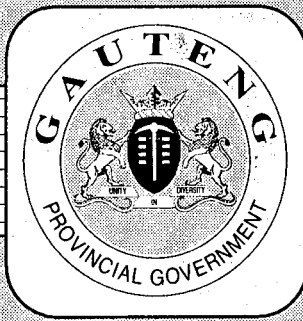


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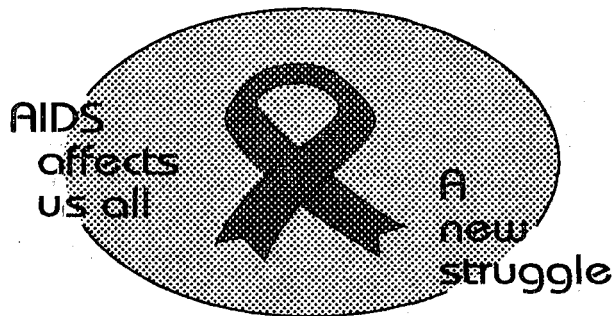
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**Vol. 11**

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## LOCAL AUTHORITY NOTICES

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### LOCAL AUTHORITY NOTICE 1944

#### AMENDMENT OF PROCLAMATION NOTICE NO 194 OF DECLARATION OF TOWNSHIP:      KINROSS EXTENSION 25

This is to confirm that the Proclamation Notice No 194, dated 11 May 2005 is hereby amended to read as follows:

The Local Authority i.e. Govan Mbeki Municipality hereby confirm that it has complied with Section 110 (1)(2) of the Town Planning and Township Ordinance (No 15 of 1986) and the Township Register was opened by the Deeds Registrar on 20/09/2004 in terms of registered No 7.04/11/1/1/2.

By virtue of the powers vested in the Local Authority in terms of Section 111(1) of the Town Planning and Townships Ordinance (No 15 of 1986) hereby declare the area represented by the General Plan S.G No A9331/2003 as approved by the Surveyor General on 28/11/2003 to be an approved township under the name Kinross Extension 25, subject to the Conditions as set out in the schedule hereto.

**LOCAL AUTHORITY NOTICE 1945**

**CONDITIONS OF ESTABLISHMENT  
DECLARATION AS AN APPROVED TOWNSHIP**

In terms of Section 111 of Chapter IV of the Town Planning and Townships Ordinance, 1986 (Ordinance No. 15 of 1986), the Highveld East Local Municipality hereby declares Kinross Extension 25 to be an approved township, subject to the conditions set out in the Schedule attached hereto:

**SCHEDULE**

**STATEMENT OF THE CONDITIONS UNDER WHICH THE APPLICATION MADE BY THE HIGHVELD EAST LOCAL MUNICIPALITY (HEREINAFTER REFERRED TO AS THE APPLICANT/ TOWNSHIP OWNER) UNDER THE PROVISIONS OF SECTION 111 AND CHAPTER IV OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE NO. 15 OF 1986) FOR PERMISSION TO ESTABLISH A TOWNSHIP ON A PORTION OF PORTION 7 OF THE FARM ZONDAGSKRAAL NO. 125-IS HAS BEEN APPROVED.**

**1. CONDITIONS TO BE COMPLIED WITH PRIOR TO THE APPROVAL OF THE GENERAL PLAN**

**(1) General**

- (a) The township applicant shall make the necessary arrangements to ensure that –
  - (i) the geotechnical zones have been shown on the layout plan and that the geotechnical engineer has certified on the plan that the layout of the township complies with the requirements and recommendations set out in the geotechnical report;
  - (ii) engineering services in or for the township can be provided; and
  - (iii) street names:-
    - (aa) will be allocated by the township applicant;
    - (bb) to be approved by the Local Authority once the General Plan is approved; and
    - (cc) to be shown on the General Plan, once approved by the Surveyor General.
- (b) The township applicant shall comply with the provisions of Section 72 of the Town Planning and Townships Ordinance, 1986 (Ordinance No. 15 of 1986).

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**2. CONDITIONS TO BE COMPLIED WITH PRIOR TO THE REGISTRATION OF THE TOWNSHIP****(1) Removal Of Existing Title Restrictions/ Obligations**

- (a) The township applicant shall at its own expense cause all title restrictions/ obligations that affect the proposed township adversely (if any), excluding those referred to in 5(9)(a)(i) to be altered, suspended or removed.

**(2) Mineral Rights**

The township applicant shall at its own expense cause all rights to minerals to be severed from the ownership of the land and to be reserved in a separate Certificate of Mineral Rights (if necessary).

**3. CONDITIONS OF TITLE****(1) Disposal of Existing of Conditions of Title**

All the erven shall be made subject to existing conditions and servitudes, if any, including the reservation of rights of minerals to minerals and real rights, but excluding-

- (a) the following servitude which does not affect the township area:  
"Onderhewig aan die reg van ESKOM om elektrisiteit oor die hierinvermelde eiendom to vervoer, tesame met bykomende regte, en onderworpe aan sodanige voorwaardes soos meer volledig sal blyk uit Notariële Akte van Servituut K2883/1997S"
- (b) the following servitude which affects Erven 5087 and 5088 and a street only:  
"Onderhewig aan die reg van die Elektriesiteitsvoorsienings kommissie om elektrisiteit oor die hierinvermelde eiendom te vervoer, tesame met bykomende regte, soos meer ten volle sal blyk uit Notariële Akte Nr 818/1963S gedateer 19 Augustus 1963"

**2. Conditions Imposed By The State President / Minister of Mineral And Energy Affairs  
By Virtue of Section 184 (2) Of The Mining Rights Act, 1967 (Act No 20 of 1967)**

All erven shall be subject to the following conditions:-

"As the erf forms part of the land which is or may be determined and liable to subsidence, settlement, shock and cracking due to mining operations past, present or future, the owner thereof accepts all liability for any damage thereto and to any structure thereon which may result from subsidence, settlement, shock or cracking."

**4. CONDITIONS TO BE COMPLIED WITH PRIOR TO THE TOWNSHIP BEING DECLARED AN APPROVED TOWNSHIP**

The township applicant shall make the necessary arrangements to ensure that-

- (1) Rand Water Board has approved the arrangements regarding the disposal of sewage, trade and domestic effluents in respect of the township.

**5. CONDITIONS OF ESTABLISHMENT****(1) Name**

The name of the township shall be Kinross Extension 25.

**(2) Layout/ Design**

The township shall consist of erven and streets as indicated on General Plan SG NO A9331/2003.

**(3) Access**

(a) Ingress to and egress from Kinross Ext. 25 to the township shall be restricted to the junction of the Provincial Road P5-1 on the 20m main road between erven 3670 and 4272 and shall comply with the requirements from Mpumalanga Department of Public Works, Roads & Transport.

**(4) Acceptance And Disposal Of Storm Water**

The township applicant shall arrange for the drainage of the township to fit in with that of Provincial Road P5-1 and for all stormwater running off or being diverted from the road to be received and dispersed of.

**(5) Removal, Repositioning, Modification Or Replacement Of Existing Post Office / Telkom Plant**

If, by reason of the establishment of the township, it should become necessary to remove, reposition, modify or replace any existing Post Office plant, the cost thereof shall be borne by the township applicant.

**(6) Removal, Repositioning, Modification Or Replacement Of Existing Eskom Power Lines**

If, by reason of the establishment of the township, it should become necessary to remove, reposition, modify or replace any existing Eskom Power Lines, the cost thereof shall be borne by the township applicant.

**(7) Restriction On Disposal Of Erf 4298**

The township applicant shall not offer for sale or alienate Erf 4298 within a period of 6 (six) months after Erf 4298 becomes registerable or approval/ exemption has been granted to any person or body other than the State, unless the Department of Education has indicated in writing that the Department does not wish to acquire the erf.

**(8) Lines Of No Access**

No direct access onto Road P5-1 from the following erven: 3633 to 3670, 4272 and 5077.

All other accesses must be properly closed by means of a fence or barrier that extends along the full road frontage of Road P5-1.

No level crossing is allowed across the railway line on the proposed 20m road, i.e. from east to west as appearing on the Layout Plan No. Kinross Ext. 25/2 until approval is first obtained from Spoornet.

**(9) Land Use Conditions**

**(a) Conditions Imposed By The Local Authority In Terms Of The Provisions Of The Town Planning And Townships Ordinance, 1986 (Ordinance No. 15 OF 1986)**

i. All erven, with the exception of erven 5068 to 5088 as mentioned in clause 5(1) shall be subject to the following conditions:

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The erven mentioned hereunder shall be subject to the conditions as indicated, imposed by the Local Authority in terms of the Town Planning and Townships Ordinance, 1986 (Ordinance No. 15 of 1986):

**1 All Erven**

- (aa) The use of the erf is as defined and subject to such conditions as are contained in the Land Use Conditions in Annexure F to the Township Establishment and Land Use Regulations, 1986, provided that on the date on which a town planning scheme relating to the erf comes into force, the rights and obligations contained in such scheme shall supersede those contained in the aforesaid Land Use Conditions.
- (bb) The use zone of the erf can on application be altered by the Local Authority on such terms as it may determine and subject to such conditions as it may impose.
- (cc) The erf lies in an area where soil conditions can affect buildings and structures and result in damage to them. Building plans submitted to the Local Authority must show measures to be taken, in accordance with the geotechnical report for the township to limit possible damage to buildings and structures as a result of the detrimental foundation conditions, unless it is proved to the local authority that such measures are unnecessary or that the same purpose can be achieved by other more effective means.

**2 Erven 3634 to 3669, 3671 to 3713, 3715 to 4065, 4067 to 4271, 4280 to 4297, 4299 to 4338, 4340 to 4353, 4355 to 4367, 4369 to 4440, 4442 to 4464, 4468 to 4603, 4605 to 4615, 4619 to 4622, 4624 to 5002 and 5004 - 5067**

The use zone of the erven shall be 'Residential 1'.

**3 Erf 3670 and 4279**

The use zone of the erf shall be 'Residential 2'.

**4 Erven 4273 to 4278**

The use zone of the erven shall be 'Commercial'.

**5 Erf 4272**

The use zone of the erf shall be 'Industrial' for use as a Public Garage.

**6 Erf 4354**

The use zone of the erf shall be 'Business 1'.

**7 Erf 4066**

The use zone of the erf shall be 'Business 1' for use as a Flea Market.

**8 Erf 4339**

The use zone of the erf shall be 'Institutional' for use as a Crèche.

**9 Erven 3714, 4604, 4623 and 5003**

The use zone of the erven shall be 'Institutional' for use as a Church.

**10 Erf 4368**

The use zone of the erf shall be 'Institutional' for use as a Community Facility.

**11 Erf 4298**

The use zone of the erf shall be 'Educational' for use as a Primary School.

**12 Erven 5068 to 5076 and 5078 to 5088**

The use zone of the erven shall be 'Public Open Space'.

**13 Erven 4616 to 4618, 4441 and 4465 to 4467**

The use zone of the erven shall be 'Undetermined'.

**14 Erf 5077**

The use zone of the erven shall be 'Public Open Space' for use as a Sportsfield/ Recreational Facility.

**15 Erf 3633**

The use zone of the erf shall be 'Municipal' for use as a Reservoir.

**16 Erven Subject To Special Conditions**

In addition to the relevant condition set out above, the under mentioned erven shall be subject to the conditions as indicated:

**(a) Erven 3633 to 3670, 4272 and 5077**

Buildings, including outbuildings, hereafter erected on the erven shall be located no less than 16 metres from the northern boundary thereof, abutting on Road P5-1.

**(b) Erven 3633, 3756 to 3762, 3804 to 3819, 3852 to 3859, 3862, 3863, 3866, 3867, 3869, 3888, 4937 to 4953, 4970 to 4980 and 5075**

Buildings, including outbuildings, hereafter erected on the erven shall be located no less than 8 metres from the southern and western boundaries thereof, abutting on the railway line on the west.

**(c) Conditions imposed by the Controlling Authority in terms of the Advertising on Roads and Ribbon Development Act, 1940 (Act No. 21 of 1940)**

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- (aa) Ingress to and egress from the township shall not be permitted along the boundary thereof abutting on Provincial Road P5-1 and Railway Line.

**6. OTHER CONDITIONS TO BE COMPLIED WITH**

**(1) Land For Public/ Municipal Purposes**

The following erven shall be transferred to the Local Authority by and at the expense of the township applicant:

- (a) Public Open Space: Erven 5068 to 5076 and 5077 to 5088

- (b) Municipal: Erf 3633

**(2) Installation And Provision Of Services**

The township applicant shall install and provide appropriate, affordable and upgradeable internal and external services in or for the township.

**7. CONDITIONS OF TITLE**

**(1) Disposal Of Existing Conditions Of Title**

All the erven shall be made subject to existing conditions and servitudes, if any, including the reservation of rights to minerals and real rights, but excluding –

- (a) The electrical servitude in favour of Notarial Deed No. K2883/1977, registered in terms of Notarial Deed of Servitude No. 818/1963, as indicated on Servitude Diagram No. A195/1958, which does not affect residential erven in the township, but affects erven 5087 and 5088 and 20m. street.

**(2) Conditions Imposed By The State President/ Minister Of Mineral And Energy Affairs By Virtue Of Section 184 (2) Of The Mining Rights Act, 1967 (Act No. 20 OF 1967)**

All erven shall be subject to the following condition:-

- a. 'As the erf forms part of land which is or may be determined and liable to subsidence, settlement, shock and cracking due to mining operations past, present or future, the owner thereof accepts all liability for any damage thereto and to any structure thereon which may result from such subsidence, settlement, shock or cracking.'

**8. CONDITIONS IMPOSED BY THE LOCAL AUTHORITY IN TERMS OF THE PROVISIONS OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE NO. 15 OF 1986)**

The erven mentioned hereunder shall be subject to the conditions as indicated, imposed by the Local Authority in terms of the provisions of the Town Planning and Townships Ordinance, 1986 (Ordinance No. 15 of 1986).

**(i) All Erven With The Exception Of Erven 5068 to 5088, 4616 to 4618, 4441 and 4465 to 4467**

- (a) The erf is subject to a servitude, 3 metre wide on streets and 2 metre wide at the back of erf and 1 metre wide along two sides of the boundary in favour of the Local Authority for sewerage and other municipal purposes and in the case of a panhandle erf, an additional servitude for municipal purposes across the access portion of the erf, if



and when required by the Local Authority, provided that the Local Authority may relax or grant exemption from the required servitudes.

- (b) No building or other structures shall be erected within the aforesaid servitude area and no large rooted trees shall be planted within the area of such servitude or within 1 metre thereof, with the exception of the street boundary.
- (c) The Local Authority 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 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 construction, maintenance or removal of such sewerage mains and other works being made good by the Local Authority.

**9. CONDITIONS IMPOSED BY DEPARTMENT OF AGRICULTURE, CONSERVATION AND ENVIRONMENT IN TERMS OF SECTION 33(1) OF THE ENVIRONMENT CONSERVATION ACT, 1989 (ACT 73 OF 1989)**

**(1) General Conditions**

- (i) Authorisation is only granted in terms of Section 22 (3) of the Environment Conservation Act, 1989 (Act 73 of 1989) and does not exempt the township applicant from compliance with any other relevant legislation.
- (ii) The Department may change, add or amend any of the conditions in this authorisation if, in the opinion of the Department, it is environmentally justified.

**(2) Construction and Operation**

- (i) If any changes need to be made to the site and or associated infrastructure, this Department must be informed 30 (thirty) days in advance to be able to decide whether the changes need authorisation.
- (ii) All recommendations contained in the geotechnical report, with regard to the necessary measures and precautions for building and foundations, must be adhered to.
- (iii) Provision should be made for a proper storm water control system throughout the development.
- (iv) No development of physical structures may take place in the 1:100 year floodline of the drainage system on site.
- (v) All the recommendations outlined in the Environmental Management Programme are binding and must be adhered to as part of this authorisation.
- (vi) The township applicant must notify the Department within 24 hours in the event of non-compliance with any of the conditions of the authorisation and/ or in the case of any event that results in negative environmental impacts.

**(3) Water Pollution**

- (i) Pollution of ground as well as surface water should be prevented as far as possible.

**(4) Waste**

- (i) Necessary measures must be put in place in order to ensure the removal of waste on a regular basis.

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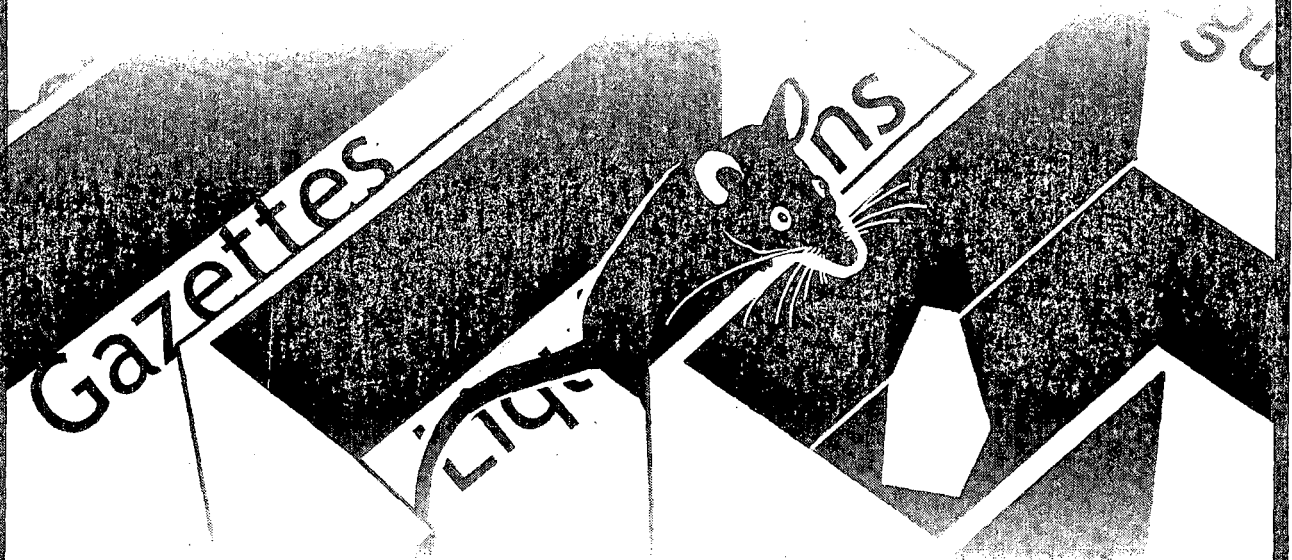


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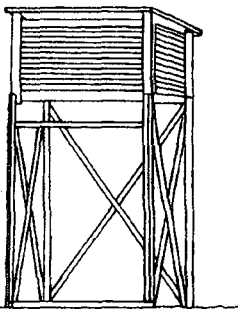
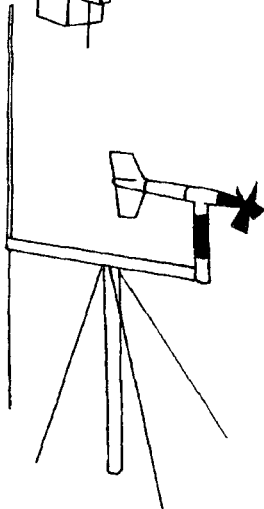
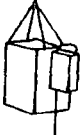
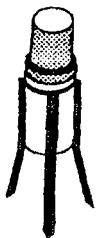
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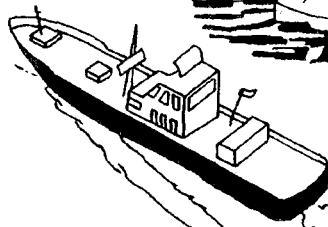
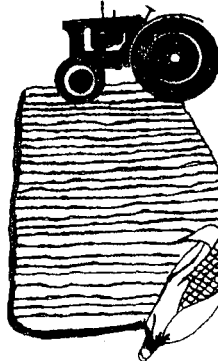
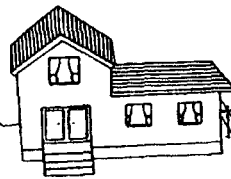
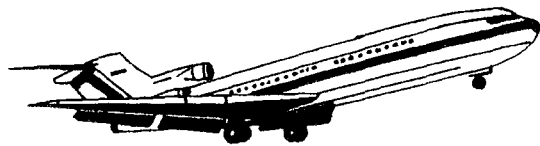
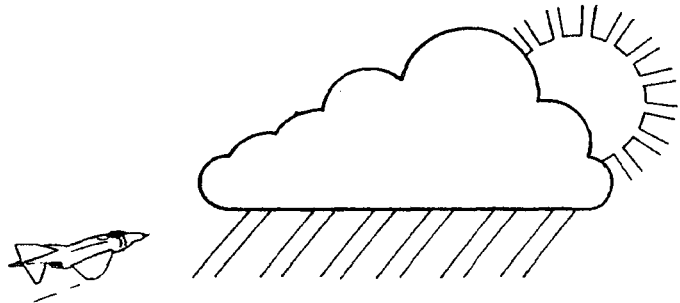
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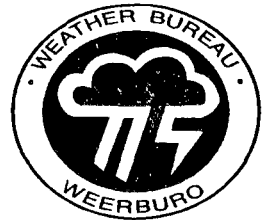


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