



**THE PROVINCE OF MPUMALANGA
DIE PROVINSIE MPUMALANGA**

**Provincial Gazette
Provinsiale Koerant**

(Registered as a newspaper) • (As 'n nuusblad geregistreer)

Vol. 19

NELSPRUIT, 6 APRIL 2012

No. 2028

IMPORTANT NOTICE

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IMPORTANT NOTICE

The
Mpumalanga Province Provincial Gazette Function
will be transferred to the
Government Printer in Pretoria
as from 1 April 2005

NEW PARTICULARS ARE AS FOLLOWS:

Physical address:

Government Printing Works
149 Bosman Street
Pretoria

Postal address:

Private Bag X85
Pretoria
0001

New contact person: Vino Thaver Tel.: (012) 334-4687

Fax number: (012) 323-8805

E-mail address: vino.thaver@gpw.gov.za

Contact person for subscribers:

Mrs J. Wehmeyer Tel.: (012) 334-4753
Fax.: (012) 323-9574

This phase-in period is to commence from **18 March 2005** (suggest date of advert) and notice comes into operation as from **1 April 2005**.

Subscribers and all other stakeholders are advised to send their advertisements directly to the **Government Printing Works**, two weeks before the 1st April 2005.

*In future, adverts have to be paid in advance
before being published in the Gazette.*

Advertising Manager

IT IS THE CLIENTS RESPONSIBILITY TO ENSURE THAT THE CORRECT AMOUNT IS PAID AT THE CASHIER OR DEPOSITED INTO THE GOVERNMENT PRINTING WORKS BANK ACCOUNT AND ALSO THAT THE REQUISITION/COVERING LETTER TOGETHER WITH THE ADVERTISEMENTS AND THE PROOF OF DEPOSIT REACHES THE GOVERNMENT PRINTING WORKS IN TIME FOR INSERTION IN THE PROVINCIAL GAZETTE.

No ADVERTISEMENTS WILL BE PLACED WITHOUT PRIOR PROOF OF PRE-PAYMENT.

1/4 page R 243.15

Letter Type: Arial Size: 10

Line Spacing: At:
Exactly 11pt

**TAKE NOTE OF
THE NEW TARIFFS
WHICH ARE
APPLICABLE
FROM THE 1ST OF
APRIL 2012**

1/2 page R 486.30

Letter Type: Arial Size: 10

Line Spacing: At:
Exactly 11pt

3/4 page R 729.45

Letter Type: Arial Size: 10

Line Spacing: At:
Exactly 11pt

Full page R 972.55

Letter Type: Arial Size: 10

Line Spacing: At:
Exactly 11pt



REPUBLIC
OF
SOUTH AFRICA

LIST OF FIXED TARIFF RATES AND CONDITIONS

FOR PUBLICATION OF LEGAL NOTICES IN THE *MPUMALANGA PROVINCE* *PROVINCIAL GAZETTE*

COMMENCEMENT: 1 APRIL 2012

CONDITIONS FOR PUBLICATION OF NOTICES

CLOSING TIMES FOR THE ACCEPTANCE OF NOTICES

1. (1) The *Mpumalanga Province Provincial Gazette* is published every week on Friday, and the closing time for the acceptance of notices which have to appear in the *Mpumalanga Province Provincial Gazette* on any particular Friday, is **15:00 two weeks prior to the publication date**. Should any Friday coincide with a public holiday, the publication date remains unchanged. However, the closing date for acceptance of advertisements moves backwards accordingly, in order to allow for ten working days prior to the publication date.
- (2) The date for the publication of a **separate *Mpumalanga Province Provincial Gazette*** is negotiable.
2. (1) Copy of notices received **after closing time** will be held over for publication in the next *Mpumalanga Province Provincial Gazette*.
- (2) Amendment or changes in copy of notices cannot be undertaken unless instructions are received **before 10:00 on Thursdays**.
- (3) Copy of notices for publication or amendments of original copy can not be accepted over the telephone and must be brought about by letter, by fax or by hand. The Government Printer will not be liable for any amendments done erroneously.
- (4) In the case of cancellations a refund of the cost of a notice will be considered only if the instruction to cancel has been received on or before the stipulated closing time as indicated in paragraph 2 (2).

APPROVAL OF NOTICES

3. In the event where a cheque, submitted by an advertiser to the Government Printer as payment, is dishonoured, then the Government Printer reserves the right to refuse such client further access to the *Mpumalanga Province Provincial Gazette* until any outstanding debts to the Government Printer is settled in full.

THE GOVERNMENT PRINTER INDEMNIFIED AGAINST LIABILITY

4. The Government Printer will assume no liability in respect of—
 - (1) any delay in the publication of a notice or publication of such notice on any date other than that stipulated by the advertiser;
 - (2) erroneous classification of a notice, or the placement of such notice in any section or under any heading other than the section or heading stipulated by the advertiser;

- (3) any editing, revision, omission, typographical errors or errors resulting from faint or indistinct copy.

LIABILITY OF ADVERTISER

5. Advertisers will be held liable for any compensation and costs arising from any action which may be instituted against the Government Printer in consequence of the publication of any notice.

COPY

6. Copy of notices must be typed on one side of the paper only and may not constitute part of any covering letter or document.
7. At the top of any copy, and set well apart from the notice, the following must be stated:

Where applicable

- (1) The heading under which the notice is to appear.
- (2) The cost of publication applicable to the notice, in accordance with the "Word Count Table".

PAYMENT OF COST

9. **With effect from 1 April 2005 no notice will be accepted for publication unless the cost of the insertion(s) is prepaid in CASH or by CHEQUE or POSTAL ORDERS. It can be arranged that money can be paid into the banking account of the Government Printer, in which case the deposit slip accompanies the advertisement before publication thereof.**
10. (1) The cost of a notice must be calculated by the advertiser in accordance with the word count table.
(2) Where there is any doubt about the cost of publication of a notice, and in the case of copy, an enquiry, accompanied by the relevant copy, should be addressed to the **Advertising Section, Government Printing Works, Private Bag X85, Pretoria, 0001 [Fax: (012) 323-8805], before publication.**
11. Overpayment resulting from miscalculation on the part of the advertiser of the cost of publication of a notice will not be refunded, unless the advertiser furnishes adequate reasons why such miscalculation occurred. In the event of underpayments, the difference will be recovered from the advertiser, and the notice(s) will not be published until such time as the full cost of such publication has been duly paid in cash or by cheque or postal orders, or into the banking account.

12. *In the event of a notice being cancelled, a refund will be made only if no cost regarding the placing of the notice has been incurred by the Government Printing Works.*
13. The Government Printer reserves the right to levy an additional charge in cases where notices, the cost of which has been calculated in accordance with the Word Count Table, are subsequently found to be excessively lengthy or to contain overmuch or complicated tabulation.

PROOF OF PUBLICATION

14. **Copies of the *Mpumalanga Province Provincial Gazette* which may be required as proof of publication, may be ordered from the Government Printer at the ruling price.** The Government Printer will assume no liability for any failure to post such *Mpumalanga Province Provincial Gazette(s)* or for any delay in despatching it/them.

GOVERNMENT PRINTERS BANK ACCOUNT PARTICULARS

Bank:	ABSA
	BOSMAN STREET
Account No.:	4057114016
Branch code:	632005
Reference No.:	00000047
Fax No.:	(012) 323 8805

Enquiries:

Mrs. L. Fourie	Tel.: (012) 334-4686
Mrs. H. Wolmarans	Tel.: (012) 334-4591

GENERAL NOTICES • ALGEMENE KENNISGEWINGS

NOTICE 90 OF 2012

APPLICATION FOR TOWN ESTABLISHMENT IN TERMS OF CHAPTER 11 OF THE LESS FORMAL TOWNSHIP ESTABLISHMENT ACT, 1991 (ACT 113 OF 1991)

PROPOSED TOWN DINKWANYANE SITUATED ON PART OF PORTION 1 AND A PART OF PORTION 2 OF THE FARM BOOMPLAATS No. 29 JT

In terms of section 11 (2) of the Less Formal Establishment Act, 1991 (Act No. 113 of 1991), notice is hereby given that an application for town establishment in terms of section 11 of the said Act, has been received from Mazu Development Facilitation.

The town will be situated on the above-mentioned portions of land.

The proposed town will be 220.3 ha in extent and will consist of the following erven:

Residential	:	800 erven
Business	:	8 erven
Community Facilitation	:	13
P.O.S.	:	3
Reservoir	:	1

Particulars of the application will lie for inspection during a period of 28 days as from date of this notice.

The application will be available during normal office hours at the Department of Agriculture, Rural Residential and Land Administration: Ms M Stoop, 50 Murray Street, Nelspruit, 1200.

Any person who wishes to submit representations in regard to the application may lodge in writing within the said period of 28 days—

(a) by posting it to the following address:

The Head of the Department, Department of Agriculture, Rural Development and Land Administration, Attention: Ms M Stoop, Private Bag X11219, Nelspruit, 1200;

(b) by handing it in at the said person.

KENNISGEWING 90 VAN 2012

AANSOEK OM DORPSTIGTING INGEVOLGE HOOFSTUK 11 VAN DIE WET OP MINDER FORMELE DORPSTIGTING, 1991 (WET 113 VAN 1991)

VOORGESTELDE DORP DINKWANYANE GELEË OP 'N PART VAN GEDEELTE 1 EN 'N PART VAN GEDEELTE 2 VAN DIE PLAAS BOOMPLAATS 29-JT

Hiermee word kennis ingevolge artikel 11 (2) van die Wet op Minder Formele Dorpstigting, 1991 (Act No. 113 of 1991), gegee dat 'n aansoek om 'n dorp ingevolge artikel 11, van Mazu Development Facilitation ontvang is.

Die dorp sal geleë wees op bovermelde grond.

Die beoogde dorp is 220.3 ha groot en sal uit die volgende erwe bestaan:

Residensieel	:	800 erwe
Besigheid	:	1 erf
Gemeenskap Fasilitering	:	13 erwe
P.O.S.	:	3 erwe
Reservoir	:	1 erf

Besonderhede van die aansoek lê ter insae gedurende 'n tydperk van 28 dae vanaf die datum van hierdie kennisgewing.

Die aansoek sal gedurende normale kantoorure beskikbaar wees by die Departement van Landbou en Grond Administrasie: Me. M Stoop, 50 Murray Straat, Nelspruit.

Enige persoon wat verhoë ten opsigte van die aansoek wil rig mag dit skriftelik binne die genoemde tydperk van 28 dae indien—

(a) aan die volgende adres pos:

Die Hoof van die Departement, Departement van Landbou en Grond Administrasie, Vir Aandag: Me. M Stoop, Privaatsak X11219, Nelspruit, 1200;

(b) by genoemde persoon inhandig.

NOTICE 91 OF 2012

NOTICE OF APPLICATION FOR AMENDMENT OF TOWN-PLANNING SCHEME IN TERMS OF SECTION 56 (1) (b) (i) OF THE TOWN-PLANNING AND TOWNSHIP ORDINANCE, 1986 (ORDINANCE 15 OF 1986)

STANDERTON AMENDMENT SCHEME 184

I, A.W. Channon, being the owner of Stand 6934/1, Standerton, hereby give notice in terms of section 56 (1) (b) (i) of the Town-planning and Townships Ordinance, 1986, that I have applied to the Lekwa Local Municipality for the amendment of the town-planning scheme, known as the Standerton Town-planning Scheme, 1995, by the rezoning of Stand 6934/1, situated in 31A Von Backstrom Street, Standerton, from "Residential 1" to "Residential 4".

Particulars of the application will lie open for inspection during normal office hours at the office of the Lekwa Council, Standerton, for a period of 28 days from 30 March 2012.

Objections to or representations in respect of the application must be lodged with or made in writing to the Acting Municipal Manager, Lekwa Municipality, at P.O. Box 66, Standerton, 2430, within a period of 28 days from 30 March 2012.

KENNISGEWING 91 VAN 2012

KENNISGEWING VAN AANSOEK OM WYSIGING VAN DIE DORPBEPLANNINGSKEMA INGEVOLGE ARTIKEL 56 (1) (b) (i) VAN DIE ORDONNANSIE OP DORPBEPLANNING EN DORPE, 1986 (ORDONNANSIE 15 VAN 1986)

STANDERTON-WYSIGINGSKEMA 184

Ek, A.W. Channon, die eienaar van Erf 6934/1, Standerton, gee hiermee ingevolge artikel 56 (1) (b) (i) van die Ordonnansie op Dorpbeplanning en Dorpe, 1986, kennis dat ek by die Lekwa Plaaslike Munisipaliteit aansoek gedoen het om die wysiging van skema bekend as Standerton-dorpbeplanningskema, 1995, deur die hersonering van Erf 6934/1 te Von Backstromstraat 31A, Standerton, vanaf "Residensieel 1" na "Residensieel 4".

Besonderhede van die aansoek lê ter insae gedurende normale kantoorure by die kantoor van die Lekwa Plaaslike Munisipaliteit, Standerton, vir 'n verdere tydperk van 28 dae vanaf 30 Maart 2012.

Besware teen of verhoë ten opsigte van die aansoek moet binne 'n tydperk van 28 dae vanaf 30 Maart 2012, skriftelik by die Waarnemende Munisipale Bestuurder, Lekwa Munisipaliteit, Posbus 66, Standerton, 2430, ingedien of gerig word.

30-6

NOTICE 95 OF 2012**CAROLINA AMENDMENT SCHEME 502**

NOTICE OF APPLICATION FOR AMENDMENT OF TOWN-PLANNING SCHEME IN TERMS OF SECTION 56 (1) (b) (i) OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15/1986)

I, Jacobus van Wyk, from Reed & Partners Land Surveyors, being the authorised agent of the owner of Portion 1 of Erf 5, Carolina, hereby give notice in terms of section 56 (1) (b) (i) of the Town-planning and Townships Ordinance, 1986, that I have applied to the Transitional Local Council of Carolina for the amendment of the town-planning scheme known as Carolina Town-planning Scheme, 1980, by the rezoning of the property described above, situated at 17 Voortrekker Street, Carolina, from "Residential 4" to "Business 1 with amended density of a minimum area of 500 m²".

Particulars of the application will lie for inspection during normal office hours at the office of the Town-planning Department, First Floor, Technical Office, c/o Voortrekker and Versveld Streets, Carolina, for the period of 28 days from 6 April 2012.

Objections to or representations in respect of the application must be lodged with or made in writing to the Municipal Manager at the above address or at the Town Planning Department, Albert Luthuli Municipality, Private Bag X719, Carolina, 1185, within a period of 28 days from 6 April 2012.

Address of agent: Reed & Partners, Professional Land Surveyors, P.O. Box 132, Ermelo, 2350. Tel: (017) 811-2348.

KENNISGEWING 95 VAN 2012**CAROLINA-WYSIGINGSKEMA 502**

KENNISGEWING VAN AANSOEK OM WYSIGING VAN DORPSBEPLANNINGSKEMA INGEVOLGE ARTIKEL 56 (1) (b) (i) VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986 (ORDONNANSIE 15 VAN 1986)

Ek, Jacobus van Wyk, van Reed & Vennote Landmeters synde die gemagtigde agent van die eienaar van Gedeelte 1 van Erf 5, Carolina, gee hiermee ingevolge artikel 56 (1) (b) (i) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986, kennis dat ek by die Albert Luthuli Munisipaliteit aansoek gedoen het om die wysiging van die dorpsbeplanningskema bekend as Carolina-dorpsbeplanningskema, 1980, deur die hersonering van die eiendom hierbo beskryf, geleë te Voortrekkerstraat 17, Carolina, van "Residensieel 4" na "Besigheid 1 met 'n gewysigde digtheid van minimum erfgruotte van 500 m²".

Besonderhede van die aansoek lê ter insae gedurende gewone kantoorure by die kantoor van die Departement van Stadsbeplanning, Eerste Vloer, Tegnieke Kantore, h/v Voortrekker- en Verveldstraat, Carolina, vir 'n tydperk van 28 dae vanaf 6 April 2012.

Besware teen of verhoë ten opsigte van die aansoek moet binne 'n tydperk van 28 dae vanaf 6 April 2012 skriftelik by of tot die Munisipale Bestuurder by bovermelde adres of by die Departement van Stadsbeplanning, Albert Luthuli Munisipaliteit, Privaatsak X719, Carolina, 1185, ingedien of gerig word.

Adres van agent: Reed & Vennote, Professionele Landmeters, Posbus 132, Ermelo, 2350. Tel: (017) 811-2348.

6-13

NOTICE 96 OF 2012

NOTICE OF DECLARATION OF A TOWN TO BE A FORMALIZED TOWN IN TERMS OF THE UPGRADING OF LAND TENURE RIGHTS ACT, 1991 (ACT 112 OF 1991): MKHUHLU-C

By virtue of the powers delegated to me by the Minister of Rural Development & Land Reform in terms of section 24A of the Upgrading of Land Tenure Rights Act, 1991 (Act 112 of 1991), I, Ms K.C. Mashego, in my capacity as MEC for Agriculture, Rural Development and Land Administration, Mpumalanga Province, in terms of section 15 (1) of the Upgrading and Land Tenure Rights Act, 1991 (Act 112 of 1991), hereby declare **Mkhuhlu-C**, situated on Portion 1 of the farm Calcutta 294-KU, to be a formalized Town, subject to the Land Use Conditions imposed either in terms of section 12 of the Land Tenure Rights Act, 1991 (Act 112 of 1991), or in the Township Register and/or individual Title Deeds of erven in the Town, or in any legal manner.

KENNISGEWING 96 VAN 2012

KENNISGEWING VAN VERKLARING VAN 'N DORP TE WORD 'N FORMELE ORDONNANSIE IN TERME VAN DIE OPGRADERING VAN GRONDBESITREGTE, 1991 (WET 112 VAN 1991): MKHUHLU-C

Uit hoofde van die gesag aan my gedelegeer deur die Minister van Landelike Ontwikkeling en Grondhervorming in terme van artikel 24A van die Opgradering van Grondbesitregte, 1991 (Wet 112 van 1991), ek, me KC Mashego-Dlamini, in my hoedanigheid as die LUR vir Landbou, Landelike Ontwikkeling & Grond Administrasie, in terme van artikel 15 (1) van die Opgradering van Grondbesitregte, 1991 (Wet 112 van 1991), verklaar hiermee **Mkhuhlu-C** geleë op Gedeelte 1 van die plaas Calcutta No. 294-KU, om 'n formaliseer dorp, onderworpe aan die Grondgebruik Voorwaardes opgelê óf in terme van artikel 12 van die Opgradering van Grondbesitregte, 1991 (Wet 112 van 1991), of in die dorp Registreer en/of individu titelaktes van erwe in die dorp, of in enige wettige wyse.

LOCAL AUTHORITY NOTICES

LOCAL AUTHORITY NOTICE 81

EMALAHLENI LOCAL MUNICIPALITY

NOTICE OF APPROVAL OF eMALAHLENI AMENDMENT SCHEME 1117

The Local Municipality of Emalahleni declares hereby in terms of the provisions of section 125 (1) of the Town-planning and Townships Ordinance, 1986, that it has approved an amendment scheme, being an amendment of the eMalahleni Land Use Management Scheme, 2010, comprising the same land as included in the township Die Heuwel Extension 19.

Map 3 and the scheme clauses of the amendment scheme are filed with the Director, Department of Housing and Land Administration, Mpumalanga Province and the Municipal Manager: Emalahleni Local Municipal Council and are open for inspection at all reasonable times.

This amendment is known as eMalahleni Amendment Scheme 1117 and shall come into operation on date of publication of this notice.

T. MATOANE, Acting Municipal Manager

Civic Centre, Mandela Street (PO Box 3), eMalahleni, 1035

Notice Number: 25/2012

LOCAL AUTHORITY NOTICE 83**EMALAHLENI LOCAL MUNICIPALITY****NOTICE OF APPROVAL OF eMALAHLENI AMENDMENT SCHEME 1035**

The Local Municipality of Emalahleni declares hereby in terms of the provisions of section 125 (1) of the Town-planning and Townships Ordinance, 1986, that it has approved an amendment scheme, being an amendment of the eMalahleni Land Use Management Scheme, 2010, comprising the same land as included in the township Benfleur Extension 16.

Map 3 and the scheme clauses of the amendment scheme are filed with the Director, Department of Housing and Land Administration, Mpumalanga Province and the Municipal Manager: Emalahleni Local Municipal Council and are open for inspection at all reasonable times.

This amendment is known as eMalahleni Amendment Scheme 1035 and shall come into operation on date of publication of this notice.

T. MATOANE, Acting Municipal Manager

Civic Centre, Mandela Street (PO Box 3), eMalahleni, 1035

Notice Number: 28/2012

LOCAL AUTHORITY NOTICE 80**EMALAHLENI LOCAL MUNICIPALITY**
PROCLAMATION OF THE TOWNSHIP DIE HEUWEL EXTENSION 19

In terms of section 111 of the Town Planning and Townships Ordinance, 1986, the Emalahleni Local Municipality hereby declares Die Heuwel Extension 19 to be an approved township subject to the conditions set out in the schedule hereto.

SCHEDULE

STATEMENT OF CONDITIONS UNDER WHICH THE APPLICATION MADE BY FINE ASSET INVESTMENTS 69 PTY LTD (HEREINAFTER REFERRED TO AS THE APPLICANT) IN TERMS OF THE PROVISIONS OF CHAPTER III: PART C OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 403 OF THE FARM ZEEKOEWATER 311 JS, HAS BEEN GRANTED

1. CONDITIONS OF ESTABLISHMENT (CONDITIONS WHICH WILL BE APPLICABLE TO THE APPROVED TOWNSHIP IN TERMS OF SECTION 103 OF ORDINANCE 15 OF 1986)
 - 1.1 NAME
The name of the township shall be DIE HEUWEL X 19
 - 1.2 DESIGN
The township shall consist of erven and a street as indicated on Plan **A1574/2008**
 - 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 rights to minerals and real rights except for Condition A(a) in the existing Title Deed. Conditions B and C. will expire except over the erven as mentioned in 3.1.3, 3.1.4 and 3.1.5. in this Conditions of Establishment.
 - 1.4 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.
 - 1.5 DEMOLITION OF BUILDINGS AND STRUCTURES
When required by the Municipality to do so, the township owner shall at his own expense cause to be demolished to the satisfaction of the Municipality all existing buildings and structures situated within building line reserves and side spaces or over common boundaries, or dilapidated structures.
 - 1.6 REMOVAL OF LITTER
The township owner shall at his own expense have all litter within the township area removed to the satisfaction of the Municipality, when required to do so by the Municipality.
 - 1.7 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.
 - 1.8 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.
2. CONDITIONS OF TITLE
 - 2.1 THE ERVEN MENTIONED BELOW SHALL BE SUBJECT TO THE CONDITION AS INDICATED, LAID DOWN BY THE MUNICIPALITY IN TERMS OF THE PROVISIONS OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986)
 - 2.1.1 ALL ERVEN
 - (a) The erven shall be subject to a servitude, 2m wide, for municipal services (water, sewer, electricity and storm-water) (hereinafter referred to as "the services"), in favour of the local authority, along any two boundaries, except a street boundary and, in the case of a panhandle erf, an additional servitude for municipal purposes, 2m 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.
 - (b) 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 2m from it.
 - (c) Emalahleni Local 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 Emalahleni Local Municipality shall be entitled to reasonable access to the said property for the aforesaid

purpose, subject to the provision that Emalahleni Local Municipality shall make good any damage caused during the laying, maintenance or removal of such services and other works.

2.1.2 ERF 1290

- (a) Erf 1290, zoned Public Open Space, will be transferred to eMalahleni Local Municipality. Should eMalahleni Local Municipality dispose of Erf 1290, the property will revert back to the township owner.

2.1.3 ERVEN 1291 & 1292

- (a) Erven 1291 & 1292, zoned Public Road, will be transferred to eMalahleni Local Municipality.

2.1.4 ERVEN 1285, 1288, 1289 & 1291

- (a) Condition C: "By Notarial Deed K.2744/1980S registered on the 20th October 1980, the right has been granted to the ELECTRICITY SUPPLY COMMISSION to convey electricity over the property hereby conveyed together with ancillary rights, and subject to conditions, as will more fully appear on reference to said Notarial Deed and diagram." Which route was registered under Notarial Deed K1806/1984S, and as shown as line ghj on Consolidation Diagram SG Nr 884/2008.

2.1.5 ERVEN 1292 & 1266

- (a) Condition B: "Kragtens Notariele Akte van Serwituut K4723/1995S gedateer 17 Mei 1995 is die binnegemelde eiendom onderhewig aan 'n ewigdurende serwituut van reg van weg om gas oor die binnegemelde eiendom te vervoer deur middel van 'n pyplyn of pyplne welke serwituut 6 meter wys is waarvan die middellyn aangedui word deur die lyn abcdef op Konsolidasie Diagram LG Nr 884/2008 tesame met bykomende regte ten gunste van die Suid Afrikaanse Gasdistribusie Korporasie Beperk nr 64/006005/06 soos meer volledig sal blyk uit gesegde Notariele Akte met Kaart daarby aangeheg".

3. CONDITIONS WHICH, IN ADDITION TO THE EXISTING PROVISIONS OF THE RULING TOWN-PLANNING SCHEME, HAVE TO BE INCORPORATED IN THE WITBANK TOWN-PLANNING SCHEME, 1991, IN TERMS OF SECTION 125 OF ORDINANCE 15 OF 1986

- 3.1 ERVEN 1263-1284 – Zoned "INDUSTRIAL 1"
 3.2 ERVEN 1291 & 1292 – Zoned "PUBLIC ROADS"
 3.3 ERF 1290 – Zoned "PUBLIC OPEN SPACE"
 3.4 ERVEN 1285-1289 – Zoned "RESIDENTIAL 4" with Height Zone 7.

LOCAL AUTHORITY NOTICE 82**EMALAHLENI LOCAL MUNICIPALITY**
PROCLAMATION OF THE TOWNSHIP BENFLEUR EXTENSION 16

In terms of section 111 of the Town Planning and Townships Ordinance, 1986, the Emalahleni Local Municipality hereby declares Benfleur Extension 16 to be an approved township subject to the conditions set out in the schedule hereto.

SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION FOR TOWNSHIP ESTABLISHMENT IN TERMS OF THE PROVISIONS OF CHAPTER IV OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986) ON PORTION 375 (A PORTION OF PORTION 177) OF THE FARM ZEEKOEWATER 311 JS PROVINCE OF MPUMALANGA, BY MASCODOR 157 (PROPRIETARY) LIMITED (HEREINAFTER REFERRED TO AS THE TOWNSHIP APPLICANTS) BEING THE REGISTERED OWNERS OF THE LAND HAS BEEN APPROVED

1. CONDITIONS OF ESTABLISHMENT

- (1) **NAME**
The name of the township shall be Benfleur Extension 16.
- (2) **LAYOUT/DESIGN**
The township shall consist of erven and streets as indicated on General Plan SG No 806/2006.
- (3) **REMOVAL, REPOSITIONING, MODIFICATION OR REPLACEMENT OF MUNICIPAL SERVICES**
If, by reason of the establishment of the township, it should become necessary to remove, reposition modify or replace any existing municipal services, the cost thereof shall be borne by the township applicant.
- (4) **REMOVAL, REPOSITIONING MODIFICATION OF 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.
- (5) **AMENDMENT OF TOWN-PLANNING SCHEME**
The township applicant shall comply with the provisions of Section 125 of the Town-Planning and Townships Ordinance, 1986 (Ordinance No 15 of 1986).
- (6) **LAND USE CONDITIONS**
CONDITIONS IMPOSED BY THE LOCAL AUTHORITY IN TERMS OF THE PROVISIONS OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE NO. 15 OF 1986)
 - (a) **ALL ERVEN**
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.
Erf shall be subject to the following conditions:
 - (b) **Erven 2816 and 2817**
The use zone of all the erven shall be "Residential 2" and the internal streets shall be "Private Roads 2", subject to the conditions as defined and subject to such conditions as are contained in the Witbank Town-Planning Scheme 1991.
 - (c) **Andromeda Street**
The use zone of all other streets shall be "Existing Public Road", subject to the conditions as defined and subject to such conditions as are contained in the Witbank Town-Planning Scheme 1991.

2. CONDITIONS OF TITLE**(1) DISPOSAL OF EXISTING CONDITIONS OF TITLE**

All erven shall be made subject to the existing conditions and servitudes, if any, including the reservation of rights to minerals and real rights.

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

All erven mentioned shall be subject to the following conditions:

- (a) A servitude 2 metres wide along the rear (mid block) boundary; and servitude along any side boundaries with an minimum width of 1 metre, 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 waive compliance with the requirements of this 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 1 metre 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.