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## LOCAL AUTHORITY NOTICES

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### LOCAL AUTHORITY NOTICE 88



## STEVE TSHWETE LOCAL MUNICIPALITY

### BURSARY BY LAWS

**STEVE TSHWETE LOCAL MUNICIPALITY****BURSARY BY-LAWS**

Notice is hereby given in terms of Section 13 of the Local Government: Municipal Systems Act, 32 of 2000, as amended, read with Section 156 and 162 of the Constitution of the Republic of South Africa, 108 of 1996, that the Steve Tshwete Local Municipality resolved to adopt the following Bursary Loan By-Laws, with effect from the date of publication.

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CHAPTER ONE

INTERPRETATION

1. Definitions:

(i) In these By-Laws, unless the context indicates otherwise,

- |                           |   |
|---------------------------|---|
| "bursary"                 | means a conditional bursary granted to an official for study purposes   |
| "Bursary Fund"            | means a fund established by the Council in terms of the provisions of Section 79 (51) of the Local Government Ordinance, 17 of 1939, as amended, to provide for bursary for part-time study by officials and wherein the Council may deposit funds from time to time as it may deem fit.      |
| "contract period"         | means a period of twelve (12) months for each R5 000,00 or part thereof for undergraduate and honours degree, R10 000.00 or part thereof for Master's degree and as determined by Council from time to time.  |
| "Council"                 | means (a) the Steve Tshwete Local Municipality established by Provincial Notice 28 of 2004, in terms of Section 12 of the Local Government: Municipal Structures Act, 117 of 1998, exercising its legislative and executive powers by way of its municipal Council or its successor in title. |
|                           | (b) a structure or person delegated or carrying out an instruction, where any power or function in terms of these by-laws has been delegated or sub-delegated as contemplated in Section 59 of the Local Government: Municipal Systems Act, 32 of 2000  |
| "educational institution" | means an institution as referred to in Section 79(16)(d), 79(17) and 79(51) of the Local Government Ordinance, 17 of 1939, as amended, or such other institution approved by Council  |

“LGSETA”	means the Local Government Sectoral Education and Training Association
“office hours”	means the official working hours for officials as determined by Council from time to time with due consideration of the official's designation
“official”	means an employee permanently appointed in the service of the Council for a period of not less than 6 months.
“SAQA”	means the South African Qualifications Authority

## CHAPTER TWO

### PROCEDURES & CONDITIONS

#### 2. ELIGIBILITY

Bursary's may be granted to officials who-

- (a) have been appointed permanently for not less than six months in the service of the Council unless the Council decides otherwise,
- (b) qualify for admission to the particular course, or the remainder thereof, at the particular educational institution

#### 3. APPLICATION PROCEDURE

Officials shall apply on the prescribed form “schedule A” for a bursary for a loan and on application furnish full particulars of the intended course, stating the major and other subjects, the educational institution at which lectures will be attended or from which studies will be obtained and all other relevant information to enable the Council to consider such application.

The application form shall be signed by the applicant after the HOD has recommended the suitability approval of the course.

The application form to be submitted to HR for approval by Manager Corporate Services

#### 4. APPROVAL OF BURSARIES

- (a) Approval shall be finalized by Manager Corporate Services upon being satisfied that the course intended is relevant to the Service of the Municipality.
- (b) Upon approval of a bursary by Council a written agreement shall be entered into between the official concerned and the Council wherein the provisions of these by-laws are reaffirmed.
- (c) An official will only be granted one active bursary at a time.

- (d) As many bursary may be granted each year as may be determined by the Council within the limitation of money available in the Bursary Fund on a first come first serve basis.
- (e) If funds are limited applications for studies in disciplines where a need has been identified by Council will have preference after determination by Manager Corporate Services and the Municipal Manager in consultation with the relevant Manager(s).

#### 5. PURPOSE OF BURSARY

- (a) Bursary shall be granted by Council to officials for the payment of all fees in respect of part-time studies/courses or the remainder thereof for which such official(s) has enrolled for at an educational institution so as to assist such official(s) in obtaining training in the functions and activities of Council.
- (b) The payment of the fees as referred to in Sub-section 5 (a) is subject to the conditions as stipulated in Section 6.

#### 6. AMOUNT OF THE BURSARY

Unless the Council approves a higher amount-

- (a) the maximum annual bursary shall be equal to the actual costs of the study units, the registration and other compulsory administrative fees.
- (b) an additional amount as approved by Council from time to time in respect of prescribed textbooks and or prescribed material shall be paid to the official on condition that proof of the purchase price thereof shall be submitted.

#### 7. NATURE OF THE COURSES

- (a) Any course which is studied by an official, to whom a bursary has been granted, shall have bearing upon and be applicable to the functions and activities of the Council.
- (b) No bursary shall be granted to an official in respect of a course or the remainder thereof which such official intend to follow unless such course or the remainder thereof has been approved by the Council.
- (c) Only studies/courses which are accredited by the SAQA and or the LGSETA may be approved by Council on condition that it be studied at an accredited educational institution.
- (d) Bursary will not be granted for courses which the official has already passed.

**8. FINANCING OF BURSARY**

- (a) All payments in respect of a bursary shall, on receipt of an original account, be paid by the Council direct to the educational institution, provided that where the bursary has been granted for a part of any course, payment shall only be made for such part of the course; provided further that payment may be made direct to the official upon submission of an original account of the educational institution together with proof thereof that the fees as set out in the account have already been paid to the relevant institution by the official.
- (b) Application must be made in writing for the payment of any study related fees, accompanied by the necessary documentary proof and must be made at least fifteen (15) working days prior to the closing date of such application at the educational institution.

**CHAPTER 3****REPAYMENT & CANCELLATION****9. CONDITIONS OF BURSARY**

- (a) Bursary are not repayable in respect of successfully completed courses if the official serves the Council for the contract period.
- (b) If the official wishes to obtain a specific study unit or study units, but is forced to enroll for the complete qualification and the official passes the study units which he wishes to obtain and serves the Council for the contract period, the bursary in respect of the successfully passed study units is not repayable. If such official serves the Council for the contract period, in respect of the bursary amount advanced for the additional study units for which he had to enroll, the bursary is not repayable.
- (c) If the official does not pass all the study units for which he enrolled, during a study year, and or the bursary has not been cancelled in terms of Section 10, the official will be allowed to either:
  - i) re-enroll for such units at his/her own cost or
  - ii) still serve the Municipality for the contract period for the bursary allocated to him/her.
- (d) The contract period shall commence on the last date on which the official completed the examinations during a study year provided that proof be submitted as per Section 13 of these by-laws.



- (e) In the event of the official leaving the service of the Council or being dismissed for any reason whatsoever before completion of the contract period, he shall be liable for immediate repayment to the Council of a pro-rata portion of the bursary in respect of the unexpired contract period.
- (f) The payment referred to in Sub-section 9 (e) shall be repayable to the Council and the Council reserves the right to deduct such amount from the salary or any other monies which may be due by the official to the Council; provided that if the monies due by the official to the Council, is insufficient to cover the amount of the bursary, the Council shall, notwithstanding any preceding provision, have the right to claim payment of the full amount which is due to the Council together with interest thereon from the official.

#### 10. CANCELLATION OF BURSARY

- a) The Council may at any time in its sole discretion cancel the bursary if it is of the opinion that an official's progress with the studies is unsatisfactory or if he fails to comply with any other obligation in terms of these by-laws or the bursary agreement.
- b) If the Council cancels a bursary, or if the official at any time discontinues the studies or abandons the bursary, the official shall immediately repay the full amount of the bursary which has been paid for his/her bursary for the particular year of study as well as any monies due in respect of Sub-section 9 (c) (ii), provided that such repayment may take place in monthly installments over a period as may be determined by the Council, plus interest on the amount due at a rate of interest as may be determined by the Council from time to time, calculated from the first day of the month following upon the month in which the bursary was cancelled or abandoned or during which such official discontinued such studies.

### CHAPTER 4

#### DURATION & EXAMINATION

#### 11. EXTENSION OF PERIOD

- a) The study period shall not be longer than twice the minimum duration of the course or the maximum time allowed by the education institution, whichever is the shortest.
- b) If the bursary has not been cancelled in terms of Section 10, and if it is deemed necessary, the Council may approve an application for extension of time on receipt of a written motivation by the official.

**12. SPECIAL LEAVE**

- (a) Special leave on full salary or wage shall be granted to an employee when he/she sits for an examination as follows:
- i) Short courses equaling 6 months or less – the day of examination.
  - ii) National diplomas or junior degrees two days granted – one day prior to the examination as well as the day of examination.
  - iii) Honours and masters degree three days granted - two days prior to the examination as well as the day of examination.
  - iv) Doctorates four days granted – three days prior to the examination as well as the day of examination or four days granted for preparation of the thesis/citation/assessment.

Provided that if the official does not sit for the specific examination or the official has failed the subject no further special leave will be granted in the following year in respect of such subject.

- (b) Subject to the provisions of Sub-section 12 (a) special leave may be granted for study schools or compulsory/prescribed attendance of classes during official hours and in the following manner:
- i) One (1) day in respect of Sub-sections 12 (a) (i) & (ii)
  - ii) Two (2) days in respect of Sub-section 12 (a) (iii)
  - iii) Five (5) days in respect of Sub-section 12 (a) (iv)

**13. SUBMITTANCE OF RESULTS**

- (a) The official will within two (2) months after an examination or one (1) month after such examination results are available, which ever is the shortest, furnish the Council with such results.
- (b) If the official fails to comply with the provisions of these by-laws the Council will have the right to withdraw the bursary as stated in Section 10(a).

**CHAPTER 5****REPEAL OF BY-LAWS****14. The following by-laws are hereby repealed:**

- a) Middelburg Municipality: By-Laws for the Regulation of Bursary Loans published under Administrator's Notice 979 of 2 September 1970.
- b) Middelburg Municipality: By-Law for Regulating the Granting of Loans to Officials of the Council from the Bursary Loan Fund published under Administrator's Notice 92 of 31 January 1979.

**LOCAL AUTHORITY NOTICE 89**

# **CONDITIONS OF ESTABLISHMENT**

## **FOR**

## **ROCKDALE**

**Prepared by**

**Urban Dynamics (Mpumalanga) Inc.**

**NOVEMBER 2005**

**CONDITIONS UNDER WHICH THE APPLICATION FOR TOWNSHIP ESTABLISHMENT IN TERMS OF THE PROVISIONS OF SECTION 108 OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986, ON A PORTION OF THE FARM ROCKDALE 442 J.S., PROVINCE OF MPUMALANGA, BY STEVE TSHWETE MUNICIPALITY (HEREINAFTER REFERRED TO AS THE TOWNSHIP APPLICANT) AND BEING THE REGISTERED OWNER OF THE LAND, HAS BEEN APPROVED**

**1. CONDITIONS TO BE COMPLIED WITH PRIOR TO THE APPROVAL OF THE GENERAL PLAN**

**(1) GENERAL**

The township applicant shall comply with the provisions of Section 72 of the Town-planning and Townships Ordinance, 1986 (Ordinance No. 15 of 1986).

**2. CONDITIONS TO BE COMPLIED WITH PRIOR TO THE REGISTRATION OF THE TOWNSHIP**

**(1) GENERAL**

The township applicant shall comply with provisions of Section 109(3)(b) of the Town Planning and Township Ordinance, 1986 (Ordinance No. 15 of 1986).

**3. CONDITIONS OF ESTABLISHMENT**

**(1) NAME**

The name of the township shall be Rockdale.

**(2) LAYOUT/DESIGN**

The township shall consist of erven and streets as indicated on General Plan No. 2829/2006.

**(3) ACCESS**

- (a) Ingress from Provincial Road P49-1 to the township and egress to Provincial Road P49-1 from the township shall be restricted to the street between Erven 10 and 62 and Erven 1051 and 1059 with the said road.

**(4) ACCEPTANCE AND DISPOSAL OF STORMWATER**

The township applicant shall arrange for the drainage of the township to fit in with that of Provincial Road P49-1 and for all stormwater running off or being diverted from the road to be received and disposed of.

**(5) REMOVAL, REPOSITIONING, MODIFICATION OR REPLACEMENT OF EXISTING TELKOM PLANT**

If, by reason of the establishment of the township, it should become necessary to remove, reposition, modify or replace any existing Post Office/Telkom plant, the cost thereof shall be borne by the township applicant.

**(6) REMOVAL, REPOSITIONING, MODIFICATION OR REPLACEMENT OF EXISTING ESKOM POWER LINES**

If, by reason of the establishment of the township, it should become necessary to remove, reposition, modify or replace any existing power lines of ESKOM, the cost thereof shall be borne by the township applicant.

**(7) AMENDMENT OF TOWN-PLANNING SCHEME**

The township applicant shall immediately after approval of the Steve Tshwete Town-Planning Scheme, 2004, take the necessary steps to have the town-planning scheme amended by including the township therein.

**(8) LAND USE CONDITIONS****(a) CONDITIONS IMPOSED BY THE PREMIER IN TERMS OF THE PROVISIONS OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE NO. 15 OF 1986)**

The even mentioned hereunder shall be subject to the conditions indicated, imposed by the Premier in terms of the provisions of the Town-planning and Township Ordinance, 1986 (Ordinance No. 15 or 1986).

**(i) ALL ERVEN**

The use of the erf is as defined and subject to such conditions as are contained in the Land Use Conditions in the Steve Tshwete Town-Planning Scheme, 2004.

**(ii) ERVEN 2-163, 165-327, 329-621, 623-887, 889-945, 947-1035**

The use zone of the erven shall be "Residential 1".

**(iii) ERF 622**

The use zone of the erf shall be "Business 2".

**(iv) ERVEN 164, 328, 888, 946**

The use zone of the erven shall be "Institutional".

**(v) ERF 1**

The use zone of the erf shall be "Municipal".

**(vi) ERVEN 1036-1068**

The use zone of the erf shall be "Public Open Space".

**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.

**(i) ERVEN 1-11, 60, 62-87, 92-105, 681-699, 1051 AND ERF 1059,**

- (aa) Buildings, including outbuildings, hereafter erected on the erf shall be located not less than 16m from the boundary thereof abutting on the Provincial Road P49-1.

(bb) Ingress to and egress from the erf shall not be permitted along the south western boundary thereof on the Provincial Road P49-1.

**(ii) ERVEN 10-12, 14-15, 18, 44-45, 50-51, 56-57, 60, 62, 192-195, 238-259, 265-267, 506, 610-611, 616-625, 627, 645-650, 652, 673-674, 795, 816-817, 820-821, 888-899, 922-925, 943, 946-956, 1037, 1040, 1051-1053, AND 1055-1059**

(aa) Ingress to and egress from the erf shall not be permitted along the boundary thereof abutting on the 25m street.

**(iii) ERF 946**

(aa) Ingress to and egress from the erf shall be allowed at the following point: A 10m wide access along the northern boundary of the property, approximately 30m from the northwestern corner beacon from the property and approximately 30m from the northeastern corner beacon of the property

#### **5. CONDITIONS IMPOSED BY THE CONTROLLING AUTHORITY IN TERMS OF THE ADVERTISING ON ROADS AND RIBBON DEVELOPMENT ACT, 1940 (ACT NO. 21 OF 1940)**

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

**(i) ERVEN 1-11, 60, 62-87, 92-105, 681-699, 1051 AND ERF 1059,**

(aa) The registered owner of the erf shall erect a physical barrier consisting of a 1.3m high wire fence, as may be approved by the Local Authority, in accordance with the most recent standards of the Department Head: Department of Public Works, Roads and Transport before or during development of the erf along the boundary thereof abutting of Provincial Road P49-1 to the satisfaction of the Local Authority and shall maintain such fence to the satisfactory of the Local Authority.

- (bb) Except for the physical barrier referred to in subclause (aa) above, a swimming bath or any essential stormwater drainage structure, no building, structure or other thing which is attached to the land, even though it does not form part of that land shall be erected nor shall anything be constructed or laid under or below the surface of the erf within a distance less than 16m in respect of single storeyed structures and 20m in respect of multi-storeyed structures from the reserve boundary of Provincial Road P49-1.

## **6. CONDITIONS TO BE COMPLIED WITH BEFORE THE ERVEN IN THE TOWNSHIP BECOME REGISTRABLE**

### **(1) INSTALLATION AND PROVISION OF SERVICES**

The township applicant shall install and provide appropriate, affordable and upgradeable internal and external in or for the township, as provided for in the services agreement or by a decision of a services arbitration board, as the case may be.

## **7. CONDITIONS OF TITLE**

### **(1) 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 and real rights.

### **(2) CONDITIONS IMPOSED BY THE PREMIER IN TERMS OF THE PROVISIONS OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE NO. 15 OF 1986)**

#### **(a) ALL ERVEN WITH THE EXCEPTION OF ERVEN 1036-1068**

- (i) The erf is subject to –
- (aa) a servitude 3 metres wide along the street boundary;
  - (bb) a servitude 2 metres wide along the rear (mid block) boundary; and



- (cc) servitudes along the side boundaries with an aggregate width of 3 metres and a minimum width of 1 meter,

in favour of the Local Authority for sewerage and other municipal purposes and, in the case of a panhandle erf, an additional servitude for municipal purposes 1 metre wide across the access portion of the erf, if and when required by the Local Authority : Provided that the local authority may relax or grant exemption from the required servitudes.

- (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 1 meter thereof.
- (ii) 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 is, 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.

**(b) ERF 72**

The erf is subject to a 3m wide servitude on the eastern boundary for stormwater purposes.

**LOCAL AUTHORITY NOTICE 90**

# **CONDITIONS OF ESTABLISHMENT**

## **FOR**

# **ROCKDALE EXTENSION 1**

**Prepared by**

**Urban Dynamics (Mpumalanga) Inc.**

**NOVEMBER 2005**

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*Conditions of Establishment/ROCKDALE EXT. 1/MID156*

**CONDITIONS UNDER WHICH THE APPLICATION FOR TOWNSHIP ESTABLISHMENT IN TERMS OF THE PROVISIONS OF SECTION 108 OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986, ON A PORTION OF THE FARM ROCKDALE 442 J.S., PROVINCE OF MPUMALANGA, BY STEVE TSHWETE MUNICIPALITY (HEREINAFTER REFERRED TO AS THE TOWNSHIP APPLICANT) AND BEING THE REGISTERED OWNER OF THE LAND, HAS BEEN APPROVED**

**1. CONDITIONS TO BE COMPLIED WITH PRIOR TO THE APPROVAL OF THE GENERAL PLAN**

**(1) GENERAL**

The township applicant shall comply with the provisions of Section 72 of the Town-planning and Townships Ordinance, 1986 (Ordinance No. 15 of 1986).

**2. CONDITIONS TO BE COMPLIED WITH PRIOR TO THE REGISTRATION OF THE TOWNSHIP**

**(1) GENERAL**

The township applicant shall comply with provisions of Section 109(3)(b) of the Town Planning and Township Ordinance, 1986 (Ordinance No. 15 of 1986).

**3. CONDITIONS OF ESTABLISHMENT**

**(1) NAME**

The name of the township shall be Rockdale Extension 1.

**(2) LAYOUT/DESIGN**

The township shall consist of erven and streets as indicated on General Plan S.G. No. 934/2008.

**(3) ACCEPTANCE AND DISPOSAL OF STORMWATER**

The township applicant shall arrange for the drainage of the township to fit in with that of Provincial Road P49-1 and for all stormwater running off or being diverted from the road to be received and disposed of.

**(4) REMOVAL, REPOSITIONING, MODIFICATION OR REPLACEMENT OF EXISTING TELKOM PLANT**

If, by reason of the establishment of the township, it should become necessary to remove, reposition, modify or replace any existing Post Office/Telkom plant, the cost thereof shall be borne by the township applicant.

**(6) REMOVAL, REPOSITIONING, MODIFICATION OR REPLACEMENT OF EXISTING ESKOM POWER LINES**

If, by reason of the establishment of the township, it should become necessary to remove, reposition, modify or replace any existing power lines of ESKOM, the cost thereof shall be borne by the township applicant.

**(7) RESTRICTION ON THE DISPOSAL OF ERVEN 1121 AND 1973**

(a) The township applicant shall not, offer for sale or alienate Erven 1121 and/or 1973 within a period of six (6) months after the erven become registrable or approval / exemption has been granted by the Premier, to any person or body other than the State unless the Department of Education has indicated in writing that the Department does not wish to acquire the erven.

**(8) AMENDMENT OF TOWN-PLANNING SCHEME**

The township applicant shall immediately after approval of the Steve Tshwete Town-Planning Scheme, 2044, take the necessary steps to have the town-planning scheme amended by including the township therein.

**(8) LAND USE CONDITIONS**

**(a) CONDITIONS IMPOSED BY THE PREMIER IN TERMS OF THE PROVISIONS OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE NO. 15 OF 1986)**

The erven mentioned hereunder shall be subject to the conditions indicated, imposed by the Premier in terms of the provisions of the Town-planning and Township Ordinance, 1986 (Ordinance No. 15 or 1986).

**(i) ALL ERVEN**

The use of the erf is as defined and subject to such conditions as are contained in the Land Use Conditions in the Steve Tshwete Town-Planning Scheme, 2004.

**(ii) ERVEN 1069-1078, 1080-1106, 1108-1120, 1123-1331, 1333-1626, 1628-1972**

The use zone shall be "Residential 1".

**(iv) ERF 1627**

The use zone of the erf shall be "Business 2".

**(v) ERVEN 1107, 1122, 1332**

The use zone of the erf shall be "Institutional".

**(vi) ERVEN 1121 AND 1973**

The use zone of the erf shall be "Educational".

**(vii) ERF 1079**

The use zone of the erf shall be "Municipal".

**(iv) ERVEN 1974-1995**

The use zone of the erf shall be "Public Open Space".

#### **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.

- (i) **ERVEN 1069-1079, 1091-1092, 1107, 1120-1122, 1236, 1259-1260, 1265-1266, 1390-1409, 1414-1423, 1447-1448, 1450-1460, 1595-1597, 1625-1641, 1655-1667, 1672-1685, 1690-1691, 1805-1808, 1897-1898, 1957, 1962-1963, 1968-1969, 1973-1976, 1989-1990, 1992-1993 AND 1995**

(aa) Ingress to and egress from the erf shall not be permitted along the boundary thereof abutting on the 25m street.

- (ii) **ERF 1627**

(aa) Ingress to and egress from the erf shall only be permitted along the 25m street at the following point: A 10m wide access point along the western boundary of the property approximately 30m south from the western corner beacon between Erf 1627 and 1628.

(bb) Ingress to the stand will be on the northern boundary of the stand directly across the two 10m wide streets intersecting with the 25m street.

## **5. CONDITIONS TO BE COMPLIED WITH BEFORE THE ERVEN IN THE TOWNSHIP BECOME REGISTRABLE**

### **(1) INSTALLATION AND PROVISION OF SERVICES**

The township applicant shall install and provide appropriate, affordable and upgradeable internal and external in or for the township, as provided for in the services agreement or by a decision of a services arbitration board, as the case may be.

## **7. CONDITIONS OF TITLE**

### **(1) 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 and real rights.

**(2) CONDITIONS IMPOSED BY THE PREMIER IN TERMS OF THE PROVISIONS OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE NO. 15 OF 1986)**

**(a) ALL ERVEN WITH THE EXCEPTION OF ERVEN 1974-1995**

(i) The erf is subject to –

(aa) a servitude 3 metres wide along the street boundary;

(bb) a servitude 2 metres wide along the rear (mid block) boundary; and

(cc) servitudes along the side boundaries with an aggregate width of 3 metres and a minimum width of 1 meter,

in favour of the Local Authority for sewerage and other municipal purposes and, in the case of a panhandle erf, an additional servitude for municipal purposes 1 metre wide across the access portion of the erf, if and when required by the Local Authority : Provided that the local authority may relax or grant exemption from the required servitudes.

(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 1 meter thereof.

(ii) 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 is, 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.

**LOCAL AUTHORITY NOTICE 91**

# **CONDITIONS OF ESTABLISHMENT**

## **FOR**

## **ROCKDALE EXTENSION 2**

**Prepared by**

**Urban Dynamics (Mpumalanga) Inc.**

**FEBRUARY 2009**

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*Conditions of Establishment/ROCKDALE EXT. 2/MID156*



**CONDITIONS UNDER WHICH THE APPLICATION FOR TOWNSHIP ESTABLISHMENT IN TERMS OF THE PROVISIONS OF SECTION 108 OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986, ON A PORTION OF THE FARM ROCKDALE 442 J.S., PROVINCE OF MPUMALANGA, BY STEVE TSHWETE MUNICIPALITY (HEREINAFTER REFERRED TO AS THE TOWNSHIP APPLICANT) AND BEING THE REGISTERED OWNER OF THE LAND, HAS BEEN APPROVED**

**1. CONDITIONS TO BE COMPLIED WITH PRIOR TO THE APPROVAL OF THE GENERAL PLAN**

**(1) GENERAL**

The township applicant shall comply with the provisions of Section 72 of the Town-planning and Townships Ordinance, 1986 (Ordinance No. 15 of 1986).

**2. CONDITIONS TO BE COMPLIED WITH PRIOR TO THE REGISTRATION OF THE TOWNSHIP**

**(1) GENERAL**

The township applicant shall comply with provisions of Section 109(3)(b) of the Town Planning and Township Ordinance, 1986 (Ordinance No. 15 of 1986).

**3. CONDITIONS OF ESTABLISHMENT**

**(1) NAME**

The name of the township shall be Rockdale Extension 2.

**(2) LAYOUT/DESIGN**

The township shall consist of erven and streets as indicated on General Plan S.G. No. 2293/2008.

**(3) ACCEPTANCE AND DISPOSAL OF STORMWATER**

The township applicant shall arrange for the drainage of the township to fit in with that of National Road N11 and for all stormwater running off or being diverted from the road to be received and disposed of.

**(4) REMOVAL, REPOSITIONING, MODIFICATION OR REPLACEMENT OF EXISTING TELKOM PLANT**

If, by reason of the establishment of the township, it should become necessary to remove, reposition, modify or replace any existing Post Office/Telkom plant, the cost thereof shall be borne by the township applicant.

**(5) REMOVAL, REPOSITIONING, MODIFICATION OR REPLACEMENT OF EXISTING ESKOM POWER LINES**

If, by reason of the establishment of the township, it should become necessary to remove, reposition, modify or replace any existing power lines of ESKOM, the cost thereof shall be borne by the township applicant.

**(6) RESTRICTION ON THE DISPOSAL OF ERVEN 2637 AND 2675**

(a) The township applicant shall not, offer for sale or alienate Erven 2637 and/or 2675 within a period of six (6) months after the erven become registerable or approval / exemption has been granted by the Premier, to any person or body other than the State unless the Department of Education has indicated in writing that the Department does not wish to acquire the erven.

**(7) AMENDMENT OF TOWN-PLANNING SCHEME**

The township applicant shall immediately after approval of the Steve Tshwete Town-Planning Scheme, 2004, take the necessary steps to have the town-planning scheme amended by including the township therein.

**(8) LAND USE CONDITIONS**

**(a) CONDITIONS IMPOSED BY THE PREMIER IN TERMS OF THE PROVISIONS OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE NO. 15 OF 1986)**

The erven mentioned hereunder shall be subject to the conditions indicated, imposed by the Premier in terms of the provisions of the Town-planning and Township Ordinance, 1986 (Ordinance No. 15 or 1986).

**(i) ALL ERVEN**

The use of the erf is as defined and subject to such conditions as are contained in the Land Use Conditions in the Steve Tshwete Town-Planning Scheme.

**(ii) ERVEN 2012-2225, 2235-2236, 2244-2559, 2579-2623, 2626-2627, 2638-2660, 2666-2722, 2846-2882, 2917, 3021-3023, 3062 AND 3065**

The erf lies in an area where soil conditions can affect buildings and structures and result in damage to them. Building plans submitted to the Local Authority must show measures to be taken, in accordance with recommendations contained in the geotechnical report for the township, to limit possible damage to buildings and structures as a result of detrimental foundation conditions, unless it is proved to the Local Authority that such measures are unnecessary or that the same purpose can be achieved by other more effective means.

**(iii) ERVEN 1996-2162, 2164-2334, 2336-2439, 2441-2614, 2616-2636, 2638-2674, 2076-2916 AND 2918-3088**

The use zone shall be "Residential 1".

**(iv) ERF 2917**

The use zone of the erf shall be "Business 2".

**(v) ERVEN 2163, 2335, 2440 AND 2615**

The use zone of the erf shall be "Institutional".

**(vi) ERVEN 2637 AND 2675**

The use zone of the erf shall be "Educational".

**(iv) ERVEN 3039-3065**

The use zone of the erf shall be "Public Open Space".

**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.

**(i) ERVEN 2739-2753, 2901-2917, 3039, 3040 AND 3065**

(aa) Ingress to and egress from the erf shall not be permitted along the boundary thereof abutting on the 25m street.

**(ii) ERVEN 2053-2064, 2073-2092, 2135-2154, 2195-2244 AND 3063**

(aa) Ingress to and egress from the erf shall not be permitted along the boundary thereof abutting on the National Road N4.

(bb) The township developer shall erect and maintain a 2m high screen wall, in accordance with the most recent standards of the South African National Roads Agency Limited before or during development of the erven along the boundary thereof abutting the National Road N4 to the satisfaction of the Local Authority and shall maintain such fence to the satisfactory of the Local Authority.

(cc) The above mentioned 2m screen wall is to be extended from the southern boundary of the township from point (P) as indicated on layout plan MID 156\_2-1 outside the township boundary to a point on the south-western boundary of the proposed township Rockdale, adjacent to Provincial Road P49-1.

**5. CONDITIONS TO BE COMPLIED WITH BEFORE THE ERVEN IN THE TOWNSHIP BECOME REGISTRABLE****(1) INSTALLATION AND PROVISION OF SERVICES**

The township applicant shall install and provide appropriate, affordable and upgradeable internal and external in or for the township, as provided for in the services agreement or by a decision of a services arbitration board, as the case may be.

**6. CONDITIONS OF TITLE****(1) 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 and real rights.

**(2) CONDITIONS IMPOSED BY THE PREMIER IN TERMS OF THE PROVISIONS OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE NO. 15 OF 1986)****(a) ALL ERVEN WITH THE EXCEPTION OF ERVEN 3039 - 3065**

(i) The erf is subject to –

(aa) a servitude 3 metres wide along the street boundary;

(bb) a servitude 2 metres wide along the rear (mid block) boundary; and

(cc) servitudes along the side boundaries with an aggregate width of 3 metres and a minimum width of 1 meter,

in favour of the Local Authority for sewerage and other municipal purposes and, in the case of a panhandle erf, an additional servitude for municipal purposes 1 metre wide across the access portion of the erf, if and when required by the Local Authority : Provided that the local authority may relax or grant exemption from the required servitudes.

(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 1 meter thereof.

- (ii) 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 is, 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.