



THE PROVINCE OF MPUMALANGA
DIE PROVINSIE MPUMALANGA

Provincial Gazette Provinsiale Koerant

EXTRAORDINARY • BUITENGEWOON

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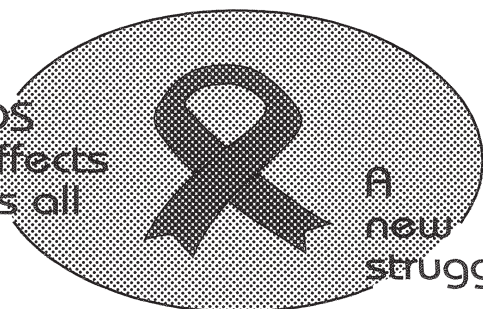
Vol. 22

NELSPRUIT, 7 AUGUST
AUGUSTUS 2015

No. 2538

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affects
us all



A
new
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ISSN 1682-4518



02538



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from Government Printing Works

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PROCLAMATION • PROKLAMASIE

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PROCLAMATION • PROKLAMASIE

PROCLAMATION 7 OF 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 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).

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Conditions of Establishment Ethanda. Ext.9 /PTF106/ag

3. CONDITIONS OF ESTABLISHMENT

(1) NAME

The name of the township shall be eThandakukhanya Extension 9, General Plan SG No. 3887/2004.

(2) 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.

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Conditions of Establishment Ethanda. Ext.9 /PTF106/ag

**(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 9076 and 9214 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 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 Piet Retief Town-Planning Scheme.

**(iii) ERVEN 7782 TO 7783, 7785 TO 7786, 7788 TO 8087, 8089 TO 8334, 8336
TO 8344, 8346 TO 8607, 8609 TO 8689, 8691 TO 9075, 9078 TO 9127,
9129 TO 9212, 9215 TO 9286, 9288 TO 9711**

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

(iv) ERVEN 7787 AND 8335

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

(v) ERF 7784, 8088, 8345, 8608, 8690, 9077, 9129 AND 9213

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

(vi) ERVEN 9076 AND 9214

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

(vii) ERF 9287

The use zone of the erf shall be "Municipal" for existing graves.

(viii) ERVEN 9712 TO 9763

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 7804 TO 7813, 7860 TO 7867, 9026 TO 9031, 9110 TO 9121, 9139 TO 9146, 9163 TO 9170, 9191 TO 9198, 9339 TO 9410, 9444 TO 9451, 9476 TO 9483, 9508 TO 9515, 9540 TO 9547

- (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 P7-2 to the satisfaction of the Local Authority and shall maintain such fence to the satisfactory of the Local Authority.

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Conditions of Establishment Ethanda. Ext.9 /PTF106/ag

- (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 Ethanda. Ext.9 /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 including the reservation of rights to minerals and real rights, but excluding the following conditions which do not affect the erven due to location:

- (a) By Notarial Deed K 1493/1983S 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 j k l on Diagram S.G. No 939/199, in favour of the Town Council of Piet Retief, as will more fully appear from the said Notarial Deed.
- (b) The within mentioned property is subject to a servitude of right of way as indicated by the figures m n on Diagram S.G. 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 800/1986S.
- (c) By virtue of Notarial Deed K 3337/1984S 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 h j on Diagram S.G. 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.

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Conditions of Establishment Ethanda. Ext.9 /PTF106/ag

- (d) The within mentioned property is subject to a servitude of right of way as indicated by the figures n p on Diagram S.G. 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 1939/1986S.

(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 9712 to 9763 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.

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Conditions of Establishment Ethanda. Ext.9 /PTF106/ag

- (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 undermentioned erven shall be subject to the conditions as indicated.

- (i) **ERVEN 7788 TO 7804, 8037 TO 8053, 8057 TO 8063, 8299, 8304 TO 8316, 8318, 8321 TO 8329, 8345, 8361 TO 8365, 9012 TO 9026, 9047, 9748 TO 9758**

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

- (ii) **ERF 7787**

Ingress to and egress from erf to the 25m street shall be permitted between a point 15m from the northern beacon of the erf a point 10m from this point.

- (iii) **ERF 8335**

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

- (iv) **ERF 7804 TO 7813, 7860 TO 7867**

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 Ethanda. Ext.9 /PTF106/ag

TO TOWNSHIP ESTABLISHMENT SECTION
IMMEDIATELY AFTER NUMBERING

OPENING OF A TOWNSHIP REGISTER

TOWNSHIP NAMEETHANDAKUKHANYA EXTENSION 9
TOWNSHIP

3887/2004

GENERAL PLAN SG NO.....
GENERAL PLAN APPROVED ON2007/10/12.....
GENERAL PLAN LAPSES ON.....
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 38 ACT 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

9

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 :

- 1930 Erven, numbered 7782 AND 9711
- 52 - Parks, numbered 9712 TO 9763 -

Indicated on :

- General Plan SG No. 3887/2004
- Relay out Plan No. _____

Situated on :

- Portion : 66
- Remaining extent: _____
- (Portion of Portion _____ or OF THE FARM WELVERDIEND NO.148-HT
Extent 115,9613 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 _____

Endorsement Erven _____

Name of Local Authority: **MKHONDO LOCAL MUNICIPALITY**

Township Proclaimed on _____ in terms of Proclamation Number _____

REGISTRAR OF DEEDS: MPUMALANGA



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

PO Box 23

Pret Retief

2340
Meneer / Sir

ETHANDAKUKHANYA EXTENSION 9

TOWNSHIP: _____

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

1. Your reference is **S.G 3887/2004**
2. As the requirements have been met of section: -
 - o 76(1)
 - o 101(1)
 - o 110(1)

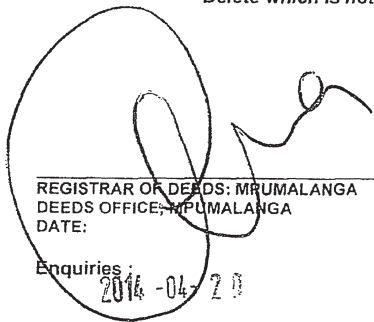
of the Town Planning and Township ordinance (15 of 1986) you may now proceed by Notice in terms of section:

- 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:

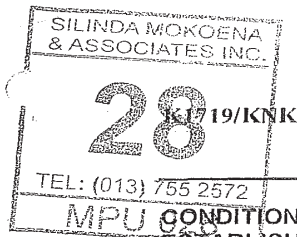
3. The township register was opened on : _____

**Delete which is not applicable*



REGISTRAR OF DEEDS: MPUMALANGA
DEEDS OFFICE: MPUMALANGA
DATE:
Enquiries : 2014-04-20

PROCLAMATION 8 OF 2015



CONDITIONS UNDER WHICH THE APPLICATION FOR TOWNSHIP ESTABLISHMENT IN TERMS OF SECTION 108 OF THE TOWNPLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986), ON PART OF PORTION 32 OF THE FARM MORGENZON NO 466-IS, MPUMALANGA PROVINCE BY THE LEKWA LOCAL MUNICIPALITY (HEREAFTER REFERRED TO AS THE LAND DEVELOPMENT APPLICANT), TO ESTABLISH A TOWNSHIP, HAS BEEN APPROVED

1. CONDITIONS OF ESTABLISHMENT

(1) **NAME:**

The name of the township shall be Sivukile Extension 4.

(2) **LAYOUT/DESIGN:**

The township shall consist of erven and streets, as indicated on Layout Plan K1719/4, or as amended.

(3) **ACCESS:**

Ingress from Road to the township and egress to Road from the township shall be restricted to the 25m road, and Road

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

If, by any 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 Land Development Applicant of the township.

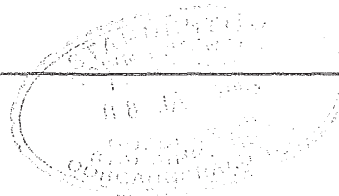
(5) **REMOVAL, REPOSITIONING, MODIFICATION OR REPLACEMENT OF ESKOM POWER LINES:**

If, by any reason of the establishment of the township, it should become necessary to remove, reposition, modify or replace any existing Eskom powerlines, the cost thereof shall be borne by the Land Development Applicant of the township.

(6) **LAND FOR PUBLIC/MUNICIPAL PURPOSES:**

The following erven shall be retained by the local authority at the expense of the Land Development Applicant:

SIVUKILE EXTENSION 4



(a) Park : 1604-1609

(7) LAND USE CONDITIONS:

The erven mentioned hereunder shall be subject to the conditions as indicated, imposed by the local authority.

(a) All Erven

The use of the erf is defined and subject to such conditions as are contained in the Annexure: Sivukile Extension 4: Land Use Conditions, attached hereto: Provided that on the date on which a town planning scheme relating to the erf comes into force the rights and obligations contained in such scheme shall supersede those contained in the aforesaid Land Use Conditions.

- (i) The use zone of the erf can on application by the local authority concerned, on such terms as it may determine, and subject to such conditions as it may impose, be altered.
- (ii) 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 not necessary or that the same purpose can be achieved by other more effective means.

- (b) Erven 1315 to 1325, 1330 to 1389, 1391 to 1437, 1439 to 1471 and 1473 to 1603.

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

- (c) Erf 1329.

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

- (d) Erven 1326, 1328, 1390, 1438 and 1472.

The use zone of the erf shall be "Community Facility".



(e) Erf 1327

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

(8) FLOODLINE:

No development may take place on any part of Erf 1327 affected by the 1:100 year floodline, if affected.

(9) ACCESS:

Erven 1349 to 1372, 1407 to 1410 and 1439 to 1472 may not enjoy access from a 25m wide road, or Provincial Road : Provided that Erven 1407 and 1439 should gain access only from the west and Erven 1360 and 1361 should gain access only from the east.

(10) BUILDING LINE:

Erven 1365 to 1372 and 1453 to 1472 will be affected by a 16m building line from Road .

2. CONDITIONS TO BE COMPLIED WITH BEFORE THE TOWNSHIP BECOMES REGISTRABLE

(1) INSTALLATION AND PROVISION OF SERVICES:

The Land Development Application of the township, shall ensure that upgradable internal and external engineering services in and for the township shall be provided.

(2) REMOVAL OF LITTER:

The Land Development Applicant shall at his own expense cause all litter within the township area to be removed.

(3) PROTECTION/REMOVAL OF GRAVES:

If appropriate, the Land Development Applicant shall at his own expense cause the existing graves (if any), to be properly protected and if, by reason of the establishment of the township it should become necessary to remove the graves (if any), the cost thereof shall be borne by the Land Development Applicant.

(4) FILLING IN OF EXISTING EXCAVATIONS OR DONGAS:



The Land Development Applicant shall at his own expense cause the filling in of the existing excavations or dongas affecting any erven.

(5) MINERAL RIGHTS:

The Land Development Applicant shall at his 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.

(6) REMOVAL / DEMOLITION OF BUILDING STRUCTURES:

If appropriate, the Land Development Applicant shall at his own expense cause the existing building structures (if any) affecting the residential erven, to be removed.

(7) REGISTRATION OF POWER LINE SERVITUDE:

Erven 1327 to 1329, 1472 and 1604 to 1609 and certain streets are to be made subject to a power line servitude, 18m wide, measuring 9m on either side of the centre line.

(8) DISPOSAL OF EXISTING CONDITIONS OF TITLE:

All erven shall be subject to existing conditions and servitudes, if any, including the reservation of rights to minerals, but excluding:

The following servitudes which do not affect the township area:

- (a) 5m wide, pipeline and right-of-way servitude as indicated on diagram SG No A2434/90.
- (b) servitude area as indicated on diagram SG No A2435/90.
- (c) servitude area as indicated on diagram SG No A2436/90.

(9) THE FOLLOWING CONDITIONS WHICH ARE NOT BE PASSED ON TO THE ERVEN IN THE TOWNSHIP:

"..... Voormalige Gedeelte 29 ('n gedeelte van gedeelte 7) van die Plaas Morgenzon 466, aangedui deur die figuur A B C D E F G H J K L M N P Q R S T U V W X Y Z1, A1, B1, C1 Da1, L1, M op kaart LG Nr. A11113/86 hierby aangeheg is onderhewig aan die volgende voorwaardes:

Onderhewig aan die ewigdurende reg verleen aan EVKOM diese opvolgers in titel of regverkrygendes om elektrisiteit te lei, oor die



eiendom deur middel van drade en/of kables of ander toestelle, onder of bogronds, langs die lyn aangedui deur die letters AB op kaart LG Nr. A753/60 geheg aan Notariële Akte van Servituut 622/1962 S tesame met bykomende regte en onderhewig aan die voorwaardes soos meer ten volle sal blyk uit gesegde Notariële Akte.”

3. **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 LEKWA LOCAL MUNICIPALITY:

All erven shall be subject to the conditions as indicated.

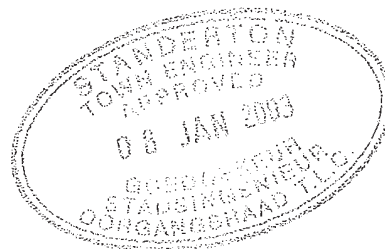
(a) The erf is subject to:

- (i) a servitude 3 metres wide along the street boundary;
- (ii) a servitude 2 metres along the rear (midblock) boundary; and
- (iii) a servitude along the side boundaries with an aggregate width of 3 metres 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 2 metres wide across the local authority: Provided that the local authority may relax or grant exemption from the required servitudes.

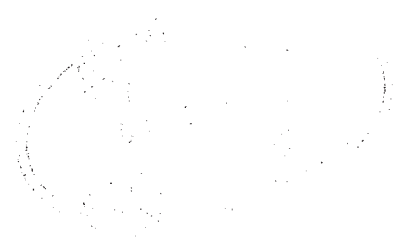
- (b) The local authority shall be entitled to deposit temporarily on the land adjoining the aforesaid servitude such material as may be excavated by it during the course of the construction, maintenance or removal of such sewerage mains and other works as it, in its discretion, may deem necessary and 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.

Ref: K1719/conditions/jan'03



INTERIM LAND USE CONDITIONS : SIVUKILE EXTENSION 4**CONTENTS**

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		4. Side and rear space
		5. Relaxation of side and rear space
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PART 4	:	GENERAL AMENITY AND CONVENIENCE
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PART 1 LAND USE CONDITIONS**1. DEFINITIONS**

In these Conditions, unless the context other wise indicates:

“building”	means any structure or construction in the area whether or not it is intended or used for human occupation and irrespective of the material from which it has been manufactured or built;
“business purposes”	means use of a building or erf for an office, showroom, restaurant, shop, public garage, place of instruction, the carrying on of any profession, trade or undertaking, or for any other commercial or business purposes other than an industry;
“coverage”	means the area of an erf which is covered by buildings measured over the external walls as seen vertically from above and expressed as a percentage of the area of the erf;
“development tribunal”	means an administrative development tribunal established for the Mpumalanga Province in terms of Section 15(1) of the Development Facilitation Act, 1995, (Act 67 of 1995), or any other similar body which may be made applicable.
“dwelling unit”	means a room or rooms, designed for human habitation by a single family, and the uses permitted as per condition 8;
“industry”	means the use of land as an industry, and/or factory within the meaning of other relevant legislation controlling the use of land for a factory and it may include offices and other activities which are incidental and subordinate to the main use such as place of refreshment for own employees, but excludes noxious activities; provided that the local authority has the right to permit by means of written permission, retail trade in goods which are entirely or partially manufactured, processed or assembled on the property or any other goods which although not manufactured, processed or assembled on the property form part of or are connected to the sale and / or used in or together in goods which are entirely or partially manufactured, processed or assembled on the property;

“institution”	means a building designed or primarily used as a charitable institution, hospital, nursing home, sanatorium, clinic or any other institution, whether public or private;
“municipal purposes”	such purposes as the responsible authority may be authorized to execute in terms of the Local Government Ordinance, 17 of 1939 as amended, or any other law;
“noxious industry”	includes any industry, including an activity carried on for business purposes that by virtue of noise, radiation, effluent or emissions is dangerous or harmful to the health and welfare of the general public, or constitutes a nuisance, and includes smelting ores or minerals, works for the production of sulphate dyes, or the sintering of sulphate-bearing materials;
“occupant”	in relation to any building, structure or land, includes any person occupying such building, structure or land legally entitled to occupy it, or anybody having the charge or management thereof, and includes the agent of such a person who is absent from the area of whose whereabouts are unknown;
“owner”	means, in relation to a building or an erf – (a) the registered owner (b) a person who administers the estate of any person contemplated to in subparagraph (a) above, whether as the executor, administrator, or guardian or in any other capacity; (c) a person who receives payment from any occupant, or a person who would receive payment should such building or land be let, whether for his own account or as agent for any person who is entitled thereto or who has interest therein; and (d) the duly authorized agent of a person contemplated in (a) to (c) above
“place of instruction”	means an erf used or a building designed or primarily used as a school, technical college, lecture hall, institute or other educational centre, and includes a crèche, a convent or monastery, a public library, an art gallery, a museum or a gymnasium;

“place of public worship”	means an erf used or a building designed for use or primarily used as a church, chapel, oratory, house of worship, synagogue, mosque, or other place of public devotion and includes a building designed for use and used as a place of religious instruction and an institution on the same property as and associated with any of the foregoing buildings that is intended to be used for social intercourse and recreation, but does not include a funeral chapel, which shall be deemed to be a “special purpose”
“property”	means any portion of land or a leasehold site that is registered as a separate unit in a deeds registry;
“public garage”	means an erf used or a building designed or used primarily for the maintenance, repair or fuelling of vehicles and purposes ancillary thereto;
“public open space”	land used by the public as an open space, and includes inter alia a park, garden, playground, recreation park or square;
“residential building”	means a building designed or used primarily for human habitation, which may include one or more dwelling units,
“responsible authority”	means the authority referred to in condition 3;
“shop”	means land used or a building designed or used primarily for the purposes of carrying on retail trade and the necessary accompanying storage and packaging, and includes any accompanying use on the same site that is incidental and subordinate to the conduct of the retail trade;
“social hall”	means a building designed for use or used primarily for social assemblies, gatherings, meetings or recreational purposes;
“special purposes”	means purposes for which an erf or building may be used that are not specified in these Conditions”
“storey”	means the space in a building between one floor level and the following floor level or between one floor level and the ceiling or roof above;
“use zone”	means a mixed, commercial or community facility zone subject to the terms of use for each such zone set out in Table A to these Conditions;

2. APPLICATION OF THESE CONDITIONS

- 2.1 These Conditions shall apply in respect of any erf in the area shown on the Layout Plan (Reference K1719/4).
- 2.2 Every erf in the area shall be subject to the provisions of these Conditions relating to the use zone in which such erf is situated according to the tenor of the Layout Plan : Provided that, if the layout plan does not depict or describe use zones identical to the use zones described in these conditions, any erf shown on the layout plan and described thereon, according to the ordinary grammatical meaning of the terminology used, as being in a zone where such erf -
- (a) may or may also be used for residential purposes, shall be deemed to be in the mixed use zone set out in Table A to these Conditions;
 - (b) may not be used for residential purposes but may be used for business purposes or for the purposes of an industry, shall be deemed to be in the business use zone as set out in Table A to these Conditions; and
 - (c) is intended for use by the responsible local authority or for community facility purposes, such erf shall be deemed to be in the community facility use zone as set out in Table A to these conditions.
- 2.3 The provisions of these conditions shall not render unlawful any existing building that has been lawfully erected; provided that alterations, other than minor alterations, or a change of use of such building shall be effected in accordance with these conditions.

3. RESPONSIBLE AUTHORITY

The local authority means any institution or body declared under the Local Government Transition Act, 1993 to be a local government body for the purposes of the Act for enforcing and administering the provisions of these conditions.



PART 2 - SIDE AND REAR SPACE**4. SIDE AND REAR SPACE**

- 4.1 No building, excluding a boundary wall, fence or temporary building that is required in connection with building operations being conducted on the erf concerned shall be erected without a space, free of any building or structure, between the building and each of the side boundaries (except in respect of attached housing), between the building and the rear boundary of the property and also between the road reserve and the building.
- 4.2 The spaces at the sides of the building referred to in subparagraph (1) shall be a minimum of one (1) metre wide.
- 4.3 The spaces at the rear of the building referred to in subparagraph (1) shall be a minimum of one (1) metre wide.

5. RELAXATION OF SIDE AND REAR SPACE

- 5.1 The responsible authority may, on written application by the owner of the erf concerned, on such written conditions as it may consider appropriate, in writing permit the erection of a building or other structure within the spaces referred to in subparagraphs (4.1) to (4.3).
- 5.2 Any written permission referred to in subparagraph (5.1) shall remain in force for as long as the building or structure constructed in the relevant space remains erected, unless such permission is amended or withdrawn on the written application or with the written consent of the owner concerned.

PART 3 - BUILDING RESTRICTION AND USE OF LAND**6. ERECTION AND USE OF BUILDINGS AND USE OF LAND**

The purposes for which buildings and land in each of these use zones specified in Column 1 of Table A may -

- 6.1 be erected and / or used;
- 6.2 be erected and / or used only with the consent of the responsible authority; or
- 6.3 not be erected and / or used;

are shown in the second, third and fourth columns of **Table A** respectively

TABLE A			
1	2	3	4
Use Zone	Permissible uses and / or buildings	Uses permitted with the consent of the responsible authority	Prohibited uses
Residential	Dwelling unit	Places of public worship, places of instruction, social halls, sport and recreational purposes, institutions, medical suites, special purposes	Uses not under (2) or (3)
Multiple Residential	Residential building	Places of public worship, places of instruction, social halls, sport and recreational purposes, institutions, medical suites, special purposes	Uses not under column (2) or (3)
Business	Shops, businesses purposes, residential buildings, places of public worship, places of instruction, social halls, sports and recreational purposes, institutions	Uses not under column (2) or (4)	Noxious industries
Industrial	Industry, business purposes, shops, public garages, scrapyards, parking areas	Noxious industries, special purposes	Uses not under column (2) or (3)
Community Facility	Special purposes, places of instruction, places of public worship, social hall, business purposes	Residential buildings, special purposes	Uses not mentioned in Column (2) or (3)
Municipal	Municipal purposes	Residential buildings, special purposes	Uses not under column (2) or (3)

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Sivukile Extension 4

Townplanning and Townships Ordinance, 1986 (Ordinance 15 of 1986)

8

Undetermined		Uses not under column 4	Noxious industries
Special	Agricultural purposes, uses as defined on an approved layout plan and/or subdivision plan	Uses not under columns (2) and (4)	Noxious industries
Public Open Space	Parks, sports and recreational facilities and buildings used in connection therewith	Residential buildings, special purposes	Uses not under column (2) or (3)
Government	Government purposes		

7. CONDITIONS APPLICABLE TO ALL PROPERTIES

7.1 Except with the written consent of the responsible authority, and subject to such conditions as it may impose, neither the owner nor any other person shall –

7.1.1 have the right, except to prepare the erf for building purposes, to excavate any material therefrom, and

7.1.2 have the right to sink any wells or boreholes thereon or abstract any subterranean water therefrom.

7.2 Where, in the opinion of the responsible authority, it is impracticable for stormwater to be drained from higher-lying properties direct to a public street, the owner(s) of the lower-lying properties shall be obliged to accept and permit the passage over their properties of such stormwater, provided that the owner of any higher-lying property the stormwater from which is discharged over any lower-lying property shall be liable to pay a proportionate share of the cost of any pipeline or drain that the owner of such a lower-lying property may find necessary to lay or construct for the purpose of conducting the water so discharged over the property.

7.3 The siting of buildings, including outbuildings, on any property and of entrances to and exits from a public street system shall be to the satisfaction of the local authority.

7.4 The owner shall be responsible for the maintenance of the entire development on the property.

8. ADDITIONAL USES PERMITTED IN RESPECT OF THE RESIDENTIAL USE ZONE AS PER TABLE A

8.1 The number and size of dwelling unit(s) that may be erected on a property shall be limited to a single dwelling unit subject to the height and coverage provisions of these conditions and by any applicable health and building regulations, provided that the responsible authority may on written request grant permission for the erection of an additional dwelling unit(s) in accordance with the conditions which are accepted as policy by the local authority.

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Sivukile Extension 4

- 8.2 The occupant of a dwelling unit may on completion of a prescribed form by the responsible authority (for information and record purposes) practice, inter alia, his / her social and religious activities and his / her occupation, profession, or trade, including retail trade, on the property on which such dwelling unit is erected, provided that –

8.2.1 the dominant use of the property shall remain residential;

8.2.2 the occupation, trade or profession or other activity shall not be noxious, and

8.2.3 the occupation, trade or profession shall not interfere with the amenity of the neighbourhood.

9. SPECIAL CONDITIONS APPLYING TO PUBLIC GARAGES

- 9.1 Nothing shall be stored and no repairs of any nature to vehicles or equipment shall be undertaken in a public garage, except in an area that is screened to the satisfaction of the responsible local authority for such purposes.

- 9.2 The responsible authority may relax the restriction contained in condition 9.1 in a case where the property is adjacent to or surrounded by industrial uses.

10. CONSENT USE OR APPROVAL BY THE RESPONSIBLE AUTHORITY

- 10.1 Any application to the responsible authority for the approval of a consent use in respect of the relevant property that is listed in column 3 of **Table A**, shall be made by the owner of the land or building to which the application relates, provided that the provisions of conditions 10, 11 and 12 shall not apply to any application to or approval or consent by the responsible authority for any purposes in terms of these conditions other than those contemplated in Column 3 of **Table A**.

- 10.2 The power of the responsible authority to grant its consent or its approval in terms of condition 10.1 shall include the power to refuse the consent or approval and, if consent or approval has been granted, the power to impose any conditions that it may deem fit.

- 10.3 If the owner of the relevant property is in breach of a condition upon which any consent or approval was granted by a responsible authority as contemplated in condition 10.2, the responsible authority may serve a notice upon such owner or the occupant of the property concerned calling him to remedy such breach, and if the relevant breach is not remedied as required in such notice, such consent or approval may be terminated by the responsible authority concerned.

- 10.4 The notice referred to in condition 10.3 shall require that the breach be remedied within a specific period.

- 10.5 Any applicant who feels aggrieved by any decision of the responsible authority as contemplated in this paragraph may appeal to the authorised officer within twenty-eight days of the decision, provided that, if the responsible authority refuses to give a decision on any application or delays unreasonably in giving a decision, the applicant may appeal to the authorised officer as if he were appealing against the decision of the local authority.
- 10.6 The responsible authority shall maintain a register and record of all applications referred to in condition 10.

11. APPLICATIONS FOR CONSENT USE AND OBJECTIONS

- 11.1 Any owner intending to apply to the responsible authority for its consent as contemplated in condition 10.1 shall, prior to the submission of such application –
- 11.1.1 affix, display and maintain a notice of such intended application on the erf or building to which the application relates for a period of fourteen (14) days; and
 - 11.1.2 give fourteen (14) days written notice of the intended application to the owners of adjacent erven and erven directly across the street from the erf that forms the subject of the intended application;
- 11.2 A notice referred to in Section 11.1 shall state that any person having any objection to the application may lodge such objection in writing with the responsible authority and with the applicant within 14 days after the last day on which the notice was displayed.
- 11.3 Proof of the display of the notice contemplated in condition 11.1.1 and a list of the owners contemplated in 11.2, including their postal and physical addresses, shall accompany the application to the responsible authority.
- 11.4 The responsible authority shall consider any objections received with the fourteen (14) day notice periods contemplated in condition 11.1 and shall, within 60 days after the expiry of such notice periods, notify the applicant and the objectors, if any, of its decision by delivering a copy of such decision to the persons concerned.
- 11.5 A decision by the responsible authority contemplated in condition 11.4 shall not take effect until the letters of notification to the applicant and objectors have been received by such persons as contemplated in condition 11.4 or, if an appeal is lodged in terms of condition 10.5, until a decision has been reached in respect of such appeal.
- 11.6 The responsible authority shall maintain a register and record of all applications referred to in condition 11.

12. LAPSING OF APPROVAL OF CONSENT

If the rights obtained by virtue of the grant by the responsible authority of an approval or consent in terms of condition 10 are not exercised within twenty four (24) months of the grant of such approval or consent, or if the rights have been exercised but the use permitted thereunder is interrupted for a continuous period of eighteen (18) months, the relevant approval or consent shall lapse, unless any condition upon which such approval or consent was granted specifically provides otherwise or the owner proves to resume the exercise of his rights.

13. CHANGE OF USE ZONE

The use zone of the erf can on application with the responsible authority concerned, be altered by the responsible authority on such terms as it may determine and subject to such conditions as it may impose. The provisions of condition 11 shall apply *mutatis mutandis*.

14. SUBDIVISION AND CONSOLIDATION OF PROPERTIES

- 14.1 No property shall be subdivided or consolidated except with the written approval of the responsible authority and subject to such conditions as the responsible authority may impose.
- 14.2 The responsible authority shall maintain a register and record of all applications referred to in condition 14.1.

15. PROVISION OF PARKING

- 15.1 Sufficient parking shall be provided in respect of the uses listed in **Table B**, provided that such parking space shall be laid out to the satisfaction of the responsible authority.
- 15.2 The responsible authority may, on application by the owner of the relevant property, grant permission for a relaxation of the parking requirements set out in **Table B**.

TABLE B		
USE	SITE AREA	MINIMUM PARKING REQUIREMENTS
Residential Buildings	Less than 500m ²	Nil
	500m ² and over	1 space per dwelling unit
Shops	Less than 2 000m ²	1 space per 100m ² of shopping floor area
	2 000m ² and over	3 spaces per 100m ² of shopping floor area
Offices	Less than 2 000m ²	1 space per 100m ² of floor area
	2 000m ² and over	2 spaces per 100m ² of floor area

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Industry and business purposes	Less than 2 000m ²	1 space per 200 m ² floor area
	2 000m ² and over	1 space per 100m ² of floor area

16. RESTRICTIONS ON HEIGHT OF BUILDINGS

- 16.1 Buildings erected on properties in residential zones shall not exceed two (2) storeys without the consent of the responsible authority.
- 16.2 Buildings erected on properties in use zones other than residential use zones shall not exceed (3) storeys without the consent of the responsible authority.
- 16.3 The number of storeys contemplated in condition 16 shall include the storey at ground level but shall not include basements substantially below ground level.

17. RESTRICTIONS ON COVERAGE OF BUILDINGS

Buildings shall not exceed the coverage specified in Table C, provided that on written application the responsible authority may grant consent for a maximum of 10% additional coverage.

TABLE C	
USE ZONE	PERMISSIBLE COVERAGE
Residential	50%
Multiple Residential	60%
Business	70%
Industries	70%
Community Facility	70%
Special	To the satisfaction of the responsible authority
Public Open Space	To the satisfaction of the responsible authority
Undetermined	To the satisfaction of the responsible authority
Government	To the satisfaction of the responsible authority

PART 4 GENERAL AMENITY AND CONVENIENCE**18. GENERAL AMENITY AND CONVENIENCE**

- 18.1 Notwithstanding anything to the contrary contained in these conditions, no person shall use or develop property in such a way as will detract from the amenity or convenience of the area within which it is located.
- 18.2 The provisions of condition 18.1 shall be enforceable by the responsible authority or any other party against any lessee or registered owner of the relevant property as contemplated in condition 18.1

PART B - MISCELLANEOUS**19. SERVING OF NOTICES**

Any notice required or authorised to be served in terms of these conditions may be served –

19.1 by delivering a notice to any person or to his or her duly authorised agent personally, or

19.2 by registered mail.

20. OFFENCES

Any person who contravenes or fails to comply with any provision of these conditions shall be guilty of an offence.

21. TITLE

These conditions shall be referred to for all purposes as the Sivukile Extension 4 Land Use Conditions.

K1719 Interim land use/jan'03

Land Development Application

Sivukile Extension 4

TO TOWNSHIP ESTABLISHMENT SECTION
IMMEDIATELY AFTER NUMBERING

OPENING OF A TOWNSHIP REGISTER

TOWNSHIP NAME: *Sivukile extension 4*

GENERAL PLAN SG NO: *1219/2003*

GENERAL PLAN APPROVED ON: *2003/06/03*

GENERAL PLAN LAPSES ON:

GENERAL PLAN EXPIRY EXTENDED...*1. Mar. 2016*...

IN THE AREA OF MPUMALANGA DEEDS OFFICE
AT NELSPRUIT

RATES CLEARANCE BY: *Letlwa Local Municipality*

~~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-38 ACT 67/1995~~

~~PROCL 293/1962~~ READ WITH ACT 112/1991

JUNIOR EXAMINER: **K.S. SITHOLE**

SENIOR EXAMINER: **P.M. MOCHYANA**





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

Township established in terms of:

> Sivukile extension 4

> Registered on 18/05/2015

Consisting of:

Comprising 289 even numbered 1345-1603
6 Panks numbered 1604-1609

Indicated on:

- > General Plan 1219/2005
- > Relay out Plan No. _____

Situated on:

> Farm morgenzon

>

> Remaining extent: _____

Held By:

Certificate of registered title
no. 1

Instruction to Data:



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

Po Box 66
Standerton
2430

Meneer / Sir

TOWNSHIP:

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

1. Your reference is Sivukile ext 4

2. As the requirements have 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: 18/05/2015

**Delete which is not applicable*

REGISTRAR OF DEEDS: MPUMALANGA
DEEDS OFFICE, MPUMALANGA
DATE:

Enquiries :

IMPORTANT Information from Government Printing Works

Dear Valued Customers,

Government Printing Works has implemented rules for completing and submitting the electronic Adobe Forms when you, the customer, submits your notice request.

Please take note of these guidelines when completing your form.

GPW Business Rules

1. No hand written notices will be accepted for processing, this includes Adobe forms which have been completed by hand.
2. Notices can only be submitted in Adobe electronic form format to the email submission address submit.egazette@gpw.gov.za. This means that any notice submissions not on an Adobe electronic form that are submitted to this mailbox will be **rejected**. National or Provincial gazette notices, where the Z95 or Z95Prov must be an Adobe form but the notice content (body) will be an attachment.
3. Notices brought into GPW by "walk-in" customers on electronic media can only be submitted in Adobe electronic form format. This means that any notice submissions not on an Adobe electronic form that are submitted by the customer on electronic media will be **rejected**. National or Provincial gazette notices, where the Z95 or Z95Prov must be an Adobe form but the notice content (body) will be an attachment.
4. All customers who walk in to GPW that wish to submit a notice that is not on an electronic Adobe form will be routed to the Contact Centre where the customer will be taken through the completion of the form by a GPW representative. Where a customer walks into GPW with a stack of hard copy notices delivered by a messenger on behalf of a newspaper the messenger must be referred back to the sender as the submission does not adhere to the submission rules.
5. All notice submissions that do not comply with point 2 will be charged full price for the notice submission.
6. The current cut-off of all Gazette's remains unchanged for all channels. (Refer to the GPW website for submission deadlines – www.gpwonline.co.za)
7. Incorrectly completed forms and notices submitted in the wrong format will be rejected to the customer to be corrected and resubmitted. Assistance will be available through the Contact Centre should help be required when completing the forms. (012-748 6200 or email info.egazette@gpw.gov.za)
8. All re-submissions by customers will be subject to the above cut-off times.
9. All submissions and re-submissions that miss the cut-off will be rejected to the customer to be submitted with a new publication date.
10. Information on forms will be taken as the primary source of the notice to be published. Any instructions that are on the email body or covering letter that contradicts the notice form content will be ignored.

You are therefore advised that effective from **Monday, 18 May 2015** should you not comply with our new rules of engagement, all notice requests will be rejected by our new system.

Furthermore, the fax number **012- 748 6030** will also be **discontinued** from this date and customers will only be able to submit notice requests through the email address submit.egazette@gpw.gov.za.



Printed by and obtainable from the Government Printer, Bosman Street, Private Bag X85, Pretoria, 0001.
Contact Centre Tel: 012-748 6200. eMail: info.egazette@gpw.gov.za
Also available at the **Provincial Legislature: Mpumalanga**, Private Bag X11289, Room 114, Civic Centre Building,
Nel Street, Nelspruit, 1200. Tel. (01311) 5-2133.