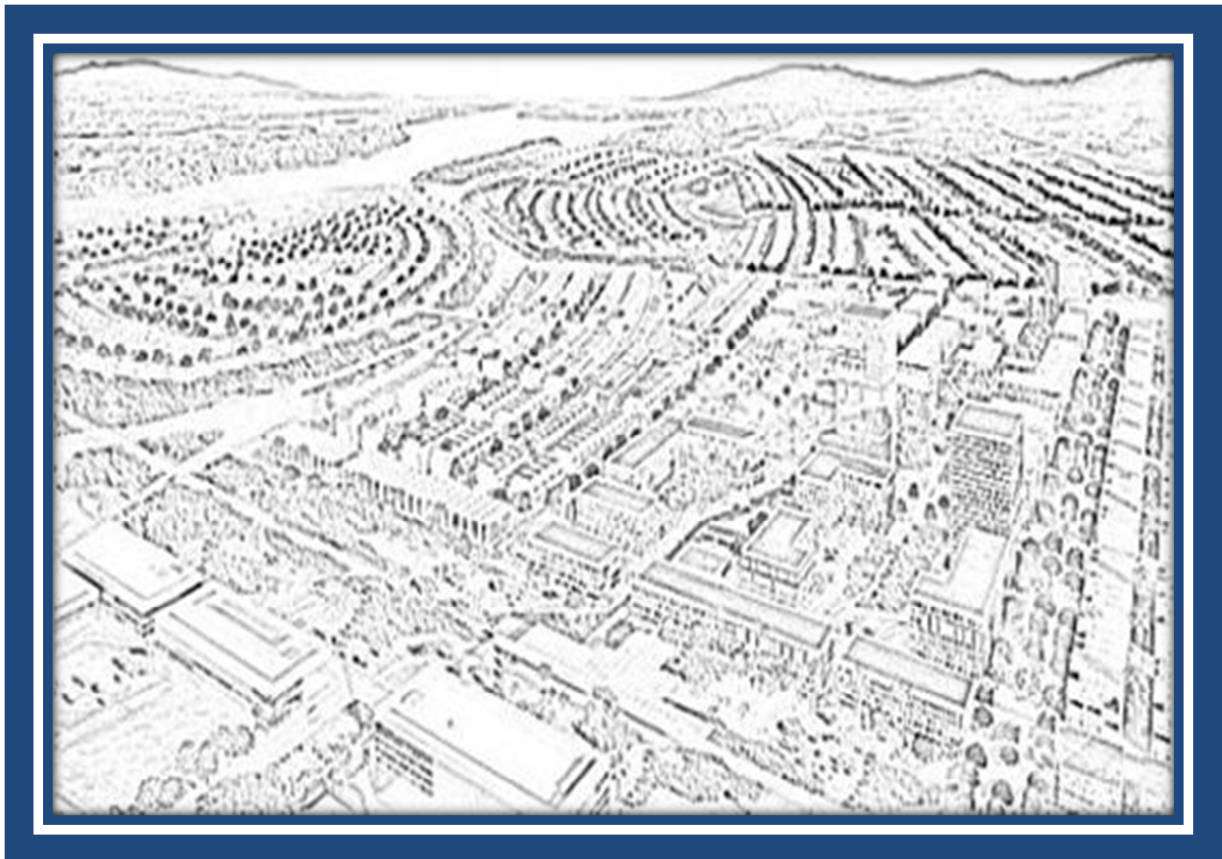


The establishment of a residential town: Proposed Siyanqoba Township ("To Conquer")

Application in terms of:

Section 69 and 96 (1), read with Section 108 of the Town Planning and Townships Ordinance, 1986



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Ref No: DP 804



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1. INTRODUCTION

1.1 HISTORICAL DEVELOPMENT

Extensive residential development is taking place in Emalahleni to accommodate the backlog and nearly 35 000 erven were developed since 2001. These erven are all allocated and occupied. In an effort to eradicate the housing backlog, the Mpumalanga Provincial Government granted additional funding to establish housing in eMalahleni.

In contrast, growth in the last few years has tapered down and informal housing (backyard shacks) is increasing.

An increasing need for additional residential erven is being experienced to accommodate the eMalahleni community. According to the 5 year financial management plan of the 2013/2014 eMalahleni IDP, ± 6 000 erven need to be provided by the 2015/2016 financial year. A need for the development of residential erven and township establishments in the Clarinet area, was highlighted.

1.2 AIMS OF THE REPORT

This memorandum is submitted in terms of Section 69 and 96 (1), read with Section 108 of the Town Planning and Townships Ordinance, 1986, in support of the application for the establishment of a residential town on a portion of the Remainder of Portion 1 of the farm Leeuwpoot 283 J.S. and the farm Tweedam 377 J.S. (hereafter referred to as "the site").

The town will comprise out of:

Zoning	Number of erven
"Residential 1"	10235
"Business 3"	1
"Institutional" (Schools)	7
"Special" for Community Facilities and/or Business	20
"Special" for Cemetery and/or Cellular Mast	2
"Special" for Municipal	3
"Park"	14
"Public Roads"	-

The standard conditions pertaining to "Residential 1" erven as contained in the eMalahleni Land Use Management Scheme, 2010 will be applicable. The ruling residential erf size is 300m².

In this memorandum, it will be pointed out that the site is located adjacent to the R544 Provincial Road (north and south), to the north-west of the existing Pine Ridge / Clarinet town. It is a natural extension of the Pine Ridge / Clarinet residential areas.

Town planning aspects such as the locality of the site, present zoning and land use, surrounding zoning and land uses, Deed of Transfer conditions, access to the property, availability of services, etc. will be discussed in detail in this memorandum and the town will be motivated in terms of "need" and "desirability" aspects.

2. TOWN PLANNING CONSIDERATIONS

2.1 LOCALITY

The locality of the site is indicated on **Annexure 1**.

As mentioned, the site is located just to the north-west of Pine Ridge / Clarinet.

The site is being bordered by:

- Various small farms (portions of the farm Leeuwpoort 283 J.S.) to the north,
- The Remainder of Portion 3 of the farm Leeuwpoort 283 J.S. and the farm Bloekombos 414 J.S. to the east,
- The R544 Provincial Road and the farm Suurwater 366 J.S. to the south, and
- The farm Hartbeestspruit 281 J.S. to the west.

2.2 EXTENT OF THE PROPERTY

The extent of the properties is:

Portion 1 Leeuwpoort 283 J.S.	307. 4427 ha
Tweedam 337 J.S.	<u>314. 2450 ha</u>
TOTAL AREA	<u>621. 6877 ha</u>

2.3 DEED OF TRANSFER

The site is being held under Deed of Transfer **T83697/1993**, (Portion 1 of the farm Leeuwpoort 283 J.S.), registered in the name of **Smith Broers Trust** and Deed of Transfer **T13010/2012** (Tweedam 377 J.S.), registered in the name of **Smith Broers Boerdery PTY LTD**.

Various bonds are registered over the properties in favour of Gro Capital Financial Services Pty Ltd.

It needs to be stated that both properties have recently been purchased by VIPCON PTY LTD, and is currently in the process of transfer. All bonds will be cancelled as part of the transfer process. A letter from the transfer attorneys confirming this is attached as **Annexure 3**.

The restrictive measures as contained in the Title Deed refer to the following:

REMAINDER OF PORTION 1 OF THE FARM LEEUWPOORT 283 J.S.

- A. The former Remaining Extent of Portion A of the said farm Leeuwpoort No. 283, Registration Division J.S. Transvaal, measuring 799,4844 Hectares (whereof the property hereby transferred forms a portion) shall at all times be and remain subject to a Servitude of Right of Way in favour of the General Public in so far as the several roads on and over the said former Remaining Extent are concerned as will more fully appear from reference to Notarial Deed No 1440/1961 IS and Diagram SG No A 6007/58 annexes thereto.
- B. The former Remaining Extent of Portion A of the said farm LEEUWPOORT No. 283, Registration Division J.S. Transvaal, measuring 675,6769 Hectares (whereof the property

hereby transferred forms a portion) is subject to a servitude of discharging of all polluted water which may flow in the BLESBOK SPRUIT, with fishing and ancillary rights in favour of -

- (a) The Remaining Extent of the farm LEEUWPOORT No. 283, Registration Division J.S. Transvaal, measuring 1218,7465 Hectares, held by Deed of Transfer No. 1628/20.
- (b) The following portions of the farm BLESBOKLAAGTE No. 296, Registration Division J.S. Transvaal, held by Deed of Transfer No 29938/44 namely:-
 - (i) Portion B of Portion 3;
 - (ii) Remaining Extent of Portion "e" of Portion 4;
 - (iii) Remaining Extent of Portion "b" of Portion 4;
 - (iv) Remaining Extent of Portion "C" of Portion 4;
 - (v) Portion "A" of Portion 3;
 - (vi) Portion "B" of Portion "C";
 - (vii) Portion "1" of Portion "b" of Portion 4;
 - (viii) Portion "2" of Portion "b" of Portion 4;

as will more fully appear from Notarial Deed No. 1594/67S.

- C. The former Remaining Extent of Portion A of the said farm LEEUWPOORT No. 283, Registration Division J.S. Transvaal, measuring 675,6769 Hectares (whereof the property hereby transferred forms a portion) is subject to a servitude of discharging of polluted water which may flow in the BLESBOK SPRUIT, and the right of fishing in favour of TAVISTOCK AND SOUTH WITBANK COLLIERIES LIMITED, as will more fully appear from Notarial Deed No 1595/67S.

All Right of way servitudes and conditions contained in the Title Deed of Remainder of Portion 1 of the farm Leeuwpoot 283 J.S. are accommodated in the layout of the proposed township where applicable. The water servitudes do not affect the application (erven in the town) and will not be transferred to the erven.

TWEEDAM 377 J.S.

- A. The former Portion 5 (a portion of Portion 2) of the farm DRIEFONTEIN No. 297 is subject and entitled to the following conditions:
 - 1,17. Subject to a Servitude of Rights of Way in favour of Eskom to conduct electricity over the property.
 - 2-3,5-16. Refers to a Servitude of Acceptance of all water which may flow in the Klip and Brug Spruits.
 - 4,18-20. Severs to a rights and servitudes to discharge polluted water in the Klip Spruit and Blesbok Spruit and onto other properties, together with the exclusive right to fish in the mentioned spruits.
- B. The former Portion 120 of the farm LEEUWPOORT No. 283 is subject to the following conditions:

- 1,25. Subject to a Servitude to convey electricity across the said property in favour of Eskom.
- 2-15. Refers to a Servitude of Acceptance of all water which may flow in the Klip and Brug Spruits.
- 16-24,
26-28. Severs to a rights and servitudes to discharge polluted water in the Klip Spruit and Blesbok Spruit and onto other properties, together with the exclusive right to fish in the mentioned spruits.

The ESKOM servitudes and conditions contained in the Title Deed of the farm Tweedam 377 J.S. will be accommodated in the layout of the proposed township where applicable. The water servitude will not be transferred to the erven in the town, as it does not affect the application.

Please take note that a Land Surveyors' Certificate / Report and a Conveyance Certificate / Report will be submitted, addressing all servitudes and how to accommodate them in the Conditions of Establishment of the town.

2.4 PRESENT ZONING AND LAND USE

In terms of the eMalahleni Land Use Management Scheme, 2010 the site is zoned as "Agricultural" with primary land uses being agricultural land uses and a residential unit.

Please take note that the site is at present vacant and it is not utilized for agricultural purposes at all.

2.5 SURROUNDING ZONING AND LAND USES

As mentioned earlier in this report, the application site is located just to the north-west of existing Pine Ridge town, where mixed zonings and land uses, ranging from "Residential 1", "Residential 4", "Community Facility", "Park", "Business 3" erven, etc.

To the north of the application site, the original farm has been divided into a number of "smaller farm portions" which are mainly used for small scale farming activities, as well as extensive residential purposes. These sites are all zoned as "Agricultural".

The farm portion directly south of the application site, Suurwater 366 J.S., is zoned "Agricultural", but a mine has been operational on the property for many years. Only a portion of the existing mine remains active.

The farm portion to the west of the application site is also zoned "Agricultural" and larger farms are being utilized for dryland cultivation / grazing.

3. PHYSICAL INFORMATION

3.1 TOPOGRAPHY

The slope and drainage through the property is from the north to the south-west. There is a “vlei” area with two dams in the “spruit”. Except for this low-lying area, the terrain has no topographical limitations pertaining development thereof. The site in general has a gentle slope (see layout plan).

3.2 FLOODLINES

It needs to be stated that the application site is affected by floodwater in terms of Section 144 of the National Water Act, 1998 (Act 36 of 1998). **Monde Consulting Engineers** has been appointed and is currently attending to the 1:100 year flood lines for both the “spruit” and dams were calculated and are indicated on the layout plan. These areas will be accommodated as “Public Open Spaces” in the layout plan.

3.3 GEOLOGICAL / GEOTECHNICAL INFORMATION

Judging from other developments in the area, it can safely be assumed that no geotechnical conditions hamper development and the site is suitable for residential purposes. Geotechnical studies are however currently being conducted on the site, and a geotech report is in the process of compilation. It is proposed that it be made a pre-proclamation condition that a positive geotech report be submitted to Council prior to the proclamation and development of the proposed township.

3.4 PHYSICAL RESTRICTIONS

- Mining Activities

Mining activities occur to the south of the site not directly adjacent to the site where an open cast coalmine is present. This mining activity does not affect the development of the site at all.

Exploration on site has indicated that no coal / minerals are present and that no mining activity will take place on the application site.

- Servitudes

Electrical power line servitudes, 46 metres and 22 metres wide, are registered over the property (as indicated on SG No. A8787/1973, SG No. A8831/1973, SG No. 2023/2009 and SG No. 2011/2009).

The said servitude areas comprise a total of 21.4 ha (3.4% of the total site) which will form part of the “Public Open Space” systems within the town.

The electrical power lines are shown on Figure 1.

Figure 1:
Electrical Power line servitude



- **Wetland areas**

Two dams are present on site that will be incorporated as “Public Open Space”. These areas comprise a total area of 44 ha (7.1% of the total site).

- **Borrow Pits**

A small portion of the site was used as quarries, which are unsuitable for development, and will also be incorporated into the town as “Public Open Space” erven.

4. PROPOSED TOWNSHIP ESTABLISHMENT

4.1 ZONINGS

Standards as prescribed in the Guidelines for Human Settlement Planning & Design (CSIR : 2000), as well as current planning principles relating to residential town developments were used as guidelines for this development. It is proposed that the Residential town, comprising out of the following number of erven be approved:

Zoning	Number of erven
"Residential 1"	10235
"Business 3"	1
"Institutional" (Schools)	7
"Special" for Community Facilities and/or Business	20
"Special" for Cemetery and/or Cellular Mast	2
"Special" for Municipal	3
"Park"	14
"Public Roads"	-

4.2 PROPOSED LAND USES

- **Residential**
Residential development is the main focus of the proposed development. The minimum erf size will be 300 m².
- **Business**
Business facilities will be provided and dispersed throughout the town to serve the community. These facilities are provided along higher order roads that will act as "activity spines". A larger community business center, to serve the total community will also be established.
- **Open Areas**
Open areas are not only essential to biodiversity, but also to be utilized by the communities for recreational purposes. "Public Open Space" erven are provided in the layout to address this need (formal parks, "children play" areas, recreational facilities – soccer fields, etc).
As mentioned earlier, two dams and borrow pits, which are unsuitable for residential development, are present and these areas will also be used as "Public Open Space" erven. These "Public Open Spaces" will be used as formal parks and also for active recreational purposes (cycle tracks etc.).
- **Community Facilities**
Community facilities primarily refer to churches, crèches, community halls and municipal offices. These facilities will be accommodated throughout the development to ensure easy access to the community.
- **Institutional / Educational Facilities**
Educational facilities primarily refer to primary- and high schools. These facilities will sufficiently be provided in the development to ensure all children have access to schools.

4.3 PROPOSED STREET NAMES

The theme proposed for street names in the town are "Dams of Southern Africa". Not only are there two dams present on the application site, but the proposed town is also located on the farm "Tweedam", which means "two dams". The proposed Street names for Council's consideration are reflected on **Annexure 2**.

5. LAND USE MANAGEMENT POLICY

5.1 LAND DEVELOPMENT PRINCIPLES

The application complies with the general principles for land development as:

- *affordable housing is being established,*
- *the site is put to its most economic and best use, and*
- *existing infrastructure is being utilized more economically.*
- *job creation is taking place; and*
- *a diverse combination of land uses (mixed land use areas) will be established in the area.*

5.2 NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998

The Environmental Impact Assessment Regulations promulgated under Section 24(5) of the National Environmental Management Act (Act 107 of 1998) provides a list of activities which are subject to environmental authorization.

In terms of the above-mentioned Environmental Impact Assessment Regulations, it is required that authorisation and approval be obtained from the relevant environmental authority, which in this case is the Department of Agricultural and Rural Development.

Wandima Environmental Specialist has been appointed and is currently attending to the Environmental Impact Assessment (EIA).

Environmental Authorization will be obtained from Mpumalanga Provincial Government and submitted to Council in due course. It is proposed that it be made a pre-proclamation condition that environmental authorisation be submitted prior to the proclamation of the proposed town.

5.3 EMALAHLENI LOCAL MUNICIPALITY INTEGRATED DEVELOPMENT PLAN, 2013/14

The eMalahleni Integrated Development Plan (IDP) has introduced a programme called the "Informal Settlement Formalisation Programme" earmarking certain areas for the development of housing to accommodate people living in informal settlements. One of the areas identified for development is the Pine Ridge / Clarinet area of which the application site forms part of.

The basic principle is that each of these areas should, as far as possible, deliver basic services and infrastructure must be implemented to serve the local housing needs – either by way of in-situ upgrading and/or relocations.

5.4 EMALAHLENI LAND USE MANAGEMENT SCHEME, 2010

The property is zoned as "Agricultural" in terms of the eMalahleni Land Use Management Scheme, 2010. The proposed erven with its zonings and control measures will be incorporated into the eMalahleni Land Use Management Scheme, 2010 by means of the Section 125 documents forming part of the township establishment procedure.

6. ENGINEERING SERVICES

6.1 CIVIL SERVICES

The site is located very close to the formal Pine Ridge town where water as well as sewer networks are present. These networks will be extended to accommodate the proposed town.

Monde Consulting Engineers was appointed, and is currently attending to the Services Report, bulk and internal reticulation.

The Services Report will address the capacity of the existing networks in the area and will also address the level, extent and phasing of installation of services (water and sewer).

The services report will be submitted to Council in due course.

6.2 ELECTRICITY

High Voltage electricity lines are present on the application site and electrical engineers will be appointed to table a report pertaining a new substation where electricity will be introduced into the town. From there it will be distributed to each and every erf in the town.

6.3 ROAD NETWORK AND ACCESS

The R544 Provincial Road bisects the site, ensuring excellent accessibility (**Figure 3**).

It is proposed that access to the town to be established from the R544 at 4 intersections, which will serve as “access corridors” (Class 3 roads) into the town, with then lower order roads as per the road hierarchy, providing access to all erven in the town.

A Business Centre is proposed along the main access road, which will also serve as an “Activity Spine”.

Figure 2:
Access onto R544



7. NEED AND DESIRABILITY OF THE PROPOSED DEVELOPMENT

7.1 NEED FOR THE PROPOSED TOWNSHIP

- There is an irreversible trend in South Africa and Internationally of people migrating towards urban areas. The search for better welfare and economic sustainability is spearheading migration from rural areas to urban areas. In 1990 the world urban population was 2.5 billion and it has reached 7 billion in 2011.

Information provided by Statistics SA, (Census 2011) reflects the number of households accommodated in formal housing, the informal sector and also in traditional housing (**Table 1**).

Table 1:
Distribution of households by type of main dwelling – 1996, 2001 and 2011

Municipality	Formal			Traditional			Informal		
	1996	2001	2011	1996	2001	2011	1996	2001	2011
DC31: Nkangala	146 175	183 469	295 352	1 511	18 064	8 646	21 333	43 896	49 514
MP311: Victor Khanye	7 985	8 334	16 291	20 879	1 167	521	36 854	3 926	3 158
MP312: Emalahleni	39 634	50 254	92 597	1 638	4 851	2 721	2 643	19 813	23 138
MP313: Steve Tshwete	24 765	26 776	53 929	2 952	3 516	1 102	12 901	5 937	9 190
MP314: Emakhazeni	5 558	6 622	11 229	3 170	2 226	736	5 172	874	1 537
MP315: Thembisile	29 756	45 877	64 774	1 945	3 603	2 875	1 598	8 068	7 678
MP316: Dr JS Moroka	38 476	45 605	56 531	6 781	2 701	692	10 102	5 277	4 813

Source: Statistics South Africa

A large number of the local population is moving from informal / traditional housing into the formal housing sector. The problem is that the provision of formal houses is falling behind, creating a shortage of formal houses in the affordable housing category.

In eMalahleni there is also an increase in the number of households accommodated in informal settlements and the proposed development addresses this housing need.

- According to data collected by STATS SA in the 2011 census, eMalahleni experienced a 43. 1% growth rate in its population, from 2001 to 2011.

The census further found that 19. 3 % of eMalahleni's population resides in informal dwellings. This highlights the fact that a tremendous need exists within eMalahleni for the establishment of affordable residential erven.

- The census also unveiled that 6 273 people in eMalahleni still have no access to potable water (tap water), and 2 987 people do not have toilet facilities. By establishing a formal township, all erven within the township will be serviced (water and sanitation), ensuring access to basic services.
- Statistics from the 2011 census also indicates that 68.9 % of eMalahleni's population between 5 – 24 years of age do not attend school. This may be ascribed to the fact that schools are overcrowded and inaccessible to portions of the community. Provision is made for schools in the proposed town, ensuring easy and convenient access for the community to educational facilities.

7.2 DESIRABILITY OF THE PROPOSED TOWNSHIP

- Firstly it is important to highlight that the site is located within very close proximity to an existing residential area (Pine Ridge), and can actually be seen as an extension of the Pine Ridge / Clarinet towns.
- The site is excellently located with easy and convenient access in place to the R544 Provincial Road, and into town.
- Land is a scarce commodity and must be utilized optimally. Applications that will lead to better utilization of the land must be viewed in a favourable light with special reference to the ever-increasing population for whom residential facilities need to be established.
- eMalahleni experienced an unemployment rate of 27.5% in 2011 (Census 2011). The proposed township will not only create job opportunities in the construction sector during the construction phase, but also over the longer term job opportunities will be created by the business-, educational-, and community facilities to be established in the town.
- All topographical and physical limitations, servitudes and natural drainage channels, have been accommodated / taken into account in the detailed layout of the area. It could readily be stated that the proposed development will not negatively impact on the surrounding areas.

7.3 DEVELOPMENT STANDARDS

Table 2 reflects the development standards and provision thereof for the development.

Table 2:
Development Standards and Provision

Land Use	Size Standards as prescribed in the Guidelines for Human Settlement Planning & Design	Quantity of facilities as prescribed in the Guidelines for Human Settlement Planning & Design	Number of units provided in the proposed township
Housing	Minimum of 250 m ²	Not Applicable	10235
Community Facilities			
- Community Centre	0.5 ha	± 1 per 2400 "Res" units	20
- Churches	600m ²	± 1 per 350 "Res" units	
- Crèche	1000m ²	± 1 per 900 "Res" units	
Public Open Space	Not Applicable	1.2 ha per 1000 people	± 80 ha
Business			
- Neighborhood Centre	2700m ²	±1 per 4050 "Res" units	1
- Corner Shop	900m ²	±1 per 450 "Res" units	
Educational			
- Primary School	2.8 ha	1 per 1000 "Res" units	7
- Secondary School	4.8 ha	1 per every 3 Primary Schools	
Public Roads	Not Applicable	Access to each stand	Not Applicable

8. CONCLUSION

The proposed development is a direct result of the urgent housing need in eMalahleni. The establishment of the intended residential town will alleviate the immediate housing shortage.

All topographical and physical limitations, servitudes and natural drainage areas, have effectively been accommodated in the layout to ensure the feasibility of the development and to accommodate natural assets sensibly. The proposed land uses will also not only provide in the urgent need for housing, but will also ensure the establishment of a quality living environment for its inhabitants.

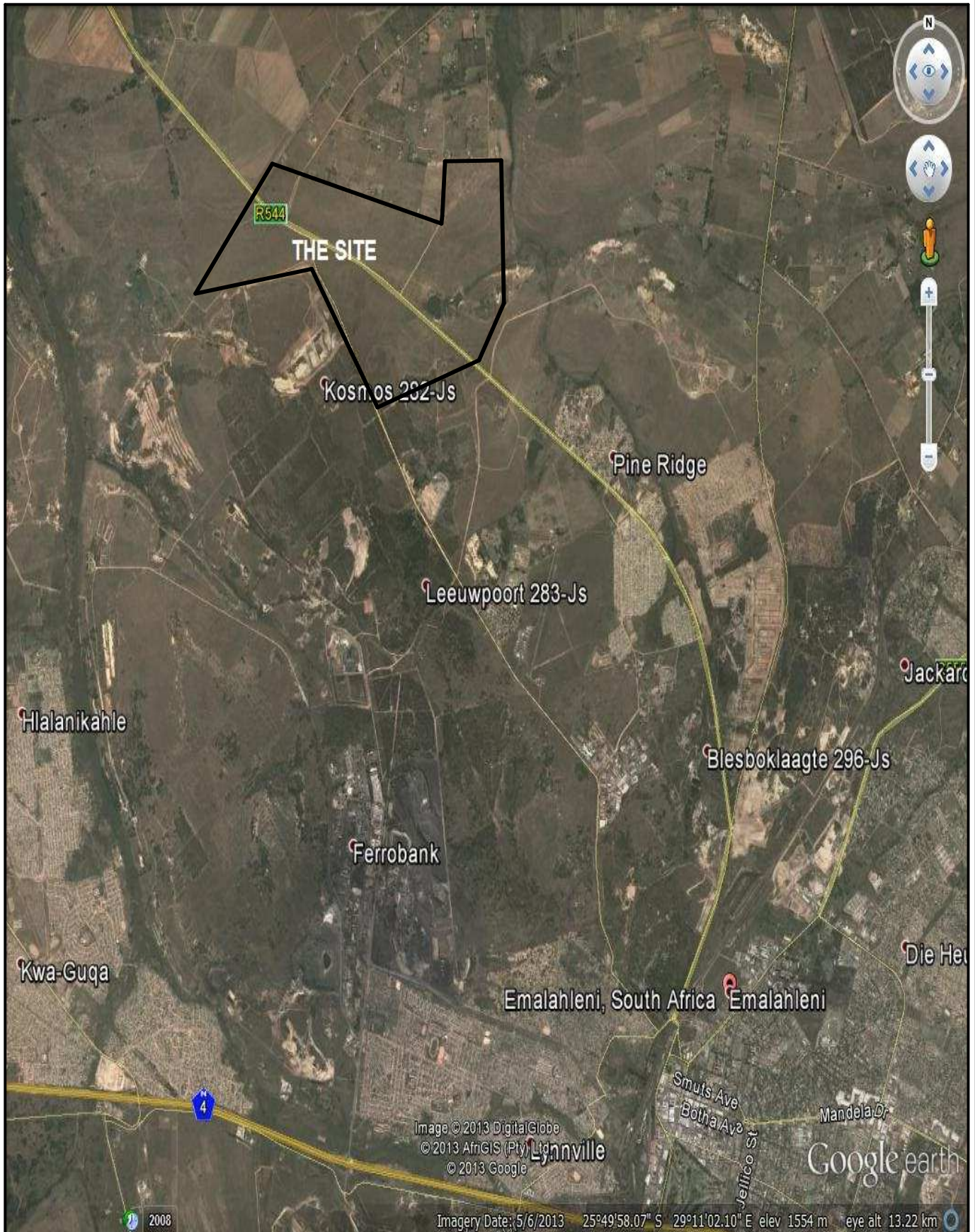
Development of the area will, in closing, not only provide in a tangible housing need, but will also form an important link to ensure the integrated and long term sustainable development of the urban area.

In view of the above need and desirability aspects, it is recommended that Council favorably considers this application.

LOCALITY
PROPOSED SIYANQOBA TOWNSHIP

ANNEXURE **1**

SCALE (Not to scale)



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ANNEXURE 2



Proposed Street Names: Siyanqoba Town

Theme: Dams of Southern Africa

Albasini	Ebenezer	Leeu-Gamka	Nahoon	Syphon
Altenzur	Ekamanzi	Lepelane	Nandoni	Taung
Andalusia	Erfenis	Loch Athlone	Ncora	Three Oaks
Bellair	Feloana	Loch Lamond	Neldoret	Three Sisters
Biggs	Gamka	Longmere	Nonoti	Three Valley
Bischoffs	Gamkapoort	Loporung	Nsami	Tlappeng
Blauwboschfontein	Gants	Lovedale	Nsezimeer	Toleni
Bloemhof	Gelen Una	Loxton	Ntshongweni	Torquay
Bluegum	Glen Alpine	Lubisi	Nungwana	Tshidilamolomo
Blyde	Gompies	Lucretia	Nwanedzi	Umgababa
Bon Accord	Grassridge	Luphephe	Nzhelele	Umtata
Bonkolo	Graymead	Mabule	Old Stable	Umzimaai
Boomarang	Gubu	Magoebaskloof	Paley	Umziniana
Bridledrift	Haystack	Mapochs	Phiring	Valley Green
Bronkhorstspuit	Henley	Maqalika	Phitshane	Verkeerdevlei
Buchuberg	Hartebeespoort	Maquassie	Pongolapoort	Vondo
Buffelskloof	Hill Crest	Mazelspoort	Prieka	Waterfall
Buffelspoort	Hlobane	Mfshane	Qedusizi	Welbedacht
Burtondale	Hluhluwe	Middle Letaba	Sandile	Wewe
Catadam	Howisonaspoort	Midmar	Shiyalongubo	Xonxa
Chelmsford	Idas Valley	Modjadji	Shongveni	Yamorna
Coronation	Incandu	Mogoto	Smithfield	
Dagama	Injaka	Molteno	Spago	
Damara	Jasi	Montagu	Spes Bona	
Dangadzivha	Jericho	Mountonsvlei	Stanford	
Drosternes	Kanowna	Mutshedzi	Sterkfontein	
Dwariega	Khombe	Nagle		

(Signed)

WARD COUNCILLOR

SEYMORE DUTOIT BASSON

Attorneys • Conveyancers • Notary Public

Our Reference: **JH DU TOIT/CDPLS/SMI49/0001**
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31 JANUARY 2014

TERRAPLAN TOWN & REGIONAL PLANNERS

FOR ATTENTION : STEFAN

e-mail: Stefan@terraplan.co.za

Dear Sir

- 1. TRANSFER: SMITH BROERS BOERDERY PROPRIETARY LIMITED / VIPCON PROPRIETARY LIMITED**
THE FARM TWEEDAM NO 377
- 2. TRANSFER: SMITH BROERS TRUST / VIPCON PROPRIETARY LIMITED**
REMAINING EXTENT OF PORTION 1 OF THE FARM LEEUWPOORT NO. 283 , JS

We confirm herewith that our firm is attending to the abovementioned transfers of the properties to VIPCON PROPRIETARY LIMITED, namely :

1. The farm Tweedam no 377 , JS
2. The farm Leeuwpoort no 283, JS

We confirm that both properties is bonded by Gro Capital Financial Services (Pty) Ltd, which bonds will be cancelled on date of registration of transfer of the farms.

Yours Sincerely,

Seymore du Toit & Basson Attorneys

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