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Provincial Gazette Extraordinary Buitengewone Provinciale Koerant

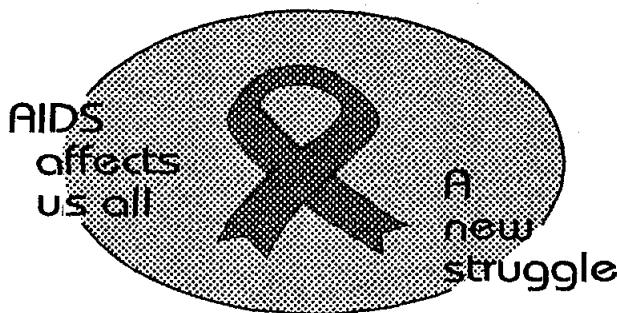
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Vol. 12

PRETORIA, 22 FEBRUARY
FEBRUARIE 2006

No. 67

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LOCAL AUTHORITY NOTICE

LOCAL AUTHORITY NOTICE 388

CITY OF TSHWANE METROPOLITAN MUNICIPALITY

PRETORIA AMENDMENT SCHEME 9597P

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 Pretoriuspark Extension 17, 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 9597P.

(13/2/Pretoriuspark x17 (9597P))
____ February 2006

Acting General Manager: Legal Services
(Notice No 360/2006)

PLAASLIKE BESTUURSKENNISGEWING 388

STAD TSHWANE METROPOLITAANSE MUNISIPALITEIT

PRETORIA WYSIGINGSKEMA 9597P

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 Pretoriuspark Uitbreiding 17, synde 'n wysiging van die Pretoria-dorpsbeplanningskema, 1974, goedgekeur het.

Kaart 3 en die skemaklousules van hierdie wysigingskema word deur die Waarnemende Hoof-bestuurder: Regsdienste, in bewaring gehou en lê gedurende gewone kantoorure ter insae.

Hierdie wysiging staan bekend as Pretoria-wysigingskema 9597P.

(13/2/Pretoriuspark x17 (9597P))
____ February 2006

Waarnemende Hoofbestuurder: Regsdienste
(Kennisgewing No 360/2006)

CITY OF TSHWANE METROPOLITAN MUNICIPALITY

DECLARATION OF PRETORIUSPARK EXTENSION 17 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 Pretoriuspark Extension 17 to be an approved township, subject to the conditions as set out in the Schedule hereto.

(13/2/Pretoriuspark x17)

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY PJJ VAN VUUREN BELEGGINGS (PTY) LIMITED IN TERMS OF THE PROVISIONS OF CHAPTER III: PART C OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE NO 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 609 OF THE FARM GARSTFONTEIN 374JR, PROVINCE OF GAUTENG, HAS BEEN GRANTED.

1. CONDITIONS OF ESTABLISHMENT

1.1 NAME

The name of the township shall be Pretoriuspark Extension 17.

1.2 DESIGN

The township shall consist of erven, parks and streets as indicated on General Plan SG No 5542/2005.

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 -

1.3.1 the following conditions which do not affect the township:

- One: Condition Ci, ii and iii, E and F in Title Deed No T16165/2003
- Two: Conditions 2, 3 and 4a and c in Title Deed No T121345/2003
- Thee: Conditions 3 and 4 in Title Deed No T88130/2002
- Four: The servitude registered under K4137/2002S contained in Title Deed No T88130/2002.

1.4 LAND FOR MUNICIPAL PURPOSES

The following erf shall be transferred to the City of Tshwane Metropolitan Municipality by and at the expense of the township owner:

Existing Open Space: Erf 1458.

1.5 ACCESS

No ingress from Provincial Road K54 to the township and no egress to Provincial Road K54 from the township shall be allowed.

1.6 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.

1.7 ERECTION OF FENCE OR OTHER PHYSICAL BARRIER

The township owner shall at his own expense erect a fence or other physical barrier to the satisfaction of the Head of the Department: Gauteng Provincial Government: Department of Public Transport, Roads and Works, as and when required by him to do so, and the township owner shall maintain such fence or physical barrier in a good state of repair until such time as the erven in the township are transferred to ensuing landowners, after which the responsibility for the maintenance of such fence or physical barrier rests with the latter.

1.8 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.

1.9 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.

1.10 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.

1.11 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.

1.12 LAND TO BE TRANSFERRED TO THE SECTION 21 COMPANY (HOME OWNERS ASSOCIATION)

The following erven shall be transferred to the Section 21 Company by and at the expense of the township owner:

Erf 1452: "Existing Private Open Space".

Erven 1454 up to and including 1457: "Security purposes, access and access control".

1.13 ENDOWMENT

No endowment is payable in accordance with the provisions of section 81 of the Town-planning and Township Ordinance, 1986 (Ordinance 15 of 1986), provided that Pretoriuspark Extension 17 be proclaimed within 18 months of the proclamation of the other phases of Pretoriuspark Extension 19, failing to do so will result in the full endowment be payable.

1.14 COMPLIANCE WITH CONDITIONS IMPOSED BY THE GAUTENG DEPARTMENT OF AGRICULTURE, CONSERVATION AND ENVIRONMENT (GDACE)

The township owner shall at his own expense comply with all the conditions imposed, by which the Gauteng Department of Agricultural, Conservation and Environment has granted the applicant exemption from compliance with regulations No 1182 and 1183 promulgated in terms of sections 21, 22 and 26 of the Environmental Conservation Act, 1989 (Act 73 of 1989) for the development of this township.

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

2.1.1.1 The erven 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 local authority, 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 local authority: Provided that the local authority may waive any such servitude.

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.

2.1.1.3 The City of Tshwane Metropolitan Municipality shall be entitled to temporarily deposit on the land adjoining the aforesaid servitude, any material it excavates during the laying, maintenance or removal of such services and other works which in its discretion it regards necessary, and furthermore the City of Tshwane Metropolitan Municipality shall be entitled to reasonable access to the said property for the aforesaid purpose, subject to the provision that the City of Tshwane Metropolitan Municipality shall make good any damage caused during the laying, maintenance or removal of such services and other works.

2.1.2 ERVEN 1387, 1401, 1422 AND 1452

2.1.2.1 The erven shall be subject to a servitude, 3 metres wide, for municipal services (stormwater) in favour of the City of Tshwane Metropolitan Municipality, 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.

2.1.2.3 The City of Tshwane Metropolitan Municipality shall be entitled to temporarily deposit on the land adjoining the aforesaid servitude, any material it excavates during the laying, maintenance or removal of such services and other works which in its discretion it regards essential, and furthermore the City of Tshwane Metropolitan Municipality shall be entitled to reasonable access to the said property for the aforesaid purpose, subject to the provisions that the City of Tshwane Metropolitan Municipality shall make good any damage caused during the laying, maintenance or removal of such main sewer pipelines and other works.

2.1.3 ERF 1401

2.1.3.1 The erf shall be subject to a servitude, 2 metres wide, for municipal services (electricity) in favour of the City of Tshwane Metropolitan Municipality, as indicated on the general plan.

2.1.3.2 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.

2.1.3.3 The City of Tshwane Metropolitan Municipality shall be entitled to temporarily deposit on the land adjoining the aforesaid servitude, any material it excavates during the laying, maintenance or removal of such services and other works which in its discretion it regards essential, and furthermore the City of Tshwane Metropolitan Municipality shall be entitled to reasonable access to the said property for the aforesaid purpose, subject to the provisions that the City of Tshwane Metropolitan Municipality shall make good any damage caused during the laying, maintenance or removal of such main sewer pipelines and other works.

2.1.4 ERVEN 1373 UP TO AND INCLUDING 1451 AND 1453

A Section 21 Company (home owners association) must be registered. The owners of all the abovementioned erven must be members of the Section 21 Company.

2.1.5 ERVEN 1375, 1379 AND 1380

The erven are subject to a right of way servitude as indicated on the General Plan, for the purposes of a turning circle.

2.1.6 ERVEN 1452 AND 1458

The erven are subject to 1:50 and 1:100 year flood lines as indicated on the layout plan, as required by Section 144 of the National Water Act, 36 of 1998.

STAD TSHWANE METROPOLITAANSE MUNISIPALITEIT**VERKLARING VAN PRETORIUSPARK UITBREIDING 17 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 Pretoriuspark Uitbreiding 17 tot 'n goedgekeurde dorp, onderworpe aan die voorwaardes uiteengesit in die bygaande Bylae.

(13/2/Pretoriuspark x17)

BYLAE

STAAT VAN VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR PJJ VAN VUUREN BELEGGINGS (PTY) LTD INGEVOLGE DIE BEPALINGS VAN HOOFSTUK III: DEEL C VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986 (ORDONNANSIE NO. 15 VAN 1986), OM TOESTEMMING OM 'N DORP OP GEDEELTE 609 VAN DIE PLAAS GARSTFONTEIN 374JR, GAUTENG, TE STIG, TOEGESTAAN IS

1. STIGTINGSVOORWAARDES**1.1 NAAM**

Die naam van die dorp is Pretoriuspark Uitbreiding 17.

1.2 ONTWERP

Die dorp bestaan uit erwe, parke en strate soos aangedui op Algemene Plan LG No. 5542/2005.

1.3 BESKIKKING 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 –

1.3.1 die volgende voorwaardes wat nie die dorp raak nie:

Een: Voorwaarde Ci, ii en iii, E en F in Titelakte No T16165/2003

Twee: Voorwaardes 2, 3 en 4a en c in Titelakte No T121345/2003

Drie: Voorwaardes 3 en 4 in Titelakte No T88130/2002

Vier: Die serwituit geregistreer onder K4137/2002S vervat in Titelakte No T88130/2002.

1.4 GROND VIR MUNISIPALE DOELEINDES

Die volgende erf moet deur en op koste van die dorpseienaar aan die plaaslike bestuur oorgedra word:

Bestaande Oopruimte: Erf 1458.

1.5 TOEGANG

Geen ingang van Provinciale Pad K54 tot die dorp en geen uitgang tot Provinciale Pad K54 uit die dorp word toegelaat nie.

1.6 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.

1.7 OPRIGTING VAN HEINING OF ANDER FISIESE VERSPERRING

Die dorpseienaar moet op eie koste 'n heining of ander fisiese versperring oprig tot tevredenheid van die Hoof van die Departement: Gauteng Proviniale Regering: Departement van Openbare Vervoer, Paaie en Werke, soos en wanneer deur hom verlang om dit te doen en die dorpseienaar moet sodanige heining of fisiese versperring in 'n goeie toestand hou tot tyd en wyl die erwe in die dorp aan die daaropvolgende grondeienaars oorgedra word, waarna die verantwoordelikheid vir die instandhouding van sodanige heining of fisiese versperring by hulle berus.

1.8 SLOPING VAN GEBOUE EN STRUKTURE

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

1.9 VERWYDERING VAN ROMMEL

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

1.10 VERSKUIWING EN/OF VERWYDERING VAN ESKOM KAGLYNE

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

1.11 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 verwijder, moet die koste daarvan deur die dorpseienaar gedra word.

1.12 ERWE OM OORGEDRA TE WORD NA DIE ARTIKEL 21 MAATSKAPPY (HUISEIENAARSVERENIGING)

Die volgende erwe moet in die naam van 'n Artikel 21 Maatskappy geregistreer word en moet die koste daarvan deur die dorpseienaar gedra word.

Erf 1452: Bestaande Privaat Oopruimte

Erwe 1454 tot en met en insluitende 1457: Sekuriteitsdoeleindes, toegang en toegangsbeheer.

1.13 BEGIFTIGING

Geen begiftiging is betaalbaar kragtens Artikel 81 van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986) nie, mits Pretoriuspark Uitbreiding 17 binne 18 maande na proklamasie van Pretoriuspark Uitbreiding 19 geproklameer word, by versuim waarvan die volle begiftiging betaalbaar is.

1.14 VOLDOENING AAN VOORWAARDES OPGELE DEUR DIE GAUTENGSE DEPARTMENT VAN LANDBOU, BEWARING EN DIE OMGEWING (DLBO)

Die dorpseienaar sal op sy eie koste voldoen aan al die voorwaardes wat opgele is deur Departement van Landbou, Bewaring en die Omgewing met die aansoek om vrystelling om aan die bepalings van Regulasie 1182 en 1183 gepromulgeer ingevolge artikel 21, 22 en 26 van die Wet op Omgewingsbewaring, 1989 (Wet No 73 van 1989) vir die ontwikkeling van die dorpsgebied.

2. TITELVOORWAARDES**2.1 DIE ERWE HIERONDER GENOEM, IS ONDERWORPE AAN DIE VOORWAARDES SOOS AANGEDUI, OPGELE 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

2.1.1.1 Die erf is onderworpe aan 'n serwituit, 2 meter breed, vir municipale dienste (water, riool, elektrisiteit, stormwater) (hierna "die dienste" genoem), ten gunste van die Stad Tshwane Metropolitaanse Munisipaliteit langs enige twee grense, uitgesonderd 'n straatgrens en, in die geval van 'n pypsteelerf, 'n addisionele serwituit vir municipale doeleinades, 2 meter breed, oor die toegangsgedeelte van die erf, indien en wanneer die plaaslike bestuur dit verlang: Met dien verstande dat die plaaslike bestuur van enige sodanige serwituit mag afsien.

2.1.1.2 Geen geboue of ander strukture mag binne die voornoemde serwituitgebied opgerig word nie en geen grootwortelbome mag binne die gebied van sodanige serwituit of binne 'n afstand van 2 meter daarvan geplant word nie.

2.1.1.3 Die Stad Tshwane Metropolitaanse Munisipaliteit is daarop geregtig om enige materiaal wat deur hom uitgegrawe word tydens die aanleg, onderhoud of verwydering van sodanige dienste en ander werke wat hy na goeddunke noodsaaklik ag, tydelik te plaas op grond wat aan die voornoemde serwituit grens, en voorts is die Stad Tshwane Metropolitaanse Munisipaliteit geregtig op redelike toegang tot genoemde grond vir die voornoemde doel, onderworpe daaraan dat die Stad Tshwane Metropolitaanse Munisipaliteit enige skade vergoed wat gedurende die aanleg, onderhoud of verwydering van sodanige dienste en ander werke veroorsaak word.

2.1.2 ERWE 1387, 1401, 1422 EN 1452

2.1.2.1 Die erf is onderworpe aan 'n serwituit, 3 meter breed, vir municipale dienste (stormwater) ten gunste van die Stad Tshwane Metropolitaanse Munisipaliteit, soos op die algemene plan aangedui.

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

2.1.2.3 Die Stad Tshwane Metropolitaanse Munisipaliteit is daarop geregtig om enige materiaal wat deur hom uitgegrawe word tydens die aanleg, onderhoud of verwydering van municipale dienste en ander werke wat hy na goeddunke noodsaaklik ag, tydelik te plaas op grond wat aan die voornoemde serwituit grens, en voorts is die Stad Tshwane Metropolitaanse Munisipaliteit geregtig op redelike toegang tot genoemde grond vir die voornoemde doel, onderworpe daaraan dat die Stad Tshwane Metropolitaanse Munisipaliteit enige skade vergoed wat gedurende die aanleg, onderhoud of verwydering van sodanige municipale dienste en ander werke veroorsaak word.

2.1.3 ERF 1401

2.1.3.1 Die erf is onderworpe aan 'n serwituit, 2 meter breed, vir municipale dienste (elektrisiteit) ten gunste van die Stad Tshwane Metropolitaanse Munisipaliteit, soos op die algemene plan aangedui.

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

2.1.3.3 Die Stad Tshwane Metropolitaanse Munisipaliteit is daarop geregtig om enige materiaal wat deur hom uitgegrawe word tydens die aanleg, onderhoud of verwydering van municipale dienste en ander werke wat hy na goeddunke noodsaaklik ag, tydelik te plaas op grond wat aan die voornoemde serwituit grens, en voorts is die Stad Tshwane Metropolitaanse Munisipaliteit geregtig op redelike toegang tot genoemde grond vir die voornoemde doel, onderworpe daaraan dat die Stad Tshwane Metropolitaanse Munisipaliteit enige skade vergoed wat gedurende die aanleg, onderhoud of verwydering van sodanige municipale dienste en ander werke veroorsaak word.

2.1.4 ERWE 1373 TOT EN MET INSLUITENDE 1451 EN 1453

'n Artikel 21 Maatskappy (huiseienaarsvereniging) moet geregistreer word. Die eienaars van al die bogemelde erwe moet lede van die Artikel 21 Maatskappy wees.

2.1.5 ERWE 1375, 1379 EN 1380

Die erwe is onderworpe aan 'n reg van weg serwituut, soos aangedui op die Algemene Plan, vir die doeleindes van 'n draaisirkel.

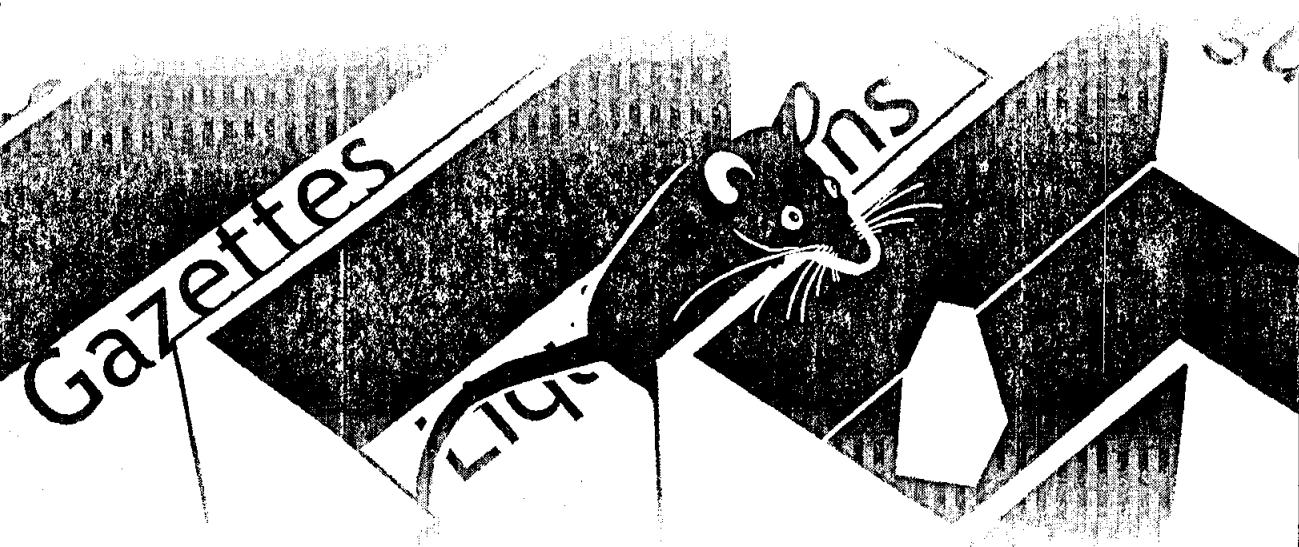
2.1.6 ERWE 1452 EN 1458

Die erwe is onderworpe aan 'n 1:50 en 1:100 jaar vloedlyn, soos aangedui op die uitlegplan, en soos voorgeskryf deur Artikel 144 van die Nasionale Waterwet, Wet 36 van 1998.



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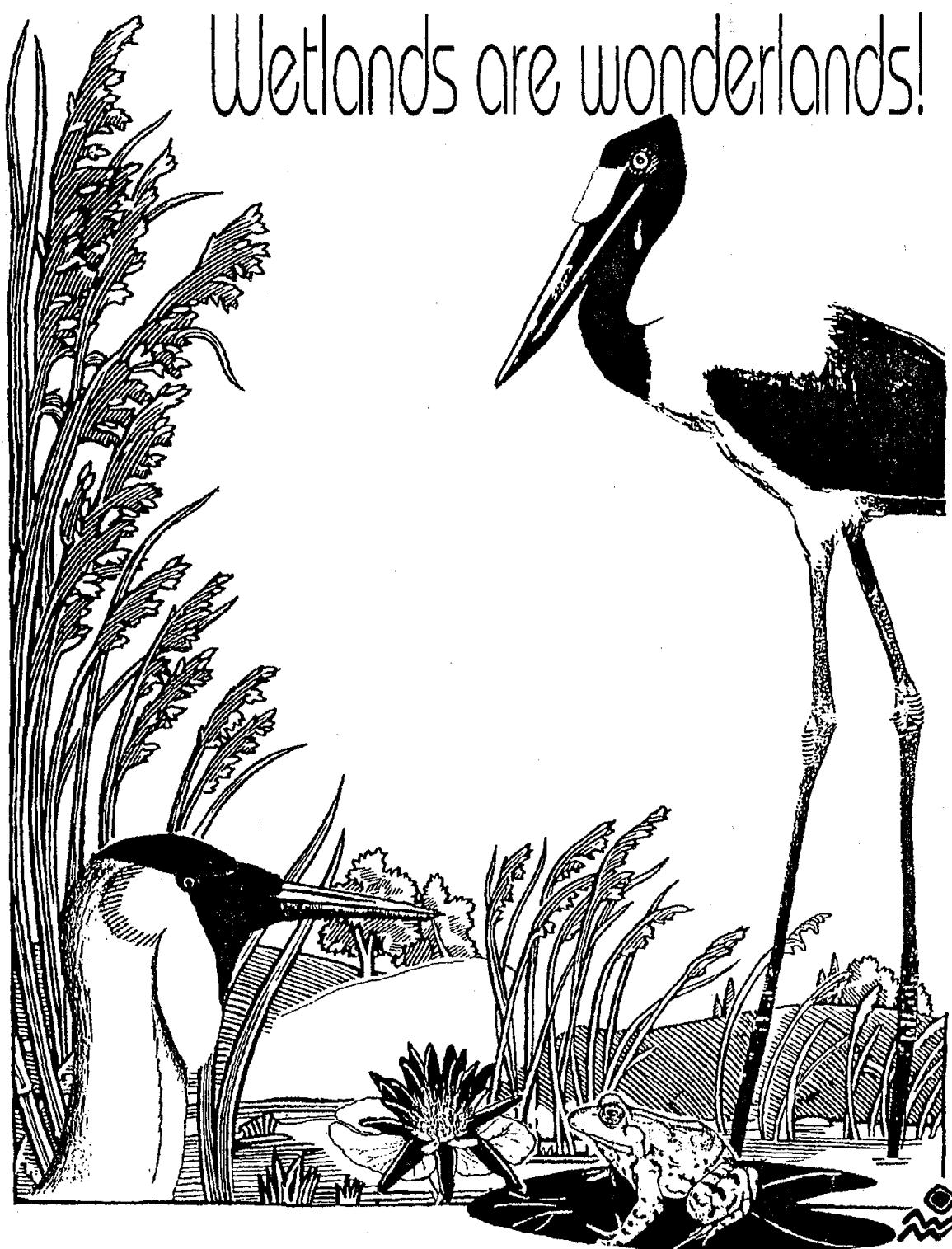
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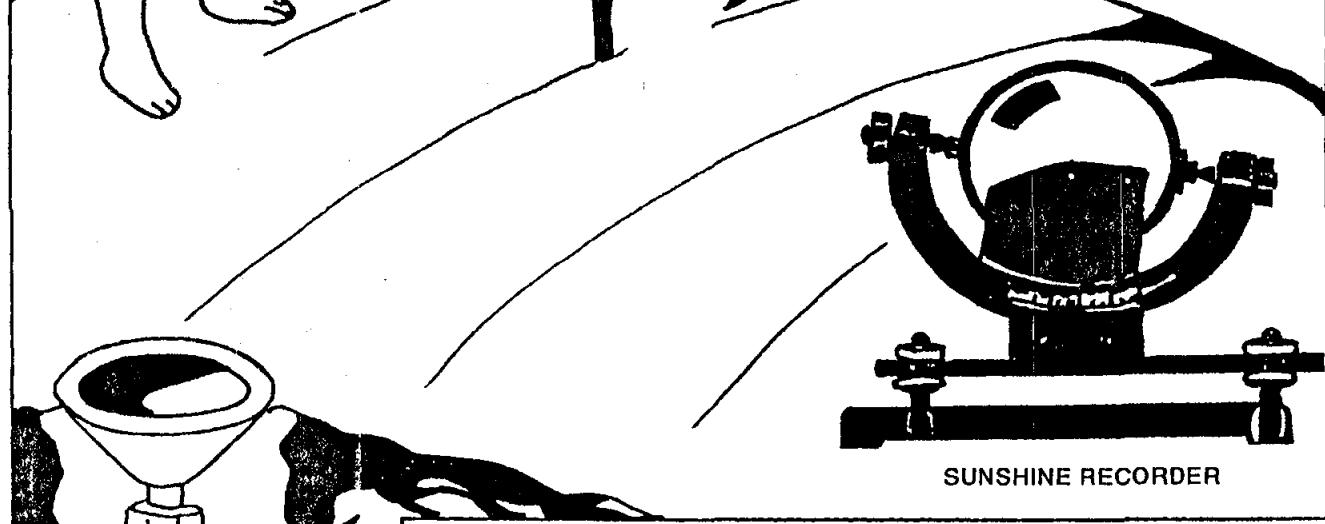
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