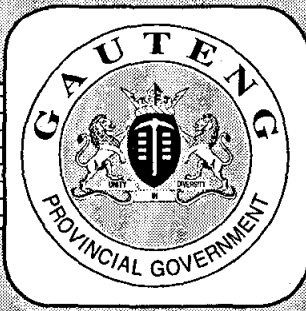


**THE PROVINCE OF  
GAUTENG**



**DIE PROVINSIE  
GAUTENG**

# Provincial Gazette Extraordinary Buitengewone Provinsiale Koerant

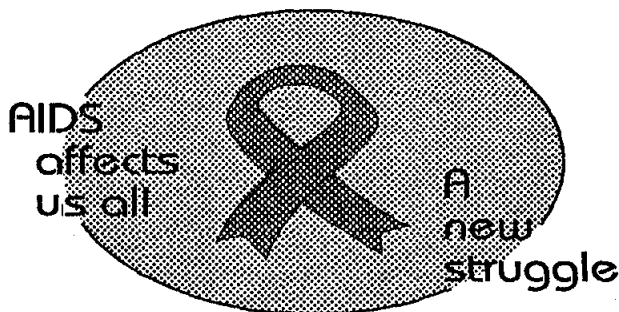
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Vol. 11

PRETORIA, 12 OCTOBER 2005  
OKTOBER

No. 429

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DEPARTMENT OF HEALTH



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with effect from **3 May 2005**.

For enquiries and information:

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

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## LOCAL AUTHORITY NOTICES

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### LOCAL AUTHORITY NOTICE 2471

### LOCAL AUTHORITY NOTICE 42 OF 2004

### EKURHULENI METROPOLITAN MUNICIPALITY

### KEMPTON PARK AMENDMENT SCHEME 1251

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 Ekurhuleni Metropolitan Municipality has approved an amendment scheme with regard to the land in the township of Glen Marais Extension 49 being an amendment of the Kempton Park Town-planning Scheme, 1974.

Map 3 and the scheme clause of this amendment scheme are available for inspection at all reasonable times at the offices of the Head of Department, Department Development Planning and Local Government, Gauteng Provincial Government, Johannesburg, as well as the Manager, Development Planning, 5<sup>th</sup> Level, Civil Centre, c/o C R Swart Drive and Pretoria Road, Kempton Park, Ekurhuleni Metropolitan Municipality (Kempton Park Customer Care Centre).

This amendment is known as Kempton Park Amendment Scheme 1251

GLEN MARAIS Extension 49) (1521)  
September 2005

Head: **Legal and Secretarial Services**  
(Notice No. 42/2004)

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### PLAASLIKE BESTUURSKENNISGEWING 2471

### PLAASLIKE BESTURKENNISGEWING 42 VAN 2004

### EKURHULENI METROPOLITAANSE MUNISIPALITEIT

### KEMPTON PARK WYSIGINGSKEMA 1251

Hierby word ingevolge die bepalings van artikel 125(1) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordoannansie 15 van 1986), bekend gemaak dat die Ekurhuleni Metropolitaanse Munisipaliteit 'n wysiging van die Kempton Park-dorpsbeplanningskema, 1974, goedgekeur het.

Kaart 3 en die skemaklousules van hierdie wysigingskema is beskikbaar vir inspeksie te alle redelike tye by die kantore van die Hoof van Departement, Departementbeplanning en Plaaslike Regering, Gauteng Provinsiale Regering, Johannesburg sowel as die Direkteur, Departementbeplanning, 5de Vloer, Siviele Sentrum, h/v C R Swartlaan en Pretoriaweg, Kempton Park, Ekurhuleni Metropolitaanse Munisipaliteit (Kempton Park Kliënte Dienssentrum).

Hierdie wysiging staan bekend as Kempton Park-wysigingskema 1251

GLEN MARAIS UITBREIDING 49\_ (1251)  
September 2005

Hoof: **Regs- en Sekretariële Dienste**  
(Kennissgewing No. 42/2004)

**LOCAL AUTHORITY NOTICE 2472**

**STATEMENT OF THE CONDITIONS UNDER WHICH THE APPLICATION MADE BY CONDERE INVESTMENTS 180 CC (HEREINAFTER REFERRED TO AS THE APPLICANT / TOWNSHIP OWNER) UNDER THE PROVISIONS OF PARTS A AND C OF CHAPTER 3 OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 254 (A PORTION OF PORTION 15) OF THE FARM RIETFONTEIN 31 REGISTRATION DIVISION I.R., PROVINCE OF GAUTENG HAS BEEN GRANTED**

**1. CONDITIONS TO BE COMPLIED WITH PRIOR TO THE DECLARATION OF THE TOWNSHIP AS AN APPROVED TOWNSHIP**

**(1) CANCELLATION OF EXISTING CONDITIONS OF TITLE**

The applicant shall at his own expense cause the following conditions and/or servitudes to be cancelled or the township area to be freed there from :

Conditions B(1), B(2), B(3), B(4), B(5), B(6), B(7) and C in Deed of Transfer T100087/2001.

*(Condition C of the deed of transfer refer to a pipeline servitude [93m<sup>2</sup> in extent] indicated by the figure ABCD on Diagram S.G. No. A3480/1990 annexed to Notarial Deed No. K3455/1991 S)*

**(2) MINERAL RIGHTS**

All rights to minerals and precious stones shall be reserved to the applicant.

**(3) INDICATION OF SERVITUDE**

(i) The applicant shall at his own expense indicate a servitude for municipal purposes in favour of the Local Authority over the whole of Erven 2748 and 2760 on the general plan.

(ii) The applicant shall at his own expense indicate right-of-way servitudes in favour of all the other erven over the whole of Erven 2748 and 2760 on the general plan.

(iii) The applicant shall at his own expense indicate all storm water servitudes in favour of the Local Authority on the general plan (storm water channel 4m wide and the storm water pipe 3m wide).

**(4) GENERAL**

The applicant shall satisfy the local authority that :

(i) the relevant amendment scheme is in order and can be published simultaneously with the declaration of the township as an approved township;

(ii) a street name has been approved by the local authority;

(iii) the holding on which the township is being established has been excised and the description of the property as farmland has been registered;

(iv) the proposed township is not affected by a 1:100 year floodline (a certificate by a competent engineer must be submitted);

(v) a site development plan for the development as a whole as indicated in clause 6 of the Kempton Park Town Planning Scheme, 1987 must be submitted to

- the local authority (the handling of storm water must also be indicated on the plan).
- (vi) the applicant shall comply with the provisions of sections 72 (General Plan), 75 (General Plan : Local Authority) and 101 (Township Register) of the Town Planning and Townships Ordinance 1986 (Ordinance 15 of 1986)

## 2. CONDITIONS OF ESTABLISHMENT

### (1) NAME

The name of the township shall be Glen Marais Extension 49.

### (2) DESIGN

The township shall consist of erven and streets as indicated on General Plan L.G. No. 1015/2004.

### (3) DISPOSAL OF EXISTING CONDITIONS OF TITLE

All erven shall be made subject to existing conditions and servitudes, if any, including the reservation of rights to minerals except the following condition that does not effect the township area:

The original remaining extent of Portion A of the said farm "Rietfontein" no. 31 District Benoni (formerly No. 286, District Pretoria) Division I.R., measuring as such 1205,8671 hectares (comprising of Portions "C" and "D" now forming portion of portion "G" of portion "A" of the said farm held under Certificate of Amended Title No 4882/1924. Portion "E" measuring 17,1306 hectares held under Deed of Transfer no 3159/1919 and the remaining extent measuring as such 236,6626 hectares, held under Deed of Transfer no 3708/17, of which the aforesaid holding is a portion, is entitled to one half of the water coming out of the fountain (running from three sources) situated near the western boundary line of that portion of the property held under the said Certificate of Amended Title no 4882/1924, indicated on the diagram annexed to the said Certificate of Amended Title by the figure a, F, b, G, e, o, p, u, t, O and close to the Kaffir Dam namely the dam from which a furrow is led to the Windmill and the right to lead the water aforesaid by means of pipes or a water furrow on to the said original remaining extent of Portion A, measuring as such 1205,8671 measuring as such (now comprised as aforesaid) with the further right of access to the fountain and pipes of furrow for the purpose of up-keep and repair.

### (4) PRECAUTIONARY MEASURES

The township owner shall at his own expense, make arrangements with the local authority in order to ensure that:

- (i) water will not dam up, that the entire surface of the township area is drained properly and that streets are sealed effectively with tar, cement or bitumen;

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- (ii) trenches and excavations for foundations, pipes, cables or for any other purposes, are properly refilled with damp soil in layers not thicker than 150mm, and compacted until the same grade of compaction as that of the surrounding material is obtained.
- (iii) the recommendations as laid down in the geological report / soil report of the township are complied with and, when required, engineer certificates for the foundations of the structures are submitted.

**(5) DEMOLITION OF BUILDINGS AND STRUCTURES**

The township owner shall at his own expense cause all existing buildings and structures situated within the building line reserves, side spaces or over common boundaries to be demolished to the satisfaction of the local authority, when required by the local authority to do so.

**(6) ACCEPTANCE AND DISPOSAL OF STORM WATER**

The township owner shall arrange for the drainage of the township to fit in with that of the existing and planned road and storm water infrastructure in the vicinity and for all storm water running off or diverted from the roads to be received and disposed of.

**(7) REMOVAL OF LITTER**

The township owner shall at his own expense cause all litter within the township area to be removed to the satisfaction of the local authority, when required by the local authority to do so.

**(8) REPOSITIONING OF SERVICES**

If, by reason of the establishment of the township, it should become necessary to reposition any existing services of ESCOM, Telkom or the local authority, the cost thereof shall be borne by the township owner.

**(9) ENGINEERING SERVICES**

- (i) The applicant shall be responsible for the installation and provision of internal engineering services.
- (ii) Once water, sewer and electrical networks have been installed, same will be transferred to the Metropolitan Municipality, free of cost, who shall maintain these networks (except internal street lights).
- (iii) The section 21 Company, will be responsible for the maintenance of the internal roads (including storm water) and the internal street lights (including electrical power usage). These services will not be taken over by the Local Authority.

**3. CONDITIONS OF TITLE**

All erven shall be subject to the following conditions, imposed by the local authority in terms of the provisions of the Townplanning and Townships Ordinance, 1986.

a) **All erven**

- (i) The erf is subject to a servitude, 2m wide, in favour of the local authority, 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 local authority : Provided that the local authority may dispence with any such servitude.
- (ii) 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.
- (iii) 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 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 local authority.
- (iv) Every owner of the erf, or of any subdivided portion thereof, or any person who has an interest therein shall become and shall remain a Member of the Home Owners' Association and be subject to its constitution until he/she ceases to be an owner of aforesaid. Neither the erf nor any subdivided portion thereof nor any interest therein shall be transferred to any person who has not bound himself/herself to the satisfaction of such Association to become a Member of the Home Owners' Association.
- (v) The owner of the erf or any subdivided portion thereof, or any person who has an interest therein, shall not be entitled to transfer the erf or any subdivided portion thereof or any interest therein without the Clearance Certificate from the Home Owners' Association that the provisions of the Articles of Association of the Home Owners' Association have been complied with.
- (vi) The term "Home Owners' Association" in the aforesaid conditions of Title shall mean the home owners association of Glen Marais Extension 49 ((an Association incorporated in terms of Section 21 of the Companies Act, 1973 (Act No. 61 of 1973) as amended)).

b) **Erven 2748 and 2760**

- (i) A servitude for municipal purposes in favour of the local authority, as indicated on the general plan to guarantee access to the local authorities personnel and vehicles in order to carry out repair and maintenance work to the water, sewer and electrical networks (excluding street lights) after they have been taken over by the local authority must be registered over the entire erf.
- (ii) The erf shall be registered in the name of an association incorporated in terms of Section 21 of the Companies Act, 1973 (Act No. 61 of 1973).
- (iii) A right-of-way servitude in favour of all the other erven in the township as indicated on the general plan must be registered over the entire erf to guarantee access to a public road to all the residents.

c) **Erven 2749 to 2752, 2760, 2761, 2733 and 2734**

A 3 metre wide servitude for storm water purposes in favour of the local authority and as indicated on the general plan must be registered over the erf or the relevant part thereof.

d) **Erven 2741, 2742, 2748 and 2760**

A 4 metre wide servitude for storm water purposes in favour of the local authority and as indicated on the general plan must be registered over the erf or the relevant part thereof.

4. **CONDITIONS TO BE INCORPORATED IN THE TOWN PLANNING SCHEME IN TERMS OF SECTION 125 OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986), IN ADDITION TO THE PROVISIONS OF THE TOWN PLANNING SCHEME IN OPERATION**

(1) **RESIDENTIAL 2 - USE ZONE 2**

**Erven 2733 to 2747 and 2749 to 2759**

- i) The erf shall be zoned "Residential 2" subject to Height Zone 9.
- ii) The height of the buildings will be restricted to two storeys.
- iii) The coverage on the erf will be restricted to 60%.
- iv) Building lines will be 5 metres from street boundaries and 2 metres from other boundaries.
- v) A detailed plan or report in respect of all the building structures signed by a professional engineer must be submitted to the local authority together with any building plans, if required by the local authority.
- vi) A certificate that is signed by a professional geological engineer to confirm that the buildings comply to the findings and recommendations of the geological report, must be submitted to the local authority together with any building plans, if required by the local authority.

(2) **SPECIAL - USE ZONE 9**

**Erven 2748 and 2760**

- (i) The erf shall be zoned "Special" for a private road.

(3) **PRIVATE OPEN SPACE - USE ZONE 22**

**Erf 2761**

- (ii) The erf shall be zoned "Private Open Space".
- (iii) No buildings may be erected on the erf.



**(4) ERVEN SUBJECT TO SPECIAL CONDITIONS**

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

**Erf 2745 to 2747, 2758, 2759 and 2761**

*Ingress to and egress from the erf shall not be permitted along the boundary thereof abutting on Koppie Road.*

**Erf 2745**

*Ingress to and egress from the erf shall not be permitted along the boundary thereof abutting on Tugela Street.*

2 July 2004

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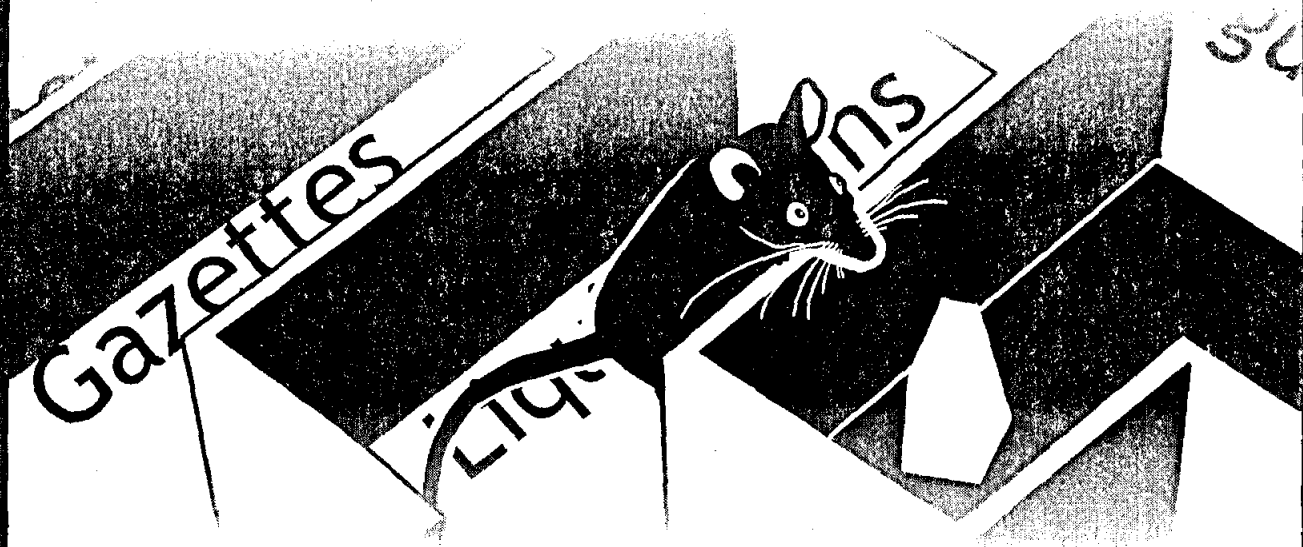
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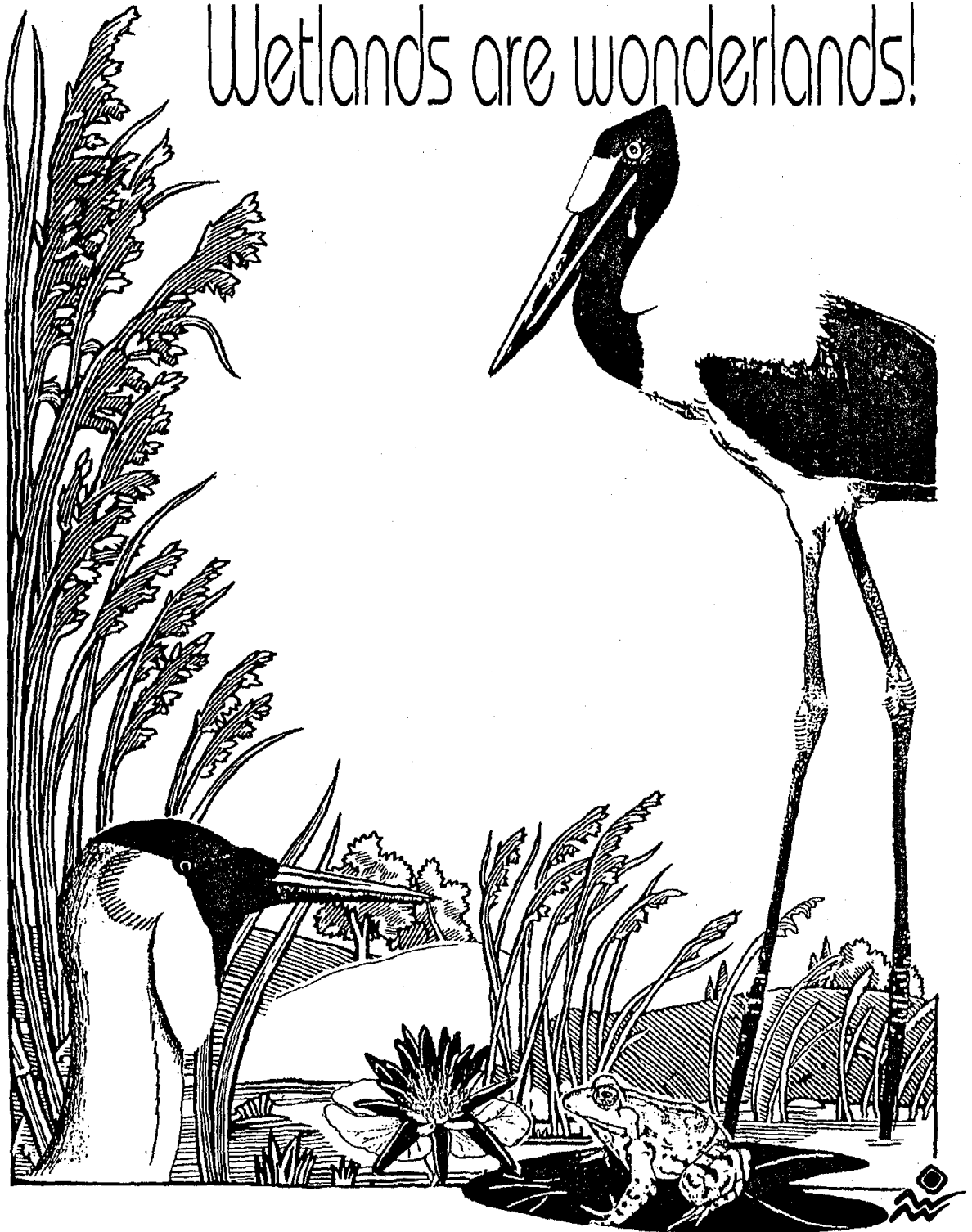
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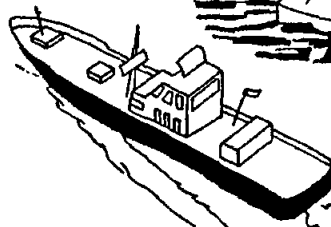
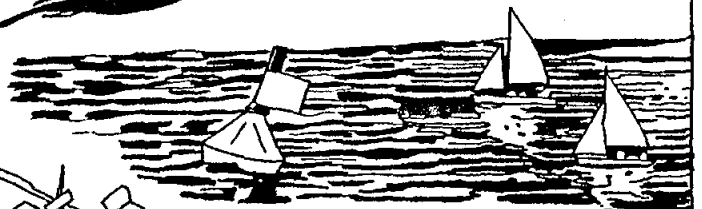
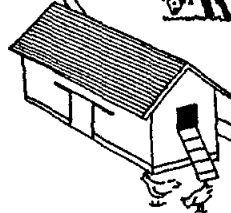
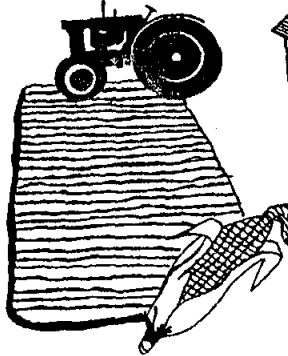
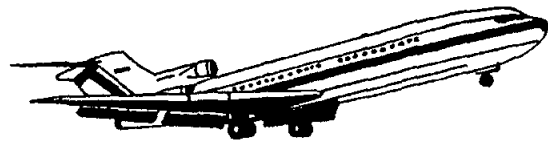
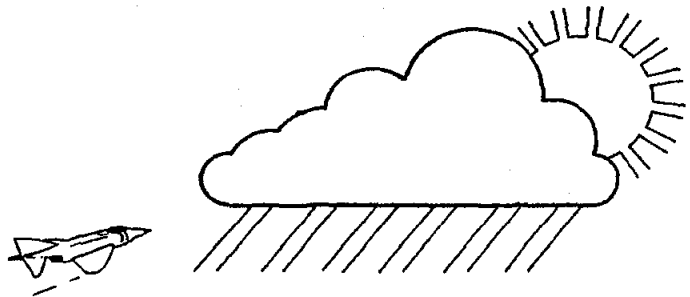
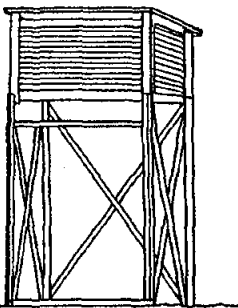
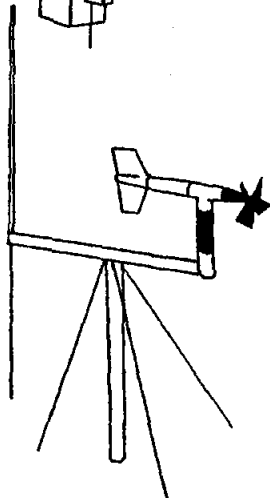
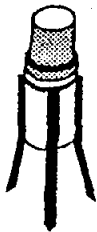
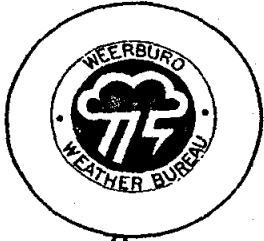
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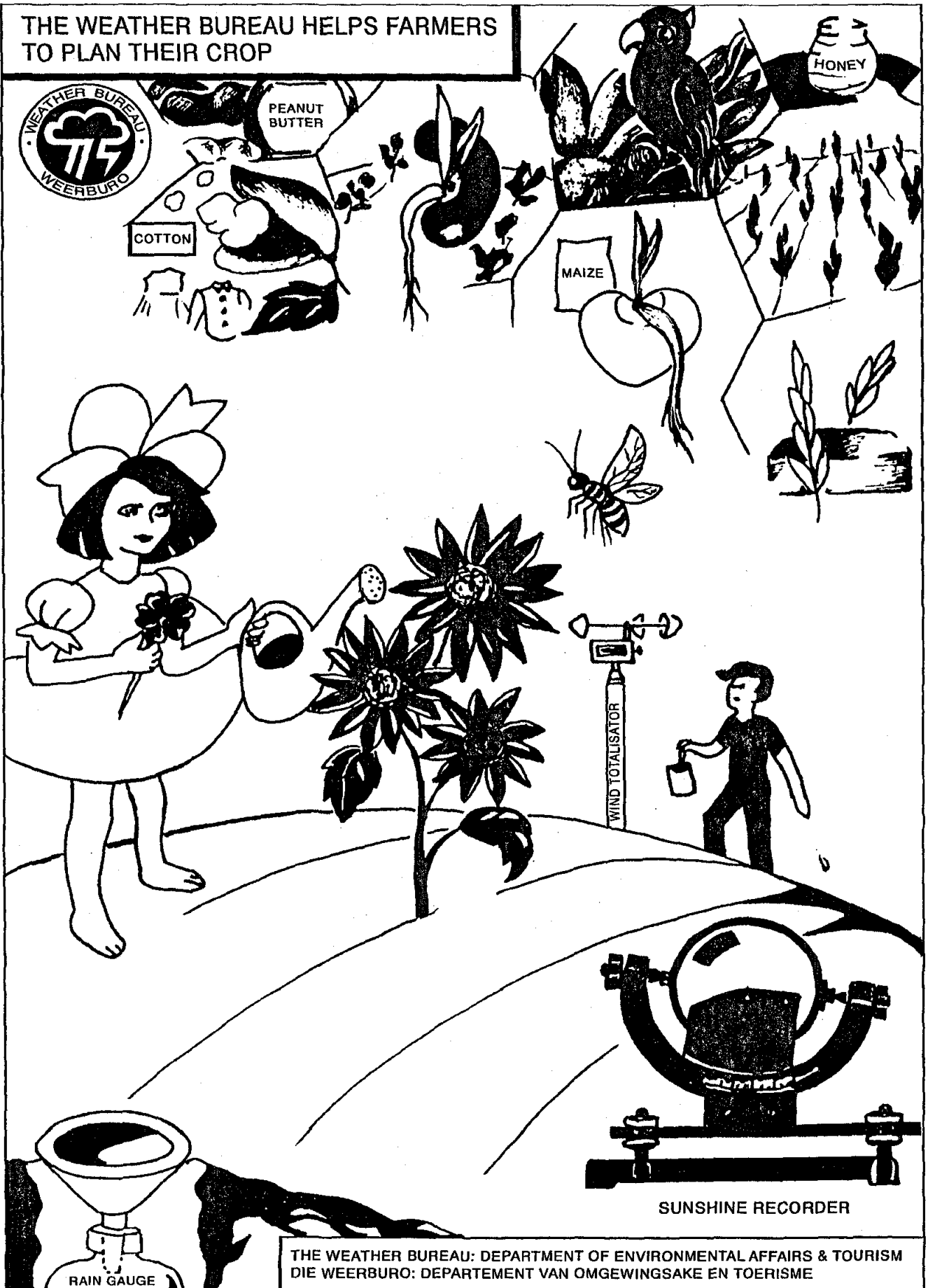
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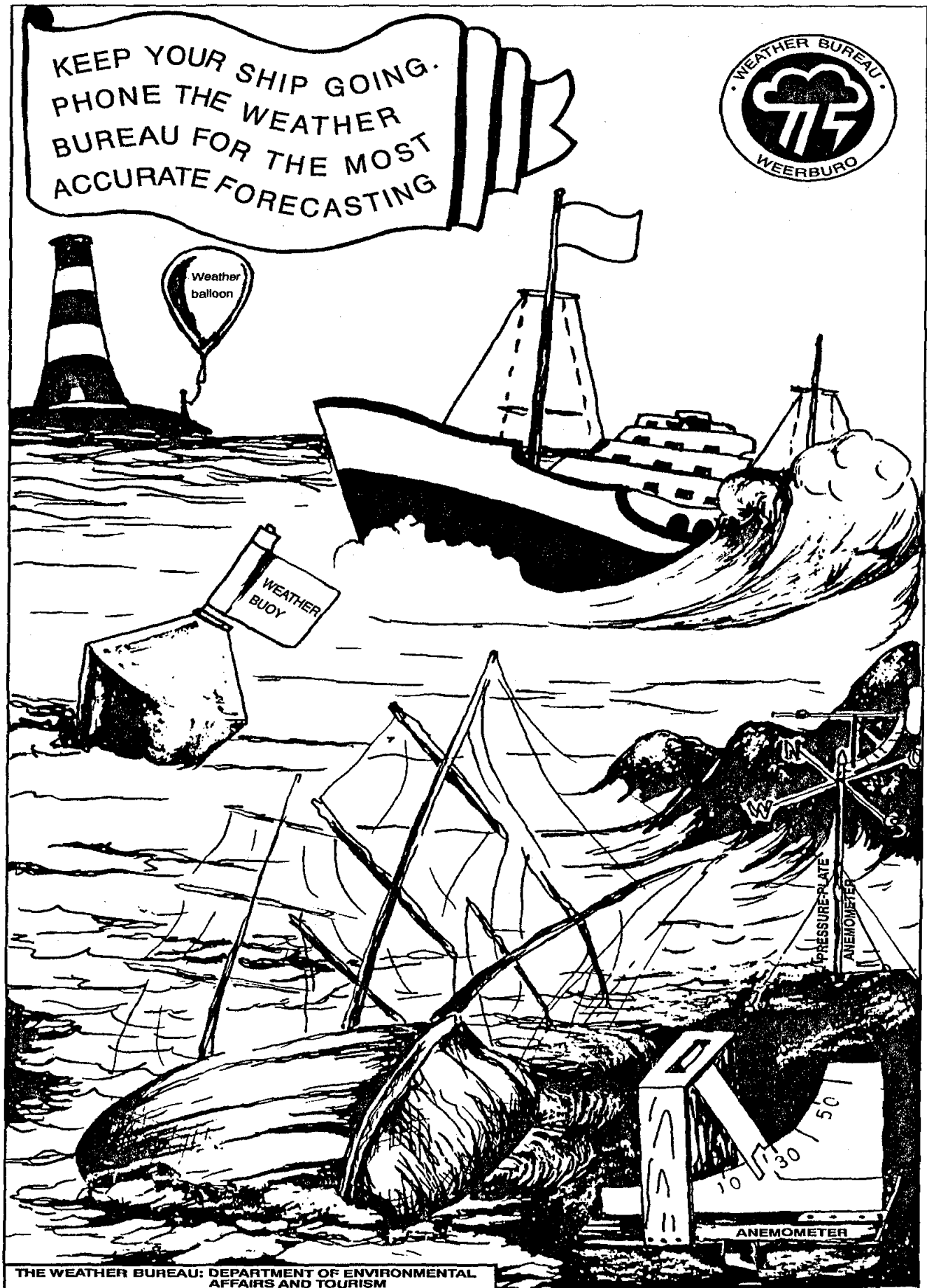


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