



THE PROVINCE OF MPUMALANGA  
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**PROCLAMATION • PROKLAMASIE****PROCLAMATION 2 OF 2021****NOTICE OF APPROVAL****MSUKALIGWA LOCAL MUNICIPALITY****ERMELO AMENDMENT SCHEME 840**

The Msukaligwa Local Municipality, hereby in terms of the provisions of Section 59(3)(e) of the Msukaligwa Municipal By-law on Spatial Planning and Land Use Management declares that it has approved an amendment scheme, being an amendment of the Ermelo Town Planning Scheme, 1982, comprising the same land as included in the township of Ermelo Extension 47 Township.

The amendment scheme documents will lie for inspection during normal office hours at the offices of the Director of Planning and Economic Development, 2nd Floor, Civic Centre, c/o Kerk and Taute Streets, Ermelo for the period of 30 days from 19 February 2021.

This amendment is known as Ermelo Amendment Scheme 840 and shall come into operation from date of publication of this notice.

Mr. D. Maake  
Director: Planning and Economic Development  
(Notice ...../2021)

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**MSUKALIGWA LOCAL MUNICIPALITY  
ERMELO EXTENSION 47 TOWNSHIP  
DECLARATION AS APPROVED TOWNSHIP**

In terms of the provisions of Section 64 of the Msukaligwa Municipal By-law on Spatial Planning and Land Use Management the Msukaligwa Local Municipality hereby declares the township of Ermelo Extension 47 to be an approved township, subject to the conditions as set out in the Schedule hereto.

**SCHEDULE**

STATEMENT OF CONDITIONS UNDER WHICH THE APPLICATION MADE BY ERMELO DISTRIKSLANDBOU-UNIE, (HEREINAFTER REFERRED TO AS THE TOWNSHIP OWNER) IN TERMS OF SECTION 59(2) OF THE SPATIAL PLANNING AND LAND USE MANAGEMENT (SPLUM) BY-LAW FOR: CHIEF ALBERT LUTHULI, DIPALESENG, DR. PIXLEY KA ISAKA SEME, LEKWA, MKHONDO AND MSUKALIGWA LOCAL MUNICIPALITIES (HEREINAFTER REFERRED TO AS THE "BY-LAW") FOR THE ESTABLISHMENT OF A TOWNSHIP ON REMAINDER OF PORTION 89 OF THE FARM NOOITGEDACHT, 268-IT, MPUMALANGA PROVINCE, HAS BEEN APPROVED

**1.1 NAME**

The name of the township is Ermelo Extension 47.

**1.2 DESIGN**

The township consists of erven as indicated on Township Layout Plan Reference No. Ermelo Extension 47/4 and as shown on General Plan S.G. No. 288/2020.

### 1.3 PROVISION AND INSTALLATION OF ENGINEERING SERVICES

The township owner shall, at its costs and to the satisfaction of the Municipality, design, provide and construct all engineering services, including the stormwater reticulation within the boundaries of the township, to the satisfaction of the Municipality.

If external services are not available or the existing services are not sufficient to accommodate the township special arrangements shall be made, after consultation with the applicable departments, to the satisfaction of the Municipality.

### 1.4 CONDITIONS IMPOSED BY THE MPUMALANGA DEPARTMENT OF AGRICULTURE, RURAL DEVELOPMENT, LAND AND ENVIRONMENTAL AFFAIRS (MDARDL&EA)

The township owner shall at its own costs comply with and strictly adhere to all the conditions and/or requirements imposed by MDARDL&EA including those by which exemption has been granted from compliance with Regulations No 1182 and 1183 promulgated in terms of Sections 21, 22 and 26 of the Environment Conservation Act, (Act 73 of 1989) or the National Environmental Management Act, 1998 (Act 107 of 1998) as amended and the Regulations thereto (as the case may be) for the development of the township. An Environmental Management Plan shall exist for the development.

### 1.5 CONDITIONS IMPOSED BY PROVINCIAL HERITAGE RESOURCES AUTHORITY: MPUMALANGA

The township owner shall, at its own cost, comply with the provisions of the National Heritage Resources Act, 1999 (Act 25 of 1999) and strictly adhere to all the conditions and/or requirements imposed by the Provincial Heritage Resources Authority: Mpumalanga.

### 1.6 CONDITIONS IMPOSED BY MPUMALANGA DEPARTMENT OF PUBLIC WORKS, ROADS AND TRANSPORT: ROADS PLANNING

The township owner shall, at its own cost, comply with and strictly adhere to all the conditions and/or requirements imposed by the Mpumalanga Department of Public Works, Roads and Transport: Roads Planning.

## 2. CONDITIONS TO BE COMPLIED WITH BEFORE THE ERVEN IN THE TOWNSHIP BECOME REGISTRABLE WHICH SHALL BE READ WITH THE CONDITIONS OF ESTABLISHMENT INDICATED IN 2 ABOVE IN TERMS OF SECTION 84 OF THE BY-LAW AND SECTION 53 OF THE SPATIAL PLANNING AND LAND USE MANAGEMENT ACT, 16 OF 2013

### 2.1 PRIVATE SEWERAGE AND WASTE WATER TREATMENT

The Municipality is not at present the bulk supplier of sewerage and waste water treatment, and therefore the township owner shall make the necessary arrangements with the Municipal Department responsible for sewerage and waste water treatment (private package plant to be erected and operated on site) for the provision of the service to the township. The Municipality may in future be required to supply this service.

### 2.2 ACCESS CONDITIONS

Access to or egress from the township shall be provided to the satisfaction of the Municipality.

### 2.3 ACCEPTANCE AND DISPOSAL OF STORMWATER

The township owner shall arrange for the drainage of the township to fit in with that of the adjacent roads and all stormwater running off or being diverted from the roads and higher shall be received and disposed of, to the satisfaction of the Municipality.

### 2.4 REFUSE REMOVAL

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

The township owner shall provide sufficient refuse collection points in the township and shall make arrangements to the satisfaction of the Municipality for the removal of all refuse.

### 2.5 REMOVAL OR REPLACEMENT OF EXISTING SERVICES

If, by reason of the establishment of the township, it should be necessary to remove or replace any existing municipal, TELKOM and/or ESKOM services, the cost of such removal or replacement shall be borne by the township owner. For purposes of removal or replacement the township owner shall, at its own costs, protect the services by means of the registration of servitudes in favour of the Municipality, should it be deemed necessary.

### 2.6 DEMOLITION OF BUILDINGS AND STRUCTURES

The township owner shall at its own costs cause all existing buildings/structures situated within the building line reserves, side spaces, or over common boundaries to be demolished to the satisfaction of the Municipality, when requested thereto by the Municipality or where buildings/structures are dilapidated.

### 2.7 CONSOLIDATION OF ERVEN

The township owner shall, at its own costs, after proclamation of the township but prior to the development of the township, consolidate Erven 16284 and 16285 to the satisfaction of the Municipality (the consolidated erf shall be known as Erf 16286).

The Municipality hereby grants approval for the consolidation of Erven 16284 and 16285 in terms of section 77 of the By-law, which consolidation approval shall only come into operation on proclamation of the township and subject to the section 84 certification in terms of the By-law.

### 2.8 CONSTRUCTION MANAGEMENT PLAN

A Construction Management Plan shall be submitted to the satisfaction of the Municipality which shall include mitigation measures on the impact of the construction on surrounding properties.

### 3. CONDITIONS TO BE COMPLIED WITH BEFORE THE ERVEN IN THE TOWNSHIP BECOME REGISTERABLE:

Installation and provision of services:

- (a) The township owner shall install and provide internal engineering services in the township as provided for in the services agreement.
- (b) The Municipality shall install and provide external engineering services for the township as provided for in the services agreement.

#### 4. DISPOSAL OF EXISTING CONDITIONS OF TITLE IN TERMS OF SECTION 59(3)

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

##### 4.1 excluding the following rights/entitlements which shall not be passed on to the erven in the township:

"(a) Die voorbehoud ten gunste van die DORPSRAAD VAN ERMELO van alle regte ten opsigte van Minerale en Edelgesteentes, insluitende alle regte wat in die eienaar gevestig mag word om te deel in die opbrengs wat aan die Staat mag toekom as gevolg van die vervreemding van die onderaardse regte van die hiermee getransporteerde eiendom, insluitende huurgelde en profyte wat aan die eienaar mag toekom onder enige mynkontrak toegestaan ten opsigte van die genoemde eiendom.

(b) Die eiendom of enige gedeelte daarvan sal nie getransporteer of verhuur word of op enige ander wyse van die hand gesit word of vervreem word aan enige Asiaat, kleurling of naturel, en geen Asiaat, kleurling of naturel anders dan die eie bediendes van die eienaar of bewoner wie bona fide op die eiendom in diens is, sal toegelaat word om op die genoemde eiendom te woon of te bly nie, die nakoming waarvan deur genoemde Dorpsraad afgedwing kan word."

##### 4.2 including the following condition which affects all the erven in the township:

"Kragtens Notariele Huurkontrak K293/2014L geregistreer op 30 Mei 2014 (tesame met enige wysigings daartoe) word die erf verhuur aan Stylestar Investments Eiendoms Beperk, Registrasienuommer: 2008/003442/07 vir 'n tydperk van 60 (sestig) jaar vanaf die Effektiewe Datum soos meer volledig blyk uit gemelde Notariele Huurkontrak."

#### 5. CONDITIONS OF TITLE:

##### 5.1 CONDITIONS OF TITLE IMPOSED IN FAVOUR OF THE MUNICIPALITY IN TERMS OF THE PROVISIONS OF SECTION 59(3) OF THE BY-LAW

###### 5.1.1 All erven:

5.1.1.1 The erf is subject to a servitude, 2 metres wide, along any two boundaries in favour of the Municipality 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 Municipality: Provided that the Municipality may waive the servitudes.

5.1.1.2 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 2 metres thereof.

5.1.1.3 The Municipality 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 Municipality.

###### 5.1.2 Erf 16284

The erf is subject to a 3m x 6m electrical service servitude in favour of the Municipality, as indicated on Township Layout Plan Reference No. Ermelo Extension 47/4 and the General Plan.



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