

**NORTH WEST
NOORDWES**

**PROVINCIAL GAZETTE
PROVINSIALE KOERANT**

Vol. 254

**20 DECEMBER 2011
DESEMBER**

No. 6953

IMPORTANT NOTICE

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IMPORTANT NOTICE

The
North West Province Provincial Gazette Function
will be transferred to the
Government Printer in Pretoria
as from 1 February 2006

NEW PARTICULARS ARE AS FOLLOWS:

Physical address:

Government Printing Works
149 Bosman Street
Pretoria

Postal address:

Private Bag X85
Pretoria
0001

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

Fax number: (012) 323-8805

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

Contact person for subscribers:

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

This phase-in period is to commence from **1 February 2006** (suggest date of advert) and notice comes into operation as from **1 February 2006**.

Subscribers and all other stakeholders are advised to send their advertisements directly to the **Government Printing Works**, 7 days before publication date.

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

Advertising Manager

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

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

$\frac{1}{4}$ page **R 229.40**

Letter Type: Arial Size: 10

Line Spacing: At:

Exactly 11pt

**TAKE NOTE OF
THE NEW TARIFFS
WHICH ARE
APPLICABLE
FROM THE 1ST OF
JUNE 2011**

$\frac{1}{2}$ page **R 458.75**

Letter Type: Arial Size: 10

Line Spacing: At:

Exactly 11pt

$\frac{3}{4}$ page **R 688.15**

Letter Type: Arial Size: 10

Line Spacing: At:

Exactly 11pt

Full page **R 917.55**

Letter Type: Arial Size: 10

Line Spacing: At:

Exactly 11pt



REPUBLIC
OF
SOUTH AFRICA

LIST OF FIXED TARIFF RATES AND CONDITIONS

FOR PUBLICATION OF LEGAL NOTICES IN THE *NORTH WEST PROVINCE* *PROVINCIAL GAZETTE*

COMMENCEMENT: 1 JUNE 2011

CONDITIONS FOR PUBLICATION OF NOTICES

CLOSING TIMES FOR THE ACCEPTANCE OF NOTICES

1. (1) The *North West Province Provincial Gazette* is published every week on Tuesday, and the closing time for the acceptance of notices which have to appear in the *North West Province Provincial Gazette* on any particular Tuesday, is **12:00 on a Tuesday for the following Tuesday**. Should any Tuesday coincide with a public holiday, the publication date remains unchanged. However, the closing date for acceptance of advertisements moves backwards accordingly, in order to allow for 7 working days prior to the publication date.
- (2) The date for the publication of a **separate** *North West Province Provincial Gazette* is negotiable.
2. (1) Copy of notices received **after closing time** will be held over for publication in the next *North West Province Provincial Gazette*.
- (2) Amendment or changes in copy of notices cannot be undertaken unless instructions are received **before 14:00 on Fridays**.
- (3) Copy of notices for publication or amendments of original copy can not be accepted over the telephone and must be brought about by letter, by fax or by hand. The Government Printer will not be liable for any amendments done erroneously.
- (4) In the case of cancellations a refund of the cost of a notice will be considered only if the instruction to cancel has been received on or before the stipulated closing time as indicated in paragraph 2 (2).

APPROVAL OF NOTICES

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

THE GOVERNMENT PRINTER INDEMNIFIED AGAINST LIABILITY

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

- (3) any editing, revision, omission, typographical errors or errors resulting from faint or indistinct copy.
- (4) The Government Printing Works is not responsible for any amendments.

LIABILITY OF ADVERTISER

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

COPY

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

Where applicable

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

PAYMENT OF COST

9. **With effect from 1 April 2005 no notice will be accepted for publication unless the cost of the insertion(s) is prepaid in CASH or by CHEQUE or POSTAL ORDERS. It can be arranged that money can be paid into the banking account of the Government Printer, in which case the deposit slip accompanies the advertisement before publication thereof.**
10. (1) The cost of a notice must be calculated by the advertiser in accordance with the word count table.

(2) Where there is any doubt about the cost of publication of a notice, and in the case of copy, an enquiry, accompanied by the relevant copy, should be addressed to the **Advertising Section, Government Printing Works, Private Bag X85, Pretoria, 0001 [Fax: (012) 323-8805], before publication.**
11. Overpayment resulting from miscalculation on the part of the advertiser of the cost of publication of a notice will not be refunded, unless the advertiser furnishes adequate reasons why such miscalculation occurred. In the event of underpayments, the difference will be recovered from the advertiser, and the notice(s) will not be published until such time as the full cost of such publication has been duly paid in cash or by cheque or postal orders, or into the banking account.

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

PROOF OF PUBLICATION

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

GOVERNMENT PRINTERS BANK ACCOUNT PARTICULARS

Bank:	ABSA
	BOSMAN STREET
Account No.:	4057114016
Branch code:	632005
Reference No.:	00000050
Fax No.:	(012) 323 8805 and (012) 323 0009

Enquiries:

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

GENERAL NOTICES • ALGEMENE KENNISGEWINGS

NOTICE 333 OF 2011

NOTICE OF APPLICATION FOR ESTABLISHMENT OF TOWNSHIP

The Tlokwe City Council hereby gives notice in terms of section 69 (6) (a) of the Town-planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), that an application for township establishment for the township referred to in the Annexure hereto has been received by it.

Particulars of the application will lie for inspection during normal office hours at the office of the Municipal Manager, Wolmarans Street, Potchefstroom, for a period of 28 days from 13 December 2011.

Objections to or representations in respect of the application must be lodged with or made in writing to the Municipal Manager at the above address or at P.O. Box 113, Potchefstroom, 2520, within a period of 28 days from 13 December 2011.

ANNEXURE

Name of township: **Bailliepark Extension 48.**

Name of applicant: Welwyn Town and Regional Planners, on behalf of: Afro-Haven CC (Reg. No: 2001/029518/23).

Number of erven in proposed township: 18 erven for "Residential 2", 2 erven for "Special for private road" and 1 erf for "Special for Public Road".

Land description: Portion 203 of the farm Vyfhoek No. 428, Registration Division I.Q., Province North West.

Locality: The proposed township is situated to the east of Potchefstroom, adjacent to Malva Street east of Strydom Street. Access to the town will be provided from the proposed road extension of Strydom Street, where a road proclamation will be registered for access purposes.

Applicant: Welwyn Town and Regional Planners, P.O. Box 20508, Noordbrug, 2522. Tel: (018) 293-1536.

KENNISGEWING 333 VAN 2011

KENNISGEWING VAN AANSOEK OM STIGTING VAN DORP

Die Stadsraad van Tlokwe, gee hiermee ingevolge artikel 69 (6) (a) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986), kennis dat 'n aansoek om die dorp in die Bylae hieronder genoem, te stig deur hom ontvang is.

Besonderhede van die aansoek lê ter insae gedurende gewone kantoorure by die kantoor van die Munisipale Bestuurder, Wolmaransstraat, Potchefstroom, vir 'n tydperk van 28 dae vanaf 13 Desember 2011.

Besware teen of verhoë ten opsigte van die aansoek moet binne 'n tydperk van 28 dae vanaf 13 Desember 2011 skriftelik tot die Munisipale Bestuurder by bovermelde adres of by Posbus 113, Potchefstroom, 2520, ingedien of gerig word.

BYLAE

Naam van dorp: **Bailliepark Uitbreiding 48.**

Naam van aansoeker: Welwyn Stads- en Streekbeplanners namens: Afro-Haven BK (Reg. No: 2001/029518/23).

Aantal erwe in die voorgestelde dorp: 18 erwe vir "Residensieel 2", 2 erwe vir "Spesiaal vir privaat pad" en 1 erf vir "Spesiaal vir publieke pad".

Grondbeskrywing: Gedeelte 203 van die plaas Vyfhoek No. 428, Registrasie Afdeling I.Q., provinsie Noordwes.

Ligging: Die voorgestelde dorp is geleë in die ooste van Potchefstroom aangrensend Malvastraat net oos van Strydomstraat. Toegang na die dorp sal voorsien word vanuit voorgestelde verlengingspad van Strydomstraat, waaroor 'n pad proklamasie geregistreer sal word vir toegangsdoeleindes.

Applikant: Welwyn Stads- en Streekbeplanners, Posbus 20508, Noordbrug, 2522. Tel: (018) 293-1536.

13-20

NOTICE 334 OF 2011

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

DITSBOTLA AMENDMENT SCHEME 96

I, A. Teixeira, the owner of Portion 5 of Erf 69, Lichtenburg, hereby give notice in terms of section 56 (1) (b) (i) of the Town-planning and Townships Ordinance, 1986, that I have applied to the Ditsobotla Local Municipality for the amendment of the town-planning scheme known as Ditsobotla Town-planning Scheme, 2007, by the rezoning of the property described above, situated at 50 Kerk Street, Lichtenburg, from "Residential 1" to "Business 2".

Particulars of the application will lie for inspection during normal office hours at the office of the Municipal Manager, Room 4, from 13 December 2011.

Objections to or representations in respect of the application must be lodged with or made in writing to the Municipal Manager at the above address or at P.O. Box 7, Lichtenburg, 2740, within a period of 28 days from 13 December 2011.

Address of application: P.O. Box 18, Lichtenburg, 2740.

KENNISGEWING 334 VAN 2011

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

DITSOBOTLA-WYSIGINGSKEMA 96

Ek, A. Teixeira, die eienaar van Gedeelte 5 van Erf 69, Lichtenburg, gee hiermee ingevolge artikel 56 (1) (b) (i) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986, kennis dat ek by die Ditsobotla Plaaslike Munisipaliteit aansoek gedoen het om die wysiging van die dorpsbeplanningskema, bekend as Ditsobotla-dorpsbeplanningskema 2007, deur die hersonering van die eiendom hierbo beskryf, geleë te Kerkstraat 50, Lichtenburg, van "Residensieel 1" na "Besigheid 2".

Besonderhede van die aansoek lê ter insae gedurende gewone kantoorure by die kantoor van die Munisipale Bestuurder, Kamer 4, Eerste Vloer, Burgersentrum, h/v Dr Nelson Mandelaweg en Transvaalstraat, Lichtenburg, Tel: (018) 632-5051, vir 'n tydperk van 28 dae vanaf 13 Desember 2011.

Besware teen of verhoë ten opsigte van die aansoek moet binne 'n tydperk van 28 dae vanaf 13 Desember 2011 skriftelik by of tot die Munisipale Bestuurder by bovermelde adres of by Posbus 7, Lichtenburg, 2740, ingedien of gerig word.

Adres van applikant: Posbus 18, Lichtenburg, 2740.

13-20

NOTICE 336 OF 2011

RUSTENBURG AMENDMENT SCHEMES 759, 768 AND 775

Notice is hereby given in terms of the provisions of section 57 (1) (a) of the Town-planning and Township Ordinance, 1986 that the Rustenburg Local Municipality has approved the amendment of the Rustenburg Land Use Management Scheme, 2005, by the rezoning of the undermentioned properties from their present zonings to the new zonings, as indicated below to each property, subject to certain conditions:

Amendment Scheme	Description of property	Present Zoning	New Zoning
759	Portion 3 of Erf 138, Rustenburg	"Residential 1"	"Business 1" restricted to conditions as per Annexure 1051 to the Scheme.
768	Portion 2 of Erf 137, Rustenburg	"Residential 2"	"Business 1" for the purpose of a car sales lot, shops, offices and 3 dwelling units and further restricted to conditions as per Annexure 1042 to the Scheme.
775	Remainder of Portion 1 of Erf 1169, Rustenburg	"Special" for offices and dwelling units	"Business 1" restricted to conditions as per Annexure 1076 to the Scheme.

Map 3 and scheme clauses of these amendment schemes are filed with the Regional Director: North West Provincial Administration, Private Bag X1213, Potchefstroom, 2520, and the Municipal Manager, Room 620, Missionary Mpheni House, Beyers Naude Drive, Rustenburg, and are open for inspection at all reasonable times.

This amendments are known as Rustenburg Amendment Schemes 759, 768 and 775 and shall come into operation on the date of the publication hereof.

Municipal Manager

Missionary Mpheni House, PO Box 16, Rustenburg, 0300

KENNISGEWING 336 VAN 2011**RUSTENBURG-WYSIGINGSKEMA 759, 768 EN 775**

Kennis geskied hiermee ingevolge die bepalings van artikel 57 (1) (a) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986, dat die Rustenburg Plaaslike Munisipaliteit die wysiging van die Rustenburg Grondgebruiksbeheer Skema, 2005, goedgekeur het deur die hersonering van die eiendomme hieronder genoem, vanaf hulle huidige sonerings na die nuwe sonerings soos hieronder teenoor elke eiendom aangetoon, onderworpe aan sekere voorwaardes:

Wysigingskema	Beskrywing van eiendom	Huidige sonering	Nuwe sonering
759	Gedeelte 3 van Erf 138, Rustenburg	"Residensieel 1"	"Besigheid 1" beperk tot die voorwaardes soos vervat in Bylae 1051 tot die Skema.
768	Gedeelte 4 van Erf 1412, Rustenburg	"Residensieel 2"	"Besigheid 1" vir die doeleinde van 'n karverkoopsterrein, winkels en 3 wooneenhede en verder beperk tot die voorwaardes soos vervat in Bylae 1042 tot die Skema.
775	Restant van Gedeelte 1 van Erf 1169, Rustenburg	"Spesiaal" vir kantore en wooneenhede	"Besigheid 1" beperk tot die voorwaardes soos per Bylae 1076 tot die Skema.

Kaart 3 en die skemaklousules van die wysigingskema word in bewaring gehou deur die Streekdirekteur: Noordwes Provinsiale Administrasie, Privaatsak X1213, Potchefstroom, 2520, en die Munisipale Bestuurder, Kamer 620, Missionary Mpeni House, Beyers Naude Drive, Rustenburg, en is te alle redelike tye ter insae beskikbaar.

Hierdie wysigings staan bekend as Rustenburg Wysigingskemas 759, 768 en 775 en sal in werking tree op die datum van publikasie hiervan.

Munisipale Bestuurder

Missionary Mpheni House, Posbus 16, Rustenburg, 0300

LOCAL AUTHORITY NOTICES PLAASLIKE BESTUURSKENNISGEWINGS

LOCAL AUTHORITY NOTICE 224**NALEDI LOCAL MUNICIPALITY****PROPOSED REZONING OF PORTION 1 OF ERF 164, VRYBURG**

Notice is hereby given in terms of the provision of section 17 (2) (a) of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985), that the municipality has received an application for the rezoning of Portion 1 of Erf 164, Vryburg, situated at 22 Kerk Street, Vryburg, from Institution 1 to Transport 3 for parking purposes.

Full details of the rezoning application will be available for inspection in the office of the Town Planner, Office No. 2, Municipal Offices, Vryburg, during normal office hours (07h30–16h00).

Objections, if any, against the proposed rezoning must reach the undersigned in writing by not later than Thursday, 12 January 2012 at 16h00.

M T SEGAPO, Municipal Manager

Municipal Offices, P.O. Box 35, Vryburg, 8600

Notice No. 32/2011

PLAASLIKE BESTUURSKENNISGEWING 224**NALEDI PLAASLIKE MUNISIPALITEIT****VOORGESTELDE HERSONERING VAN GEDEELTE 1 VAN ERF 164, VRYBURG**

Kennis word hiermee gegee in terme van die bepalings van artikel 17 (2) (a) van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie 15 van 1985), dat die munisipaliteit 'n aansoek ontvang het vir die hersonering van Gedeelte 1 van Erf 164, Vryburg, geleë te Kerkstraat 22, Vryburg, vanaf "Institusioneel" na "Vervoer 3" vir parkeer doeleindes.

Volledige besonderhede van die hersonering aansoek sal beskikbaar wees vir insae in die kantoor van die Stadsbeplanner, Kantoor No. 2, Munisipale Kantore, Vryburg, gedurende normale kantoorure (07h30–16h00).

Besware, indien enige, teen die voorgestelde hersonering moet die ondertekende skriftelik bereik teen nie later nie as Donderdag, 12 Januarie 2012 om 16h00.

M T SEGAPO, Munisipale Bestuurder

Munisipale Kantore, Posbus 35, Vryburg, 8600

Kennisgewing No. 32/2011

LOCAL AUTHORITY NOTICE 225

NALEDI LOCAL MUNICIPALITY

NOTICE

LEVYING OF RATES FOR THE 2011/2012 FINANCIAL YEAR

Notice is hereby given that in terms of the provisions of section 14 (2) of the Local Government: Municipal Property Rates Act, 2004 (Act 6 of 2004), that the Council has resolved per Resolution No. 220/2011 dated 27 September 2011 to levy the following property rates with effect from 4 November 2011 for the year 2011/2012:

1. Residential value	R0,00667 per rand value
2. Business value	R0,01333 per rand value
3. Industrial value	R0,01333 per rand value
4. Agricultural value	R0,00167 per rand value
5. Agricultural business	R0,00333 per rand value
6. Government value	R0,02000 per rand value

G. E. THAGANYANE, Acting Municipal Manager

Municipal Offices, P.O. Box 35, Vryburg, 8600

(Notice No. 25/2011)

LOCAL AUTHORITY NOTICE 226

LOCAL MUNICIPALITY MADIBENG

PERI-URBAN AREAS AMENDMENT SCHEME 2150

Notice is hereby given in terms of the provisions of section 57 (1) (a) of the Town-planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), that the Madibeng Local Municipality has approved the amendment of the Peri-Urban Areas Town-planning Scheme, 1975, by the rezoning of Portion 4 (a portion of Portion 1) of the farm Modderspruit 461 JQ, from "Undetermined" to "Business 1" for the purposes of a shopping centre complex, with floor space ratio of 0,5 and coverage of 60%, subject to certain conditions.

The Map 3—documents and the scheme clauses of the amendment scheme are filed at the offices of the Local Municipality and are open for inspection at normal office hours.

The amendment is known as Amendment Scheme 2150 and shall come in operation on the date of publication of this notice (20 December 2011).

A. K. MODISE, Acting Municipal Manager

Municipal Offices, 53 Van Velden Street, Brits; P.O. Box 106, Brits, 0250

(Ref No: 15/2/1/3/107 HBPT)

LOCAL AUTHORITY NOTICE 227**CITY OF MATLOSANA****AMENDMENT OF APPROVED TOWNSHIP UKUTULA GAME ESTATE**

AMENDMENT UNDER WHICH THE APPLICATION FOR TOWNSHIP ESTABLISHMENT IN TERMS OF THE STIPULATION OF CHAPTER 111 OF THE TOWN PLANNING AND TOWNSHIP ORDINANCE, 1986 (ORDINANCE NUMBER 15/1986) ON PORTION 93 (A PORTION OF PORTION 21) OF THE FARM GOEDGENOEG NUMBER 433-IP, NORTH WEST PROVINCE BY BASFOUR 2233 (PROPRIETARY) LIMITED NUMBER 2000/017476/07, (HEREINAFTER REFERRED TO AS THE TOWNSHIP APPLICANT) AND BEING THE REGISTERED OWNER OF THE LAND, HAS BEEN APPROVED AND ADVERTISED IN GOVERNMENT GAZETTE NUMBER 6858, NORTH WEST LOCAL AUTHORITY NOTICE 12, CITY OF MATLOSANA ON 01/02/2011, IS HEREBY AMENDED AS FOLLOW :

1. **CONDITIONS TO BE COMPLIED WITH PRIOR TO THE TOWNSHIP BEING DECLARED AN APPROVED TOWNSHIP**
 - (1) **INSTALLATION AND PROVISION OF SERVICES**

The township applicant shall enter into an agreement with the City Council of Matlosana regarding the provision and installation of essential services in or for the township area.
 - (2) **GENERAL**
 - (a) The concerned Amendment Scheme must be published consecutively with the declaration of the township as an approved township.
 - (b) The township applicant shall make the necessary arrangements to ensure that the consent has been obtained of the mineral right holder / -lease.
 - (c) The township applicant shall comply with the provisions of section 72, 75 and 101 of the Town Planning and Township Ordinance, 1986 (Ordinance 15 of 1986).
2. **CONDITIONS OF ESTABLISHMENT**
 - (1) **NAME:** The name of the township shall be **UKUTULA GAME ESTATE.**
 - (2) **LAYOUT / DESIGN**

The township shall consist of erven and street as indicated on General Plan S.G.NUMBER 8884/2008
 - (3) **REMOVAL, REPOSITIONING, MODIFICATION OR REPLACEMENT OF EXISTING POST OFFICE-/ TELKOM PLANT**

If, by reason of establishment of the township, it should become necessary to remove, reposition, modify or replace any existing Post Office- / Telkom plant, the cost thereof shall be borne by the township applicant.
 - (4) **REMOVAL, REPOSITIONING, MODIFICATION OR REPLACEMENT OF EXISTING MUNICIPAL SERVICES**

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

(5) ENVIRONMENTAL MANAGEMENT

The township applicant must ensure that all conditions imposed by the Department of Agriculture, Conservation and Environment in terms of the Record of Decision (ROD) EIA 131/2005 NW, issued by the said Department on 11/11/2005 are adhered to.

(6) HOME OWNERS ASSOCIATION

(a) A Home Owners Association or similar institution must be established in terms of the provisions of Section 21 of the Companies Act, 1973 (Act 61 of 1973) which Association shall bear full responsibility for the functioning and proper maintenance of the Private Open Space (Erf 1) which erf shall be transferred to the Home Owners Association or similar institution.

(b) A Home Owners Association or similar entity must be established in terms of the provisions of Section 21 of the Companies Act, 1973 (Act 61 of 1973) which Association(s) shall bear full responsibility for the functioning and proper maintenance of the Servitude of Right of Way according to S.G.Number 11429/2005 which Right of Way shall be transferred to the respective Home Owners Association or similar entity.

The Home Owners Association or similar entity will in conjunction with the Home Owners Association of Portion 92 and Body corporate of Sectional Title Scheme Ukutula maintain the Servitude of Right of Way according to S.G. Number 11429/2005.

(c) Each erven in the Home Owners Association shall have the right to use the Servitude Right of Way for access according to S.G.Number A.11429/2005, Deed of Servitude Number

(d) None of the erven within the township area or the subdivided portions or consolidation thereof may be transferred to buyers prior to such buyer becoming a member of the Home Owners Association as mentioned in sub-paragraph (a) and (b) above. This is a compulsory membership and must be registered as a condition against the Title Deeds of the mentioned erven and subdivided portions or consolidation thereof.

(e) The owner of the erf or any subdivision or consolidation thereof, or any interest therein, or any Section as defined in terms of the Sectional Title Act, shall not be entitled to transfer the erf of any subdivision or consolidation or any interest there in or Section thereon, without permission as well as a clearance certificate from the Association that all monies owing to it has been paid.

3. CONDITIONS TO BE COMPLIED WITH BEFORE THE ERVEN IN THE TOWNSHIP BECOME REGISTRABLE**INSTALLATION AND PROVISION OF SERVICES**

The township applicant shall install and provide all internal and external engineering services in or for the township, as provided for in the service agreement.

4. EXISTING 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, but excluding-

(i) the following conditions which has lapsed through the Act that has been withdrawn.

A SUBJECT to :-

(a) The rights of the State President described in Sections thirty-one and thirty-four of the Land Settlement Act, 1912, which said sections read as follows:-

- 31.(1) All rights to minerals on or under any holding are hereby reserved to the State and subject to the provisions hereinafter contained, the State President may, in accordance with the law regulating prospecting and mining for minerals, deal with the same as if the land on or under which the minerals exist are not a holding: Provided that the lessee may quarry or get limestone and building stone, dig clay, burn lime and make bricks on the holding but solely for the purpose of building or otherwise utilizing the same thereon and may take so much coal as he may require for his domestic use and for the plant and machinery used for working his holding.
- (2) The State President may resume for mining purposes or purposes incidental thereto any holding or portion thereof and deal with the same in accordance with the law aforesaid. Whenever a holding is so resumed compensation shall be paid by the Minister to the lessee and, in the case of a resumption of a portion only of a holding, a reduction of rent payable in future and installments of purchase price shall be made proportionate to the area resumed: Provided that in the event of the resumption by the State President of a portion of surrendering the lease of the remainder of the holding without prejudice to his claim for compensation.
- (3) Anything to the contrary notwithstanding in section ten of the Natal Mines act, 1899, State land allotted or reserved under this act for settlement purposes shall not, while so allotted or reserved, be subject to such right on the part of the public to prospect or search for minerals, as is in that section described.

NOTE – The rights of the State President under the above Section are subject to the provisions of the Reserved Minerals Development Act, 1926" and "the Precious Stones Act, 1927" as amended from time to time.

34. The State President may at any time and in such manner and under such conditions as he may think fit:-
- (i) construct or authorize the construction of dams or reservoirs upon any holding;
 - (ii) construct or authorize the construction upon, through or under any holding, of water furrows, pipe lines, canals and drains, and conduct or authorize the conducting of water there from or there over for the benefit of the public or of any owner or occupier of neighbouring land;
 - (iii) construct and work or authorize the construction and working, subject to the provisions of any law, of railways, roads, telegraph and telephone lines on or over any holding.

And take materials from any holding for the purposes of any such work. Compensation shall be paid to the lessee of the holding for any damage sustained by him by reason of the exercise of the powers of this section.

NOTE – The word "lessee" includes a "grantee", "holding" includes "land held under a Crown Grant" and "mineral" includes "mineral products, mineral oils, metals and precious stones (Vide Section 2 of the Land Settlement Act 1912).

- (b) Specially subject to a Waiver registered on the 18th May, 1936 in terms of Section 4(2) of act 55 of 1926.

- (ii) the following servitudes which do not affect the township area because of the location thereof:
 - B. A portion of the within property measuring 99,3000 Hectares has been reserved in favour of Western Reefs Exploration & Development Company Limited as will more fully appear from Certificate of Owner's Reservation Number 98 with diagram annexed thereto.
 - C. By Certificate of Owner's Reservation Number 211, registered in the Office of the Registrar of Mining Titles on the 2nd November, 1955, a portion of the within mentioned property, measuring 150,8638 Hectares has been reserved for the purposes of a homestead and cultivated lands. Vide diagram S.G.Number 829/53, R.M.T. Number 318.
 - D. SUBJECT to a servitude area to be used for a ventilation shaft and right of access as indicated by the figure ABCDEFG on Servitude Diagram S.G. Number 4196/2001 annexed to Notarial Deed of Servitude K1201/02S, in favour of AFRICAN RAINBOW MINERAL (PROPRIETARY) LIMITED, as will more fully appear from the said Notarial Deed of Servitude with diagram annexed thereto.
- (iii) The following servitude which affects Erf 19 and Erf 20 in the Township.
 - (a) By virtue of Notarial Deed of Servitude K.4776/91-S dated 14th August, 1991 the within mentioned property is subject to a servitude of aqueduct as indicated by the line ABC, as will more fully appear from S.G.Number A.6048/90 which line forms the western border of the servitude 7,50 meters wide with ancillary rights, as will more fully appear from the said Notarial Deed which affects erven 19 and 20 in the township only.
- (iv) The following servitude which affects even 1 to 38 in the township only.
 - (b) The Servitude of Right of Way 15 meter wide as indicated by the figure ABCDEFGHJKLMNPQRSTA as will more fully appear on S.G. Number 11429/2005, Notarial Deed of Servitude K6368/2010S and effects Erven 1 to 38.

5. CONDITIONS IMPOSED IN TERMS OF THE PROVISIONS OF THE TOWN PLANNING AND TOWNSHIP ORDINANCE, 1986 (ORDINANCE 15 OF 1986)

(a) ALL ERVEN - CONDITIONS IN FAVOUR OF THE LOCAL AUTHORITY

- (i) The erf is subject to a servitude, 2 meters wide along any two boundaries in favour of the local authority for sewerage and other service purposes and, in the case of a panhandle erf, an additional servitude for service purposes 2 meters 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.
- (ii) No building or other structure shall be erected within the aforesaid servitude areas and no large-rooted trees shall be planted within the area of such servitude or within 1 meter thereof.
- (iii) The local authority shall be entitled to deposit temporarily on the land adjoining the aforesaid servitude such material as may be excavated by it during the course of the construction, maintenance or removal of such sewerage mains and other works as 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.

(b) ERVEN SUBJECT TO SPECIAL CONDITIONS**(i) ERF 1**

The erf is subject to a servitude for sewerage purposes in favour of the Local Authority, as indicated by the figure ghjk on the General Plan.

(ii) ERVEN 39

The erf is subject to a servitude for reservoir purposes in favour of the Local Authority, as indicated by the figure Fxyz on the General Plan.

(iii) ERF 39

Erf 39 is subject to a water pipeline servitude, 3 metres wide, in favour of the Local Authority, as indicated by the figure a1b1 on the General Plan

(iv) ERF 39

Erf 39 is subject to a servitude area for access and municipal purposes in favour of the City of Matlosana, as indicated by the figure d1m1g1h1j1k1l1 on the General Plan.

(v) ERF 39

Erf 39 is subject to a servitude for municipal purposes 6 metres wide in favour of the Local Authority, as indicated by the figure q1r1 on the General Plan.

(vi) ERF 38

Erf 38 is subject to a servitude area for access and municipal services in favour of the Local Authority, as indicated by the figure g1m1e1 on the General Plan.

(vii) ERF 38

Erf 38 is subject to a servitude for municipal services 6 metres wide in favour of the Local Authority, as indicated by the figure r1s1 on the General Plan.

(viii) ERVEN 1 TO 6 AND 20 TO 38

Erven 1 to 6 and 20 to 38 is subject to a sewer servitude 5 metres wide, in favour of Local Authority, as indicated on the General Plan.

(ix) ERVEN 6 TO 19

Erven 6 to 19 are subject to a sewer servitude 5 metres wide, in favour of the Local Authority, as indicated by the figure mn1n on the General Plan.

(c) SERVITUDES AND CONDITIONS IN FAVOUR OF THIRD PARTIES THAT ARE TO BE REGISTERED BY NOTARIAL DEED ON TRANSFER OF THE RELEVANT ERVEN

(i) A Servitude of Right of Way 15 meters wide of which the line JT represents the eastern boundary and the line TU the south western boundary as will more fully appear on S.G. Number 8883/2008, over the Remaining Extent of Portion 21 of the Farm Goedgenoeg 433, in favour of the Home Owners Association.

(ii) A Servitude of Right of Way 15 metres wide of which the line JT represents the eastern boundary and the line TU the south western boundary as will more fully appear on S.G. Number 8883/2008, over the Remaining Extent of Portion 21 of the Farm Goedgenoeg 433, in favour of the Trustees from Time to Time of the Ukutula Body Corporate.

- (iii) A Servitude of Right of Way 15 m wide as indicated by the figure abcdqrsf1fLKJ as will more fully appear on S.G. Number 8884/2008 in favour of the Home Owners Association and effects even 1 to 39.
- (iv) ERF 39
 - (a) Erf 39 is subject to a servitude of Right of Way 15 metres wide in favour of the Home Owners Association, indicated by the figure c1JKn1m1d1 on the General Plan.
 - (b) Erf 39 is subject to a servitude of Right of Way 15 metres wide in favour of the Trustees from Time to Time of the Ukutula Body Corporate, indicated by the figure C1JKn1m1d1 on the General Plan.
 - (c) Erf 39 is subject to a Right of Way 15 metres wide in favour of the Home Owners Association, of which the line JT represents the eastern boundary and the line TU the south western boundary as will more fully appear on S.G. Number 8883/2008
 - (d) Erf 39 is subject to a Right of Way 15 metres wide in favour of the Trustees from Time to Time of the Ukutula Body Corporate, of which the line JT represents the eastern boundary and the line TU the south western boundary as will more fully appear on S.G. Number 8883/2008
- (v) ERF 38
 - (a) Erf 38 is subject to a Right of Way 15 metres wide in favour of the Home Owners Association, indicated by the figure m1n1Lff1e1 on the General Plan.
 - (b) Erf 38 is subject to a Right of Way 15 metres wide in favour of the Trustees from Time to Time of the Ukutula Body Corporate, indicated by the figure m1n1Lff1e1 on the General Plan.
 - (c) Erf 38 is subject to a right of way 15 metres wide in favour of the Home Owners Association, indicated by the figure JKLM on the General Plan.
 - (d) Erf 38 is subject to a right of way 15 metres wide in favour of the Trustees from Time to Time of the Ukutula Body Corporate, indicated by the figure JKLM on the General Plan
- (d) **CONDITIONS IN FAVOUR OF THE HOWE OWNER'S ASSOCIATION TO BE CREATED ON TRANSFER OF THE ERF CONCERNED**
 - (aa) Any owner of an erf, or any subdivision or consolidation thereof, or any interest therein, or any section as defined in terms of the Sectional Title Act, shall automatically become and shall remain a member of the Association and be subject to its memorandum and articles until it ceases to be an owner as afore said. No erf or any subdivision thereof, or interest therein, or any unit thereon shall be transferred to any person who has not bound itself, to the satisfaction of the Association, to become a member of the Association.
 - (bb) The owner of an erf or any subdivision or consolidation thereof, or any interest therein, or any section as defined in terms of the Sectional Title Act, shall not be entitled to transfer the erf or any subdivision or ay interest therein, or unit thereon, without a clearance certificate from the Association that all monies owing to it has been paid.

6. CONDITIONS TO BE INCORPORATED WITHING THE EXISTING TOWN PLANNING SCHEME IN TERMS OF SECTION 125 OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986) IN ADDITION TO THE EXISTING PROVISIONS OF THE TOWN PLANNING SCHEME
- (2) ERF 1
- (a) The use zone of the erf shall be "Private Open Space".
 - (b) Building line: 2m along all internal streets.
 - (c) All building plans to be submitted to the Local Authority for approval shall be subject to approval by the Architectural Committee of the Home Owner's Association.
- (3) ERVEN 2 to 39
- (a) The use zone of the erf shall be "Agricultural".
 - (b) Building line: 2m along all internal streets
 - (c) All building plans to be submitted to the Local Authority for approval shall be subject to approval by the Architectural Committee of the Home Owner's Association.
- (4) ALL ERVEN
- (a) 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 proven to the Local Authority that such measures are unnecessary or that the same purpose can be achieved by other more effective means.
 - (b) Development of the erf shall be subject to all conditions imposed by the Department of Agriculture, Conservation and Environment in terms of the Environmental Authorization issued by the said Department.

S.G. MABUDA
ACTING MUNICIPAL MANAGER

Civic Centre
KLERKSDORP

(Ref.16/3/2/188)
