DORP**

Ingevolge artikel 103 van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie No 15 van 1986), verklaar die Stad Tshwane Metropolitaanse Munisipaliteit hierby die dorp Magalieskruin Uitbreiding 60 tot 'n goedgekeurde dorp, onderworpe aan die voorwaardes uiteengesit in die bygaande Bylae.

(K13/2/Magalieskruin x60 (9431))

**BYLAE**

STAAT VAN VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR OSTIPROP 1098 PTY LTD INGEVOLGE DIE BEPALINGS VAN DEEL C VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986 (ORDONNANSIE NO. 15 VAN 1986), OM TOESTEMMING OM 'N DORP OP GEDEELTE 415 ('N GEDEELTE VAN GEDEELTE 40) VAN DIE PLAAS HARTEBEESTFONTEIN 324 JR, GAUTENG, TE STIG, TOEGESTAAN IS.

**1. STIGTINGSVOORWAARDES****1.1 NAAM**

Die naam van die dorp is Magalieskruin Uitbreiding 60.

**1.2 ONTWERP**

Die dorp bestaan uit erwe, parke en strate soos aangedui op Algemene Plan LG No. 4293/2003.

**1.3 BESIKKING OOR BESTAANDE TITELVOORWAARDES**

Alle erwe moet onderworpe gemaak word aan bestaande voorwaardes en serwitute, as daar is, met inbegrip van die voorbehoud van die regte op minerale, maar uitgesonderd -

a) die serwituut van reg-van-weg soos vervat in paragraaf C van die Akte van Transport Nr T32484/2000 wat slegs die straat in die dorp raak:

"C. Gedeelte 10 van die plaas Hartebeestfontein Nr 324JR, distrik Pretoria en die Resterende gedeelte van Gedeelte E van die gemelde plaas (waarvan die hoewe hieronder getranspoteer 'n deel uitmaak) groot as sodanig 426,1381 hektaar, is wederkerig onderworpe aan en geregtig tot die reg-van-weg 12,59 meter wyd soos aangetoon op Kaart SG Nr A2596/1942, geheg aan Akte van Transport Nr 24553/1942, gedateer die 7de dag van Desember 1942."

**1.4 BEGIFTIGING**

Betaalbaar aan die Stad Tshwane Metropolitaanse Munisipaliteit.

Die dorpseienaar moet aan die Stad Tshwane Metropolitaanse Munisipaliteit, as begiftiging, 'n totale bedrag van R37 000,00 betaal, welke bedrag deur die Stad Tshwane Metropolitaanse Munisipaliteit aangewend moet word vir die verkryging van grond vir park- en/of openbare-oopruimtedoeleindes.

Die genoemde begiftigingsbedrag is betaalbaar kragtens die bepalings van artikel 81 van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986).

**1.5 VERSKUIWING EN/OF VERWYDERING 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 dorpseienaar gedra word.

**1.6 SLOPING VAN GEBOUE EN STRUKTURE**

Die dorpseienaar moet op eie koste alle bestaande geboue en strukture wat binne boulynreserwes en kantruimtes of oor gemeenskaplike grense gelê is, of bouvallige strukture laat sloop tot tevreidenheid van die Stad Tshwane Metropolitaanse Munisipaliteit wanneer die Stad Tshwane Metropolitaanse Munisipaliteit dit vereis.

**1.7 VERWYDERING VAN ROMMEL**

Die dorpseienaar moet op eie koste alle rommel binne die dorpsgebied laat verwyder tot tevreidenheid van die Stad Tshwane Metropolitaanse Munisipaliteit wanneer die Stad Tshwane Metropolitaanse Munisipaliteit dit vereis.

**1.8 VERSKUIWING EN/OF VERWYDERING VAN ESKOM KRAGLYNE**

Indien dit as gevolg van die stigting van die dorp nodig word om enige bestaande kraglyne van Eskom te verskuif, moet die koste daarvan deur die dorpseienaar gedra word.

**1.9 VERSKUIWING EN/OF VERWYDERING VAN TELKOM DIENSTE**

Indien dit as gevolg van die stigting van die dorp nodig word om enige bestaande dienste van TELKOM te verskuif en/of te verwyder, moet die koste daarvan deur die dorpseienaar gedra word.

**1.10 BEPERKING OP DIE VERVREEMDING VAN GROND**

Nieteenstaande die uitreiking van die Sertifikaat in terme van Aikel 82(1)(b)(ii)(cc) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986), mag geen erf in die dorp getranspoteer word of andersins mee gehandel word nie sonder dat die Munisipaliteit gesertifiseer het dat die ontwikkelaar voldoen het aan die bepalings van voorwaarde 1.12, soos hieronder uiteengesit.

**1.11 ONTWIKKELAAR SE VERPLIGTINGE**

**1.11.1 ASSOSIASIE EN STATUTE**

Die dorpseienaar moet 'n Artikel 21 Maatskappy (huiseienaarsvereniging) registreer in terme van die Maatskappywet, 1973 (Wet 61 van 1973). 'n Kopie van die geregistreerde Akte van Assosiasie (CM4) en die Maatskappy Statute moet ingedien word by die Stad Tshwane Metropolitaanse Munisipaliteit.

Assosiasie en Statute moet duidelik stipuleer dat die hoofdoelwit van die Huiseienaarsvereniging die instandhouding van die interne ingenieursdienste van die dorp is (bv water, riool, elektrisiteit, paaie en stormwater riolering). Die dorpseienaar moet 'n lid van die Artikel 21 Maatskappy wees, met alle regte en verpligte van 'n gewone lid tot en met die oordrag van die laaste erf.

**1.11.2 VOORSIENING VAN INGENIEURSTEKENINGE**

Die dorpseienaar moet volledige ingenieurstekening met betrekking tot die interne rioleringstelsel en rioolaansluitingspunte en volledige ingenieurstekeninge met betrekking tot die interne paaie en stormwaterriolering asook water en elektrisiteitsdienste by die Stad Tshwane Metropolitaanse Munisipaliteit indien alvorens konstruksie aan enige van die gemelde dienste begin mag word.

**1.11.3 VOORSIENING VAN 'N SERTIFIKAAT DEUR 'N PROFESSIONELE INGENIEUR**

'n Ingenieursertifikaat voorsien deur 'n Professionele Ingenieur moet by die Stad Tshwane Metropolitaanse Munisipaliteit ingehandig word alvorens enige van erwe oorgedra mag word, met betrekking tot water, riool, elektrisiteit en interne paaie en stormwaterriolering wat sertifiseer dat die interne ingenieursdienste voltooi is en dat die ingenieur verantwoordelikheid aanvaar vir alle dienste. Die Munisipaliteit mag op eie diskresie 'n uitsondering maak met betrekking tot interne paaie en stormwaterriolering. Indien laasgenoemde van toepassing is, moet die dorpseienaar aan die Munisipaliteit 'n onderneming gee dat die dienste voltooi sal wees teen 'n vasgestelde datum en moet die ontwikkelaar 'n waarborg dienooreenkomstig inhandig wat deur 'n erkende finansiële instelling uitgereik is.

Bouplanne sal nie goedgekeur word alvorens die dienste voltooi en deur die Dienste Departemente oorgeneem is nie (indien van toepassing).

#### 1.11.4 INSTANDHOUDINGSTERMYN EN WAARBORG

'n Twaalf (12) maande instandhoudingstermy n wat 'n aanvang neem met die voltooiing van die laaste interne ingenieursdienste (bv. water, riool, elektrisiteit en die paaie en stormwaterriolering) sal gehandhaaf word. Die dorpseienaar moet 'n instandhoudingswaarborg, uitgereik deur 'n erkende finansiële instelling, aan die Artikel 21 Maatskappy voorsien wat vakmanskap en/of materiale waarborg met betrekking tot siviele ingenieursdienste en elektrisiteitsdienste, welke waarborg moet gelykstaande wees aan 'n bedrag wat 5% van die kontrakkoste vir siviele dienste en 10 % van die kontrakkoste vir elektrisiteitsdienste omvang, bewys van die waarborg moet by die Stad Tshwane Metropolitaanse Munisipaliteit ingehandig word.

#### 1.12 OORDRAG VAN GROND NA DIE ARTIKEL 21 MAATSKAPPY (HUISEIENAARS-VERENIGING)

Erf 887 moet in die naam van 'n Artikel 21 Maatskappy geregistreer word en moet die koste daarvan deur die dorpseienaar gedra word.

## 2. TITELVOORWAARDES

2.1 Die erwe hieronder genoem, is onderworpe aan die voorwaardes soos aangedui, opgelê deur die Stad Tshwane Metropolitaanse Munisipaliteit ingevolge die bepalings van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986):

#### 2.1.1 ALLE ERWE MET UITSONDERING VAN ERF 887

2.1.1.1 Die erf is onderworpe aan 'n serwituut, 2 meter breed, vir munisipale dienste (water, riool, elektrisiteit, stormwater) (hierna "die dienste" genoem), ten gunste van die Artikel 21 Maatskappy, langs enige twee grense, uitsonderd '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 die Artikel 21 Maatskappy dit verlang.

2.1.1.2 Geen geboue of ander strukture 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.

#### 2.1.2 ERF 869

2.1.2.1 Die erf is onderworpe aan 'n serwituut, 2m breed, vir ingenieursdienste, ten gunste van die Artikel 21 Maatskappy, soos op die algemene plan aangedui.

2.1.2.2 Geen geboue of ander strukture mag binne die voornoemde serwituutgebied opgerig word nie en geen grootwortelbome mag binne die gebied van sodanige serwituut of binne 'n afstand van 2m daarvan geplant word nie.

#### 2.1.3 ERF 887

Die erf is onderworpe aan 'n serwituut van reg-van-weg, ten gunste van die Restant van Gedeelte 415 ('n gedeelte van Gedeelte 40) van die plaas Hartebestfontein 324 JR.



**LOCAL AUTHORITY NOTICE 227**

**CITY OF TSHWANE METROPOLITAN MUNICIPALITY**

**PRETORIA AMENDMENT SCHEME 9431**

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 Magalieskruin Extension 60, 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 9431.

(K13/2/Magalieskruin x60 (9431))

**Acting General Manager: Legal Services**  
(Notice No 269/2004)

**PLAASLIKE BESTUURSKENNISGEWING 227**

**STAD TSHWANE METROPOLITAANSE MUNISIPALITEIT**

**PRETORIA WYSIGINGSKEMA 9431**

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 Metropolitaanse Munisipaliteit 'n wysigingskema met betrekking tot die grond in die dorp Magalieskruin Uitbreiding 60, 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 9431.

(K13/2/Magalieskruin x60 (9431))

**Waarnemende Hoofbestuurder: Regsdienste**  
(Kennisgewing No 269/2004)

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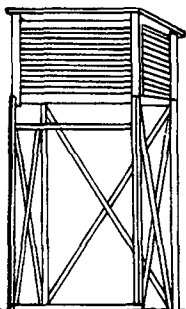
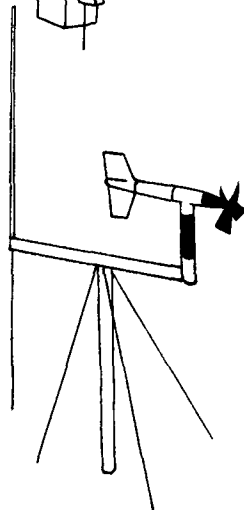
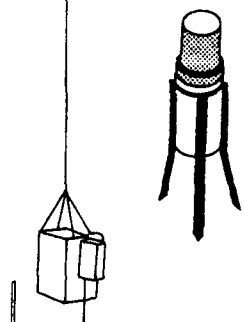
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Tel: (012) 321-8931

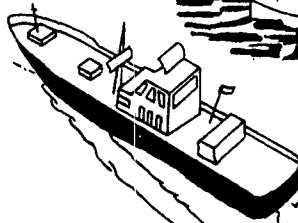
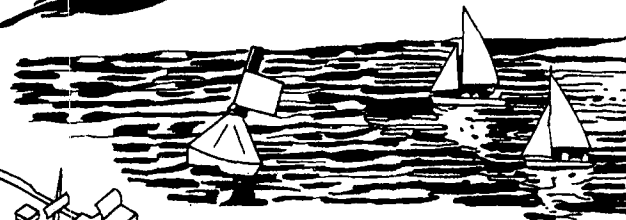
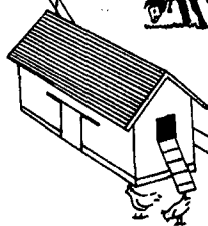
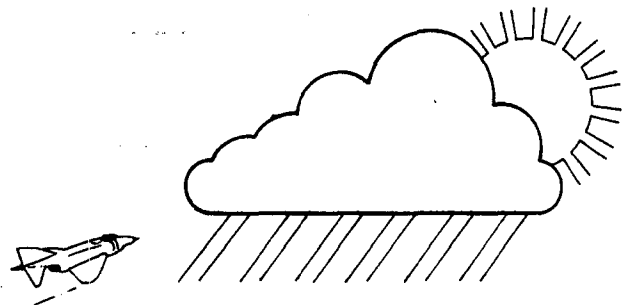
Fax: (012) 325-5984

E-mail: [infodesk@nlsa.ac.za](mailto:infodesk@nlsa.ac.za)

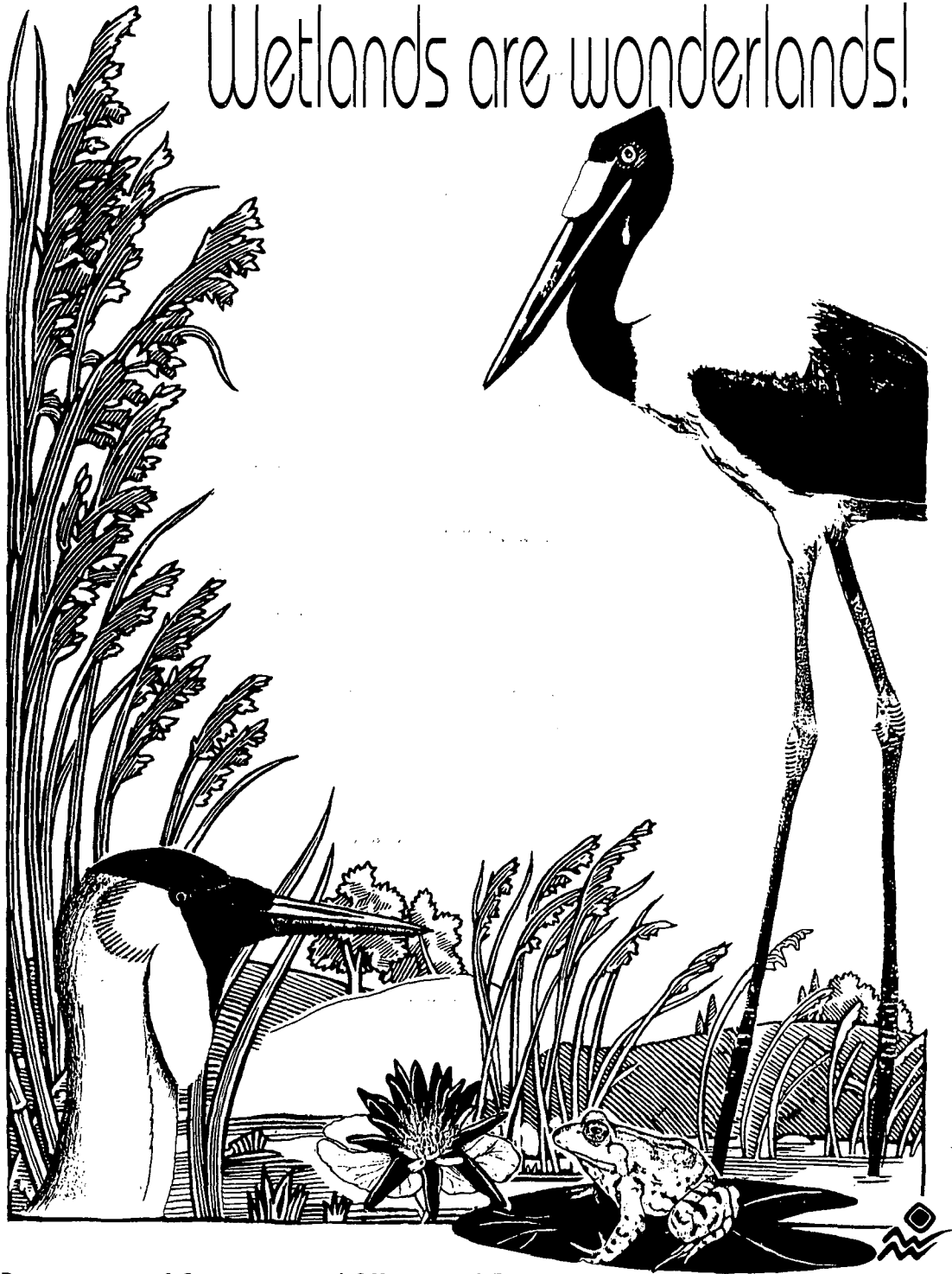
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