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## LOCAL AUTHORITY NOTICES

### LOCAL AUTHORITY NOTICE 1525

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#### EKURHULENI METROPOLITAN MUNICIPALITY KEMPTON PARK CUSTOMER CARE CENTRE DECLARATION AS AN APPROVED TOWNSHIP

In terms of Section 103(1) of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), the Ekurhuleni Metropolitan Municipality, Kempton Park Customer Care Centre hereby declares Witfontein Extension 30 Township to be an approved township, subject to the conditions set out in the Schedule hereto.

#### SCHEDULE

STATEMENT OF THE CONDITIONS UNDER WHICH THE APPLICATION MADE BY AFRICAN KINGDOM HOLDINGS (PTY) LTD. (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 17 (A PORTION OF PORTION 14) OF THE FARM WITFONTEIN 16 IR, PROVINCE OF GAUTENG, HAS BEEN GRANTED

#### 1. CONDITIONS OF ESTABLISHMENT

(1) NAME

The name of the township shall be Witfontein Extension 30.

(2) DESIGN

The township shall consist of the erven as indicated on General Plan S.G. No. 11257/2007.

(3) DISPOSAL OF EXISTING CONDITIONS OF TITLE

All erven shall be made subject to existing conditions and servitudes, if any, but excluding the following conditions which will not be passed on to the erven of the township:

A. The former Portion 3 of the farm Witfontein No 16, Registration Division I.R., Province of Gauteng, indicated by the figure ABCDEFGHJKLMNPQRSTUVWXYZA1B1C1D1E1F1G1H1J1K1L1M1N1P1Q1R1S1A on Subdivisional Diagram S.G. No 11256/2007 annexed hereto, is subject to:

1. "Het gedeelte van het eigendom hierby getransporteer groot 265.3636 hektaar is gerechtigd tot de volgende voorrechten en servituten:-

(a) Tot 3/4de aandeel van het water in fontein F gelegen op gedeelte van gedeelte A groot 271.6419 hektaar getransporteerd by Certificaat van Verdelings Titel No. 3155/1922 en gezegde gedeelte van gedeelte A is gerechtigd tot 1/4de

aandeel van het water in gezegde fontein. Het gezegde gedeelte van het eigendom hierby getransporteerd zal het volle stroom water uit gezegde fontein gebruiken voor zes of negen achter een volgende dagen en nachten (144 of 216 uur) en dan zal gezegde gedeelte van Gedeelte A het volle stroom water uit gezegde fontein weer gebruiken voor de daarop achtereen volgende twee of drie dagen en nachten (48 of 72) uur om de beurt, volgens de eigenaren van de respektievelike gedeelten mogen over een komen. De eigenares van gezegde gedeelte van het eigendom hiery getransporteerd zal  $\frac{3}{4}$ de van de arbeid tot schoonhouden van de gezegde fontein moeten verschaffen en de eigenaar van gezegde gedeelte van gedeelte A  $\frac{1}{4}$ de aandeel.

- (b) Tot een servituut van watervoor of pypen over gezegde gedeelte van gedeelte A van gezegde fontein tot by de scheidingslyn tussen gezegde gedeelte van gedeelte A en gedeelte van gedeelte B groot 265.2594 hektaar getransporteerd by Certifikaat van Verdelings Titel No 3156/1922. De gezegde watervoor zal aangelegen worden op de volgende voorwaarden zover dit niet de vrye loop van het water verhinderd : het zal niet breder mag zyn dan zes yards en het zal so rechtuit mogelijk moet wezen zover dit niet veroorzaakt de voor dieper te maken dan omtrent 61 meter op zyn diepste en voor korte distantes, 1.22 meter.
- (c) De eigenares van gezegde gedeelte van het eigendom hierby getransporteerd zal het recht van vrye toegang hebben tot de gezegde fontein en watervoor of pypen om dezelve in stand, schoon en in goede orde te houden, en zy zal verder gerechtigd zyn tot het gebruik van de thans bestaande watervoor over gezegde gedeelte van gedeelte A tot 12 maanden na de ontheffing van de vruchtgebruiken thans op gezegde gedeelte van het eigendom hierby getransporteerd en daarna zal zy verplicht zyn haar aandeel van het water in gezegde fontein te vervoeren deur middel van haar servituut van watervoor of pypen over gezegde gedeelte van gedeelte A zoals boven nader omschreven.
- (d) De eigenares van gezegde gedeelte van het eigendom hierby getransporteerd heeft het recht in de omtrek van 75 yards en de eigenaar van gezegde gedeelte van gedeelte A het recht in de omtrek van 100 yards van gezegde fontein te boren of te graven tot versterking van het fontein water, en indien een van hen alzoo een versterking teweeg brengt en meer water vindt zal de andere belanghebbende geen recht hebben tot zulke verbeterde water buiten haar of zyn gewone  $\frac{3}{4}$ de of  $\frac{1}{4}$ de aandeel tensy zy of hy haar of zyn  $\frac{3}{4}$ de of  $\frac{1}{4}$ de aandeel van de kosten van zodanige verbetering betaald heeft.
- (e) De eigenaar van gezegde gedeelte van gedeelte A zal geen recht hebben de gezegde fontein op eenige wyze te belemmeren of te beschadigen door water af te boren of te graven of dieren eruit te doen zuipen of anderzins te belemmeren.
- (f) Het gezegd gedeelte van het eigendom hierby getransporteerd is onderworpen aan een servituut dat de eigenaar van gedeelte E groot 368.2987 hektaar heden getransporteerd by Certifikaat van Verdelings Titel No 3159/1922 gerechtigd is tot een uitloop van 100 yards voor zyn dam op gezegde gedeelte E over gezegde gedeelte van het eigendom hierby getransporteerd in de richting van de dam wal en de eigenaar van gezegde gedeelte E zal verplicht zyn het uitloop water binnen 300 yards vanaf zyn grens by de damwal weder in

zyn eigen grond te brengen zoals op de kaarten van de respektiewelike gedeeltes aangetoond.

- (g) Het eigendom hierby getransporteerd is gerechtigd tot een servituut van recht van weg over gedeelte D groot 296,0017 hektaar getransporteerd by Certifikaat van Verdelings Titel No. 3158/1922, het gezegde gedeelte van het eigendom hierby getransporteerd is onderworpen aan een servituut van recht van weg ten faveure van gezegde gedeelte van gedeelte A en gezegde gedeelte van gedeelte B en het gedeelte van het eigendom hierby getransporteerd groot 37,8187 is onderworpen aan een servituut van recht van weg ten faveure van gedeelte van gedeelte B groot 37,8244 hektaar ook getransporteerd by Certifikaat van Verdelings Titel No. 5156/1922. Deze servituten van recht van weg bestaan ten einde de eigenaren van het eigendom hierby getransporteerd in staat te stellen het restant van de gezegde plaats Witfontein No. 16, groot als zulks 2141 vierkante meter dat als de gezamentlike familie kerkhof gebruik word te bereiken.
- (h) De gedeeltes van gezegde gedeelte van het eigendom hierby getransporteerd bepaald door de letters E.F.Ca. en A.B.C.Ec. groot respektiewelik 1,4275 hektaar en 4,1584 hektaar, het gedeelte van gezegde gedeelte van het eigendom hierby getransporteerd bepaald door de letters U.V.Cd.Bc. groot 11,1321 hektaar, het gedeelte van gezegde gedeelte van gedeelte A bepaald door de letters A.B.C.Ca. groot 75,1578 hektaar, het gedeelte van gezegde gedeelte van gedeelte B bepaald door de letters R.L.M.N.O.Bc.Q. Groot 35,0008 hektaar, het gedeelte van gezegde gedeelte D. bepaald door de letters A.Ed.Cd. groot 514 vierkante meter en het gedeelte van gezegde gedeelte E bepaald door de letters A.B.C.Ec.F.Ed.G. groot 202,5956 hektaar zoals op de kaarten van de respektiewelike gedeeltes word angetoond, zyn gerechtigd water te scheppen voor huishoudelike gebruik uit die fontein bekend als "Het Klipfonteintje" gelegen op een gedeelte groot 1578,2487 hektaar van die plaats Hartebeestfontein No. 555 en wel omtrent zes freden van die westelike grens van genoemde gedeelte van die plaats Hertenbeestfontein no 555 en naby het nuw postal op die gedeeltes bepaald als voormeld, gemaak op voorwaarde echter dat die eigenaren van die gemelde gedeeltes bepaald als voormeld niet het recht zullen hebben gemelde fonteintje op te dammen of anderzins te belemmeren.
2. Kragtens Notariële Akte Nr K3812/1984 S gedateer 18 Junie 1984 is die hierinvermelde eiendom onderhewig aan 'n ewigdurende servituut om oor die eiendom gasse, vloei-stowwe en vaste stowwe van watter aard en beskrywing ookal asook elektrisiteit te lei en oor te bring d.m.v. pyplyne, kables of op welke ander wyse ookal in 'n servituutstrook van 9 meter wyd die middellyn aangedui deur die figuur op op Konsolidasie Titel Diagram S.G. No 10455/2006 aangeheg aan Sertifikaat van Gekonsolideerde Titel T 110807/2007.
3. By Notarial Deed No K3062/1991 S dated 5<sup>th</sup> March 1991 the within-mentioned property is subject to the right in perpetuity to convey and transmit water by means of pipelines already laid and still to be laid along a strip of ground 840 square metres in extent indicated by the figure rstur on S.G. No 10455/2006 annexed to Certificate of

Consolidated Title T 110807/2007 with ancillary rights i.f.o. Rand Water Board as will more fully appear from reference to the said Notarial Deed.

4. Kragtens Notariële Akte van Serwituut ter beskerming van bogrondse kraglyne No K5226/1994 S gedateer die 17de Augustus 1994 is die binnegemelde eiendom onderhewig aan 'n serwituut ter beskerming van bogrondse kraglyne, 22 meter wyd, die middellyn waarvan aangedui word deur die lyn vw op Kaart L.G. No 10455/2006 aangeheg aan Sertifikaat van Gekonsolideerde Titel T 110807/2007 ten gunste van die Stadsraad van Kempton Park soos meer volledig sal blyk uit gesegde Notariële Akte.
5. 'n Serwituut ten faveure van die resterende gedeelte van gesegde plaas HARTEBEESTFONTEIN groot as sulks 329,5821 (DRIE TWEE NEGE komma VYF AGT TWEE EEN) Hektaar, oorspronklik getransporteerd onder Akte van Transport Nr. 1717/1908 gedateerd 25 Maart 1908, aan Carel Sebastiaan van Heerden om water te skep vir huishoudelike doeleindes uit die fontein bekend "KLIPFONTEINTJIE" geleë op die eiendom getransporteerd onder hierdie paragraaf en ongeveer ses (6) tree vanaf die Westelike grens daarvan en naby die nuwe opstal op gesegde resterende gedeelte van gesegde plaas "HARTEBEESTFONTEIN", op voorwaarde dat die eienaar van laasgenoemde resterende gedeelte nie die reg sal hê nie om die fontein op te dam of andersins te belemmer, indicated by the figure ABC1A, EFqqE and TUyxT on Consolidated Title Diagram S.G. No. 10455/2006 attached to Certificate of Consolidated Title T 110807/2007.

The former Remaining Extent of Portion 14 of the farm Witfontein No. 16, Registration Division I.R., Province of Gauteng, in extent 603,6466 (SIX ZERO THREE comma SIX FOUR SIX SIX) hectares is subject to:

- (1) "Kragtens Notariële Akte van Serwituut K6205/2007S, is die binne gemelde eiendom geregtig op 'n reg tot oorskryding, 31,9871 (Drie Een komma Nege Agt Sewe Een) hektaar groot, oor die restant van Gedeelte 5 van die plaas Witfontein Nr. 16, Registrasie Afdeling I.R., Provinsie van Gauteng, welke reg aangedui word deur die figuur ABCDEFGHJKLA op diagram S.G. No. 125/2007, soos meer volledig sal blyk uit voormelde Notariële Akte en diagram."
- (2) By virtue of Notarial Deed of Servitude K 8400/2007 S, the within mentioned property is subject to a servitude for municipal services in favour of EKURHULENI METROPOLITAN MUNICIPALITY, which servitude is indicated by the figure ABCDEFGA on Servitude Diagram S.G. No. 12090/2006, with additional rights as will more fully appear from said Notarial Deed and annexed diagram.

(3) **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 Erf 679 in the township is sealed effectively with tar, cement or bitumen;

- (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; and
- (iv) a dolomite stability risk management plan be drafted to the satisfaction of the responsible engineering geologist and that the Serengeti Golf and Wildlife Estate Property Owners Association take responsibility for the implementation of such risk management plan.

**(4) REPOSITIONING OF SERVICES**

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

If, by reason of the establishment of the township, it should become necessary to reposition any existing services of the local authority, the cost thereof shall be borne by the township owner to the extent as shall be specified in the services agreement to be entered into by and between the township owner and the Ekurhuleni Metropolitan Municipality.

**(5) PROPERTY OWNERS' ASSOCIATION AND REGISTRATION OF RESTRICTION TO EXERCISE CERTAIN RIGHTS OF OWNERSHIP IN IMMOVABLE PROPERTY**

- (i) All relevant conditions as set out in the notice published in terms of section 103 of the Town-planning and Townships Ordinance, 1986 (Ordinance 15 of 1986) in respect of the township shall, to the satisfaction of the Local Authority and subject to the approval of the Registrar of Companies be incorporated into the constitution of SERENGETI GOLF AND WILDLIFE ESTATE PROPERTY OWNERS ASSOCIATION, REGISTRATION NUMBER 2007/013033/08.
- (ii) A copy of the constitution of the SERENGETI GOLF AND WILDLIFE ESTATE PROPERTY OWNERS ASSOCIATION, REGISTRATION NUMBER 2007/013033/08 (An Association incorporated in terms of Section 21 of the Companies Act, 1973 (Act No. 61 of 1973) as amended) must be submitted to the Local Authority before the approval of any site development plan or building plan.
- (iii) Erven 536 to 560, 561 to 573 and 482 to 535, being the residential erven in the township will not be transferred, unless the erven are made subject, upon each transfer of the erf, in terms of the provisions of section 65 of the Deeds Registries Act, 1947 (Act No. 37 of 1947) the following conditions in favour of abovementioned SERENGETI GOLF AND WILDLIFE ESTATE PROPERTY OWNERS ASSOCIATION, REGISTRATION NUMBER 2007/013033/08:
  - (a) Every owner of the erf, or of any subdivided portion thereof, or any sectional title unit on a erf or any person who has an interest therein shall become and shall remain a Member of the SERENGETI GOLF AND WILDLIFE PROPERTY OWNER ASSOCIATION and be subject to its constitution and rules until he/she

ceases to be an owner of aforesaid or ceases to have an interest in the aforesaid. Neither the erf nor any subdivided portion or sectional title unit 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 Property Owners Association.

- (b) The owner of the erf or any subdivided portion thereof, or sectional title unit or any person who has an interest therein, shall not be entitled to transfer the erf or any subdivided portion thereof or sectional title unit or an interest therein without obtaining a valid Clearance Certificate from the SERENGETI GOLF AND WILDLIFE PROPERTY OWNERS ASSOCIATION to the effect that the provisions of the Articles of the Association of the said Association have been complied with.
- (c) Except for the written approval of the said Association and the local authority and subject to such conditions as they may impose, neither the owner nor any occupier of the erf shall sink any wells or boreholes thereon or abstract any subterranean water therefrom.
- (d) The owner shall become a member of the said Association upon the transfer of the erf into his name.
- (iv) Erven 542, 556, 489 and 494 will not be transferred unless a notarial deed of servitude is registered whereby a servitude 2 metre wide for storm-water drainage purposes in favour of the SERENGETI GOLF AND WILDLIFE ESTATE PROPERTY OWNERS ASSOCIATION is registered.
- (v) Erf 559 will not be transferred unless a notarial deed of servitude is registered whereby a servitude 4 metres wide, for storm-water drainage purposes in favour of the SERENGETI GOLF AND WILDLIFE ESTATE PROPERTY OWNERS ASSOCIATION is registered.

**(6) TRANSFER OF ERVEN**

(a) Erven 679, 675 to 678 shall be transferred at the expense of the township owner to the SERENGETI GOLF AND WILDLIFE ESTATE PROPERTY OWNERS ASSOCIATION, REGISTRATION NUMBER 2007/013033/08 (An Association incorporated in terms of Section 21 of the Companies Act, 1973 (Act No. 61 of 1973) as amended).

(b) Erf 679 in the township shall, upon transfer thereof as set out above, be made subject to a right-of-way servitude in favour of all erven in the township as well as in favour of all members of the SERENGETI GOLF AND WILDLIFE ESTATE PROPERTY OWNERS ASSOCIATION, REGISTRATION NUMBER 2007/013033/08 (An Association incorporated in terms of Section 21 of the Companies Act, 1973 (Act No. 61 of 1973) as amended).

**(7) NOTARIAL TIE OF ERVEN**

No erf in the township will be transferred before Erf 679 in the township has been notorially tied with Erf 258 Witfontein Extension 25 township and Erf 476 Witfontein Extension 27 township.

**(8) 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.

**(9) CAVEAT: RESTRICTION ON THE TRANSFER OF ALL ERVEN EXCEPT ERF 679 IN THE TOWNSHIP**

With the exception of Erf 679, no erf in the township shall be transferred unless the Ekurhuleni Metropolitan Municipality has issued to the Registrar of Deeds, Pretoria, a certificate confirming that the township owner has:-

- (a) acquired from the Gauteng Department of Public Transport, Roads and Works approval for connecting the road constructed in terms of Notarial Deed of Servitude K6203/07 to the provincial road P91-2(R25);
- (b) acquired from the Gauteng Department of Public Transport, Roads and Works a way-leave for the construction, within the road reserve for provincial road P91-2(R25), of such road and storm-water works as are require in terms of the said way-leave;
- (c) constructed, to the satisfaction of the Department of Public Transport, Roads and Works and the Ekurhuleni Metropolitan Municipality, the works intended in (b) above or alternatively, at the discretion of the Executive Director: Infrastructure Services of the Ekurhuleni Metropolitan Municipality has provided the said municipality with a deed of suretyship or other guarantee to the satisfaction of the Chief Financial Officer of the said municipality for a sum equal to at least the estimated cost for performing the said works.

**CONDITIONS OF TITLE**

The erven mentioned below 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.

**(1) ERVEN 536 – 560, 561 – 573 and 482 - 535**

- (a) 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 dispose with any such servitude.
- (b) 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.
- (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 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.



**(2) Erf 679**

The erf is subject to a servitude in favour of the local authority as indicated in the general plan of the township for access purposes and for the purpose of maintaining the internal water, sewer, storm-water drainage and electrical engineering services (excluding the private street lights).

P. FLUSK: CITY MANAGER:  
EKURHULENI METROPOLITAN MUNICIPALITY, Private Bag X1069, Germiston, 1400

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**LOCAL AUTHORITY NOTICE 1526****LOCAL AUTHORITY NOTICE DP 56/2008****EKURHULENI METROPOLITAN MUNICIPALITY  
KEMPTON PARK CUSTOMER CARE CENTRE  
PERI-URBAN TOWN PLANNING SCHEME 1975: AMENDMENT SCHEME 2006**

The Ekurhuleni Metropolitan Municipality (Kempton Park Customer Care Centre) hereby, in terms of Section 125(1) of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), declares that it has approved an amendment scheme, being an amendment of the Peri-Urban Town Planning Scheme, 1975, comprising the same land as included in the township of Witfontein Extension 30 Township.

Map 3 and the scheme clauses of the amendment scheme are available for inspection at all reasonable times at the offices of the Head of Department: Department of Economic Development, Gauteng Provincial Government, 8<sup>th</sup> Floor, Corner House, 63 Fox Street, Johannesburg, 2000, as well as the Manager: City Development, Kempton Park Customer Care Centre, 5th floor, Civic Centre, Cnr. CR Swart Drive and Pretoria Road, Kempton Park. This scheme will come into operation on the date of publication of this notice.

This amendment scheme is known as Peri-Urban Amendment Scheme 2006.

P. FLUSK: CITY MANAGER:  
EKURHULENI METROPOLITAN MUNICIPALITY, Private Bag X1069, Germiston, 1400

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**E-mail address:** awvanzyl@print.pwv.gov.za

**Contact persons for subscribers:**

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**HENNIE MALAN**

Director: Financial Management  
 Office of the Premier (Gauteng)

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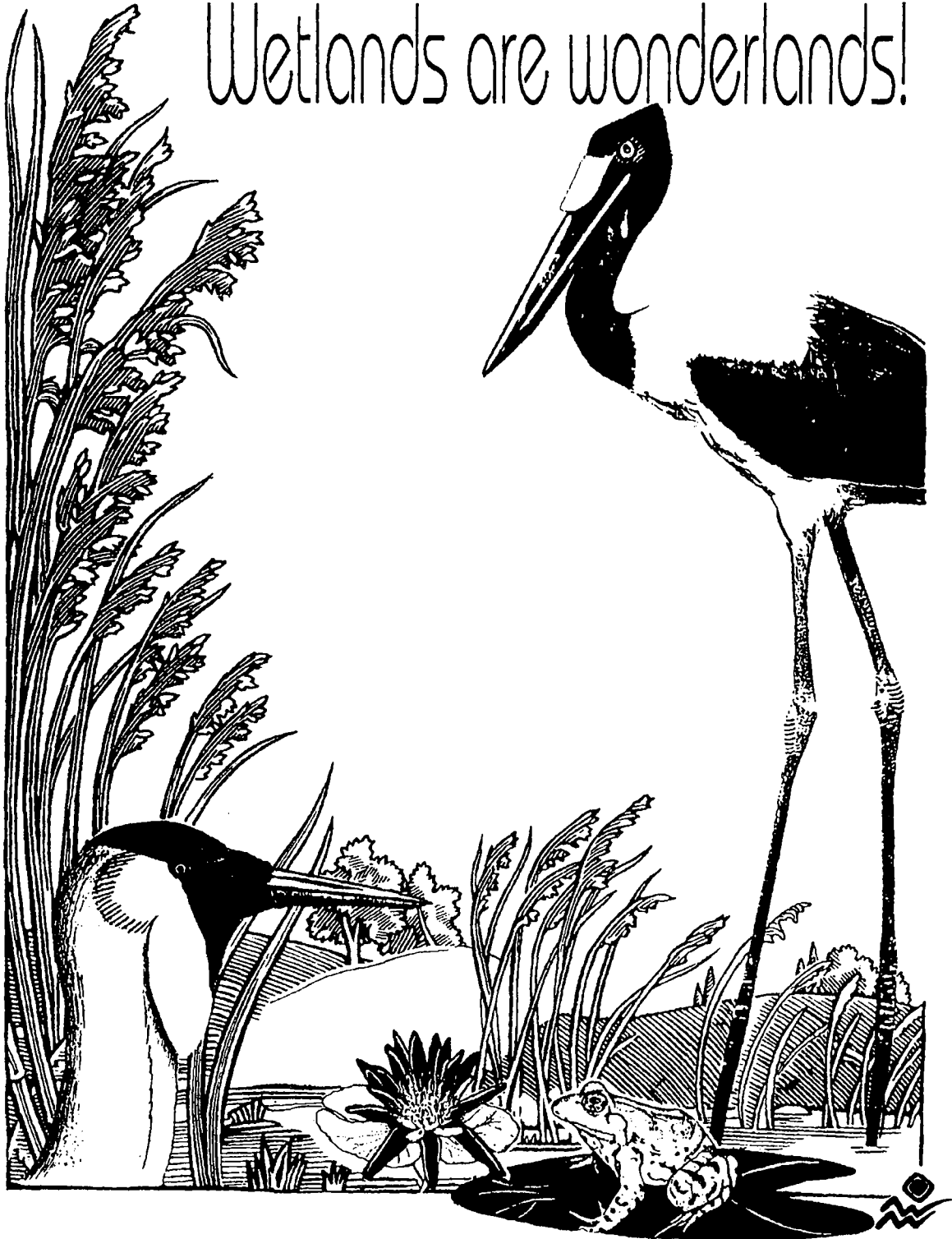
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Wetlands are wonderlands!



Department of Environmental Affairs and Tourism

# SA WEATHER BUREAU SA WEERBURO

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