

PROVINCE OF THE EASTERN CAPE  
IPHONDO LEMPUMA KOLONI  
PROVINSIE OOS-KAAP

**Provincial Gazette**  
**Igazethi Yephondo**  
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**Vol. 18**

**BISHO/  
KING WILLIAM'S TOWN, 7 NOVEMBER 2011**

**No. 2652**

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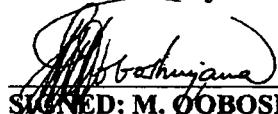
**PROVINCIAL NOTICE**

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**No. 45****PROVINCE OF THE EASTERN CAPE****DEPARTMENT OF LOCAL GOVERNMENT AND TRADITIONAL AFFAIRS**

**THE FINAL DESIGNATION OF FULL-TIME COUNCILLORS IN TERMS OF POLICY FRAMEWORK AS PUBLISHED IN THE GOVERNMENT GAZETTE No. 25264 DATED 28 JULY 2003, ISSUED IN TERMS OF SECTION 12 OF THE LOCAL GOVERNMENT: MUNICIPAL STRUCTURES ACT, (ACT NO. 117 OF 1998)**

I, MLOBO QOBOSHIYANE, Member of the Executive Council responsible for Local Government in the Province of the Eastern Cape, after the consultation process prescribed in section 17 of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998), under the powers vested in me by Sections 16(1)(d) of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998), hereby finally designate the Executive Committee Members: Portfolio for Finance; Portfolio for Technical Services and Portfolio for Governance and Administration in respect of the Emalahleni Local Municipality as full-time in terms of the Policy Framework as published in the Government Gazette No. 25264 dated 28 July 2003 as per attached schedule with effect from the first day of the month following the date of publication in the Provincial Gazette.



SIGNED: M. QOBOSHIYANE

MEMBER OF THE EXECUTIVE COUNCIL RESPONSIBLE FOR LOCAL  
GOVERNMENT – PROVINCE OF THE EASTERN CAPE

DATE: 5/16/2011

**SCHEDULE**

**NOTICE No.**

**PART 8 [EMALAHLENI LOCAL MUNICIPALITY]**

**ESTABLISHMENT OF MUNICIPALITY**

**By specifying in terms of Policy Framework as published in the Government Gazette No. 25264 dated 28 July 2003, designate the following Office Bearers as fulltime:**

**7. FULLTIME COUNCILORS**

**(a) Members of the Executive Committee**

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## GENERAL NOTICES

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### No. 301

**REMOVAL OF RESTRICTIONS ACT, 1967 (ACT 84 OF 1967) : ERF 1470, DESPATCH  
(57 BOOM STREET) (CF47/01470) (02130135) (MJ)**

Notice is given in terms of Section 3(6) of the above Act that the undermentioned application has been received and is open to inspection at room 4178, fourth floor, Office for Housing and Local Government : Eastern Cape, Tyamzashe Building, Civic Square, Bisho, and at the office of the Nelson Mandela Bay Municipality, 76 Cuyler Street, Uitenhage. Any objections, with full reasons therefor, should be lodged in writing with the Municipal Manager, P O Box 116, Port Elizabeth 6000 on or before 24 October 2011, quoting the above act and the objector's erf number.

**Applicant:**

Settlement Planning Services

**Nature of application:**

Removal of title conditions applicable to Erf 1470, Despatch.

**E NTOBA  
ACTING MUNICIPAL MANAGER**

**DAILY SUN - 23 AND 30 SEPTEMBER 2011**

**PROVINCIAL GAZETTE – Within 21 days of the appearance of this Notice in the Provincial Gazette (Eastern Cape)**

MJLK (REF-244)

**NELSON MANDELABAAI MUNISIPALITEIT****WET OP OPHEFFING VAN BEPERKINGS, 1967 (WET 84 VAN 1967) : ERF 1470, DESPATCH (BOOMSTRAAT 57) (CF47/01470) (02130135) (MJ)**

Kennis word gegee kragtens Artikel 3(6) van bogemelde Wet dat onderstaande aansoek ontvang is en ter insae lê by kamer 4178, vierde verdieping, Kantoor vir Behuising en Plaaslike Regering : Oos-Kaap, Tyamzashe-gebou, Civic Square, Bisho en in die kantoor van die Nelson Mandelabaaï Munisipaliteit, Cuylerstraat 76, Uitenhage. Enige besware, volledig gemotiveer, moet nie later nie as 24 Oktober 2011 skriftelik by die Munisipale Bestuurder, Posbus 116, Port Elizabeth 6000 ingedien word, met vermelding van bogenoemde wet en die beswaarmaker se ernommer.

**Aansoeker:**

Settlement Planning Services

**Aard van aansoek:**

Die opheffing van die titelvoorwaardes van toepassing op Erf 1470, Despatch.

Verw. 244

**E NTOBA  
WAARNEMENDE MUNISIPALE BESTUURDER**

**DIE BURGER (Oos-Kaap) - 23 EN 30 SEPTEMBER 2011**

**PROVINSIALE KOERANT - Binne 21 dae van die verskyning van hierdie Kennisgewing in die Provinsiale Koerant (Oos-Kaap)**

MJ/LK (REF-244)

**No. 302**

**NOTICE IN TERMS OF REGULATION 21(10) OF THE REGULATIONS UNDER  
THE DEVELOPMENT FACILITATION ACT, 67 OF 1995  
CASE NUMBER DT(EC) 017/2011**

Notice is hereby given that **SETPLAN** acting on behalf of the **INXUBA YETHEMBA MUNICIPALITY AND ARENGO 316 (PTY) LTD, EITHER AS OWNER OF OR DULY AUTHORISED BY THE OWNERS CONCERNED** has lodged an application in terms of the Development Facilitation Act for the establishment of a land development area on **PORTION OF REMAINDER OF ERF 1 AND ERVEN RE/31, 32 AND 33 CRADOCK**, Province of the Eastern Cape.

The application consists of the following:

- The **SUBDIVISION** of the Remainder of Erf 1 Cradock into 2 portions (unregistered Erf 6128 Cradock and a remainder)
- The **REZONING** of unregistered Erf 6128 Cradock and Erven Re/31, 32 and 3 Cradock from Agricultural Zone to Industrial Zone for the purposes of an Industrial Park including an Ethanol Plant
- The **CONSOLIDATION** of unregistered Erf 6128 Cradock with Erven Re/31, 32 and 33 Cradock
- The approval of the **RE-SUBDIVISION** of the consolidated erf to allow the Ethanol Plant to form a separate land parcel.
- The approval of Site Development Plan 1411 A/1, showing the location of the proposed infrastructure for the Ethanol Plant.
- Removal of a restrictive condition of title as it applies to unregistered Erf 6128 Cradock
- The approval of draft Conditions of Establishment
- Amendment of the Cradock Town Planning Scheme Regulations.

The relevant plan(s), document(s) and information are available for inspection at the **Department of Local Government & Traditional Affairs, Room 4186, Fourth Floor, Tyamzashe Building, BHISHO** or at [www.setplan.co.za](http://www.setplan.co.za) for a period of 21 days from **7 November 2011**.

The application will be considered at a **TRIBUNAL HEARING** to be held at the **Inxuba Yethemba Council Chambers, No 1 JA Calata Street, Cradock** on **16 February 2012 at 10h30** and the **PRE-HEARING** conference will be held at the **Inxuba Yethemba Council Chambers, No 1 JA Calata Street, Cradock** on **12 January 2012 at 10h30**.

Any person having an interest in the application should please note that:

1. You may, within a period of 21 days from the date of the publication of this notice, provide the Designated Officer with your written objections or representations; or
2. If your comments constitute an objection to any aspect of the land development application, you must appear in person or through a representative before the Tribunal on the date mentioned above.

Any written objection or representation must be delivered to the Designated Officer at the **Department of Local Government and Traditional Affairs, Room 4186, Fourth Floor, Tyamzashe Building, BHISHO**.

You may contact **Ms J Mangcunyana** on telephone no. **040 609 5291** or Fax No. **040 609 5198** if you have any queries concerning the application.

LAND DEVELOPMENT APPLICANT: SETPLAN, EAST LONDON  
TEL: 043 – 743 3883 or 043 - 721 1424, FAX: 043 – 743 7374 or 043 721 1423.  
[www.setplan.co.za](http://www.setplan.co.za)

**ISAZISO NGOKOMGAQO 21(10) PHANTSI KWEMIMISELO YOMTHETHO I-  
DEVELOPMENT FACILITATION ACT, 67 KA 1995  
INOMBOLO YETYALA DT (EC) 017/2011**

**Isaziso** sikhutshwa ngalo mpapasho sisithi u**SETPLAN** omele I **INXUBA YETHEMBA MUNICIPALITY KWAKUNYE NEARENGO 316 (PTY) LTD, NJE NGOMNIKAZI OKANYE IGUNYAZISWE NGUMNIKAZI** bangenise isicelo ngokommiselo woQuquzelelo loPhuhliso-mhlaba ukuze kumiswe indawo yokuphuhlisa kwi- **KWICEBA LENTSALELA YESIZA 1 KWAKUNYE NEZIZA INTSALELA/31, 32 KWAKUNYE 33 CRADOCK, KwiPhondo LaseMpuma Koloni.**

Esi sicelo siquka oku kulandelayo:

- Ukucandwa kwentsalela yesiza 1 eCradock ibengasmaceba amabini 2 (isiza ezingabhaliswanga 6128 Cradock kwakunye nentsalela)
- Ukutshintshwa kwelungelo lokusetyenziswa komhlaba kwisiza 6128 eCradock kwakunye nesiza nentsalela yeceba lesiza esingabhaliswanga 6128 eCradock 31, 32 kwakunye 3 eCradock, esuswa kulimo esisiwa kwindawo yemveliso ngenjongo zokuseka indawo yemveliso ebandakanya ukuveliswa kwe Ethanol.
- Ukudityaniswa kwesiza esingabhaliswanga 6128 eCradock sidityaniswe nentsalela yeceba lesiza 31, 32 and e33 Cradock.
- Ukuphumeza ukucandwa ngokutsha kwesiza esidityanisiweyo kulungiselelwe umzi-mveliso we Ethanol kwisiza esisodwa.
- Ukuphuyezwa kwesicwangciso sophuhliso 1411 A/1, ebonakalisa indawo ekucetywa uphuhliso kuyo ymzi mveliso we Ethanol.
- Ukubekelea bucal imiqathango yetayitile echaphazela isiza esingabhaliswanga u 6128 eCradock.
- Ukuphumeza imiqathango youkuqaliswa kophuhliswa engagqitywanga.
- Ukutshintshwa komqulu wemiqathango ye Cradock Town Planning Scheme.

Izicwangwiso, uxwebhu kunye neencukhaca zingafumaneka **kwiSebe loRhulumente weMicimbi yezeKhaya nezeMveli, e-ofisini 4186, umgangatho wesine, Tyamazashe isakhiwo, eBHISHO or [www.setplan.co.za](http://www.setplan.co.za)** ithuba elingange ntsuku ezi 21 ukusukela nge 7 November 2011.

Esi sicelo siza kuhlolwa ligqugula lovavanyo elizakubanjelwa **Inxuba Yethemba Council Chambers, No 1 JA Calata Street, Cradock nge 16 February 2012 ngo 10h30** kwaye inkomfa **YOVIWANO NDLEBE** phambi kudibane igqugula izakuba **Inxuba Yethemba Council Chambers, No 1 JA Calata Street, Cradock nge 12 January 2012 ngo 10h30.**

Nawuphi umntu onomdla kwesicelo makazi oku:

1. Ungathumela izikhalazo okanye izimvo zakho ezibhaliweyo, malunga nesisicelo, kwi gosa elichongiweyo, zingekadluli iintsuku ezi 21 ukusukela kusuku lokupapashwa kwesisibhengezo.
2. ukubangabana izimvo zakho zizisikhalazo malunga noluphuhliso lwesisicelo, kufuneka ume phambi kwe Igqiza ngobuqu bakho okanye uthumele ummeli.

Nasiphi na isikhalazo okanye izimvo kufuneka zisiwe ngesandla kwi gosa elichongiweyo **kwiSebe likaRhulumente waseKhaya ne, kwiofisi 4186, umgangatho wesine, Tyamazashe isakhiwo, eBHISHO.**

Ungaqhagamshelana **Ms J Mangcunyana ngenombolo yomnxeba 040 609 5291** okanye ifaksi **040 609 5198** ubangabana unemibuzo malunga nesi sicelo.  
LAND DEVELOPMENT APPLICANT: SETPLAN, EAST LONDON  
TEL: 043 – 743 3883 or 043 - 721 1424, FAX: 043 – 743 7374 or 043 721 1423.  
[www.setplan.co.za](http://www.setplan.co.za)



No. 303

IN THE HIGH COURT OF SOUTH AFRICA  
(EASTERN CAPE HIGH COURT, PORT ELIZABETH)

PORT ELIZABETH, Tuesday, the 18<sup>th</sup> day of October 2011

BEFORE The Honourable Mr Justice EKSTEEN

Case No. 3211/2011

In the matter between:

In the *ex parte* application of :

**GRANT BASIL MUNDELL**

**Applicant**

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Having heard Advocate NJ Mullins, Counsel for the Applicant, and having read the documents filed of record.

**IT IS ORDERED:**

1. That a rule nisi do hereby issue calling upon all interested parties to show cause on or before **TUESDAY, 8 NOVEMBER 2011**, why an order in the following terms should not be made:

- 1.1 deleting the restrictive conditions set forth at paragraph "3(a) to(d)" of the Title Deed incorporated in Deed of Transfer number T 037275/11 in respect of the property described therein as Erf 195 Summerstrand, situate at 13 Scarborough Street, Summerstrand, Port Elizabeth, in the Nelson Mandela Municipality, Division of Port Elizabeth, Province of the Eastern Cape, (hereinafter referred to as "the property") to wit:

*"3. This erf shall be subject to the following conditions provided especially that where, in the opinion of the Administrator after consultation with the Townships Board and the Local Authority, it is expedience that the restriction in any such condition should at any time be suspended or relaxed, he may authorise the necessary suspension or relation , subject to compliance with such conditions as he my impose:-*

- (a) *It shall not be subdivided.*
  - (b) *It shall be used only for the purpose of erecting thereon one dwelling together with such outbuilding as are ordinarily required to be used therewith.*
  - (c) *Not more than half the area thereof shall be built upon.*
  - (d) *No building or structure or any portion thereof, except boundary walls and fences, shall be erected nearer than 6.30 metres to the streetline which forms a boundary of this erf, nor within 3,15 metres of the rear or 1,57 metres of the lateral boundary common to any adjoining erf, provided that with the consent of the local authority outbuildings not exceeding 3.05 metres in height measured from the floor to the wallplate may be erected within the above prescribed rear space and within the above prescribed lateral space for a distance of 9.45 metres reckoned from the rear boundary. On consolidation of any two or more erven, this condition shall apply to the consolidated area as one erf.*
- 1.2 Authorising the Registrar of Deeds to effect an endorsement of the Deed of Transfer Number T037275/11 in accordance with paragraph 1.1 herein above.
- 1.3 Directing that the Applicant gives notice of this Applicant by the service of the papers relating to this application and any *rule nisi* which this Honourable Court may grant, be effected:
- 1.3.1 On each of the registered owners of the properties adjacent to the property, by way of sheriff, being:
- 1.3.1.1 Erf 192 Summerstrand, known as 9 Scarborough Street;

- 1.3.1.2 Erf 194 Summerstrand, known as 11  
Scarborough Street;
- 1.3.1.3 Erf 197 Summerstrand, known as 15  
Scarborough Street;
- 1.3.1.4 Erf 209 Summerstrand, known as 12  
Scarborough Street;
- 1.3.1.5 Erf 207 Summerstrand, known as 14  
Scarborough;
- 1.3.1.6 Erf 205 Summerstrand, known as 16  
Scarborough Street;
- 1.3.1.7 Erf 203 Summerstrand, known as 18  
Scarborough Street;

1.3.2 by way of Sheriff on the Nelson Mandela Bay Municipality;

1.3.3 by the Sheriff on the:-

1.3.2.1 Premier of the Eastern Cape;

1.3.3.2 Registrar of Deeds, Cape Town; and

1.3.4 and publication of such rule nisi as this Honourable Court may grant:

1.3.4.1 once in the Provincial Gazette of the Province of the Eastern Cape; and

1.3.4.2 once, in English, in the Herald and in Afrikaans, in "Die Burger(Oos-Kaap)"

And by giving such advertisement, to the effect that the papers relating to this Application may be inspected at the offices of the Applicant's attorneys and of the Registrar of this Honourable Court.

1.4 Granting the Application such further and/or alternative relief.

BY ORDER OF THE COURT

*B. Lucas*

D T S ATTORNEYS

pp REGISTRAR

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