
PROCLAMATIONS • PROKLAMASIES

PROCLAMATION NO. 15 OF 2017

STATEMENT OF THE CONDITION UNDER WHICH THE APPLICATION MADE BY BA-PHALABORWA MUNICIPALITY(HEREINAFTER REFERRED TO AS THE TOWNSHIP OWNER) UNDER THE PROVISIONS OF UPDATING OF LAND TENURE RIGHTS ACT 112 OF 1999, FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 2 OF THE FARM MAKUSHANE LOCATION NO.28 REGISTRATION DIVISION L.U LIMPOPO PROVINCE.

1. GENERAL**1. NAME**

The Name of the settlement is Namakgale - A.

2. LAYOUT / DESIGN

The settlement shall consist of erven and streets as in dictated on General Plan SG No. 1823/1999.

3. LAND FOR PUBLIC / MUNICIPAL / NATIONAL PURPOSES

The following erven shall be transferred to the Local Municipality:

- 3.1 Municipal Use: Erven 1812, 1/ 1815, Re/1809
- 3.2 Public open space: Erven Re/1796, 2/1796, 1799, 1803, 3/1808, 1806
- 3.3 Public Road: 213/1816, 214/1816
- 3.4 Informal access and open space: Re/1815.

4. 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:-

(a) The following rights which will not be transferred to the erven in the settlement:

- "B. (1) the properties shall be used for Township Establishment and the supply of services related to the development
- (2) Should the properties not be used for township development the properties will revert back to the applicable Government, to with National or provincial, as contemplated in Chapter 3 Section 40
- (a) The erf is subject to:-
- A servitude 3 metres wide along the streets boundary;
 - A servitude 2 meters wide along the rear (mid-block) boundary; and
 - Servitude along the side boundaries with an aggregate width of 1 metre,

All in favour of the local municipality for sewerage and other municipal purposes and, in the case of a panhandle erf, an additional servitude for municipality; Provided that the local municipality may relax or grant exemption from the required servitudes.

- (b) 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 1 metre thereof.
- (c) The local 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 purposes, 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. CONDITIONS IMPOSED IN TERMS OF SECTION 12(1) OF THE UPGRADING OF LAND TENURE RIGHTS ACT, 1991 (ACT NO. 112 OF 1991) FOR THE SETTLEMENT ON PORTION 2 OF THE FARM MAKHUSHANE NO. 28-LU, PROVINCE OF LIMPOPO, BY THE MEMBER OF THE EXECUTIVE COMMITTEE FOR LOCAL GOVERNMENT AND HOUSING

The erven mentioned hereunder shall be subject to the conditions as indicated:

(1) ALL ERVEN

- (a) The use of the erf is as defined and subject to such conditions as are contained in the Land Use Conditions of the Ba-Phalaborwa Land Use Management Scheme 2008.
- (b) If required, a soil report, drawn up by a qualified person acceptable to the local authority indicating the soil conditions of the erf and recommendations as to suitable founding methods and depths shall be submitted to the local authority simultaneous with the submission of building plans prior to the commencement of any building operations on the erf,

(2) ERVEN 1 to 111, 113 to 195, 197 to 444, 446 to 906, 908 to 1131, 1133 to 1483, 1485 to 1560, 1562 to 1791, 1 to 108/1816, 110 to 124/1816, 126 to 212/1816

The use zone of the erf shall be "Residential 1", with a density of "One dwelling per erf"

- (3) **ERVEN 1/1796, 2/1808, 1/1809, 2/1809, 1810, re/1811, 1 to 9/1811, 12/1811**

The use zone of the erf shall be "Business 1", subject to standard conditions.

- (4) **ERVEN 112, 196, 445, 907, 1132, 1381, 1484, 1561, 1/1792, Re/1792, 1802, 109/1816**

The use zone of the erf shall be "Institutional" subject to standard conditions.

- (5) **ERVEN 1793, 1797, 1798, 1800, 1801, 1804, 1805, 1807, 1813, 1814, 125/1816**

The use zone of the erf shall be "Educational" subject to standard conditions.

- (6) **ERVEN 2/1796, 3/1808**

The use zone of the erf shall be "Parking" subject to standard conditions.

- (7) **ERVEN Re/1796, 2/1796, 1799, 1803, 3/1808, 1806**

The use zone of the erf shall be "Public Open Space" subject to standard conditions.

- (8) **ERVEN 213/1816, 214/1816**

The use zone of the erf shall be "Public Road" subject to standard conditions.