

**THE PROVINCE OF MPUMALANGA**  
**DIE PROVINSIE MPUMALANGA**

# **Provincial Gazette** **Provinsiale Koerant**

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

**Vol. 24**

**NELSPRUIT**  
22 DECEMBER 2017  
22 DESEMBER 2017

**No. 2884**

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**GENERAL NOTICES • ALGEMENE KENNISGEWINGS**

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**NOTICE 144 OF 2017****SIMULTANEOUS APPLICATION FOR CONSOLIDATION AND REZONING OF ERF 766 AND 767 SIYABUSWA-D, SUBMITTED IN TERMS OF SECTION 73 (1) AND 62 (1) OF DR. JS. MOROKA SPATIAL PLANNING AND LAND USE MANAGEMENT BY LAW, 2015 FOR A DEVELOPMENT OF RENTAL ACCOMMODATION**

We Khanyeng Trading Projects being the agent of the owner of the foresaid properties hereby give notice in terms of section 73 (1) and 62 (1) of Dr. JS. Moroka Spatial Planning and Land Use Management By Law, 2015 that we have applied to the Dr. JS. Moroka Local Municipality for the consolidation and rezoning of Erf 766 and 767 Siyabuswa-D for a development of rental accommodation at Siyabuswa-D.

Particulars of this application will lie for inspection during normal municipal office hours at Dr. JS. Moroka Municipal Offices at Siyabuswa for a period of 30 days from 22 December 2017 to 30 January 2018. Representations regarding the application must be lodged in writing to the office of the Municipal Manager: Dr JS Moroka Local Municipality 2601/3 Bongimfundo Street, Siyabuswa, 0472 for the period of 30 days from 22 December 2018 to (no later than 29 January 2018).

Address of the applicant: Suite 126, P/Bag x06, Theresa Park, 0118

Cell: 082 6671544 or Email: [khanyengtechnologies@gmail.com](mailto:khanyengtechnologies@gmail.com)

**NOTICE 145 OF 2017****SIMULTANEOUS APPLICATION FOR SUBDIVISION AND REZONING OF A PORTION OF PORTION 5 OF THE FARM KAMEELRIVIER 160 JR, SUBMITTED IN TERMS OF SECTION 67 (1) AND 62 (1) OF DR. JS. MOROKA SPATIAL PLANNING AND LAND USE MANAGEMENT BY LAW, 2015 FOR A DEVELOPMENT OF A LODGE AT MAPHOTLA**

We Khanyeng Trading Projects being the agent of the applicant (Mr. K. Ntuli) beneficiary owner of the foresaid property hereby give notice in terms of section 67 (2) and 62 (1) of Dr. JS. Moroka Spatial Planning and Land Use Management By Law, 2015 that we have applied to the Dr. JS. Moroka Local Municipality for the subdivision and rezoning of a Portion of Portion 5 of the Kameelrivier 160 JR for a development of a lodge at Maphotla.

Particulars of this application will lie for inspection during normal municipal office hours at Dr. JS. Moroka Municipal Offices at Siyabuswa for a period of 30 days from 22 December 2017 to 30 January 2018. Representations regarding the application must be lodged in writing to the office of the Municipal Manager: Dr JS Moroka Local Municipality 2601/3 Bongimfundo Street, Siyabuswa, 0472 for the period of 30 days from 22 December 2018 to (no later than 29 January 2018).

Address of the applicant: Suite 126, P/Bag x06, Theresa Park, 0118

Cell: 082 6671544 or Email: [khanyengtechnologies@gmail.com](mailto:khanyengtechnologies@gmail.com)

22-29

**NOTICE 146 OF 2017****APPLICATION FOR REZONING OF ERF 872 SIYABUSWA-D SUBMITTED IN TERMS OF SECTION 62 (1) OF DR JS MOROKA SPATIAL PLANNING AND LAND USE MANAGEMENT BY LAW, 2015 FOR A DEVELOPMENT OF RENTAL ACCOMMODATION**

We Khanyeng Trading Projects being the agent of the owner of the foresaid property hereby give notice in terms of section 62 (1) of Dr. JS. Moroka Spatial Planning and Land Use Management By Law, 2015 that we have applied to the Dr. JS. Moroka Local Municipality for the rezoning of Erf 872 Siyabuswa-D for a development of rental accommodation at Siyabuswa-D.

Particulars of this application will lie for inspection during normal municipal office hours at Dr. JS. Moroka Municipal Offices at Siyabuswa for a period of 30 days from 22 December 2017 to 30 January 2018. Representations regarding the application must be lodged in writing to the office of the Municipal Manager: Dr JS Moroka Local Municipality 2601/3 Bongimfundo Street, Siyabuswa, 0472 for the period of 30 days from 22 December 2018 to (no later than 29 January 2018).

Address of the applicant: Suite 126, P/Bag x06, Theresa Park, 0118

Cell: 082 6671544 or Email: [khanyengtechnologies@gmail.com](mailto:khanyengtechnologies@gmail.com)

22-29

**NOTICE 147 OF 2017****A SIMULTANEOUS APPLICATION FOR SUBDIVISION AND REZONING OF A PORTION OF THE REMAINDER OF PORTION 7 OF THE FARM ZUSTERHOEK 246 JR , SUBMITTED IN TERMS OF SECTION 71 (2) AND 66 (1) OF THE THEMBISILE HANI SPATIAL PLANNING AND LAND USE MANAGEMENT BY LAW, 2015 FOR A DEVELOPMENT OF A FILLING STATION**

We Khanyeng Trading Projects being an agent of the applicant (Mr.J. Rikotso) of the foresaid property hereby give notice in terms of Section 71 (2) & 66 (1) of Thembisile Hani Spatial Planning and Land Use Management Bylaw 2015, that we have applied to the Thembisile Hani Local Municipality for the subdivision and rezoning of foresaid property for the proposed development of a filling station and related activities at Mountain View Zone 6, KwaMhlanga.

Particulars of this application will lie for inspection during normal office hours at municipal office at Kwaggafontein for a period of 30 days from 22 December 2017 to 5 February 2018. Representation regarding the application must be lodged in writing to the office of the Municipal Manager: Thembisile Hani Local Municipality Stand No: 5 kwaggafontein 0458 for the period of 30 days from 22 December 2017 to (no later than 2 February 2018).

Address of the applicant: Suite 126, P/Bag x06, Theresa Park, 0118

Cell: 082 6671544 or Email: [khanyengtechnologies@gmail.com](mailto:khanyengtechnologies@gmail.com)

# PROCLAMATION • PROKLAMASIE

## PROCLAMATION 33 OF 2017

STATEMENT OF CONDITIONS UNDER WHICH THE APPLICATION MADE BY THE MBOMBELA LOCAL MUNICIPALITY (HEREINAFTER REFERRED TO AS THE APPLICANT/TOWNSHIP OWNERS) IN TERMS OF THE PROVISIONS OF CHAPTER IV OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON A PORTION OF THE FARM NYAMASAAN NO. 647 REGISTRATION DIVISION J.U. MPUMALANGA, HAS BEEN GRANTED

### 1. CONDITIONS TO BE COMPLIED WITH PRIOR TO THE DECLARATION OF THE TOWNSHIP AS A FORMALISED TOWNSHIP.

#### GENERAL

1.1 The applicant shall satisfy the Mbombela Local Municipality that:

- 1.1.1 satisfactory access is available to the township and that a public street system is available to all erven in the township;
- 1.1.2 a favourable geo-technical report has been submitted;
- 1.1.3 the name of the township as well as the street names have been approved;
- 1.1.4 the consent has been obtained from the mineral rights holder.

### 2. CONDITIONS OF ESTABLISHMENT (CONDITIONS APPLICABLE TO ALL THE ERVEN IN THE APPROVED TOWNSHIP WHICH MUST BE COMPLIED TO BEFORE THE TRANSFER OF ANY ERVEN CAN BE AFFECTED)

#### 2.1 NAME

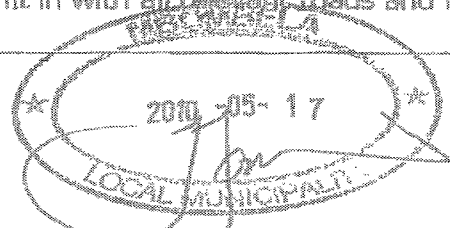
The name of the township shall be **KANYAMAZANE-A EXTENSION 6.**

#### 2.2 DESIGN

The township shall consist of erven and streets as indicated on **Approved Layout Plan KAN06-002/2.**

#### 2.3 RECEIPT AND DISPOSAL OF STORMWATER

The township owner shall arrange the stormwater drainage of the township; in such a way as to fit in with all relevant roads and he



shall receive and dispose of the stormwater running off or being diverted from the road.

#### **2.4 REMOVAL AND/OR REPLACEMENT OF TRANSITIONAL ELECTRICAL DEPARTMENT SERVICES**

Should it become necessary to remove and/or replace any existing services of Transitional Electrical Department as a result of the establishment of the township, the cost thereof shall be borne by the township owner.

#### **2.5 REMOVAL AND/OR REPLACEMENT OF TELKOM SERVICES**

Should It become necessary to remove and/or replace any existing services of TELKOM as a result of the establishment of the township, the cost thereof shall be borne by the township owner.

#### **2.6 PROTECTION OF STAND PEGS**

The township owner shall comply to the requirements with regard to the protection of boundary pegs as determined by the Mbombela Local Municipality in this regard, when required to do so by the Mbombela Local Municipality.

#### **2.7 DISPOSAL OF EXISTING CONDITIONS OF TITLE**

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

#### **2.8 CERTIFICATION PRIOR TO TRANSFER OF ANY ERF**

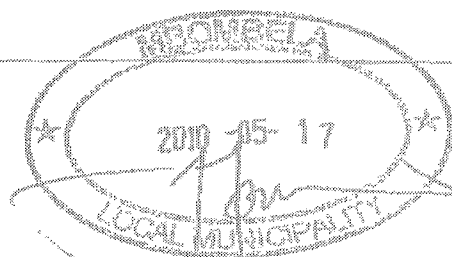
2.8.1 Prior to the transfer of any property in the township, the Mbombela Local Municipality shall issue a certificate to the Registrar of Deeds certifying that each stand is to be transferred:

2.8.1.1 has been provided with all essential services;

2.8.1.2 is not located within a flood area;

2.8.1.3 is not located within an border erosion area;

2.8.1.4 does not have any structures or buildings that transgress its boundaries;



- 2.8.1.5 does not have any structures or buildings that are erected within any servitude area.
- 2.8.2 Where more than 50% of the area of the erf is affected by the 1:50 year flood line, residents can continue to occupy the erf at their own risk and subject thereto that:
- 2.8.2.1 owners of such erven (as well as every subsequent successor in title) must be notified in writing simultaneously with the opening of the township register of the perils and dangers involved in residing on a stand located within the said flood line;
- 2.8.2.2 Mbombela Local Municipality is indemnified against any claims that may arise from any damage or injury of any nature whatsoever, that may arise as a result of the presence of the erf located within the said flood line;
- 2.8.2.3 Mbombela Local Municipality will not be required to install any services or render any service whatsoever to the said property.
- 2.8.3 Where more than 50% of the area of the erf is located within a border erosion area, residents can continue to occupy the erf at their risk and subject thereto that :
- 2.8.3.1 owners of such erven (as well as every subsequent successor in title) must be notified in writing simultaneously with the opening of the township register of the perils and dangers involved in residing on a stand located within the said border erosion area ;
- 2.8.3.2 Mbombela Local Municipality is indemnified against any claims that may arise from any damage or injury of any nature whatsoever, that may arise as a result of the presence of the erf located within the said border erosion area ;
- 2.8.3.3 Mbombela Local Municipality will not be required to install any services or render any service whatsoever to the said property.



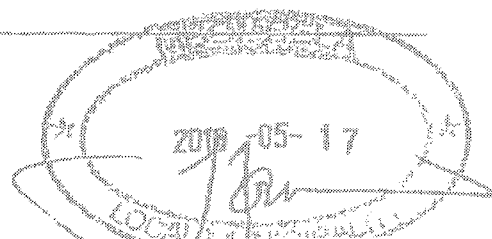


### 3. CONDITIONS OF TITLE

#### 3.1 THE ERVEN MENTIONED BELOW SHALL BE SUBJECT TO THE CONDITION AS INDICATED, LAID DOWN BY THE MBOMBELA LOCAL MUNICIPALITY

##### ALL ERVEN

- 3.1.1 The erf is subject to a servitude 2m wide in favour of the Mbombela Local Municipality, for sewerage and other municipal purposes along any two boundaries other than a street boundary and in the case of a panhandle erf, an additional servitude for municipal purposes 2m wide across the access portion of the erf, if and when required by the Council: Provided that the Local Municipality may dispense with any such servitude.
- 3.1.2 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 2m thereof.
- 3.1.3 The Mbombela Local Municipality shall be entitled to deposit temporarily on the land adjoining the aforesaid servitude area such material as may be excavated by it during the course of construction, maintenance or removal of such sewerage mains and other works as it, to 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 Municipality
- 3.1.4 The stand is situated in an area that has soil conditions that could detrimentally effect buildings and structures and be the cause of damage. Building plans which are submitted to the town Local Municipality for approval must contain remedial actions which are in accordance with the recommendations contained in the geo-technical report that was compiled for the township so as to eliminate possible damage to buildings and structures as a result of the unfavourable soil conditions, unless proof can be submitted to the Local Municipality that such remedial actions are unnecessary



or the same result could be achieved in a more effective manner.

3.1.5 The use of the erf is as defined in the Land Use Database compiled for the township : Provided that on the date on which a Land Use Management System (Amended Scheme) relating to the township comes into force, the rights and obligations contained in such Land Use Management System shall supersede those contained in the aforesaid Land Use Database, and the latter shall fall away as from that date onwards.

3.1.6 The Land Use of the erf can on application and after consultation with the Local Municipality, be altered subject to such terms as the Local Municipality may determine and subject to such conditions as the Local Municipality may impose.

**3.2 ERF 7363:**

The stand is subject to a servitude 2m wide for municipal purposes along the northern boundary as indicated on the Layout Plan.

**3.3 ERVEN 7283; 7288 - 7292; 7297; 7327; 7328; 7333 - 7337; 7339; 7388; 7402 - 7403; 7406 - 7407; 7411 and 7412:**

The erven are to be notoriously linked with the adjacent stand in the existing township Kanyamazane-A as a result of structures that transgress the common boundary between the two erven.

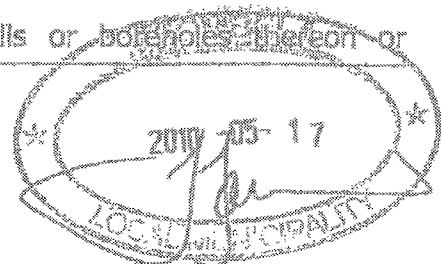
**4. CONDITIONS WHICH, IN ADDITION TO THE EXISTING PROVISIONS OF THE RULING TOWN PLANNING SCHEME, HAVE TO BE INCORPORATED IN THE NELSPRUIT TOWN PLANNING SCHEME, 1989, IN TERMS OF SECTION 125 OF ORDINANCE 15 OF 1986**

**4.1 CONDITIONS APPLICABLE TO ALL ERVEN:**

4.1.1 Except with the written consent of the Mbombela Local Municipality, and subject to such conditions as it may impose, neither the owner nor any other person shall -

4.1.1.1 have the right, save and except to prepare the erf for building purposes, to excavate any material there from;

4.1.1.2 sink any wells or boreholes thereon or



abstract any subterranean water there from;  
or

- 4.1.1.3 make, or permit to be made, on the property for any purpose whatsoever, any tiles or earthenware pipes or other articles of a like nature. (This condition shall not apply to erven in Use Zones 11, 12 and 13, Industrial 1, 2 and 3).

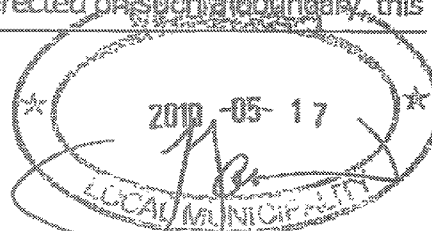
- 4.1.2 Where, in the opinion of the Mbombela Local Municipality, it is impracticable for storm water to be drained from higher lying erven direct to a public street, the owner of the lower lying erf shall be obliged to accept and permit the passage over the erf of such storm water: Provided that the owners of any higher lying erven, the storm water from which is discharged over any lower lying erf, shall be liable to pay a proportionate share of the cost of any pipeline or drain which the owner of such lower lying erf may find necessary to lay or construct for the purpose of conducting the water so discharged over the erf.

- 4.1.3 No building whatsoever may be erected on a property which will probably be flooded by a public stream on average every fifty years, as indicated on the Map of the Scheme: Provided that the Mbombela Local Municipality may permit the erection of buildings on such portion if it is convinced that the said portion will no longer be subjected to flooding.

- 4.1.4 The positioning of buildings, including outbuildings, on the erf and entrances to and exits from the erf to a public street system shall be to the satisfaction of the Mbombela Local Municipality.

- 4.1.5 The main building, which shall be a completed building and not one that has been partly erected and is to be completed at a later date, shall be erected simultaneously with, or before, the outbuildings.

- 4.1.6 No material or goods of any nature whatsoever shall be dumped or placed within the building restriction area along any street, and such area shall be used for no other purpose than the laying out of lawns, gardens, parking or access roads: Provided that if it is necessary for a screen wall to be erected on such a boundary, this



condition may be relaxed by the Mbombela Local Municipality and subject to such conditions as may be determined by it.

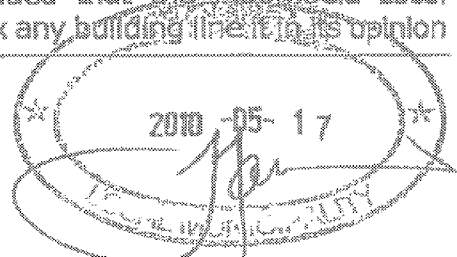
- 4.1.7 A screen wall or walls shall be erected and maintained to the satisfaction of the Mbombela Local Municipality as and when required by it.
- 4.1.8 If the property is fenced, such fence, and the maintenance thereof shall be to the satisfaction of the Mbombela Local Municipality.
- 4.1.9 The registered owner is responsible for the maintenance of the whole development on the property. If the Mbombela Local Municipality is of the opinion that the property, or any portion of the development, is not being satisfactorily maintained the Mbombela Local Municipality shall be entitled to undertake such maintenance at the cost of the registered owner.

#### 4.2 RESIDENTIAL 5

**Erven 7283 - 7288; 7293 - 7296; 7298 - 7332; 7338; 7340 - 7383; 7385 - 7387; 7389 - 7401; 7404; 7405; 7408; 7409; 7410; 7413 - 7482; 7484 - 7618.**

The erf and the buildings erected thereon, or which are to be erected thereon shall only be used for dwelling houses and with the special consent of the Mbombela Local Municipality for places of public worship, places of instruction, social halls, institutions, special uses, guest houses, tuck shops and spasas.

- 4.2.1 The height of the buildings on the stand shall not exceed 2 storeys.
- 4.2.2 The coverage of buildings on the stand shall not exceed 60%.
- 4.2.3 The density of buildings shall not exceed 1 dwelling unit per erf.
- 4.2.4 Buildings, including outbuildings, hereafter erected on the erf shall not be located less than 3,00m from any street boundary and not less than 2,00m from any side boundary: Provided that the Mbombela Local Municipality may relax any building line if in its opinion



It would lead to an overall Improvement of the development of the erf.

#### 4.3 INSTITUTIONAL

##### 4.3.1 Erf 7618 :

The erf and the buildings erected thereon, or which are to be erected thereon shall only be used for institutions, places of public worship, places of instruction and with the special consent of the local authority for social halls, special uses, dwelling units and residential buildings directly related to institutions.

4.3.1.1 The height of buildings on the stand shall not exceed 3 storeys.

4.3.1.2 The coverage of buildings on the stand shall not exceed 75%.

4.3.1.3 The floor area ratio of buildings on the stand shall not exceed 2,1.

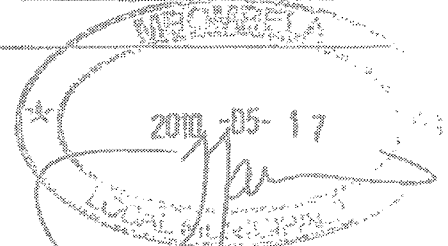
4.3.1.4 Buildings, including outbuildings, hereafter erected on the erf shall not be located less than 5,00m from any street boundary and not less than 2,00m from any side boundary: Provided that the Mbombela Local Municipality may relax any building line if in its opinion it would lead to an overall improvement of the development of the erf.

4.3.1.5 Effective paced parking spaces together with the necessary manoeuvring area, shall be provided on the erf to the satisfaction of the local authority, in the ratio of 0,7 per bed for institutions and 1 parking bay per 6 seats for places of public worship.

#### 4.4 MUNICIPAL

##### Erf 7384:

The erf and the buildings erected thereon, or which are to be erected thereon shall only be used for municipal purposes.



#### 4.5 PUBLIC OPEN SPACE

##### Erven 7619 to 7627:

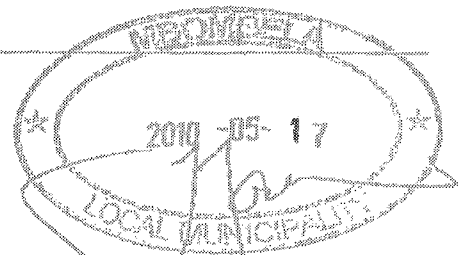
The erf and the buildings erected thereon or **which** are to be erected thereon, shall only be used for parks, public sport and recreation grounds, public open space, gardens play parks and squares.

#### 4.6 All Erven

The erf is situated in an area that has soil conditions that could detrimentally affect buildings and structures and be the cause of damage. Building plans which are submitted to the Local Municipality for approval must contain remedial actions which are in accordance with the recommendations contained in the geo-technical report that was compiled for the township so as to eliminate possible damage to buildings and structures as a result of the unfavourable soil conditions, unless proof can be submitted to the Local Municipality that such remedial actions are unnecessary or the same result could be achieved in a more effective manner.

CONDITIONS OF ESTABLISHMENT/S6880A.doc

Conditions of Establishment  
Kanyamazane-A Ext. 6  
S6880A.doc



**STATEMENT OF CONDITIONS UNDER WHICH THE APPLICATION MADE BY THE MBOMBELA LOCAL MUNICIPALITY (HEREINAFTER REFERRED TO AS THE APPLICANT/TOWNSHIP OWNERS) IN TERMS OF THE PROVISIONS OF CHAPTER IV OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 21 (A PORTION OF PORTION 13) OF THE FARM NYAMASAAN NO. 137 REGISTRATION DIVISION J.U. MPUMALANGA, HAS BEEN GRANTED**

# GENERAL

- 1.1.1 satisfactory access is available to the township and that a public street system is available to all erven in the township;
- 1.1.2 a favourable geo-technical report has been submitted;
- 1.1.3 the name of the township as well as the street names have been approved;
- 1.1.4 the consent has been obtained from the mineral rights holder.

## NAME \_\_\_\_\_

The township owner shall arrange the stormwater drainage of the township; in such a way as to fit in with all relevant roads and he

shall receive and dispose of the stormwater running off or being diverted from the road.

## 2.4 REMOVAL AND/OR REPLACEMENT OF TRANSITIONAL ELECTRICAL DEPARTMENT SERVICES

Should it become necessary to remove and/or replace any existing services of Transitional Electrical Department as a result of the establishment of the township, the cost thereof shall be borne by the township owner.

## 2.5 REMOVAL AND/OR REPLACEMENT OF TELKOM SERVICES

Should it become necessary to remove and/or replace any existing services of TELKOM as a result of the establishment of the township, the cost thereof shall be borne by the township owner.

## 2.6 PROTECTION OF STAND PEGS

The township owner shall comply to the requirements with regard to the protection of boundary pegs as determined by the Mbombela Local Municipality in this regard, when required to do so by the Mbombela Local Municipality.

## 2.7 EASEMENTS AND SERVITUDES IN RELATION TO STANDS

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

## 2.8 CERTIFICATE OF STANDS TO BE TRANSFERRED TO LAND / JOSE

2.8.1 Prior to the transfer of any property in the township, the Mbombela Local Municipality shall issue a certificate to the Registrar of Deeds certifying that each stand is to be transferred:

2.8.1.1 has been provided with all essential services;

2.8.1.2 is not located within a flood area;

2.8.1.3 is not located within an border erosion area;

2.8.1.4 does not have any structures or buildings that transgress its boundaries;



- 2.8.1.5 does not have any structures or buildings that are erected within any servitude area.
- 2.8.2 Where more than 50% of the area of the erf is affected by the 1:50 year flood line, residents can continue to occupy the erf at their own risk and subject thereto that:
- 2.8.2.1 owners of such erven (as well as every subsequent successor in title) must be notified in writing simultaneously with the opening of the township register of the perils and dangers involved in residing on a stand located within the said flood line;
- 2.8.2.2 Mbombela Local Municipality is indemnified against any claims that may arise from any damage or injury of any nature whatsoever, that may arise as a result of the presence of the erf located within the said flood line;
- 2.8.2.3 Mbombela Local Municipality will not be required to install any services or render any service whatsoever to the said property.
- 2.8.3 Where more than 50% of the area of the erf is located within a border erosion area, residents can continue to occupy the erf at their risk and subject thereto that :
- 2.8.3.1 owners of such erven (as well as every subsequent successor in title) must be notified in writing simultaneously with the opening of the township register of the perils and dangers involved in residing on a stand located within the said border erosion area ;
- 2.8.3.2 Mbombela Local Municipality is indemnified against any claims that may arise from any damage or injury of any nature whatsoever, that may arise as a result of the presence of the erf located within the said border erosion area ;
- 2.8.3.3 Mbombela Local Municipality will not be required to install any services or render any service whatsoever to the said property.

- 3.1.4 The Mbombela Local Municipality shall be entitled to deposit temporarily on the land adjoining the aforesaid servitude area such material as may be excavated by it during the course of construction, maintenance or removal of such sewerage mains and other works as it, to 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

3.1.5 The stand is situated in an area that has soil conditions that could detrimentally effect buildings and structures and be the cause of damage. Building plans which are submitted to the town Local Municipality for approval must contain remedial actions which are in accordance with the recommendations contained in the geo-technical report that was compiled for the township so as to eliminate possible damage to buildings and structures as a result of the unfavourable soil conditions, unless proof can be submitted to the Local Municipality that such remedial actions are unnecessary or the same result could be achieved in a more effective manner.

3.1.7 The Land Use of the erf can on application and after consultation with the Local Municipality, be altered subject to such terms as the Local Municipality may determine and subject to such conditions as the Local Municipality may impose.

4.1.1.1 have the right, save and except to prepare the erf for building purposes, to excavate any material there from;

- 4.1.1.2 sink any wells or boreholes thereon or abstract any subterranean water there from; or
  - 4.1.1.3 make, or permit to be made, on the property for any purpose whatsoever, any tiles or earthenware pipes or other articles of a like nature. (This condition shall not apply to erven in Use Zones 11, 12 and 13, Industrial 1, 2 and 3).
- 4.1.2 Where, in the opinion of the Mbombela Local Municipality, it is impracticable for storm water to be drained from higher lying erven direct to a public street, the owner of the lower lying erf shall be obliged to accept and permit the passage over the erf of such storm water: Provided that the owners of any higher lying erven, the storm water from which is discharged over any lower lying erf, shall be liable to pay a proportionate share of the cost of any pipeline or drain which the owner of such lower lying erf may find necessary to lay or construct for the purpose of conducting the water so discharged over the erf.
- 4.1.3 No building whatsoever may be erected on a property which will probably be flooded by a public stream on average every fifty years, as indicated on the Map of the Scheme: Provided that the Mbombela Local Municipality may permit the erection of buildings on such portion if it is convinced that the said portion will no longer be subjected to flooding.
- 4.1.4 The positioning of buildings, including outbuildings, on the erf and entrances to and exits from the erf to a public street system shall be to the satisfaction of the Mbombela Local Municipality.
- 4.1.5 The main building, which shall be a completed building and not one that has been partly erected and is to be completed at a later date, shall be erected simultaneously with, or before, the outbuildings.
- 4.1.6 No material or goods of any nature whatsoever shall be dumped or placed within the building restriction area along any street, and such area shall be used for no other purpose than the laying out of lawns, gardens, parking or access roads: Provided that if it is necessary

for a screen wall to be erected on such a boundary, this condition may be relaxed by the Mbombela Local Municipality and subject to such conditions as may be determined by it.

- 4.1.7 A screen wall or walls shall be erected and maintained to the satisfaction of the Mbombela Local Municipality as and when required by it.
- 4.1.8 If the property is fenced, such fence, and the maintenance thereof shall be to the satisfaction of the Mbombela Local Municipality.
- 4.1.9 The registered owner is responsible for the maintenance of the whole development on the property. If the Mbombela Local Municipality is of the opinion that the property, or any portion of the development, is not being satisfactorily maintained the Mbombela Local Municipality shall be entitled to undertake such maintenance at the cost of the registered owner.

#### **4.2. STANDS**

**Erven 6592 to 6660; 6662 to 6665; 6670 to 6840; 6842; 6844 to 6882 and 6884 to 7270 :**

The erf and the buildings erected thereon, or which are to be erected thereon shall only be used for dwelling houses and with the special consent of the Mbombela Local Municipality for places of public worship, places of instruction, social halls, institutions, special uses, guest houses, tuck shops and spazas.

- 4.2.1 The height of the buildings on the stand shall not exceed 3 storeys.
- 4.2.2 The coverage of buildings on the stand shall not exceed 50%.
- 4.2.3 The density of buildings shall not exceed 1 dwelling unit per erf.
- 4.2.4 Buildings, including outbuildings, hereafter erected on the erf shall not be located less than 5,00m from any street boundary and not less than 2,00m from any side boundary: Provided that the Mbombela Local Municipality may relax any building line if in its opinion

it would lead to an overall improvement of the development of the erf.

#### 4.3 INSTITUTIONAL

##### 4.3.1 Erf 6841 :

The erf and the buildings erected thereon, or which are to be erected thereon shall only be used for institutions, places of public worship, places of instruction and with the special consent of the local authority for social halls, special uses, dwelling units and residential buildings directly related to institutions.

4.3.1.1 The height of buildings on the stand shall not exceed 3 storeys.

4.3.1.2 The coverage of buildings on the stand shall not exceed 75%.

4.3.1.3 The floor area ratio of buildings on the stand shall not exceed 2,1.

4.3.1.4 Buildings, including outbuildings, hereafter erected on the erf shall not be located less than 5,00m from any street boundary and not less than 2,00m from any side boundary: Provided that the Mbombela Local Municipality may relax any building line if in its opinion it would lead to an overall improvement of the development of the erf.

4.3.1.5 Effective paved parking spaces together with the necessary manoeuvring area, shall be provided on the erf to the satisfaction of the local authority, in the ratio of 0,7 per bed for institutions and 1 parking bay per 6 seats for places of public worship.

Approved: \_\_\_\_\_

Signature

Approved: \_\_\_\_\_

Signature of the Mayor

Signature of the Mayor

Signature of the Mayor

and offices and with the special consent of the Mbombela Local Municipality for any other uses except noxious industries, industries (excluding dry-cleaners), warehouses and public garages.

4.4.1.1 The height of buildings on the stand shall not exceed 3 storeys.

4.4.1.2 The coverage of buildings on the stand shall not exceed 80%.

4.4.1.3 The floor area ratio of buildings on the stand shall not exceed 2,0.

4.4.1.4 Effective paved parking spaces, together with the necessary manoeuvring area, shall be provided and maintained on the erf to the satisfaction of the Local Municipality, in the following ratios:

- 1 parking spaces per 4 seats for places of refreshment.

- 3 parking spaces per 100m<sup>2</sup> gross leasable shop floor area.

1 covered parking space per dwelling unit of 3 living rooms or less and, 1 covered and 1 uncovered parking space per dwelling unit with 4 or more living rooms and 1 uncovered parking space per 3 dwelling units for visitors for dwelling units.

3 parking spaces per 100m<sup>2</sup> gross leasable office floor area.

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*Amato**17/12/2017*

The erf is situated in an area that has soil conditions that could detrimentally affect buildings and structures and be the cause of damage. Building plans which are submitted to the Local Municipality for approval must contain remedial actions which are in accordance with the recommendations contained in the geo-technical report that was compiled for the township so as to eliminate possible damage to buildings and structures as a result of the unfavourable soil conditions, unless proof can be submitted to the Local Municipality that such remedial actions are unnecessary or the same result could be achieved in a more effective manner.



**PROCLAMATION 35 OF 2017**

**STATEMENT OF CONDITIONS UNDER WHICH THE APPLICATION MADE BY MBOMBELA LOCAL AUTHORITY (HEREINAFTER REFERRED TO AS THE APPLICANT) IN TERMS OF THE PROVISIONS OF CHAPTER 4 OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 15 OF THE FARM NYAMAZAAN 137 REGISTRATION DIVISION J.U. MPUMALANGA, HAS BEEN GRANTED.**

**1. CONDITIONS TO BE COMPILED WITH PRIOR TO THE DECLARATION OF THE TOWNSHIP AS AN APPROVED TOWNSHIP**

**1.1 GENERAL**

The applicant must comply to the requirements of section 109 and 110 of the Town Planning and Townships Ordinance, 1986 (Ord 15 of 1986).

**2. CONDITIONS OF ESTABLISHMENT**

**2.1 Name**

The name of the township shall be PORTNIA.

**2.2 Boundaries**

The boundaries of the township shall be as indicated on the map attached to this proclamation.

**2.3 Existing conditions**

as indicated on the map.

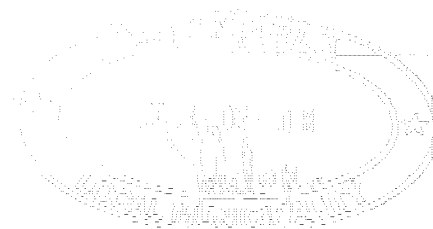
All erven in the township shall be made subject to existing conditions and servitudes which were not cancelled or otherwise dealt with, if any, including the reservation of mineral rights.

**3. CONDITIONS OF ESTABLISHMENT**

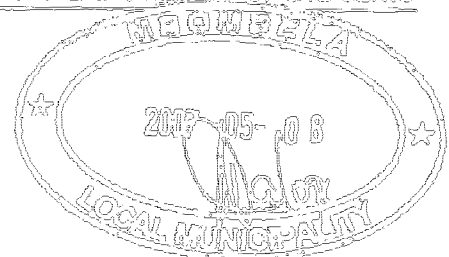
The applicant must comply to the requirements of section 109 and 110 of the Town Planning and Townships Ordinance, 1986 (Ord 15 of 1986).

As indicated on the map.

Conditions of Establishment  
Proclamation  
Proclamation



- 3.1.1.1 The erf is subject to a servitude 2m wide in favour of the Mbombela Local Authority, for sewerage and other municipal purposes along any two boundaries other than a street boundary and in the case of a panhandle erf, an additional servitude for municipal purposes 2m wide across the access portion of the erf, if and when required by the Council: Provided that the Council may dispense with any such servitude.
- 3.1.1.2 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 2m thereof.
- 3.1.1.3 The Mbombela Local Authority shall be entitled to deposit temporarily on the land adjoining the aforesaid servitude area such material as may be excavated by it during the course of construction, maintenance or removal of such sewerage mains and other works as it, to 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 Council.
- 3.1.1.4 The stand is situated in an area which has soil conditions which could detrimentally effect buildings and structures and be the cause of damage. Building plans which are submitted to the town council for approval must contain remedial actions which are in accordance with the recommendations contained in the geo-technical report that was compiled for the township so as to eliminate possible damage to buildings and structures as a result of the unfavorable soil conditions, unless proof can be submitted to the town council that such remedial actions are unnecessary or the same



4. CONDITIONS WHICH, IN ADDITION TO THE EXISTING PROVISIONS OF THE RULING TOWN PLANNING SCHEME, HAVE TO BE INCORPORATED IN THE NELSPRUIT TOWN PLANNING SCHEME, 1989, IN TERMS OF SECTION 125 OF ORDINANCE 15 OF 1986

**Erven 2 to 24 and 26 to 79 are subject to the following conditions:**

## 4.3. Special Use Zones

**Erven 1 and 25 are subject to the following conditions:**

- 4.3.1 The erf and the buildings erected thereon, or which are to be erected thereon, shall only be used for **institutions, places of public worship and places of instruction** and with the special consent of the Mbombela Local Authority for **social halls, special uses, dwelling units and residential buildings related to the primary ground use.**
- 4.3.2 the floor area ratio of buildings may not exceed 2,1.
- 4.3.3 The height of buildings may not exceed 3 storeys.
- 4.3.4 The coverage of buildings shall not exceed 75% of the area of the erf.
- 4.3.5 Buildings, including outbuildings, hereafter erected on the erf shall not be less than 5m from any street boundary and not less than 2m from any side boundary. Provided that the Mbombela Local Authority may relax any such restriction if in its opinion it would lead to a general improvement of the development of the erf.
- 4.3.6 Effective paved parking spaces, together with the necessary manoeuvring area shall be provided on the erf in the following ratio:
  - 4.3.6.1 1 parking bay for every 6 seats for places of public worship.
  - 4.3.6.2 0,7 parking spaces per bed for institutions.

## 4.4. Use of Land in the Special Use Zones

### 4.4.1. Institutions

The use of land in the Special Use Zones shall be subject to the following conditions: **In** the use of land in the Special Use Zones, the following conditions shall apply: (a) the use of land shall be in accordance with the zoning plan which is contained in the zoning scheme for the area.

Conditions of Land Use  
 4.4.1.1  
 4.4.1.2



# THEORY

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**PROVINCIAL NOTICES • PROVINSIALE KENNISGEWINGS**

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**PROVINCIAL NOTICE 156 OF 2017****NOTICE OF APPLICATION IN TERMS OF THE GOVAN MBEKI SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2016, CHAPTER 5 AND 6.**

We, Rifumo Town Planners being the authorised agent of the owner of ERF 6053, Extension 17 Secunda hereby give notice in terms of Chapter 5 and 6 of the Govan Mbeki Spatial Planning and Land Use Management By-Law, that we have applied to the Govan Mbeki Municipality for the permanent closure of public open space of the property described above situated at Boksbok Street, Secunda Ext 17. All relevant documents relating to the application will be open for inspection during normal office hours at the office of the Director, Planning and Development, Room 323 3<sup>rd</sup> floor, Central Business Area, Secunda, for a period of 21 days, 22 December (the date of the first publication of this notice). Any person who wishes to object to the application or submit representations in respect thereof must lodge the same in writing with the said authorised local authority at its address and room number specified above or Private Bag x 1017, Secunda, 2302 on or before 25 January 2018.

Name and address of authorised agent: Rifumo Town Planners, Cnr Rietspruit & Morithi Street Molaare Estate 200 Kosmosdal 0151. Email: ngobenia@rifumotp.co.za, Cell: 083 415 3019

Date of first publication: 22 December 2017

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## LOCAL AUTHORITY NOTICES • PLAASLIKE OWERHEIDS KENNISGEWINGS

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### LOCAL AUTHORITY NOTICE 153 OF 2017

#### VICTOR KHANYE LOCAL MUNICIPALITY DELMAS TOWN PLANNING SCHEME 2007 : AMENDMENT SCHEME 141/2007

The Victor Khanye Local Municipality hereby, in terms of the provisions of Section 125(1) of the Town Planning and Townships Ordinance, 1986, declares that it has approved an amendment scheme, being an amendment of the Delmas Town Planning Scheme 2007, comprising the same land as included in the township of DELMAS EXTENSION 31 Township.

Map 3 and the scheme clauses of the amendment schemes are filed with the Municipal Manager of the Victor Khanye Local Municipality and the Department Co-Operative Governance and Traditional Affairs, Nelspruit.

This amendment is known as Delmas Amendment Scheme 141/2007 and shall come into operation on date of publication of this notice.

BSS Riba, Acting Municipal Manager, Victor Khanye Local Municipality, PO Box 6, DELMAS, 2210

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#### VICTOR KHANYE LOCAL MUNICIPALITY DECLARATION AS AN APPROVED TOWNSHIP

In terms of section 103 of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), the Victor Khanye Local Municipality hereby declares DELMAS EXTENSION 31 township to be an approved township subject to the conditions set out in the Schedule hereto.

#### SCHEDULE

STATEMENT OF THE CONDITIONS UNDER WHICH THE APPLICATION MADE BY TUTUNI PETROL (PTY) LTD (HEREINAFTER REFERRED TO AS THE APPLICANT / TOWNSHIP OWNER) UNDER THE PROVISIONS OF PARTS A AND C OF CHAPTER 3 OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 28 OF THE FARM WITKLIP 229, REGISTRATION DIVISION IR, PROVINCE OF MPUMALANGA HAS BEEN GRANTED

#### 1. CONDITIONS OF ESTABLISHMENT

##### 1.1 NAME

The name of the township shall be Delmas Extension 31.

##### 1.2 DESIGN

The township shall consist of erven and street indicated on General Plan SG No. 704/2016.

##### 1.3 DISPOSAL OF EXISTING CONDITIONS OF TITLE

All erven shall be made subject to existing conditions and servitudes, if any, but excluding

(1) the following servitude, which only affects Erf 1886 in the township :

Kragtens Notariële Akte K457/1984S is die eiendom onderhewig aan 'n servituut ten gunste van ESKOM SOC LIMITED om elektrisiteit oor die eiendom te vervoer, tesame met bykomende regte, en onderworpe aan voorwaardes, soos meer volledig sal blyk uit gesegde Notariële Akte K457/1984S en diagram S.G. No. A3745/1983 daarby aangeheg.

##### 1.4 ACCEPTANCE AND DISPOSAL OF STORMWATER

The township applicant / owner shall arrange for the drainage of the township to fit in with that of the existing road network and for all stormwater running of, or being diverted from the road network to be received and disposed of.

1.5 OBLIGATIONS WITH REGARD TO SERVICES AND RESTRICTION REGARDING THE ALIENATION OF ERVEN

The township owner shall within such period as the Local Authority may determine, fulfil its obligations in respect of the provision of water, electricity and sanitary services as well as the construction of roads and stormwater drainage and the installation of systems thereof, as previously agreed upon between the township owner and the local authority. Erven may not be alienated or be transferred into the name of a purchaser prior to the Local Authority certifying that sufficient guarantees / cash contributions in respect of the supply of services by the township owner have been submitted or paid to the said Local Authority.

1.6 REMOVAL, REPOSITIONING, MODIFICATION OR REPLACEMENT OF EXISTING SERVICES

If, by reason of the establishment of the township, it should become necessary to remove, reposition, modify or replace any existing services of Eskom, Telkom or Rand Water, the cost thereof shall be borne by the township applicant / owner.

1.7 REMOVAL OF LITTER

The township owner shall at his own expense cause all litter within the township area to be removed to the satisfaction of the local authority, when required by the local authority to do so.

1.8 DEMOLITION OF BUILDINGS AND STRUCTURES

The township owner shall at his own expense cause all existing buildings and structures situated within the building line reserves, side spaces or over common boundaries to be demolished to the satisfaction of the local authority, when required by the local authority to do so.

1.9 CONSOLIDATION OF ERVEN

The township owner shall at his own expense cause Erven 1886 and 1887 in the township to be consolidated.

2. CONDITIONS TO BE COMPLIED WITH BEFORE THE ERVEN IN THE TOWNSHIP BECOME REGISTERABLE

2.1 Installation and provision of services

2.1.1 The township applicant / owner shall install and provide internal engineering services in the township as provided for in the services agreement.

2.1.2 The Local Authority shall install and provide external engineering services for the township as provided for in the services agreement.

3. CONDITIONS OF TITLE

3.1 CONDITIONS OF TITLE IMPOSED IN TERMS OF THE PROVISIONS OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986)

3.1.1. All erven

3.1.1.1 All erven is subject to a servitude, 2 metres wide along any two boundaries 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 access portion of the erf, if and when required by the Local Authority: Provided that the Local Authority may relax or grant exemption from the required servitudes.



3.1.1.2 No building or other structures shall be erected within the aforesaid servitude area, and no large rooted trees shall be planted within the area of such servitude or within 2 metres thereof.

3.1.1.3 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.

BSS Riba, Acting Municipal Manager, Victor Khanye Local Municipality, PO Box 6, DELMAS, 2210

### **LOCAL AUTHORITY NOTICE 154 OF 2017**

#### **VICTOR KHANYE LOCAL MUNICIPALITY DELMAS AMENDMENT SCHEMES 82/2007 AND 162/2007**

It is hereby notified in terms of the provisions of Section 66 of the Victor Khanye Local Municipality By-laws on Spatial Planning and Land Use Management, 2015, that the Victor Khanye Local Municipality have approved the amendment of the Delmas Town Planning Scheme, 2007.

1. **DELMAS AMENDMENT SCHEME 162/2007**  
Rezoning of Portions 5, RE/6, 7, RE/8 and RE/9 of the farm Weilaagte 271 - IR from "Commercial Agriculture" to "Mining", with the inclusion of agricultural purposes, as primary land use, subject to certain restrictive conditions. This amendment scheme is known as Delmas Amendment Scheme 162/2007 and shall come into operation on date of publication of this notice. (Ref No. HS 2705)
2. **DELMAS AMENDMENT SCHEME 82/2007**  
Rezoning of Holding 210 Rietkol Agricultural Holdings from "Agricultural" to "Industrial 2", with the inclusion of a sale and display area for vehicles, (lorries, trailers, earthmoving equipment) subservient workshop, wash bays, offices and dwelling unit as primary land use, subject to certain restrictive conditions. This amendment scheme is known as Delmas Amendment Scheme 82/2007 and shall come into operation on date of publication of this notice. (Ref No. HS 2182)

Map 3 and the scheme clauses of the amendment schemes are filed with the Municipal Manager of the Victor Khanye Local Municipality and the Department Co-Operative Governance and Traditional Affairs, Nelspruit.

BSS RIBA, Acting Municipal Manager, Victor Khanye Local Municipality, PO Box 6, DELMAS, 2210