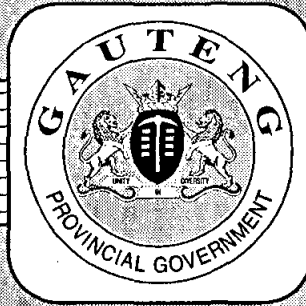


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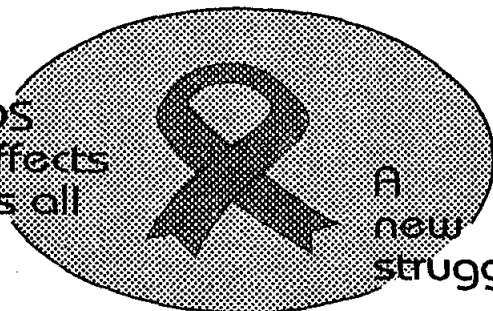
Vol. 11

PRETORIA, 17 OCTOBER 2005  
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## LOCAL AUTHORITY NOTICES

### LOCAL AUTHORITY NOTICE 2557

#### GAUTENG DEVELOPMENT TRIBUNAL

In terms of Section 33(4) of the Development Facilitation Act, 1995 (Act 67 of 1995), the Designated Officer : City of Johannesburg Metropolitan Municipality herewith gives notice of the Conditions of Establishment in respect of Parktown Extension 3, as approved by the Gauteng Development Tribunal (Case No GDT/LDA/GJMM/0402/04/004), as set out in the Schedule below.

#### SCHEDULE

#### 1 GENERAL CONDITIONS OF ESTABLISHMENT

##### 1.1 NAME

The township shall be known as Parktown Extension 3.

##### 1.2 LAYOUT

The township shall consist of erven and streets as indicated on the General Plan SG A\_\_\_/2005.

##### 1.3 DISPOSAL OF EXISTING CONDITIONS OF TITLE

All erven shall be made subject to existing conditions, servitudes and entitlements, if any, but excluding:

##### 1.3.1 The following conditions which do not affect the township :

1.3.1.1 Condition A(a) in Deed of Transfer T146220/1999 which refers to a right of way servitude in favour of the company held by Deed of Transfer 7001/1918.

1.3.1.2 Condition A(e) in Deed of Transfer T146220/1999, in favour of the City Council of Johannesburg, Notarial Deed of Servitude K619/1935S.

##### 1.4 RETAINMENT OF EXISTING CONDITIONS

##### 1.4.1 The following conditions which affect Erf 941 only will be retained:

1.4.1.1 Condition A(i) in Deed of Transfer T146220/1999, in favour of ABSA, Notarial Deed of Servitude K3103/1998S referring to the land taken up by the Empire Road section of Erf 941.

1.4.1.2 Condition B, in Deed of Transfer T146220/1999, Notarial Deed of Servitude K6164/1999S refers to a sewerage servitude in favour of the City of Johannesburg.

##### 1.4.2 The following condition which effect all erven in the township will be retained :

1.4.2.1 Condition A(c) in Deed of Transfer T146220/1999 which will affect all erven as a Right of Way for sewerage purposes and for stormwater drainage and certain ancillary rights as depicted by figure abcda on S.G. diagram no. 1441/1933 in favour of the City of Johannesburg as will fully appear from notarial deed of servitude K582/1934.

##### 1.5 RELEASING ERF 939 AND ERF 941 FROM ENGEN LEASE, SERVITUDE & BOND

Erf 939 and Erf 941 (delineated as such on general plan) to be released from –

- 1.5.1 Notarial Deed of Lease K419/2002L as amended by Notarial Deed of Amendment of Lease K2584/2003L;
  - 1.5.2 Notarial Deed of Servitude K420/2002S together with the simultaneous registration over Erf 939 of the servitude in favour of Engen Petroleum Limited as referred to in clause 1.6.1 below;
  - 1.5.3 Mortgage Bond B7000/2002;
- by way of the registration of appropriate notarial deeds of amendment and consent as bondholder, as the case may be, in the relevant Deeds Registry.

#### 1.6 REGISTRATION OF NEW SERVITUDES

##### 1.6.1 Servitude imposed on Erf 939

- 1.6.1.1 Simultaneously with the release of Erf 939 from the operation of Notarial Deed of Servitude K420/2002S a servitude shall be registered in favour of Engen Petroleum Limited in a notarial form against the title deed of Erf 939 in accordance with the provisions of an agreement between Engen Petroleum Limited and the Owner/Applicant dated 10<sup>th</sup> July 2001 which servitude restricts the use of the property concerned for an automotive fuel filling station or a service station and the sale of any automotive fuels or petroleum products.

##### 1.6.2 Servitudes imposed on Erf 940

- 1.6.2.1 A notarial deed of servitude for an underground electrical cable, one metre wide, along the entire northern boundary of Erf 940 Parktown Extension 3 shall be registered in favour of Erf 939 Parktown Extension 3, as referred to in condition 2.2.1;
- 1.6.2.2 A notarial deed of servitude for a right-of-way, 5m wide, for emergency vehicles and emergency situations shall be registered in favour of Erf 939 Parktown Extension 3, as referred to in condition 2.2.2.

##### 1.6.3 Servitudes imposed on Erf 941

- 1.6.3.1 A notarial deed of servitude for a bridge and link services, 20m wide, shall be registered in favour of Erf 939 Parktown Extension 3 and Erf 931 Parktown, as referred to in condition 2.3.1.
- 1.6.3.2 A notarial deed of servitude for an electrical sub-station and underground cables, registered in favour of the City of Johannesburg, as referred to in condition 2.3.2.

#### 1.7 REGISTRATION OF NOTARIAL TIE

- 1.7.1 Erf 939 Parktown Extension 3 and Erf 931 Parktown shall be notarially tied for purposes of access to public road.

## 1.8 CANCELLATION OF EXISTING CONDITIONS OF TITLE

The following conditions and servitudes contained in Title Deed No. T146220/99 shall be cancelled:

- 1.8.1 Condition A(d) in Deed of Transfer T146220/1999 in favour of the City Council of Johannesburg, Notarial Deed of Servitude K581/1934S in so far as it relates to Erf 940 and Erf 939 Parktown Extension 3.
- 1.8.2 Condition A(h) in Deed of Transfer T146220/1999 in favour of the City Council of Johannesburg, Notarial Deed of Servitude K1267/1969 in so far as it relates to Erf 940 and Erf 939 Parktown Extension 3.

## 1.9 PROVISION OF ENGINEERING SERVICES

- 1.9.1 The township owner shall make the necessary arrangements with the Council for the provision and installation of water, electricity and sanitation as well as the construction of the roads and stormwater drainage in and for the township in accordance with the arrangements set out in the approved services report and services agreement.

## 1.10 LAND TO BE TRANSFERRED TO THE CITY OF JOHANNESBURG

- 1.10.1 Erf 941 Parktown Extension 3 shall be transferred free of cost and compensation to the City of Johannesburg.

## 2 CONDITIONS OF TITLE

The erven shall be subject to the following conditions :

### 2.1 ERVEN 939 AND 940

- 2.1.1 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. Provided that the local authority may dispense with any such servitude.
- 2.1.2 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.
- 2.1.3 The local authority shall be entitled to deposit temporarily on the land adjoining the aforesaid servitude such materials as may excavated by it during the course of the construction, maintenance or removal of such sewerage mains and other works on it, in its discretion, may deem necessary, and shall further be entitled to reasonable access to the said land for 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.
- 2.1.4 The foundations of all buildings shall be designed by a professional engineer and shall include such measurements as may be required to overcome any possible adverse geotechnical conditions on the erf.

2.1.5 In terms of section 145 of the National Water Act, 1998 (Act 36 Of 1998) the owner of the property is hereby advised that the erf is likely to be reached by floodwaters on an average once every 100 years.

2.2 Erf 940

2.2.1 The erf shall be subject to an electrical underground cable servitude, one metre wide, along the entire northern boundary of Erf 940 Parktown Extension 3 in favour of Erf 939 Parktown Extension 3, as indicated on the General Plan of the township, as referred to in condition 1.6.2.1. above.

2.2.2 The erf shall be subject to a right-of-way servitude, 5m wide, for emergency vehicles and emergency situations shall be registered in favour of Erf 939 Parktown Extension 3, as indicated on the General Plan of the township, as referred to in condition 1.6.2.2. above.

2.3 Erf 941

2.3.1 The erf shall be subject to a right-of-way-servitude for a bridge and link services, 20m wide, in favour of Erf 939 Parktown Extension 3 and Erf 931 Parktown, as indicated on the General Plan of the township, as referred to in 1.6.3.1. above.

2.3.2 The erf shall be subject to servitude for an electrical substation and underground cable, in favour of the Council as indicated on the General Plan of the township, as referred to in 1.6.3.2. above.

**3 CONDITIONS TO BE INCORPORATED INTO THE TOWN PLANNING SCHEME, IN ADDITION TO THE PROVISIONS OF THE TOWN PLANNING SCHEME IN OPERATION.**

The Johannesburg Town Planning Scheme, 1979 shall be amended to provide for the following zoning of the erven as set out more fully in Amendment Scheme 15-26-74.

3.1 SPECIAL

3.1.1 Erf 939 Parktown Extension 3 is subject to the following conditions:

3.1.1.1 The erf and buildings erected thereon, or to be erected thereon shall be used solely for the purposes of a private parking garage for the sole use of the occupants of Erf 931 Parktown, for uses commonly required for the operation thereof and for archive storage space. The building shall not be used for the purposes of open parking areas.

3.1.1.2 The height of the buildings shall not exceed 8 storeys including basements.

3.1.1.3 The coverage of the buildings shall not exceed 80%.

3.1.1.4 The floor area ratio of the building shall not exceed 6.4 for all uses, of which the number of parking bays shall not exceed 420 bays and archive storage space shall not exceed 700m<sup>2</sup>.

3.1.1.5 There are no building line restrictions applicable to the erf.

3.1.1.6 The erf shall be notorially tied to Erf 931 Parktown for purposes of access to public road.

3.1.1.7 Ingress to and egress from the erf shall be by way of a bridge, through a break in the line of no access, over Erf 941 Parktown Extension 3 (the M1/Empire Road On and Off Ramps) linking Erf 939 Parktown Extension 3 to Erf 931 Parktown. The bridge and its clearance shall be to the satisfaction of the Council.

- 3.1.1.8 No access shall be permitted from Erf 941 Parktown Extension 3 (Empire Road, the M1 motorway or any on- or off- ramps to that motorway).
- 3.1.1.9 The private parking garage shall not, in respect of adjoining or other erven, constitute an alternative to the provision of on-site parking space requirements in terms of the scheme.
- 3.1.1.10 A Site Development Plan and environmental management plan shall be submitted for approval to the Council before the submission of any building plans.
- 3.1.1.11 The site development plan shall be submitted to the Parktown Association for comment who shall provide comment within 21 days from date of receipt of the plan, before approval by the Council.
- 3.1.1.12 In addition to the general provisions of the town planning scheme, the site development plan shall indicate landscaping to the satisfaction of the Council. The plant types used for the landscaping on the site shall be to the satisfaction of the Council and may be indigenous or exotic and in accordance with any statutory requirements which may be applicable. Trees shall be planted along the Empire Road edge and may be London Plane trees. A row of trees shall be planted between the parking garage and the filling station on Erf 940 Parktown Ext. 3 and may be Cypress trees.
- 3.1.1.13 No advertising on the building shall be permitted, with the exception of the name of the building as well as the name and logo of the company occupying the majority of the floor area of the building on Erf 931 Parktown. No advertising shall be permitted on the bridge.
- 3.1.1.14 Buildings hereafter erected on the erf shall be designed and constructed with a vertical retention wall to the satisfaction of the Council.
- 3.1.1.15 The foundations of all buildings shall be designed by a professional engineer and shall include such measures as may be required to overcome any possible adverse geotechnical conditions on the erf as well as any appropriate considerations in respect of stormwater structures. All arrangements to the aforementioned will exclude dynamic compaction.
- 3.1.1.16 The parking bays on the top storey of the parking garage shall be covered with non reflective light grey coloured steel roof sheeting.
- 3.1.1.17 The parking garage building will be built with a compatible finish with the existing office building on Erf 931 Parktown.

## 3.2 PUBLIC GARAGE

- 3.2.1 Erf 940 Parktown Extension 3 is subject to the following conditions:
- 3.2.1.1 The erf and buildings erected thereon, or to be erected thereon shall be used solely for the purposes of a public garage excluding repair and maintenance of motor vehicles and ancillary uses to the repair and maintenance of vehicles, storing of motor vehicles, provided that an automatic banking teller, convenience store, car wash / valet, take away and restaurant can be provided and, with the consent of the Council, for special buildings.
- 3.2.1.2 The height of the buildings shall not exceed 2 storeys.
- 3.2.1.3 The coverage of the buildings shall not exceed 40%.
- 3.2.1.4 The floor area ratio shall not exceed 0.4.
- 3.2.1.5 Buildings, including outbuildings, hereafter erected on the erf, shall be located not less than 8m along the boundary abutting the M1 highway section of Erf 941 Parktown Extension 3

and nil metre along the boundary abutting the Empire Road section of Erf 941 Parktown Extension 3.

- 3.2.1.6 A site development plan shall be submitted to the Parktown Association for comment who shall provide comment within 21 days from date of receipt of the plan, before approval by the Council.
- 3.2.1.7 The convenience store floor area on the erf shall not exceed 150m<sup>2</sup>, including storage space, covered or otherwise.
- 3.2.1.8 Together the take away and restaurant floor area on the erf shall not exceed 150m<sup>2</sup>, including storage space, covered or otherwise.
- 3.2.1.9 Ingress to and egress from the site shall be to the satisfaction of the Council.
- 3.2.1.10 A Site Development Plan and environmental management plan shall be submitted for approval to the Council before the submission of any building plans.
- 3.2.1.11 In addition to the general provisions of the town planning scheme, the site development plan shall also indicate the following to the satisfaction of the Council. The foundations of all buildings shall be designed by a professional engineer and shall include such measurements as may be required to overcome any possible adverse geotechnical conditions on the erf.
- a) All run-off from the forecourt to be discharged in the sewerage system.
  - b) All tank excavations to be lined with a suitable impermeable liner and monitoring values shall be installed in the lined excavations.
  - c) Signage, provided that no bill boards will be permitted on the service station site, apart from on-site-business signage and the prime sign, provided further that the prime sign shall not be more than 7m in height and 42m<sup>2</sup> in extent
- 3.2.1.12 The foundations of all buildings shall be designed by a professional engineer and shall include such measurements as may be required to overcome any possible adverse geotechnical conditions on the erf as well as any appropriate considerations in respect of stormwater structures. All arrangements to the aforementioned will exclude dynamic compaction.
- 3.2.1.13 Access for emergency vehicles and emergency situations to and from Erf 939 Parktown Ext 3 shall be permitted to and from the erf.

### 3.3 EXISTING PUBLIC ROAD

- 3.3.1 Erf 941 Parktown Extension 3 shall be zoned "Existing Public Road" and shall also be used for proposed new roads and widenings and municipal services.

**Witness Khanye**

**Designated Officer : Gauteng Development Tribunal**

**15<sup>th</sup> Floor, Corner House, cnr Commissioner and Sauer Street, Marshallstown, Johannesburg**

**Reference : GDT/LDA/GJMM/0402/04/004**



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**LOCAL AUTHORITY NOTICE 2558**

**DEVELOPMENT FACILITATION ACT  
GAUTENG DEVELOPMENT TRIBUNAL  
JOHANNESBURG AMENDMENT SCHEME 15-26-74**

It is hereby notified in terms of Section 33(4) of the Development Facilitation Act 67 of 1995 that approval has been granted in respect of an amendment scheme, being an amendment of the Johannesburg Town Planning Scheme, 1979, comprising the same land as included in the Land Development Area of Parktown Extension 3.

Map 3 and Scheme Clauses of the Amendment Scheme are filed with the Executive Director : Development Planning, Transportation and Environment : City of Johannesburg, 158 Loveday Street, Braamfontein and are open for inspection at all reasonable times.

This amendment is known as Johannesburg Amendment Scheme 15-26-74.

**Witness Khanye**

**Designated Officer : Gauteng Development Tribunal**

**15<sup>th</sup> Floor, Corner House, cnr Commissioner and Sauer Street, Marshallstown, Johannesburg**

**Reference : GDT/LDA/GJMM/0402/04/004**

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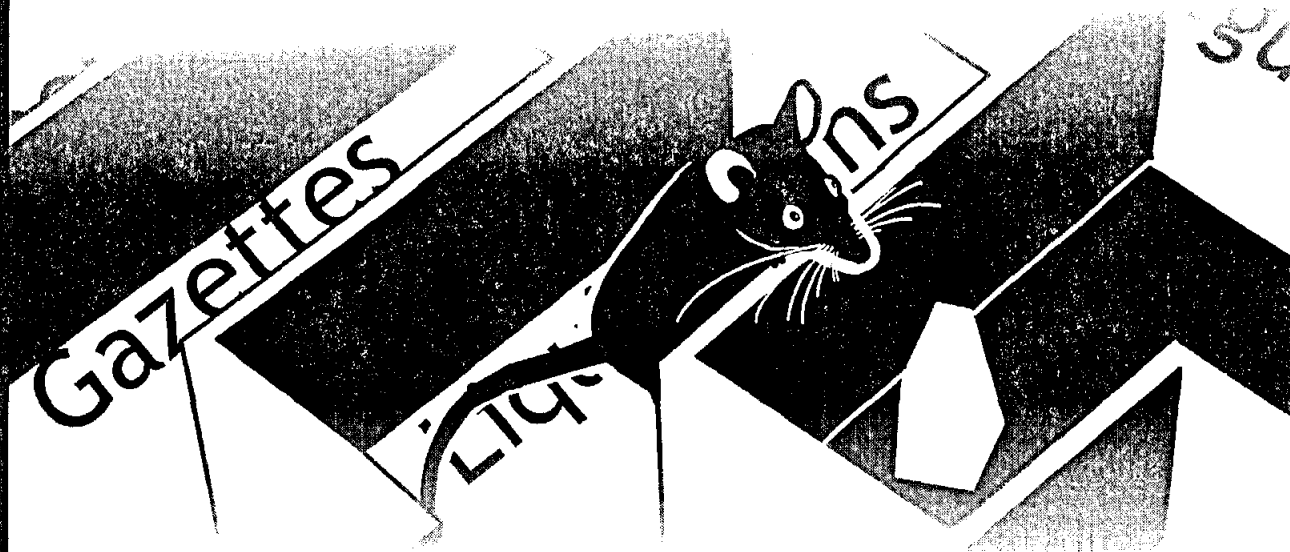
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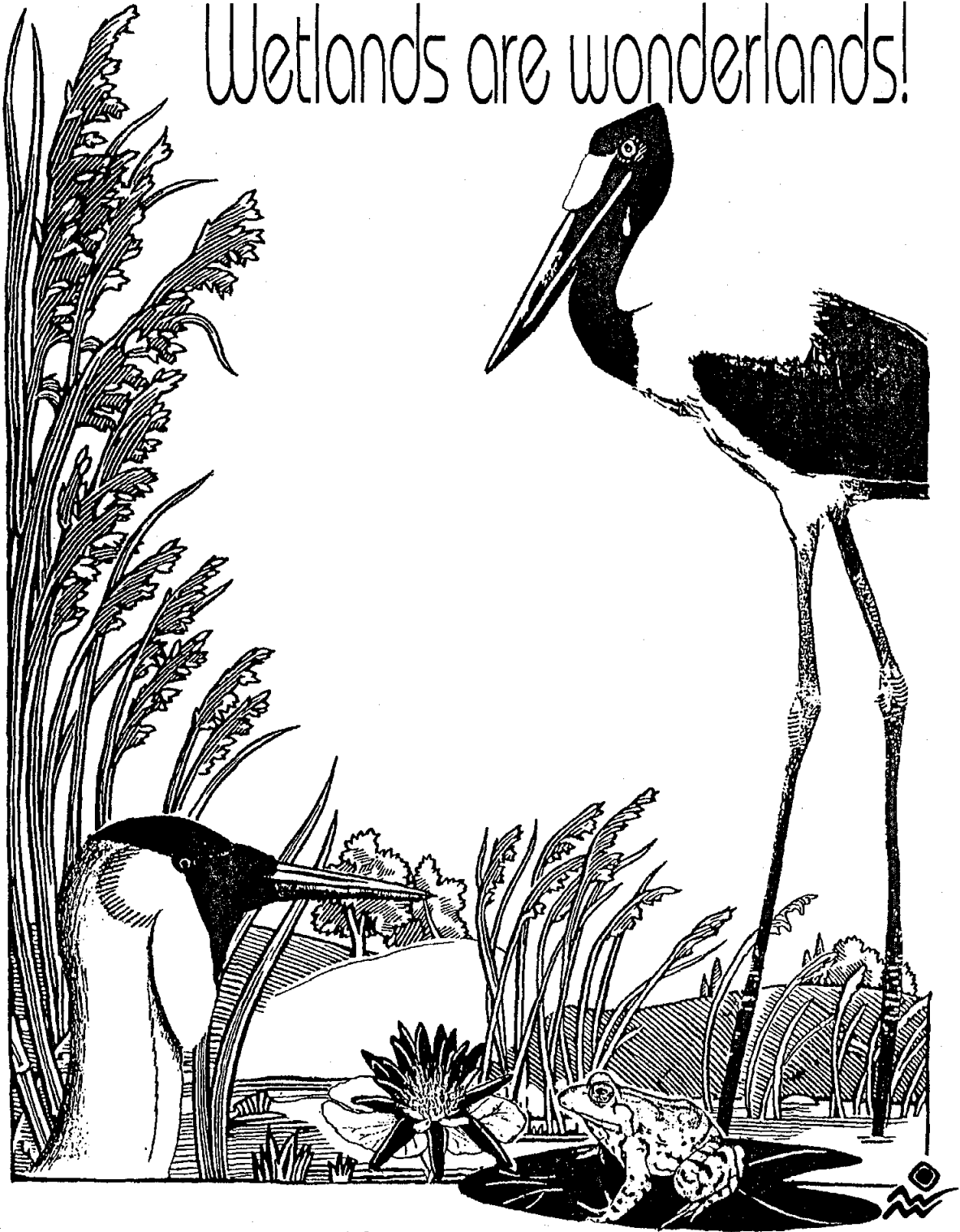
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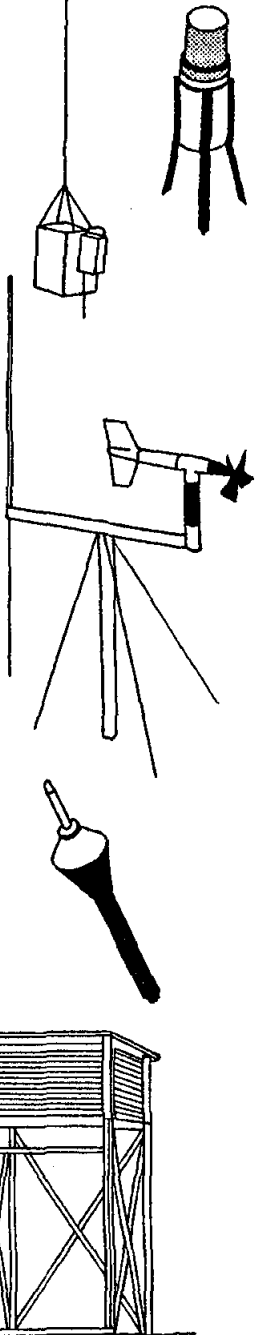
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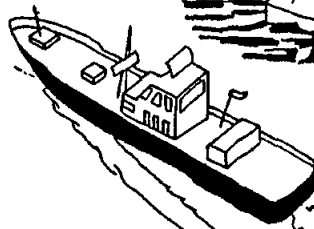
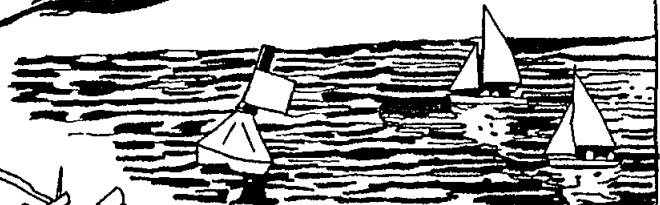
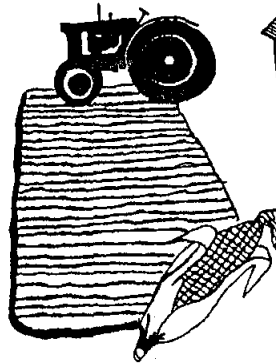
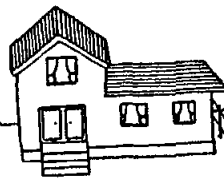
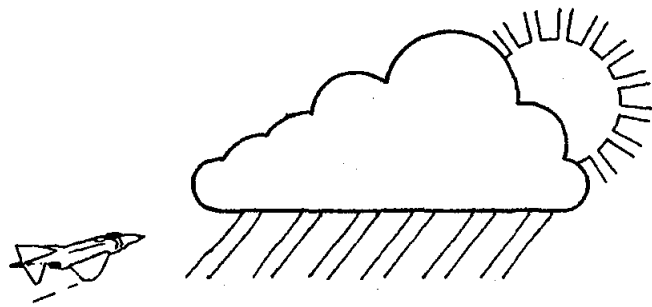


Department of Environmental Affairs and Tourism

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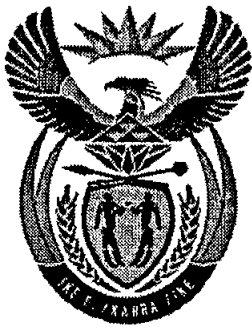
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