



THE PROVINCE OF MPUMALANGA
DIE PROVINSIE MPUMALANGA

**Provincial Gazette Extraordinary
Buitengewone Provinsiale Koerant**

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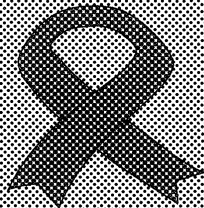
Vol. 22

NELSPRUIT, 10 JULY 2015
JULIE 2015

No. 2505

We all have the power to prevent AIDS

AIDS
affects
us all



A
new
struggle

Prevention is the cure

**AIDS
HELPLINE**

0800 012 322

DEPARTMENT OF HEALTH

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PROCLAMATION

No. 1, 2015

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 PORTION 70(A PORTION OF PORTION 66) OF THE FARM WELVERDIEND 148-HT, PROVINCE OF MPUMALANGA, BY MKHONDO 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

(a) The township applicant shall comply with the provisions of Section 109(3)(b) 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) MINERAL RIGHTS

The township applicant shall at it's own expense cause all rights to minerals to be severed from the ownership of the land and to be reserved in a separate Certificate of Mineral Rights.

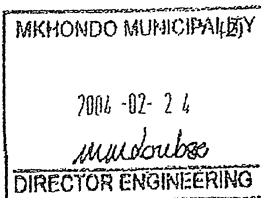
(2) GENERAL

The township applicant shall comply with provisions of Section 110 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 eThandakukhanya Extension 5, Layout Plan PTF-106_5-3 / GENERAL PLAN S.G. 3417/2003.



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 Telkom plant, the cost thereof shall be borne by the township applicant.

(3) REMOVAL, REPOSITION, 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.

(4) RESTRICTION ON THE DISPOSAL OF ERVEN

The township applicant shall not, offer for sale or alienate Erven 7141 and 7632 within a period of six (6) months after the erven become registrable or approval / exemption has been granted by the Administrator, to any person or body other than the State unless the Department of Education and Training has indicated in writing that the Department does not wish to acquire the erven.

(5) LAND USE CONDITIONS

(a) CONDITIONS IMPOSED BY THE ADMINISTRATOR 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 Administrator in terms of the provisions of the Town-planning and Township Ordinance, 1986 (Ordinance No. 15 of 1986).

(i) ALL ERVEN

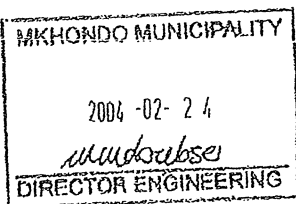
The use of the erf is as defined and subject to such conditions as are contained in the Land Use Conditions in the Piet Retief Town-Planning Scheme.

(iii) ERVEN 6750 TO 6851, 8853 TO 7081, 7083 TO 7107, 7109 TO 7140, 7142 TO 7631, 7633 TO 7767

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

(iv) ERVEN 6749 AND 7108

The use zone of the erf shall be "Business 1".



(v) ERF 6852 AND 7082

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

(vi) ERVEN 7141 AND 7632

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

(vii) ERF 6730 TO 6748

The use zone of the erf shall be "Light Industrial".

(viii) ERVEN 7758 TO 7781

The use zone of the erf shall be "Public open space".

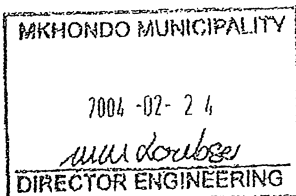
4. CONDITIONS IMPOSED BY THE CONTROLLING AUTHORITY IN TERMS OF THE ADVERTISING ON ROADS AND RIBBON DEVELOPMENT ACT, 1940 (ACT NO. 21 OF 1940)

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

(i) ERVEN 6730 TO 6733, 6742 TO 6745, 7236 TO 7243, 7290 TO 7324, 7369 TO 7376, 7417 TO 7424 AND 7469 TO 7474

(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 of during development of the erf along the boundary thereof abutting of Provincial Road P7-2 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 from the reserve boundary of Provincial Road P7-2.



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Conditions of Establishment/PTF106/ag

- (cc) Ingress to and egress from the erf shall not be permitted along the boundary thereof abutting on Provincial Road P7-2. Provided that the Department Head : Department of Public Works, Roads and Transport may grant written permission for access subject to such conditions as the Administration may determine.

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 upgradable internal and external services in or for the township to the satisfaction of the Administrator.

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, except that certain conditions affect only certain erven and streets as follows:

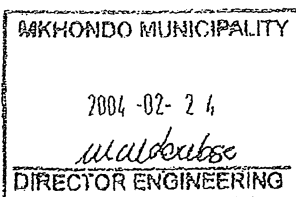
(a) Condition C on page 3 of Deed of Transfer T 74907/2000:

"By Notarial Deed K 1493/1983 S dated 13 May 1983 the property is subject to a servitude 3 (three) metres wide parallel to and along the entire length of the South western boundary as indicated by the figures jkl on Diagram SG no 939/1999, in favour of the Town Council of Piet Retief, as will more fully appear from the said Notarial Deed" affects only Erf 7762 (Park) and the unnamed street with a minimum width of 25 (twenty five) metres adjacent to Erf 7762 (Park)

(b) Condition D on page 3 of Deed of Transfer T 74907/2000:

"The within mentioned property is subject to a servitude of right of way as indicated by the figures mn on Diagram SG no 939/1999 which represent the centre line of a servitude 15 metres wide for pedestrian and vehicular traffic, in favour of Savage and Longmore Mining (Proprietary) Limited as will more fully appear from Notarial Deed K 800/1986 S"

affects only the unnamed street with a minimum width of 30 (thirty) metres adjacent to erven 6735, 6744, 6745 and Erf 7761 (Park) on the one side and erven 6730, 6731, 7759 (Park) and 7760 (Park) on the other side.



(c) Condition E on pages 3 and 4 of Deed of Transfer T 74907/2000:

"By virtue of Notarial Deed K 3337/1984 S dated 7 March 1984, the within mentioned property is subject to a servitude 3 metres wide parallel to and along the entire length of the South western boundary as indicated by the figures hj on Diagram SG no 939/1999 annexed hereto, to enable the Town Council of Piet Retief to lead water over the property by means of one or more pipelines together with ancillary rights as will more fully appear from the above mentioned Notarial Deed" affects only Erf 7762 (Park) and the unnamed street with a minimum width of 25 (twenty five) metres adjacent to Erf 7762 (Park)

(d) Condition F on page 4 of Deed of Transfer T 74907/2000:

"The within mentioned property is subject to a servitude of right of way as indicated by the figures np on Diagram SG no 939/1999, which represent the centre line of a servitude 15 metres wide for pedestrian and vehicular traffic, in favour of Savage and Longmore Mining (Proprietary) Limited as will more fully appear from Notarial Deed K 1938/1986 S."

affects only the unnamed street with a minimum width of 30 (thirty) metres adjacent to erven 6735, 6744, 6745 and Erf 7761 (Park) on the one side and erven 6730, 6731, 7759 (Park) and 7760 (Park) on the other side.

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

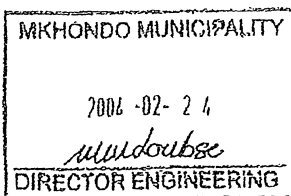
All erven, with the exception of Erven 7758 to 7781 shall be subject to the following conditions :

(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) servitude's along the side boundaries with an aggregate width of 3 metre and a 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 relax or grant exemption from the required servitude's.

- (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 metre thereof.
- (iii) 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.

(3) ERVEN SUBJECT TO SPECIAL CONDITIONS

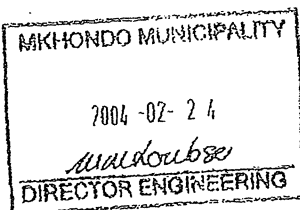
In addition to the relevant conditions set out above, the under mentioned erven shall be subject to the conditions as indicated.

- (i) ERVEN 6730, 6735, 6745, 6756 TO 6759, 6787, 6788, 6797 TO 6807 AND 7759

Ingress to and egress from the erf shall not be permitted along the boundary thereof abutting on a 25 m or 30m wide street.

- (ii) ERVEN 7116, 7128 AND 7129

Ingress to and egress from the erf to the 16m street shall be permitted between the south eastern beacon of the erf and a point 10m from such beacon.



(iii) ERF 6749

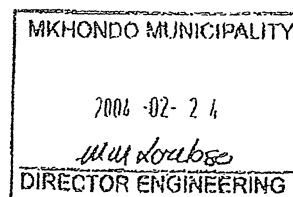
Ingress to and egress from the erf to the 25 m street shall be permitted between the south eastern beacon of the erf and a point 10m from such beacon.

(iv) ERVEN 6763 AND 6768

The erf is subject to a municipal servitude 3m wide for municipal purposes in favour of the local authority, as indicated on the general plan. (On submission of a certificate from the local authority to the Registrar of Deeds stating that the servitude is no longer required, this condition shall lapse).

(v) ERVEN 7236 TO 7243, 7290 TO 7324, 7369 TO 7376, 7417 TO 7424 AND 7469 TO 7474

The erf is subject to a municipal servitude 2m wide for municipal purposes in favour of the local authority, as indicated on the general plan. (On submission of a certificate from the local authority to the Registrar of Deeds stating that the servitude is no longer required, this condition shall lapse).



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 Conditions of Establishment/PTF106/ag

TO TOWNSHIP ESTABLISHMENT SECTION
IMMEDIATELY AFTER NUMBERING

OPENING OF A TOWNSHIP REGISTER

TOWNSHIP NAME**ETHANDAKUKHANYA EXTENSION 5**
TOWNSHIP

3417/2003

GENERAL PLAN SG NO.....
GENERAL PLAN APPROVED ON**2006/02/21**.....
GENERAL PLAN LAPSES ON.....**2003/06/19**.....
GENERAL PLAN EXPIRY EXTENDED.....

IN THE AREA OF MPUMALANGA DEEDS OFFICE
AT NELSPRUIT

MKHONDO LOCAL MUNICIPALITY

RATES CLEARANCE BY.....

ORD 25/1965
ORD 15/1986
SEC 35(1) ACT 4/1984
SEC 35(3) ACT 4/1984
SEC (3)*/ (11)*/ (22)*ACT 113/1991*
SEC 38ACT 67/1995
PROCL 293/1962 READ WITH ACT 112/1991

JUNIOR EXAMINER: COMPLETE THE ABOVE

SENIOR EXAMINER: INITIAL

*DELETE WHAT IS NOT APPLICABLE



DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM
 REPUBLIC OF SOUTH AFRICA
 Office of the Registrar of Deeds Mpumalanga: Private Bag X 11239, Nelspruit, 1200
 Tel: (013) 756 4000, Facsimile: 013 756 4092

ETHANDAKUKHANYA

5

TOWNSHIP _____ EXTENSION _____

Township established in terms of:

- > Ordinance 25/65
- > Ordinance 15/86
- > Less formal Township Establishment Act 113/91
- > Black Communities Development Act 4/84 (Section 35 (3) or (1))
- > Leasehold township
 Registered on _____

Consisting of :

- > 1028 . Erven , numbered 6730 AND 7757
- > 24 - . Parks , numbered 7758 AND 7781 -

Indicated on :

- > General Plan SG No. 3417/2003
- > Relay out Plan No. _____

Situated on :

- > Portion : 70
- > Remaining extent: _____
- > (Portion of Portion 39 or **OF THE FARM WELVERDIEND NO.148-HT**
 Extent 91,1279 hectares

Held By:

BY

Deeds of transfer T__ - _____/2_____
 Certificate of Registered Title _____
 Certificate of Consolidated Title _____
 Township Title _____
 Mineral Rights K _____
 Mineral Rights K _____
 Servitude's K _____
 Real Rights K _____
 Clearance _____ **MKHONDO LOCAL MUNICIPALITY**
 Endorsement Erven _____
 Name of Local Authority: **MKHONDO LOCAL MUNICIPALITY**

Township Proclaimed on _____ in terms of Proclamation Number _____

REGISTRAR OF DEEDS: MPUMALANGA 2014 -01- 23



rural development
& land reform

Department:
Rural Development & Land Reform
REPUBLIC OF SOUTH AFRICA

Office of the Registrar of Deeds Mpumalanga, at Nelspruit, Tel (013) 756 4000, Fax (013) 756 4092,
Private Bag X 11239, NELSPRUIT, 12000

MKHONDO LOCAL MUNICIPALITY

Meneer / Sir **ETHANDAKUKHANYA EXTENSION 5 TOWNSHIP**

TOWNSHIP: _____

NOTICE IN TERMS OF SECTION *76(4), 110(2), OF ORDINANCE 15/1986

1. Your reference is **S.G 3417/2003**
2. As the requirements has been met of section: -
 - o 76(1)
 - o 101(1)
 - o 110(1)

of the Town Planning and Township ordinance (15 of 1986) you may now proceed by Notice in terms of section:

- o 79
- o 103(1)
- o 111(1)

of the Ordinance, to have the above mentioned township proclaimed as an approved township in the provincial Gazette:

3. The township register was opened on : _____

**Delete which is not applicable*

REGISTRAR OF DEEDS: MPUMALANGA
DEEDS OFFICE, MPUMALANGA
DATE:

Enquiries :