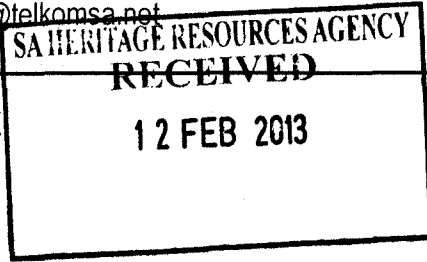


Telephone: (013) 741 1060 PO Box 478  
 Facsimile: (013) 741 3752 Sonpark  
 1206  
 E-mail: plan2survey@telkomsa.net



Our Ref: K2560/KNK  
 Your Ref:  
 1 February 2013

The Director: Archaeology, Palaeontology &  
 Meteorite Unit  
 South African Heritage and Resources Association  
 PO Box 4637  
 CAPE TOWN  
 8000

Acknowledgement of Receipt	
Name	
Position	
Tel No	
Fax No	
E-mail	
Cell No	
Signature	
Date	

Attention: Mr Phillip Hine  
 Telephone: (021) 462 4502  
 Telefax: (021) 462 4509  
 E-mail: phine@sahra.org.za

Dear Sir

**PROPOSED CONSENT USE APPLICATION IN RESPECT OF ERF 217, RIVERSIDE PARK EXTENSION 20 TOWNSHIP**

We are to make arrangements to submit a consent use application in respect of the above-mentioned as per **Clause 17(2) of the Nelspruit Town Planning Scheme, 1989**. We attach hereto the following:-

1. The relevant locality plans.
2. The existing zoning certificate as dated 26 September 2012 and released by the **Mbombela Local Municipality**.
3. The motivating memorandum (with annexure documents).

If any additional information is required, please do not hesitate to contact the writer or this office.

Any comment input herein should be provided within a period of no later than 60 days from date of this letter (thus no later than 2 April 2013). We will then deliver comments to the **Mbombela Local Municipality**. Your comment input can guide us on the way forward and implementation matters.

Yours faithfully

KEVIN KRITZINGER (Pr. Pln A/813/1995)  
 Plan-2-Survey Africa Incorporated (87/03480/21)  
 Ref: k2560

Cc The Deputy Director : Urban & Rural Management  
 Mbombela Local Municipality  
 PO Box 45

Telephone: (013) 741 1060 PO Box 478  
Facsimile: (013) 741 3752 Sonpark  
1206  
E-mail: plan2survey@telkomsa.net



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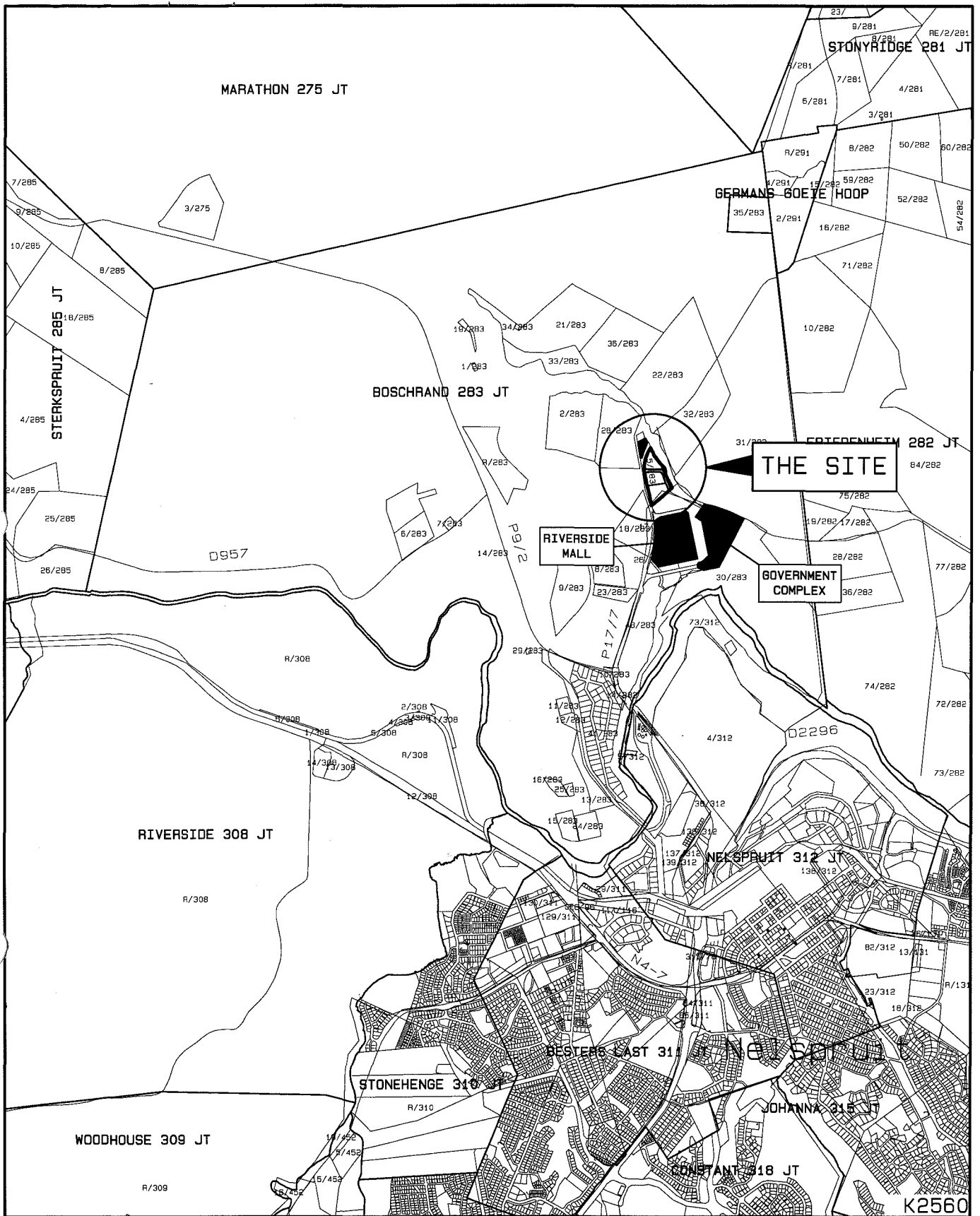
Yours faithfully

KEVIN KRITZINGER (Pr. Pln A/813/1995)  
Plan-2-Survey Africa Incorporated (87/03480/21)  
Ref: k2560

Cc The Deputy Director : Urban & Rural Management

**Mbombela Local Municipality  
PO Box 45  
NELSPRUIT  
1200**

**Attention: Mr Ben Steyn  
Telephone: (013) 759 2196  
Telefax: (013) 759 2194  
Cellular: 083 259 9346  
E-mail: [bens@mbombela.gov.za](mailto:bens@mbombela.gov.za)**



# LOCALITY PLAN

ERF 217, RIVERSIDE PARK,  
EXTENSION 20 TOWNSHIP



TOWN & REGIONAL PLANNERS  
PROJECT COORDINATION  
SURVEY CONSULTANTS

PO Box 3203 Nelspruit 1200  
Tel: (013) 741-1060  
Fax: (013) 741-3752



SCALE 1:50 000



## ZONING CERTIFICATE

---

Our Reference : 217 Riverside Ext 20  
 Enquiries : Mandisa Ndongeni (013) 759- 2122

26 September 2012

### TO WHOM IT MAY CONCERN

Property	:	Erf 217, Riverside Park Extension 20.
Owner	:	Boschrand Prop Holdings Pty Ltd.
Street Address	:	6 Wild Berry Street.
Area	:	7 307 m <sup>2</sup> .
1. Zoning	:	"Special".
2. Height zone	:	Height Zone 0.
3. Density zone	:	Not applicable.
4. Annexure	:	Not applicable.
5. Amendment Scheme	:	1441
6. Lines of no access	:	The ingress to and egress from the erf shall not be permitted along boundary abutting on Provincial Road P17-7. The position of the access must take into consideration the proposed alignment of the future N4 bypass. The site layout needs to provide for the proposed N4 bypass that will run from west to east across a portion of this property and which alignment needs to be confirmed with SANRAL. The layout of the proposed intersection to this development will be in accordance with the lane configuration as indicated in the study done by BKS on behalf of the applicant. All cost related to this access intersection will be for the account of the developer. A line of sight, complying to the minimum requirements applicable to Road P17-7 will be secured over the property by means of a building line. This property will not be permitted to obtain direct access to Road P17-7 and proof of accessibility of this portion via adjacent properties must be submitted to Mbombela Local Municipality.
7. Building Lines	:	16 metres.
Provincial Road P17/7	:	5 meters.
Street Boundary	:	2 meters.
Side Boundaries	:	2 meters.
Other boundaries	:	None.
Remarks	:	None.

8. Physical restrictions : None.
9. Specific geological Requirements : Detrimental Soil Conditions: Proposals to overcome detrimental soil conditions to the satisfaction of the Municipality shall be contained in all building plans submitted for approval and all buildings shall be erected in accordance with the precautionary measures accepted by the Municipality.
10. Special Consent : None.
11. Relaxation of building Lines : None.
12. General remark : None.
13. **LAND USES (TABLE A)** :

<b>PERMITTED LAND USES:</b> Special for such uses, which may be permitted with the special consent of the Mbombela Local Municipality.	<b>CONSENT USES PERMITTED:</b> No specifications.
<b>LAND USES NOT PERMITTED:</b> Buildings not mentioned under permitted land uses.	

14. **DENSITIES (TABLE B & G)** :

	<b>MAXIMUM DWELLING UNITS PER ha</b>	<b>ONE DWELLING UNIT PER ERF (m<sup>2</sup>)</b>	<b>MAXIMUM FLOOR AREA RATIO</b>
<b>PERMITTED LAND USES:</b> Special for such uses, which may be permitted with the special consent of the Mbombela Local Municipality.	-	-	0,6
<b>CONSENT USES PERMITTED:</b> No specifications.	<b>NO SPECIFICATIONS</b>		

15. **OTHER SPECIFICATIONS**  
(TABLES C, D, E & G) :

	<b>MAXIMUM HEIGHT (STOREYS)</b>	<b>MAXIMUM COVERAGE (% OF ERF)</b>	<b>MAXIMUM DISTANCE FROM STREET</b>
<b>PERMITTED LAND USES:</b> Special for such uses, which may be permitted with the special consent of the Mbombela Local Municipality.	2	As per SDP	SEE "7" ABOVE
<b>CONSENT USES PERMITTED:</b> No specifications.	<b>NO SPECIFICATIONS</b>		

16. **PARKING (TABLE F & G)** :

	<b>NUMBER OF PARKING SPACES REQUIRED</b>
<b>PERMITTED LAND USES:</b> Special for such uses, which may be permitted with the special consent of the Mbombela Local Municipality.	As required by the Local Authority.
<b>CONSENT LAND USES:</b> No specifications.	No specifications.

17. **LOADING REQUIREMENTS** : Effective loading spaces, together with the necessary manoeuvring area, shall be provided on the erf to the satisfaction of the local authority, as required by the local authority.

18. **ADDITIONAL CONDITIONS** : For further specifications, please refer to the Nelspruit Town Planning Scheme 1989, as amended December 1996, as well.

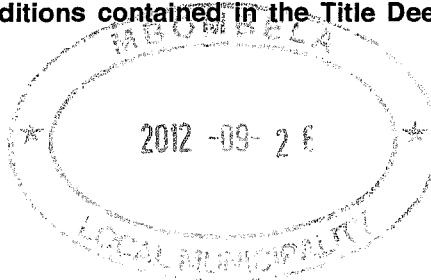
- A site development plan and a landscape development plan, unless otherwise determined by the council, compiled by a person suitably qualified to the satisfaction of the Mbombela Local Municipality, shall be submitted to the Mbombela Local Municipality for approval prior to the submission of building plans: Provided that the site development plan must indicate the 1:100 year flood line thereon, inclusive of measurements incurred to prevent any building structure from having influence on the flow of storm water should flooding occur. The site development plan shall incorporate the recommendations made in the traffic impact study conducted by the company BKS for this development. Specific reference is made to a direct road link from this property across the adjacent remainder of portion 51/48 of Boschrand 283 JT to the existing Eastern Boulevard.

- The landscaping, in terms of the landscaping development plan, shall be completed by completion of the development of any phase thereof. The continued maintenance of the landscape development shall be on the satisfaction of the Mbombela Local Municipality.

- Demarcated parking spaces with the permanent dust free surface, together with the necessary manoeuvring space shall be provided and maintained on the erf to the satisfaction of the Mbombela Local Municipality in accordance with table F of the Nelspruit Town Planning Scheme, 1989.

The Town Planning Scheme and Maps are open for inspection at the Civic Centre, 1 Nel Street, Nelspruit, and the information contained herein must be verified by the applicant by inspection of the Scheme and the Map. The Council does not accept any responsibility for any incorrect information provided on this certificate. It should be noted that the provisions of the Town Planning Scheme do not supersede any restrictive conditions contained in the Title Deed/Leasehold Title of the property and vice versa.

Yours faithfully,



  
BEN STEYN

SENIOR MANAGER: URBAN MANAGEMENT AND DEVELOPMENT  
LOCAL ECONOMIC DEVELOPMENT, HUMAN SETTLEMENT, URBAN AND RURAL  
DEVELOPMENT

MN/mn



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**MOTIVATING MEMORANDUM IN  
RESPECT OF A CONSENT USE  
APPLICATION ON ERF 217,  
RIVERSIDE PARK EXTENSION 20  
TOWNSHIP**

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A Report compiled by

**PLAN-2-SURVEY AFRICA INCORPORATED  
PO BOX 478  
SONPARK  
1206  
TEL: 013-741 1060  
FAX: 013-741 3752  
CONTACT PERSON: KEVIN KRITZINGER  
REFERENCE NUMBER: K2560  
JANUARY 2013**

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- ANNEXURE J:-** SITE ORIENTATION PLAN

## 1. GENERAL INFORMATION

### 1.1 Local Authority:

The facility is established within the jurisdiction area of the **Mbombela Local Municipality**.

### 1.2 Property Description:

The facility is located on **Erf 217, Riverside Park Extension 20 Township**.

### 1.3 Property Size:

The property measures **7307m<sup>2</sup>**.

### 1.4 Property Owner:

The land is owned by **Boschrand Property Holdings (Pty) Ltd**. The authorisation documents are available (**See Annexure A:- Authorisation Documentation**).

### 1.5 Locality:

The land is located south of the Nels River and west of the R40 Road (P17-7 Route) (between Nelspruit and White River). The property locality should be clear from the locality plans (**See Annexure B:- Locality Plans**).

### 1.6 Existing Zoning:

The property is presently zoned "**Special**" as per the provisions of the **Nelspruit Town Planning Scheme, 1989**. The zoning certificate (**See Annexure C:- Zoning Certificate**) has been availed by the **Mbombela Local Municipality**.

### 1.7 Existing Land Use:

The land is occupied by a brick release establishment (brick distribution centre), known as "**Malelane Stene**".

### 1.8 Title Deed:

The property is registered by virtue of **Deed of Transfer T13740/2010**. It appears that there are not restrictive title conditions, which will have to be removed before any application intensions can be exploited in terms of land rights. The title deed copy is available (**See Annexure D:- Title Deed**).

### 1.9 Mortgage Bond:

There appears to be no bonds registered over the property.

## 2. DEVELOPMENT INTENSION

It appears that it is the intension to utilize the property for a brick distribution centre and related subordinate uses to include office (administration) facilities, a sales area and advertising site.

The definition of a “**Commercial Use**” is as follows:

*“COMMERCIAL USE” means land uses or a building designed or used for such purposes as distribution centres, wholesale trade, storage, warehouses, cartage and transport services, laboratories and computer centres and may include offices which is carried out on the land or in the building.*

The definition is taken from the **Nelspruit Town Planning Scheme, 1989**. There is no definition in the scheme for a “**Distribution Centre**”.

### 3. APPLICATION PROCEDURE

It is recommended that a consent use application is brought, as per clause 17 of the **Nelspruit Town Planning Scheme, 1989**. The purpose of the consent use application is to bring opportunity that consent can be issued, to approve of a brick distribution centre on the site. The land is zoned “**Special – for such uses, which may be permitted with the special consent of the Mbombela Local Municipality**”.

### 4. SURROUNDING ZONING AND LAND USE

#### 4.1 Surrounding Zoning:

Most of the properties surrounding are zoned “**Special**” as per the provisions of the **Nelspruit Town Planning Scheme, 1989**. Mixed use rights are notable for the area. The surrounding zoning is indicated on a zoning plan (**See Annexure E:- Zoning Plan**).

#### 4.2 Surrounding Land Use:

The surrounding land uses are indicated on a land use plan (**See Annexure F:- Land Use Plan**). The area has a character of integration between a residential area to the North and North-west and a regional shopping centre and related office uses towards the East and South-east.

The land is surrounded by business uses, and the government offices are located towards the south-east. The business facilities contain mixed use facilities, which also include hotel and casino opportunities.

The area is integrated and severed by open spaces and agricultural areas. Certain open spaces are protected areas (wetlands and river areas), whilst some are integration areas to mainly the agricultural uses.

Towards the North-east and East the Agricultural College has brought a certain character to the area. This is also the zone where the new establishment of the Tertiary Facility (University) will be. The area is subject to continuous change.

South of the land there are various distribution centres and commercial related uses. Some of such land is still in the early stages of development. The new N4-alignment has brought to the

area a different character, where the Maputo Corridor passes just South of the land. The area can be regarded to be very much a mixed use area.

## 5. NEED AND DESIRABILITY

The facility of application is a use which has been operative for a considerable time period. It has become known that this should relate to a special consent use application option, as per rights that apply to the land. The land owner may not have been aware of such.

As the use exists and is a profitable business option, the need is already established. If the facility did not have a place in the economic business cycle, the natural economic patterns would have closed it down. This would have been a clear business decision, and not influenced by town planning matters.

The facility has been "window-dressed" as per the needs, and is operational. Technically zoning scheme controls need to be adhered to and the need for the application does not lie in economic principles, but is established in general adherence of legality authorisations.

The need related to this application, is not a comprehensive aspect to motivate. The area is business of nature, and does accommodate various forms of land use rights (legal or illegal). Fact is that the use is established and has merit to remain as such.

Within a development area, there should also be a variety of land use rights, to cater for various investment needs. It is not only land use types which has an influence on the standard of development, but often the development controls implemented, to accommodate this specific use.

The area of surrounding has already accommodated certain alternative land uses. It is within character of the area, that certain accommodation can take place. The property is conveniently located in relation to main access routes, and accessibility to the Greater Mbombela Area is available.

The consent use as now promoted does fall within the character of the area. The use as envisaged is regarded to be a use supportive to adjacent land uses already approved and operational. The facility is operational, and has been so for a number of months.

In terms of the general principles for land development, **Section 3 of the Development Facilitation Act, 1995 (Act 67 of 1995)**, indicates inter alia that policy, administrative practices and laws, of this country, should promote sufficient and integrated land development in that they inter alia do promote a diverse combination of land uses, also at the level of individual erven for subdivisions of land, and discourage the phenomenon of "urban sprawl" on urban areas and contribute to the development of more compact towns and cities, thereby being in favour of densification. Furthermore land development should meet the basic needs of all citizens in an affordable way, where each land development area, should be judged on its own merits, and where no specific use of land, should be more important than any other use of land.

Nelspruit is as a main core of the Mbombela, a growing area. Growth should be encouraged, as growth brings sustainability to an area. There are certain needs to address. Hence the existing use has been successful over months.

On a desirability point of view, the fact that the business sustains itself in difficult economic times is evident that there is a need. Yet there needs to be development controls which should apply, and hence the call from a zoning point of view for a special consent option procedure.

There is opportunity to obtain for the land forming part of the application consent use rights, and more specifically for the following reasons:

- (a) The property in question, is located in close proximity to the main roads leading through Riverside Park;
- (b) The property is located in close proximity to other properties accommodating support use rights;
- (c) The rights have been found to be accommodative to the area, also in terms of local authority policy; and
- (d) The application intension is to correct land use right status quo.

There should be opportunity to support the development proposals as envisaged.

When desirability in respect of an application is looked into, there are various aspects to take cognizance of. As per **Section 19 of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986)**, the general purpose of a town planning scheme, can be summarized to be as follows:

*"The general purpose of a town planning scheme shall be the coordinated and harmonious development of the area to which it relates in such a way as will most effectively tend to promote the health, safety, good order, amenity, convenience and general welfare of such area as well as efficiency and economy in the process of such development"*.

The application as promoted, is an application (as per consent use), to encourage coordinated and harmonious development. In motivation hereof, the following:

(a) Health:

The use as envisaged is mainly service provision related. This should not have any detrimental effect on health aspects, as the use should be health orientated. No bricks are made on site, and the use is thus a distribution centre.

(b) Safety:

The area on micro scale does represent a safe environment. The use as promoted and exploited, should with safety precautions taken, promote more opportunity of improved safety. The development as promoted, has blended into the character of the area, and should not be detrimental, as per safety expectations.

(c) Good Order:

The area does have a certain character and the zoning (not land use) changes for the area do accommodate a certain character. This does imply that the character of development, will integrate well with the development of the area.

The development type, still to be mainly business of nature, but supportive to the general area activities, should be in line with good order of developments in the area. The development opportunities have promoted for the area justification of rights likewise.

(d) Amenity:

A development can be designed in such a way, that good aesthetical and architectural guidelines do apply. The consent use rights would be associated with up-liftment of the area. A high standard of development exists.

(e) Convenience:

The property is also well located in relation to supportive uses.

(f) General Welfare:

The use on the land is not to be altered. It is thus special consent being obtained, to the benefit of accommodating an improved social environment with least impact of financials of the business. The development proposal should not have a detrimental effect on the general welfare of the area, specifically if a high standard of development is encouraged on the land.

As motivated in this memorandum, there is compliance with expectations related.

The facility and area photo's indicate character information of the area (**See Annexure G:- Photo Range**). The google image of the site also shows part of the area character (**See Annexure H:- Google Image Extract**).

The main purpose of the application is to ensure that any activity on the site in question is not regarded to be an illegal activity. The use has been in operation for a considerable time period, and it is special consent authorisation that is pending.

## 6. THE ACTUAL DEVELOPMENT

The zoning of the land is such that for any business to be operated on the land, local authority consent is required. The land owners have omitted to obtain such special consent, and the application intension is to rectify status quo.

The business is known as "**Malelane Stene**". Such is an established business in the Lowveld (Ehlanzeni) Area. Bricks are not made on site, but various sites in the region serve as distribution centres. The bricks are thus brought closer to a place of dispatch to ease on deliverables when orders are placed.

Erf 217, Riverside Park Extension 20 Township is part of the land which formed part of the "business node" of Riverside, mainly with the core being the Riverside Mall. Planning of the past, and also on Spatial Development Framework level have allowed for such land to be included in the business reservation zone.

The site is also land which has constraints of own nature. The site is only 7307m<sup>2</sup> in extent, and the one length of a triangular property abuts on Provincial Road R40 (also known as P17-7) (no access and building line restrictions (16 meters) apply). The land further abuts on the Nels River with riparian zone impact.

In the relevant locality the brick distribution centre works well. The land has a floor area ratio of 0,6 which on 7307m<sup>2</sup> of land allows for a buildable area of say 4384m<sup>2</sup>. However it will depend on the



nature of a use if such full floor area is exploited, as parking requirements, building line restrictions, flood line definition, etc. has impact on options of usage.

The land area involved is shown on the small scale diagram (SG No 115/2007 and the area General Plan (SG No 117/2007) (**See Annexure I:- Survey Data**). Such data is available to define cadastral boundaries.

The type of facility does not allow for much site development plan presentation. The existing buildings on the land, which includes:

- (a) an old dwelling house; and
- (b) outbuildings,

represents the office facilities to be utilized as the administration area to the sales area and advertising site. The public reports to this area.

In essence the actual facility building structure area is reasonably low (small) and expansion of building structures are not envisaged. The bulk of the land will be utilized as brick stacking areas. The nature of the use is that movement on site is on a free-flow basis as per needs.

On-site settlement is thus usually not as per a site development plan, but rather a site orientation plan (**See Annexure J:- Site Orientation Plan**). The site utilization can also vary from time-to-time. Various brick types are stacked.

The distribution also varies as per needs. The proximity of the land to Provincial Road (R40) (also known as P17-7) allows for the land to be accessible to the White River / Nelspruit link, where in a north and south direction bricks can be released, with little accessibility disruption. From the area, accessibility eastwards is also favourable, along the Agricultural College Road.

The use is existing and impact on the service infrastructure will not vary from the existing. The use has little impact on sewerage, water and electricity needs as the utilization herein is of little impact. The use is not labour intensive. The usage herein may differ little from that of a conventional farm house.

The impact is thus trip generation and stormwater related, yet such is not excessive. Visits are periodical and usually not in peak hours. Stormwater management is by conventional methods (seepage and drainage), but there is not toxic spillage on site.

In addition to the brick distribution centre, there is signage on the land in question. The authorization herein should include advertising possibilities, subject to adherence of the By-laws for the Control of Outdoor Advertising in the Mbombela Local Municipality Area.

## **7. RECOMMENDED CONDITIONS OF APPROVAL**

The conditions of approval recommended, will other than standard local authority conditions, inter alia relate to the following:

- (a) The rights approved shall be related to and subordinate to the "*distribution centre*" and shall be limited to an area not exceeding 500m<sup>2</sup> in floor area as per building structure sizes:- Extensions should only be permitted with written consent of the local authority, and then only after consideration of a site development plan:- Provided that subject to the provisions of the

By-laws for the Control of Outdoor Advertising in the Mbombela Local Municipality Area there may be provision for advertising on site;

- (b) The proposed development shall comply with appropriate aesthetics;
- (c) Parking on the land (if required) shall be provided to the satisfaction of the local authority:- Provided that no parking shall be allowed off-site or within a road or right-of-way service reserve;
- (d) The parking area (if provided) shall be dust free and maintained to the satisfaction of the local authority;
- (e) The stacking area must be kept dust free and must be maintained to the satisfaction of the local authority;
- (f) The site must be accommodative to a single access only, except with written consent of the local authority;
- (g) The applicant shall make own arrangements with regards to stormwater management, and as brick stacking may result in additional storm water down flow, the applicant must submit a stormwater management plan to be approved of by the local authority;
- (h) Essential services such as water, sewerage and refuse removal shall be provided to the satisfaction of the local authority;
- (i) The applicant shall be responsible for the upgrading of engineering services, if any and also the resulting costs;
- (j) The contribution for bulk engineering services is to be payable before exercising any approved rights:- External services are available to the property at a normal cost;
- (k) The rights shall lapse if not exercised within a period of 2 years from the date of approval;
- (l) The use shall lapse, should it not be in operation for a continuous period of 24 months;
- (m) Should the appearance of the area be a negative influence or in the event of any justifiable complaints in connection with the mentioned distribution centre being received, this approval will lapse;
- (n) A site development plan, drawn to a scale of 1:500, or such other scale as may be approved by the local authority shall be submitted to the local authority for approval prior to the submission of any building plans if building alternations are envisaged. No building may be erected on the land before such site development plan has been approved by the local authority and the whole development on the property shall be in accordance with the approved site development plan:- Provided that the plan may from time to time, be amended with the written consent of the local authority.

Such site development plan shall show at least the following:

- (i) The siting, height, floor area ratio and coverage of all buildings and structures and the number of dwelling units (if applicable);
- (ii) Open spaces, children's playground (where proposed) and landscaping where required by the local authority;
- (iii) Entrances to and exits from the land, internal roads and parking areas;
- (iv) Entrances to buildings and parking areas;
- (v) Building restriction areas;
- (vi) Parking areas and where required by the local authority, the vehicle and pedestrian traffic system; and
- (vii) Elevational treatment of all building and structures

Provided that the site development plan must be supported by a storm water management plan and storm water design as prepared by a professional engineer;

- (o) Should there not be adhered to all the aforementioned conditions or any regulations of the municipal by-laws or any other law, the local authority reserves the right to withdraw this approval;
- (p) The conditions imposed by the under mentioned departments shall strictly be adhered to:
  - (i) Eskom
  - (ii) Telkom
  - (iii) Mpumalanga Department of Public Works, Roads and Transport
  - (iv) Sembcorp (Silulumanzi)
- (q) Should any negative comments from the external parties mentioned in (p) above, be received, the approval granted for the content use will lapse;
- (r) That an advertising board may be erected, and may only reflect the nature and the name of the distribution facility:- The advertising board may not be larger than 2m x 2m in size;
- (s) An advertising sign shall be allowed on the property facing the R40 Route (P17-7 Route);
- (t) That all advertising signs must comply with the municipal by-laws of the local authority for the control of outdoor advertising signs.

The local authority could recommend other conditions of approval, so to ensure sustainability of the use, in respect of the site in question.

## **8. DEVELOPMENT FACILITATION ACT PRINCIPLES**

**Section 3(1) of the Development Facilitation Act, 1995 (Act 67 of 1995)**, allows for certain general principles to apply in respect of land development. This can include the following:

- (a) Policy, administrative practice and laws should provide for urban and rural land development and should*

*facilitate the development of formal and informal, existing and new settlement.*

- This development is in favour of accommodating through policy, administrative practice and laws, land development in an urban area.
- This development is facilitating acknowledgement of existing settlement, in a formal way of development.

*(b) Policy, administrative practices and laws should discourage the illegal occupation of land, with due recognition of informal land development processes.*

- The application option has in the past allowed for illegal occupation of land:- Land use rights have been acclaimed in favour of what is to be accommodated on the land, but such are secondary rights where a special consent of the local authority is required.
- There is policy, administrative practices and laws, which could through the correct application process, promoted to legalise the occupation of land, by approval of the application related.

*(c) Policy, administrative practice and laws should promote efficient and integrated land development in that they:*

*(i) Promote the integration of the social, economic, institutional and physical aspects of land development.*

- The land in question is to promote social integration, as the use to be accommodated on the land, will allow for social integration via the community and service delivery needs principle.
- Business and community support facilities in the area do provide for economic investment in the area, and thus integration of economic aspects.
- There will be a body, which does control the development principle, and required aspects of land occupation, will be taken cognizance of.
- The facility as promoted, does take cognizance of the physical characteristics of the area, in favour of land occupation as proposed.

*(ii) Promote integrated land development in rural and urban areas in support of each other.*

- The application in question, relates to land occupation / settlement in an urban area.
- The type of use envisaged, relates to a use accommodated in an urban area, and not specifically a use accommodated within a rural area.
- People would patronize the use as envisaged, to address needs of the urban area environment.
- The area in question is ideally located with opportunity to be utilized well, for building facility occupation in an urban area, to bring integration between the needs of urban areas.

*(iii) Promote the availability of residential and employment opportunities in close proximity to or integrated with each other.*

- The facility as proposed / encouraged, is business supportive of nature, but does provide employment opportunities in an area, where employment and support is always in need.

- The facility is seen to be a product distribution use, although at certain stages training is also done.

(iv) *Optimise the use of existing resources including such resources relating to agriculture, land, minerals, bulk infrastructure, roads, transportation and social facilities.*

- The development / occupation as envisaged does fit in well with the development pattern of the area, so to utilize the use of existing resources available.
- The land is certainly not high potential agricultural land, due to the urban structure, size thereof, the characteristics of the surroundings, etc.
- The land is regarded to be ideal for product distribution facilities, as promoted.
- The potential use is not regarded to be of nature to impact on the mineral exploitation opportunities, of the greater area.
- The development / settlement as proposed would be partially dependant on bulk infrastructure as provided by the local authority.
- The land locality is such, that existing road infrastructure can well be utilized.

(v) *Promote a diverse combination of land uses, also at the level of individual erven or subdivision of land.*

- The application in question does provide for a diverse combination of land use occupations, as per a business and community support facility.
- The property of development can be regarded to be individual property, which will not at this stage, or which is not intended to, be the subject of subdivision.
- The land has opportunity to accommodate a combination of uses as envisaged:- All uses are in place.

(vi) *Discourage the phenomenon of "urban sprawl" in urban areas and contribute to the development of more compact towns and cities.*

- The development area is not located on the "urban fringe".
- The application is not the result of "urban sprawl" in an urban area.
- The facility as promoted is a facility to look into urban support facilities, in an area attracting such uses, within the urban nodes.
- Where such facilities need not be accommodated, and where such facilities are not compatible with the rural areas, this does allow for development of more compact towns and cities.

(vii) *Contribute to the correction of the historically distorted patterns of settlement in the Republic and to the optimum use of existing infrastructure in excess of current needs, and*

- The use as envisaged is a use established in the new South Africa context, in an area encouraged for utilization by all participating parties in the new South Africa.
- Economic sustainability and investment as such, should result in opportunity that past historically distorted patterns of settlement can be neutralized.

(viii) *Encourage environmentally sustainable land development practices and processes.*

- The facility as proposed, allows for integration within an environmental area, with prominence.
- The application procedures, as encouraged through legislation, do allow for environmental processes and practices to be taken cognizance of, as a record of decision in terms of environmental legislation, needs not be obtained in favour of the development.

(d) *Members of communities affected by land development should actively participate in the process of land development.*

- There has been opportunity for the local community to participate in the process of land facility, through employment opportunities created on the long term by means of employment at the use existing.
- Where the actual use of settlement is taking place on the land in question, there appears to be no signs of past community settlement, and the advantages to the community of the area, is that of product availability adding to the employment contribution, which is to the positive, rather than to the negative:- The use is established.

(e) *The skills and capacities of disadvantaged persons involved in land development should be developed.*

- Employment opportunities in the area where employment is a scarce commodity, can allow for skill building and capacity building, of disadvantaged persons.
- The disadvantaged persons of the area can only be favoured by the facility as envisaged on a permanent basis, as there is opportunity to bring employment closer to home.

(f) *Policy administrative practice and laws should encourage and optimise the contributions of all sectors of the economy (government and non-government) to land development so as to maximise the Republic's capacity to undertake land development and to this end, and without derogating from the generally of this principle.*

(i) *National, provincial and local government should strive clearly to define and make known the required functions and responsibilities of all sectors of the economy in relation to land development, as well as the desired relationship between such sectors, and*

- The application of consideration is to be referred to a number of municipal related entities (all tiers of municipal hierarchy), to obtain input of consideration, and to make recommendations of application support, as applicable.
- There should be opportunity for correlation of comments so received, to ensure sustainability of the development opportunity, by the decision-making authorities.

(ii) *A competent authority in national, provincial or local government responsible for the administration of any law relating to land development shall provide particulars of the identity of legislation administered by it, the posts and names of persons responsible for the administration of such legislation and the addresses and locality of the offices of such persons to any person who requires such information.*

- There will be an acknowledgement of receipt, in respect of the application submitted:- This will imply that persons needing to take note of how the application is to be processed, the contents of the application, and whom is to be responsible for any application, is known.

- The application is to be referred to a number of internal local authority divisions for comment input.

(g) *Laws, procedures and administrative practice relating to land development should:*

(i) *Be clear and generally available to those likely to be affected thereby.*

- The legislation, procedures and administrative practices, are available to all, and do become more available through public participation (such as advertisement).
- The application in question is being advertised in terms of the relevant application procedure, specifically town planning related.
- Local persons will have opportunity to participate in the occupational process, through options of employment, thereby taking cognizance of the consent of land use intension.

(ii) *In addition to serving as regulatory measures, also provide guidance and information to those affected thereby.*

- The application procedure will be subject to conditions of approval, which in effect will serve as regularity measures, to give guidance and information to environment and persons, which can be affected by development.

(iii) *Be calculated to promote trust and acceptance on the part of those likely to be affected thereby, and*

- The application procedures, and related public participation, could allow for comment recommendations to follow, to be incorporated in the approval to be released, should the application be successfully processed.

(iv) *Give further content to the fundamental rights set out in the Constitution.*

- As per the fundamental rights of the constitution, all residents of South Africa should benefit.
- As per the rights of the constitution, all residents of South Africa should have the opportunity to promote development input.
- The application as envisaged is in line with the constitution expectations.

(h) *Policy, administrative practice and laws should promote sustainable land development at the required scale in that they should:*

(i) *Promote land development, which is within the fiscal, institutional and administrative means of the Republic.*

- There should be compliance with expectations related.
- Development policy, related administration and laws, do allow for the application as submitted, to be entertained.

(ii) *Promote the establishment of viable communities.*

- The development as envisaged is a development to integrate into the greater area, so also to the benefit of the area community (existing and proposed).
- The business venture, is a private initiative business venture, and is encouraged to be a sustainable business opportunity.

*(iii) Promote sustained protection of the environment.*

- It can be expected that an environmental management plan is to be encouraged (if required by the authorities) and implemented in the settlement and occupational process.
- A record of decision as per environmental legislation opportunities will not predetermine environmental sensitive matters, which need to be taken cognizance of, due to the nature of the rights applicable, versus rights to be applied for.

*(iv) Meet the basic needs of all citizens in an affordable way, and*

- Citizens of this country will include the local community, being the accepting community, and the community from abroad, being the penetrating community.
- The penetrating community has a basic need to find product related options in accessible and sustainable areas.
- The accepting community has the basic need to seek employment and skill building locally, or sustainability in their area.
- There should be opportunity for the needs of all citizens of South Africa, to benefit from the project envisaged.

*(v) Ensure the safe utilization of land by taking into consideration factors such as geological formations and hazardous undermined areas.*

- The area is not known for mining to the extent, that the land in question is undermined.
- A geotechnical investigation conducted on the land in the past will indicate geological status quo.
- New development is not envisaged.

*(i) Policy, administrative practice and laws should promote speedy land development.*

- There should not be reason for the application process as promoted, to be the subject of delay.
- The facility as envisaged to be legalised is a facility, which should be compatible with the policy of development in the area, on micro and macro scale.

*(j) Each proposed land development area should be judged on its own merits and no particular use of land, such as residential, commercial, conservational, industrial, community facility, mining, agricultural or public use, should in advance or in general be regarded as being less important or desirable than any other use of land.*

- The application is an application very much related to occupational rights, which are community support of nature, yet taking cognizance of the needs for persons specifically seeking product purchasing.



- There is a need for such uses, and the use as envisaged, is not taking up land which is more suitable for other use rights, which could include residential, commercial, industrial, mining, agricultural, etc.

(k) *Land development should result in security of tenure, provide for the widest possible ranged tenure alternatives, including individual and communal tenure, and in cases where land development takes the form of upgrading an existing settlement not deprive beneficial occupiers of homes or land or where it is necessary for land or homes occupied by them to be utilized for other purposes, their interests in such land or homes should be reasonably accommodated in some other manner.*

- The use as envisaged, does allow for security of tenure, as the land ownership will still remain in tact.
- At this stage, full title ownership for the total land extent, should remain as is, where "persons patronising the use" as envisaged, will have opportunity to address related needs.

(l) *A competent authority at national, provincial and local government level should co-ordinate the interests of the various sectors involved in or affected by land development so as to minimise conflicting demands on scarce resources.*

- Comment input on the application, and related support received, will indicate how various government related structures, are involved or affected by the proposed land development.

(m) *Policy, administrative practice and laws relating to land development should stimulate the effective functioning of a land market, based on open competition between suppliers of goods and services.*

- The use envisaged, will be a use with competitors in the market place, and will then be a use complying with the free market principles of land occupation.

In general, it appears that the development opportunity, does comply with the general principles of the **Development Facilitation Act, 1995 (Act 67 of 1995)**. There should be support for the application.

## 9. CONCLUSION

There appears to be a need of this nature, within Mbombela and specifically Riverside Park. The use as envisaged, does not relate to an extensive use, and should taking cognizance of the area needs in itself, not to have a detrimental effect on the surroundings. The use does exist, and the effect of the use on the area is known. The application does comply with modern planning principles and philosophy, and should have opportunity of being supported.

### PLAN-2-SURVEY AFRICA INCORPORATED

PO Box 478

Sonpark

1206

Unit 89, Sonpark Boulevard

Le Roux Street

Nelspruit, 1201

Tel: 013-741 1060

Fax: 013- 741 3752

Ref: K2560/jan'13

# Annexure A

**SPECIAL POWER OF ATTORNEY**

I, the undersigned

**Paul Arthur Nicholson**


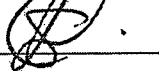
in my capacity as Director of Boschrand Property Holdings (Pty) Ltd, a company registered with limited liability under the laws of the Republic of South Africa being duly authorized thereto under any by virtue of a resolution of the Board of Directors of the company passed at Nelspruit on *1ST* day of September 2012 do hereby nominate, constitute, and appoint Kevin Neil Kritzingner of PLAN-2-SURVEY AFRICA INCORPORATED and any person employed by the company with power of substitution, to be my lawful Agent in my name, place and stead, to apply to the competent authorities for the title amendment and/or consent use in respect of the undermentioned property:

**Erf 217, Riverside Park Extension 20**

to apply for matters as may be necessary for the purpose of establishing of rights on the land and to sign all such documents and appoint or involve all such persons as may be requisite or necessary in order to give effect to the foregoing.

Signed at Nelspruit on this *1ST* day of September 2012 in the presence of the undersigned Witnesses.

AS WITNESSES:

1.   
\_\_\_\_\_
2.   
\_\_\_\_\_

SIGNATORY:

  
\_\_\_\_\_

ref: k2560a special power of attorney/sept'12

**RESOLUTION OF THE BOARD OF DIRECTORS OF BOSHRAND PROPERTY  
HOLDINGS (PTY) LTD PASSED AT NELSPRUIT ON THE 15<sup>TH</sup> DAY OF  
SEPTEMBER 2012**

**RESOLVED**

That the company gives and grants to, unto and in favour of Kevin Neil Kritzinger of PLAN-2-SURVEY AFRICA INCORPORATED and any person employed by the firm a Power of Attorney empowering them to apply to the competent authorities for the title amendment and/or consent use in respect of the undermentioned property:

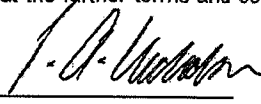
**Erf 217, Riverside Park Extension 20**

and to apply for matters as may be necessary for the purpose of establishing of rights on the land and to sign all such documents and appoint or involve all such persons as may be requisite or necessary in order to give effect to the foregoing.

**RESOLVED FURTHER:**

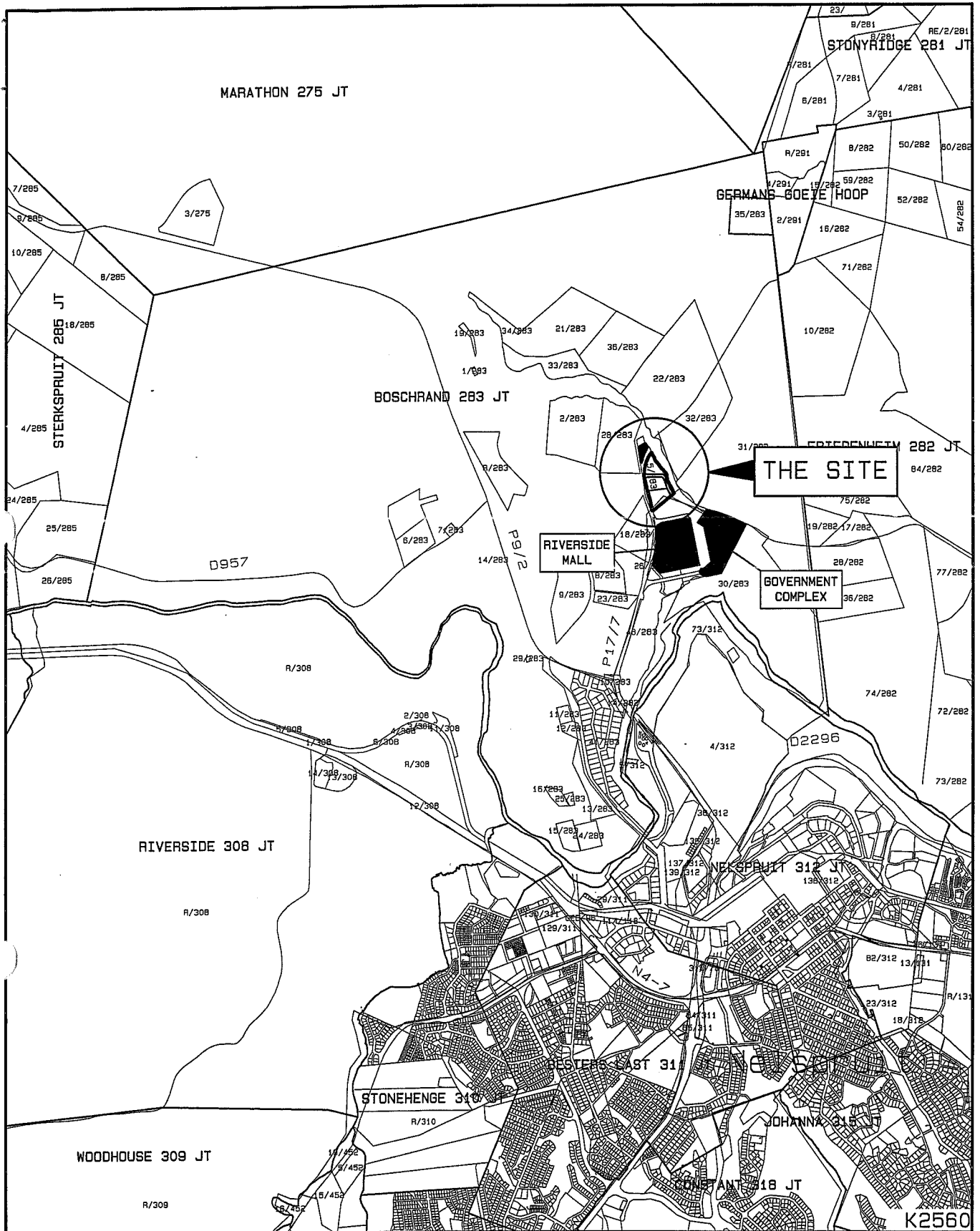
That Paul Arthur Nicholson one of the Directors of the Company be and is hereby authorized to sign such Power of Attorney on behalf of this Company and that the further terms and conditions thereof be left to his sole discretion.

**CERTIFIED A TRUE COPY**

  
\_\_\_\_\_  
DIRECTOR

Ref; k2560a resolution/sept'12

# Annexure B



# LOCALITY PLAN

ERF 217, RIVERSIDE PARK,  
EXTENSION 20 TOWNSHIP



SCALE 1:50 000



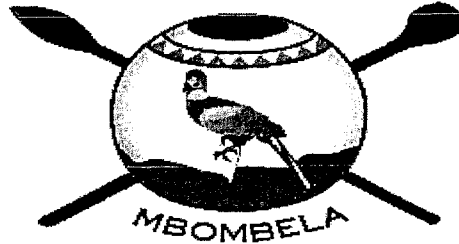
TOWN & REGIONAL PLANNERS  
PROJECT COORDINATION  
SURVEY CONSULTANTS

PO Box 3203 Nelspruit 1200

Tel: (013) 741-1060

Fax: (013) 741-3752

# Annexure C



## ZONING CERTIFICATE

Our Reference : 217 Riverside Ext 20  
Enquiries : Mandisa Ndongeni (013) 759- 2122

26 September 2012

### TO WHOM IT MAY CONCERN

- Property : Erf 217, Riverside Park Extension 20.  
Owner : Boschrand Prop Holdings Pty Ltd.  
Street Address : 6 Wild Berry Street.  
Area : 7 307 m<sup>2</sup>.
1. Zoning : "Special".
2. Height zone : Height Zone 0.
3. Density zone : Not applicable.
4. Annexure : Not applicable.
5. Amendment Scheme : 1441
6. Lines of no access : The ingress to and egress from the erf shall not be permitted along boundary abutting on Provincial Road P17-7. The position of the access must take into consideration the proposed alignment of the future N4 bypass. The site layout needs to provide for the proposed N4 bypass that will run from west to east across a portion of this property and which alignment needs to be confirmed with SANRAL. The layout of the proposed intersection to this development will be in accordance with the lane configuration as indicated in the study done by BKS on behalf of the applicant. All cost related to this access intersection will be for the account of the developer. A line of sight, complying to the minimum requirements applicable to Road P17-7 will be secured over the property by means of a building line. This property will not be permitted to obtain direct access to Road P17-7 and proof of accessibility of this portion via adjacent properties must be submitted to Mbombela Local Municipality.
7. Building Lines :  
Provincial Road P177 : 16 metres.  
Street Boundary : 5 meters.  
Side Boundaries : 2 meters.  
Other boundaries : 2 meters.  
Remarks : None.



8. Physical restrictions : None.
9. Specific geological Requirements : Detrimental Soil Conditions: Proposals to overcome detrimental soil conditions to the satisfaction of the Municipality shall be contained in all building plans submitted for approval and all buildings shall be erected in accordance with the precautionary measures accepted by the Municipality.
10. Special Consent : None.
11. Relaxation of building Lines : None.
12. General remark : None.
13. **LAND USES (TABLE A)** :

<b>PERMITTED LAND USES:</b> Special for such uses, which may be permitted with the special consent of the Mbombela Local Municipality.	<b>CONSENT USES PERMITTED:</b> No specifications.
<b>LAND USES NOT PERMITTED:</b> Buildings not mentioned under permitted land uses.	

14. **DENSITIES (TABLE B & G)** :

	<b>MAXIMUM DWELLING UNITS PER ha</b>	<b>ONE DWELLING UNIT PER ERF AREA (m<sup>2</sup>)</b>	<b>MAXIMUM FLOOR AREA RATIO</b>
<b>PERMITTED LAND USES:</b> Special for such uses, which may be permitted with the special consent of the Mbombela Local Municipality.	-	-	0,6
<b>CONSENT USES PERMITTED:</b> No specifications.	<b>NO SPECIFICATIONS</b>		

15. **OTHER SPECIFICATIONS**  
(TABLES C, D, E & G) :

	<b>MAXIMUM HEIGHT (STOREYS)</b>	<b>MAXIMUM COVERAGE (% OF ERF)</b>	<b>MAXIMUM DISTANCE FROM STREET</b>
<b>PERMITTED LAND USES:</b> Special for such uses, which may be permitted with the special consent of the Mbombela Local Municipality.	2	As per SDP	SEE "7" ABOVE
<b>CONSENT USES PERMITTED:</b> No specifications.	<b>NO SPECIFICATIONS</b>		

16. **PARKING (TABLE F & G)** :

	<b>NUMBER OF PARKING SPACES REQUIRED</b>
<b>PERMITTED LAND USES:</b> Special for such uses, which may be permitted with the special consent of the Mbombela Local Municipality.	As required by the Local Authority.
<b>CONSENT LAND USES:</b> No specifications.	No specifications.

17. **LOADING REQUIREMENTS** : Effective loading spaces, together with the necessary manoeuvring area, shall be provided on the erf to the satisfaction of the local authority, as required by the local authority.
18. **ADDITIONAL CONDITIONS** : For further specifications, please refer to the Nelspruit Town Planning Scheme 1989, as amended December 1996, as well.

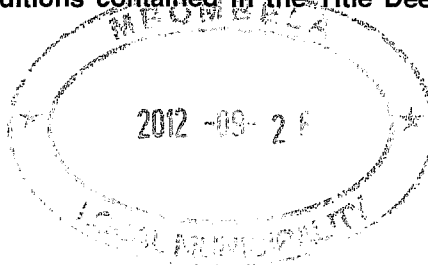
- A site development plan and a landscape development plan, unless otherwise determined by the council, compiled by a person suitably qualified to the satisfaction of the Mbombela Local Municipality, shall be submitted to the Mbombela Local Municipality for approval prior to the submission of building plans: Provided that the site development plan must indicate the 1:100 year flood line thereon, inclusive of measurements incurred to prevent any building structure from having influence on the flow of storm water should flooding occur. The site development plan shall incorporate the recommendations made in the traffic impact study conducted by the company BKS for this development. Specific reference is made to a direct road link from this property across the adjacent remainder of portion 51/48 of Boschrand 283 JT to the existing Eastern Boulevard.

- The landscaping, in terms of the landscaping development plan, shall be completed by completion of the development of any phase thereof. The continued maintenance of the landscape development shall be on the satisfaction of the Mbombela Local Municipality.

- Demarcated parking spaces with the permanent dust free surface, together with the necessary manoeuvring space shall be provided and maintained on the erf to the satisfaction of the Mbombela Local Municipality in accordance with table F of the Nelspruit Town Planning Scheme, 1989.

The Town Planning Scheme and Maps are open for inspection at the Civic Centre, 1 Nel Street, Nelspruit, and the information contained herein must be verified by the applicant by inspection of the Scheme and the Map. The Council does not accept any responsibility for any incorrect information provided on this certificate. It should be noted that the provisions of the Town Planning Scheme do not supersede any restrictive conditions contained in the Title Deed/Leasehold Title of the property and vice versa.

Yours faithfully,



  
BEN STEYN

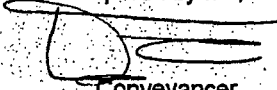
SENIOR MANAGER: URBAN MANAGEMENT AND DEVELOPMENT  
LOCAL ECONOMIC DEVELOPMENT, HUMAN SETTLEMENT, URBAN AND RURAL  
DEVELOPMENT

MN/mn

# Annexure D

**SWANEPOEL &  
PARTNERS INC**  
**11**<sub>11</sub>  
Account No.  
MPU 00011  
Tel: 013-753 2401

SEELREG  
STAMP DUTY R.....  
FOOI **450.00**  
FEES R.....

Prepared by me,  
  
Conveyancer,  
**BENNETT D**  
**(Signed) de Wet C.**

## DEED OF TRANSFER

100013740/2010

BE IT HEREBY MADE KNOWN

THAT DAVID BENNETT

appeared before me, Registrar of Deeds MPUMALANGA, AT NELSPRUIT the said Appearer  
being duly authorised thereto by a Power of Attorney signed at NELSPRUIT on 4 June 2010  
and granted by

**BOSKOORSBOOM BELEGGINGS (PROPRIETARY) LIMITED**  
Registration Number 2004/035167/07

SWANEPOEL & PARTNERS  
ATTORNEYS  
NELSPRUIT

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**FOR INFORMATION ONLY**  
**SLEGS VIR INLIGTING**

AND the Appearer declared that the said Principal had truly and legally sold the undermentioned property on 24 January 2005 and that, the said Appearer in his/her capacity aforesaid, do by these presents, cede and transfer, to and on behalf of

**BOSCHRAND PROPERTY HOLDINGS (PROPRIETARY) LIMITED**  
Registration Number 1999/003444/07

its successors in title or assigns in full and free property

**ERF 217 RIVERSIDE PARK EXTENSION 20 TOWNSHIP**  
**REGISTRATION DIVISION J.T., PROVINCE MPUMALANGA**

**IN EXTENT 7 307 (SEVEN THOUSAND THREE HUNDRED AND SEVEN)**  
**SQUARE METRES;**

**AS WILL APPEAR from General Plan S.G. 117/2007 and held by Certificate of Registered Title T102424/2007 and Certificate of Registered Title T102425/2007**

SUBJECT to the following conditions:

1. Subject to the reservation of half of the mineral rights on the property in favour of GEORGE JESSE HEYS set out in Transfer Number 4950/1897.
2. By virtue of administrators Notices 131 and 132 dated 24/3/1993 a Public and Provincial Road P17-7 and access road has been declared over the within mentioned property with the result that a total area of 0.8269 hectares of the said property is encroached upon by the said road as will more fully appear from the documents filed with EX 606/1993.
3. Subject to the following conditions as laid down by the Mbombela Local Municipality in terms of the provisions of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986)
  - a) 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 Mbombela Local Municipality: Provided that the Mbombela Local Municipality may dispense with any such servitude.

SWANEPOEL & PARTNERS  
ATTORNEYS  
NELSPRUIT

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**SLEGS VIR INLIGTING**

- b) 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.
- c) The Mbombela Local Municipality shall be entitled to deposit temporarily on the land adjoining the aforesaid servitude are 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, 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 by the Mbombela Local Municipality.
- d) The erf 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 Mbombela 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 Mbombela Local Municipality that such remedial actions are unnecessary or the same result could be achieved in a more effective manner.

**AND SUBJECT FURTHER** to such conditions as are mentioned or referred to in the aforesaid Deed.

**WHEREFORE** the Appearer, renouncing all the right and title which the said:


**BOSKOORSBOOM BELEGGINGS (PROPRIETARY) LIMITED**

heretofore had to the premises, did in consequence also acknowledge it to be entirely dispossessed of and disentitled to the same, and that by virtue of these presents, the said:

**BOSCHRAND PROPERTY HOLDINGS (PROPRIETARY) LIMITED**

its successors in title or assigns, now is and henceforth shall be entitled thereto, conformably to local custom, the State, however, reserving its rights, and finally acknowledging the

SWANEPOEL & PARTNERS  
ATTORNEYS  
NELSPRUIT


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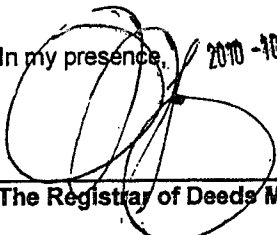
**FOR INFORMATION ONLY  
SLEGS VIR INLIGTING**

purchase price to be the sum of R469 382.74 (FOUR HUNDRED AND SIXTY NINE THOUSAND THREE HUNDRED AND EIGHTY TWO RAND SEVENTY FOUR CENTS)

IN WITNESS WHEREOF I, the said Registrar, together with the Appearer, q.q. have subscribed to these presents and have caused the Seal of Office to be affixed thereto.

THUS DONE AND EXECUTED at the office of the Registrar of Deeds MPUMALANGA, AT NELSPRUIT on

  
\_\_\_\_\_  
q.q.

In my presence, 2010-10-28  
  
\_\_\_\_\_  
The Registrar of Deeds Mpumalanga

SWANEPOEL & PARTNERS  
ATTORNEYS  
NELSPRUIT

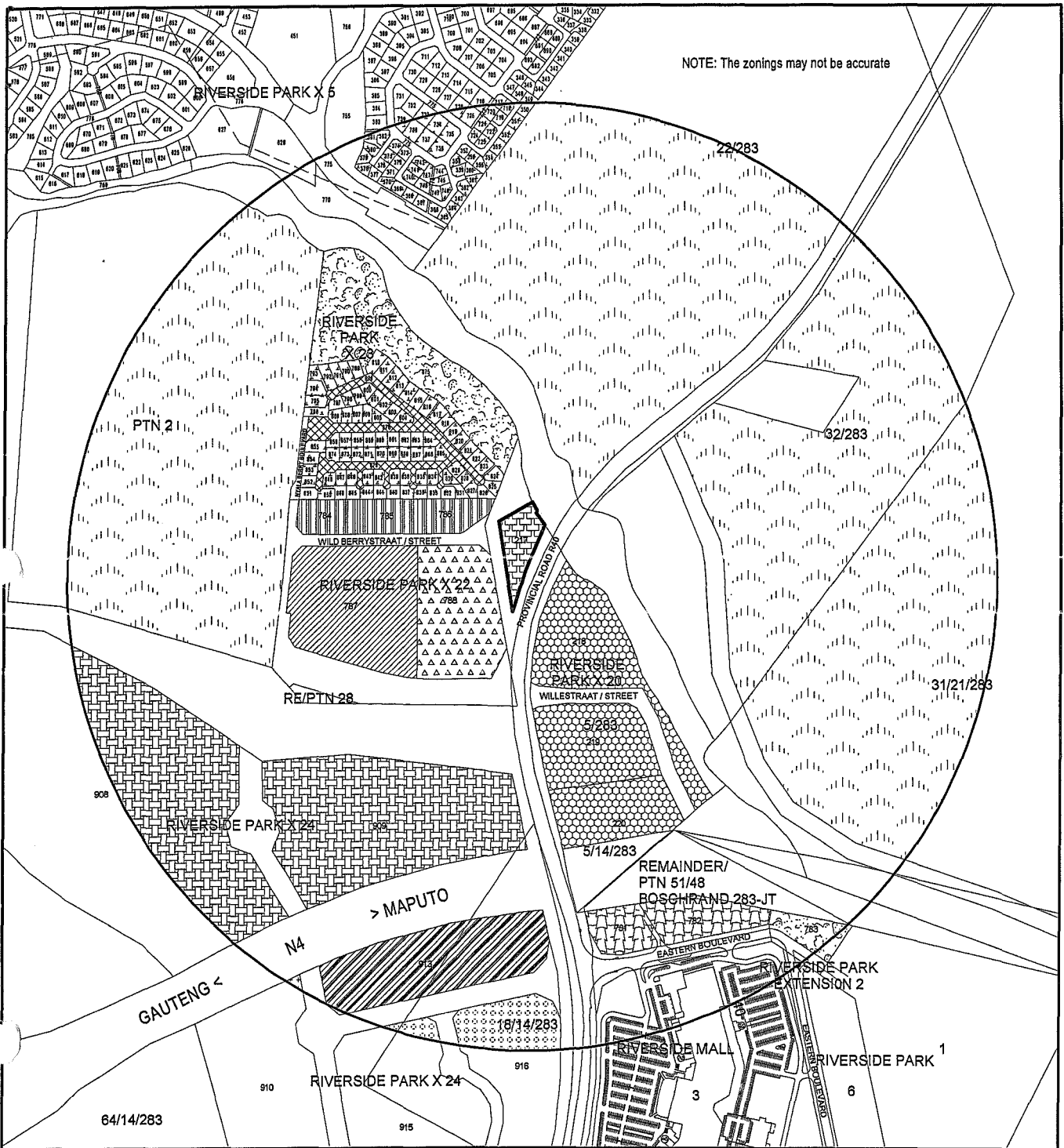


LEGALPERFECT Version 10.3.62  
TRFDOT\_ALL.DOC - 20-10-2009

FOR INFORMATION ONLY  
SLEGS VIR INLIGTING



# Annexure E



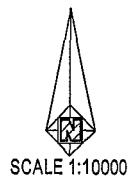
NOTE: The zonings may not be accurate

	RESIDENTIAL 1		SPECIAL - RETAIL, WHOLESALE, BUSINESS AND FINANCE		SPECIAL - FOR OFFICES		SPECIAL - MOTOR RELATED USES, (INCLUDING MOTOR SHOWROOMS AND MOTOR SALES, MARKETS, WORKSHOPS, FITMENT CENTRES AND THE SALE OF PARTS, BUT EXCLUDING PANEL BEATING AND SPRAY PAINTING AND EXCLUDING A PUBLIC GARAGE); SUBSERVIENT OFFICES, A HOTEL, RESTAURANT, PLACES OF REFRESHMENT, PLACES OF AMUSEMENT, PLACES OF INSTRUCTION, INSTITUTIONAL USES, SUBSERVIENT OFFICES, PARKING GARAGE, COMMERCIAL BANKING HALLS AND AUTO-TELLERS, AND/OR DWELLING UNITS AS WELL AS SHOPS SUBSERVIENT TO THE MAIN USE.
	RESIDENTIAL 2		SPECIAL - RETAIL, WHOLESALE, HOTEL, MOTOR DEALING AND RELATED USES, BUSINESS AND FINANCE AND OFFICES		AGRICULTURE		SPECIAL - SUCH USES WHICH MAY BE PERMITTED WITH SPECIAL CONSENT OF THE LOCAL AUTHORITY
	RESIDENTIAL 3		SPECIAL - OFFICES AND/OR DWELLING UNITS		SPECIAL - FOR COMMERCIAL USES, INSTITUTIONS, MOTOR SALES MARKETS, OFFICES, PLACES OF AMUSEMENT, PLACES OF REFRESHMENT, SHOWROOMS AND WHOLESALE TRADE		
	PRIVATE OPEN SPACE		SPECIAL - PUBLIC ROAD, ACCESS, ACCESS CONTROL AND MUNICIPAL SERVICES		SPECIAL - HOTEL, RESTAURANT, PLACES OF REFRESHMENT, PLACES OF AMUSEMENT, PLACE OF INSTRUCTION, SUBSERVIENT OFFICES, PARKING GARAGE, BANKS AND AUTO TELLERS, AND/OR DWELLING UNITS		
	SPECIAL - PURPOSES OF VALUE RETAIL						

K2560

# ZONING PLAN

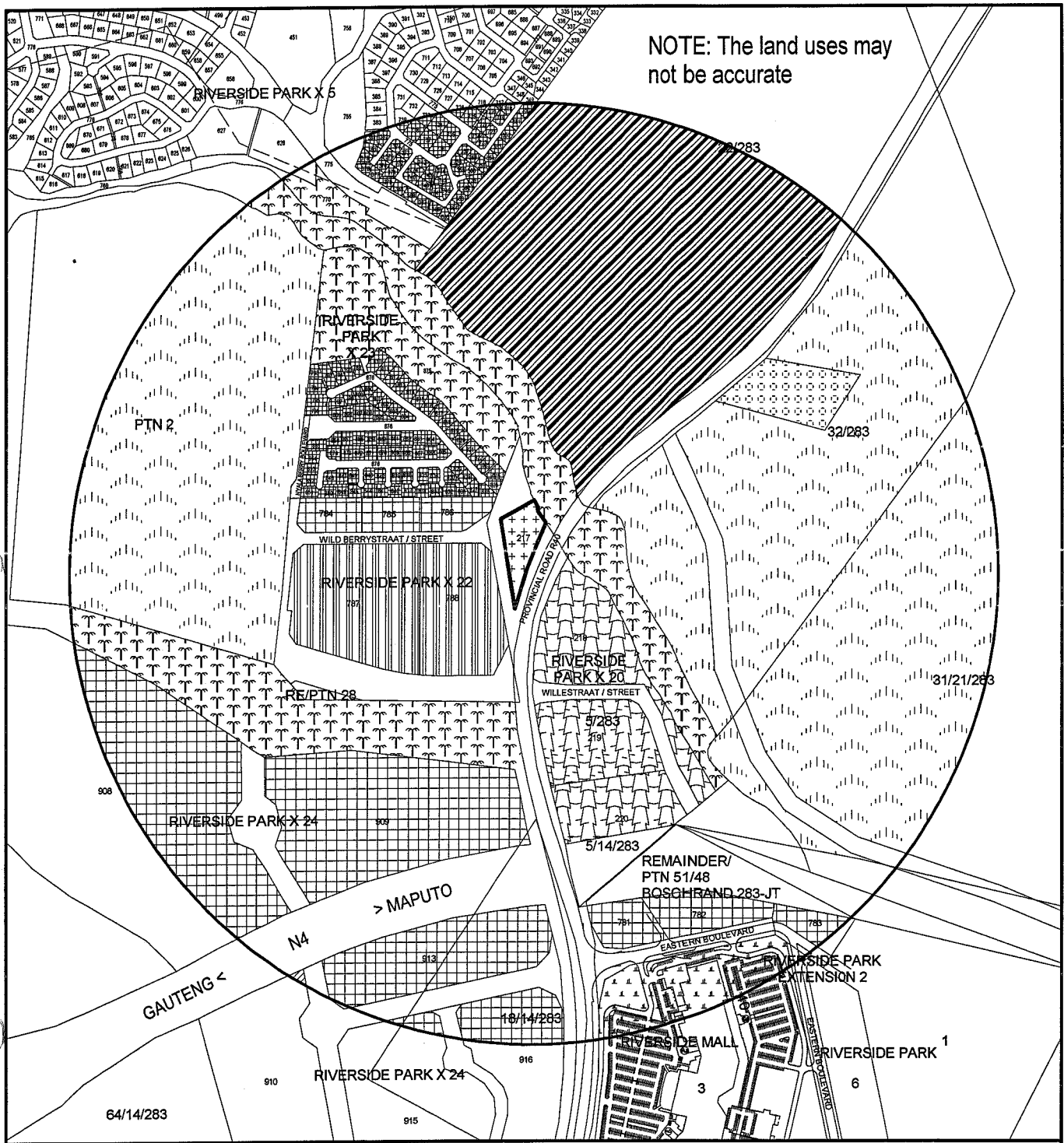
## ERF 217, RIVERSIDE PARK, EXTENSION 20 TOWNSHIP



**plan2survey**  
africa  
TOWN & REGIONAL PLANNERS  
PROJECT COORDINATION  
SURVEY CONSULTANTS  
FACILITATION

PO Box 3203 Nelspruit 1200  
Tel: (013) 741-1060  
Fax: (013) 741-3752

# Annexure F



NOTE: The land uses may not be accurate

	REGIONAL SHOPPING CENTRE		GOLF DRIVING RANGE		MAKRO
	CAR DEALERSHIPS		DISASTER MANAGEMENT CENTRE		
	PUBLIC / PRIVATE OPEN SPACE		COMMERCIALIZED USES IN PROCESS		
	GOVERNMENT COMPLEX		POTENTIAL RESIDENTIAL		VACANT
	MALELANE STONE		AGRICULTURE		

K2560

# LAND USE PLAN

## ERF 217, RIVERSIDE PARK,

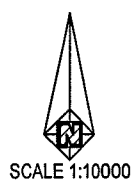
### EXTENSION 20

# TOWNSHIP

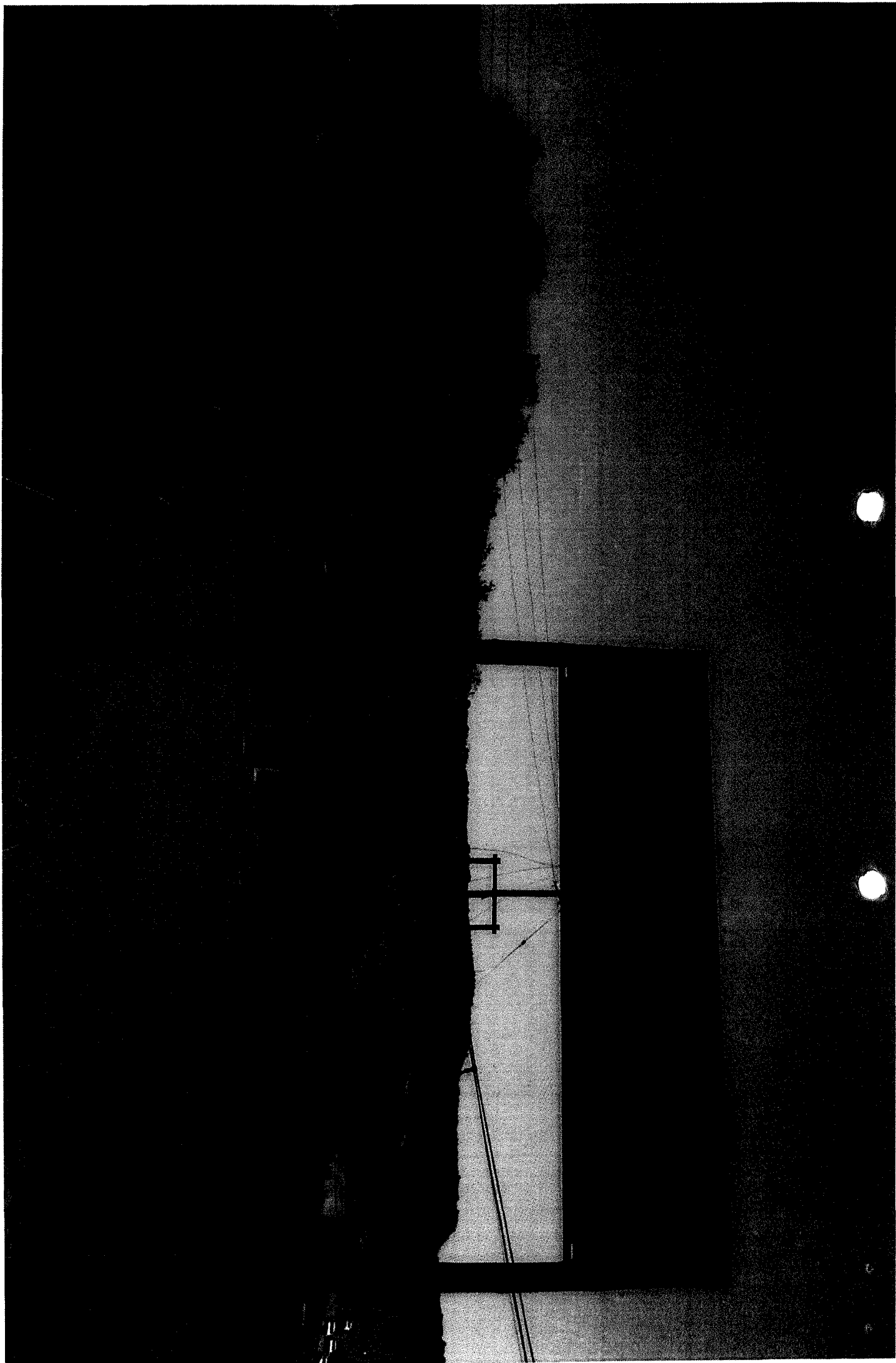
**plan2survey**  
africa

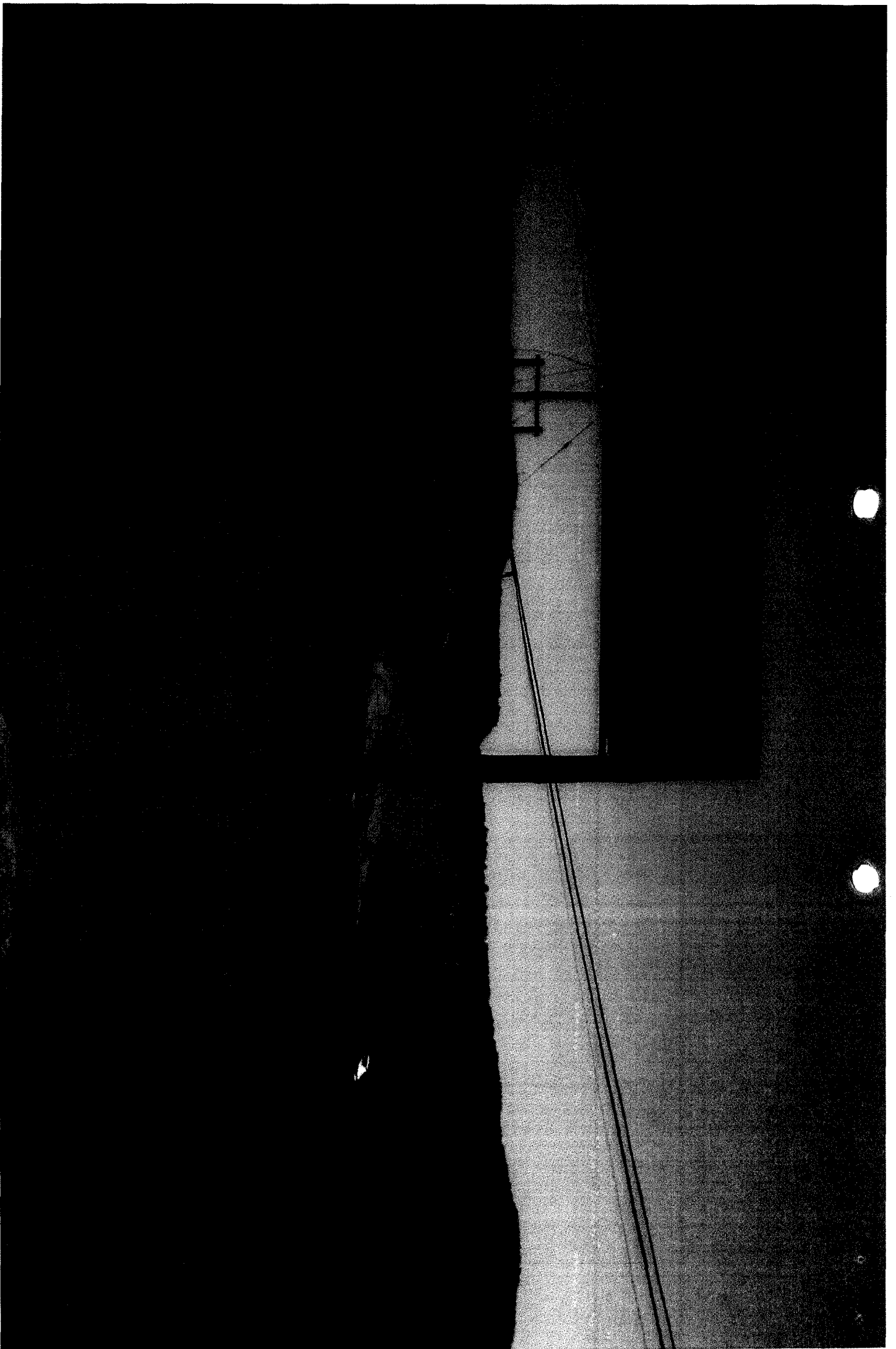
TOWN & REGIONAL PLANNERS  
PROJECT COORDINATION  
SURVEY CONSULTANTS  
FACILITATION

PO Box 3203 Nelspruit 1200  
Tel: (013) 741-1060  
Fax: (013) 741-3752



# Annexure G

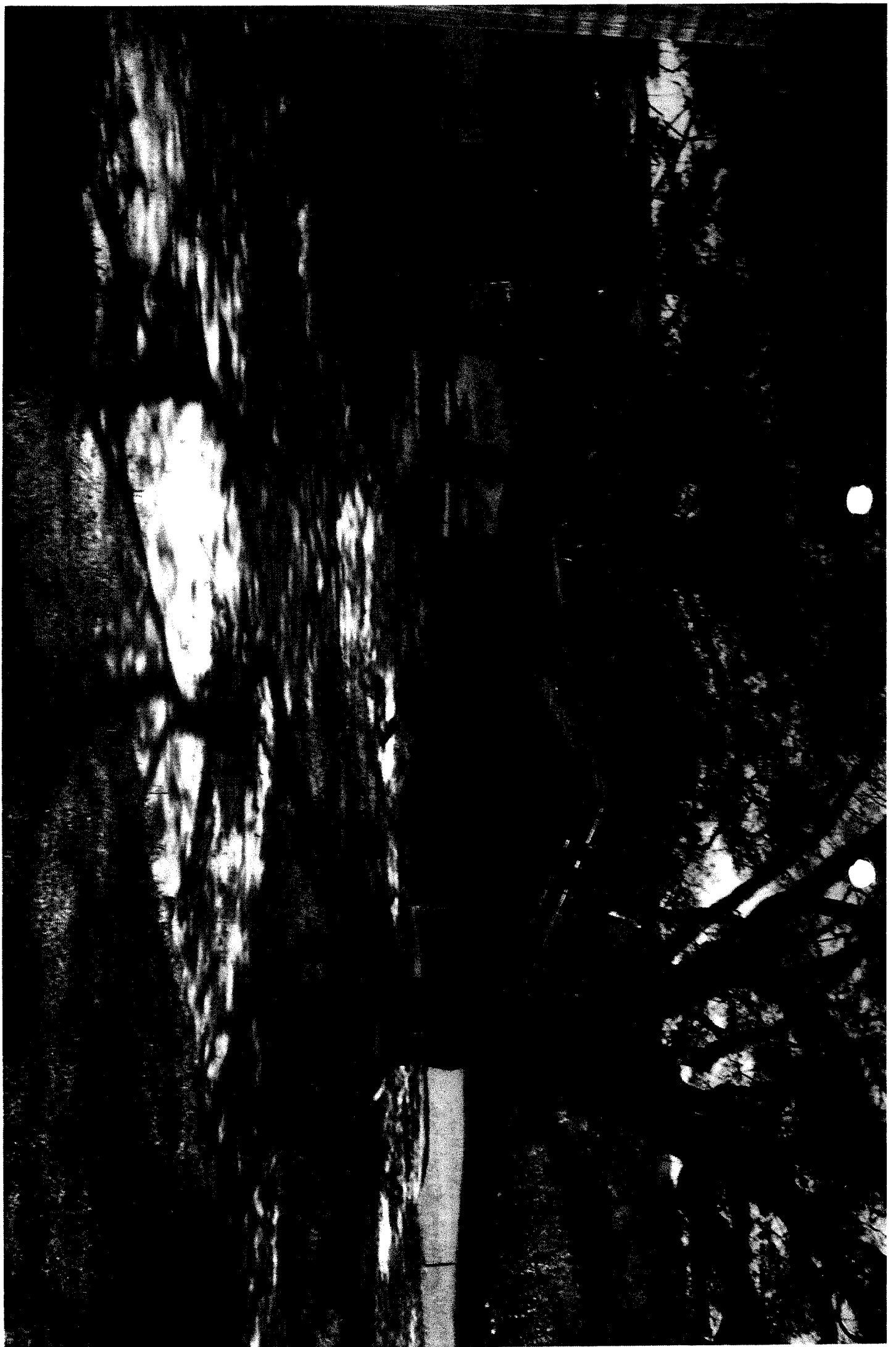


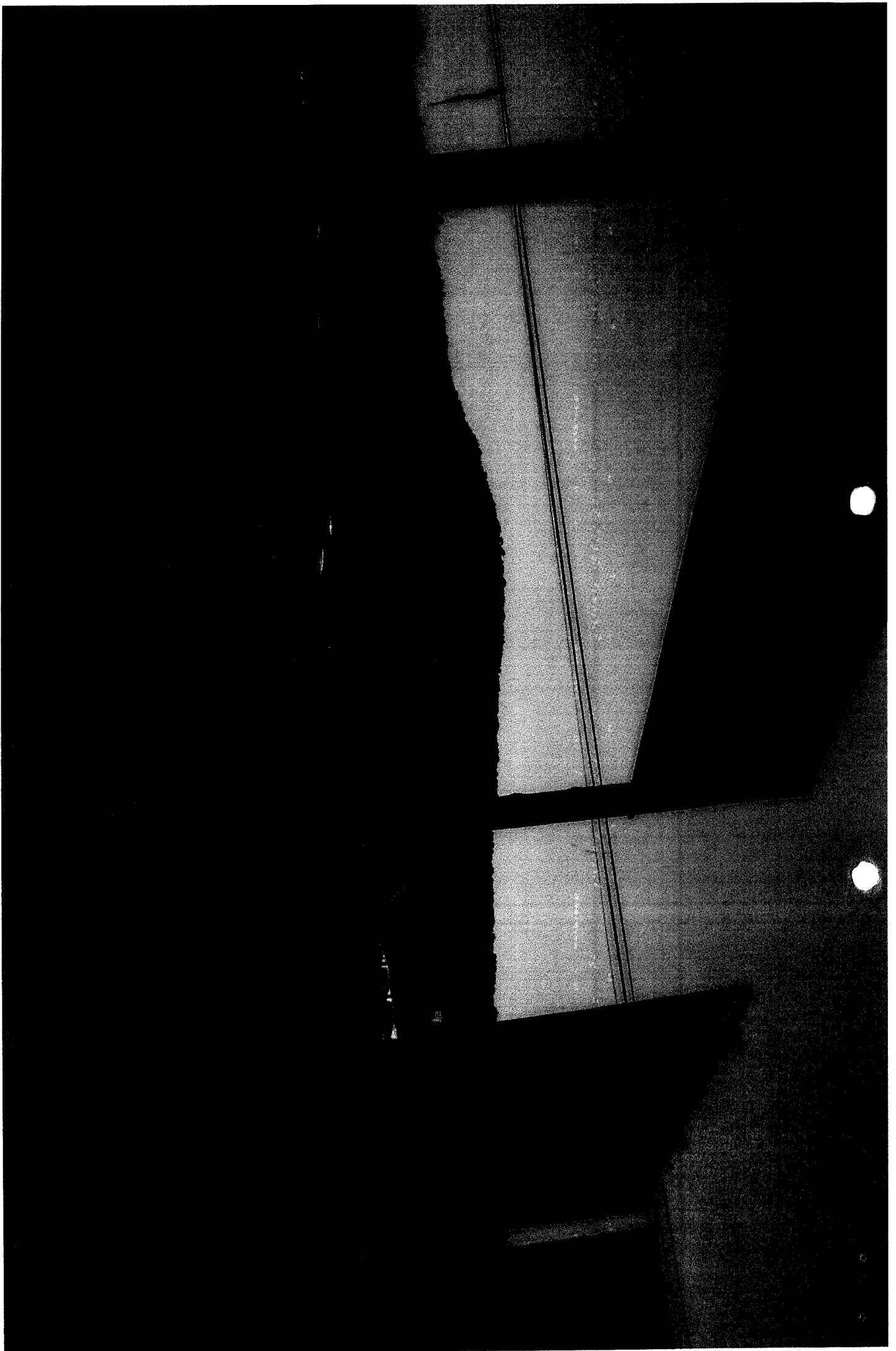


CHRYSLER  
CREDIT CORP.  
SALES OFFICE

MALEKIAN STONE  
SALES OFFICE



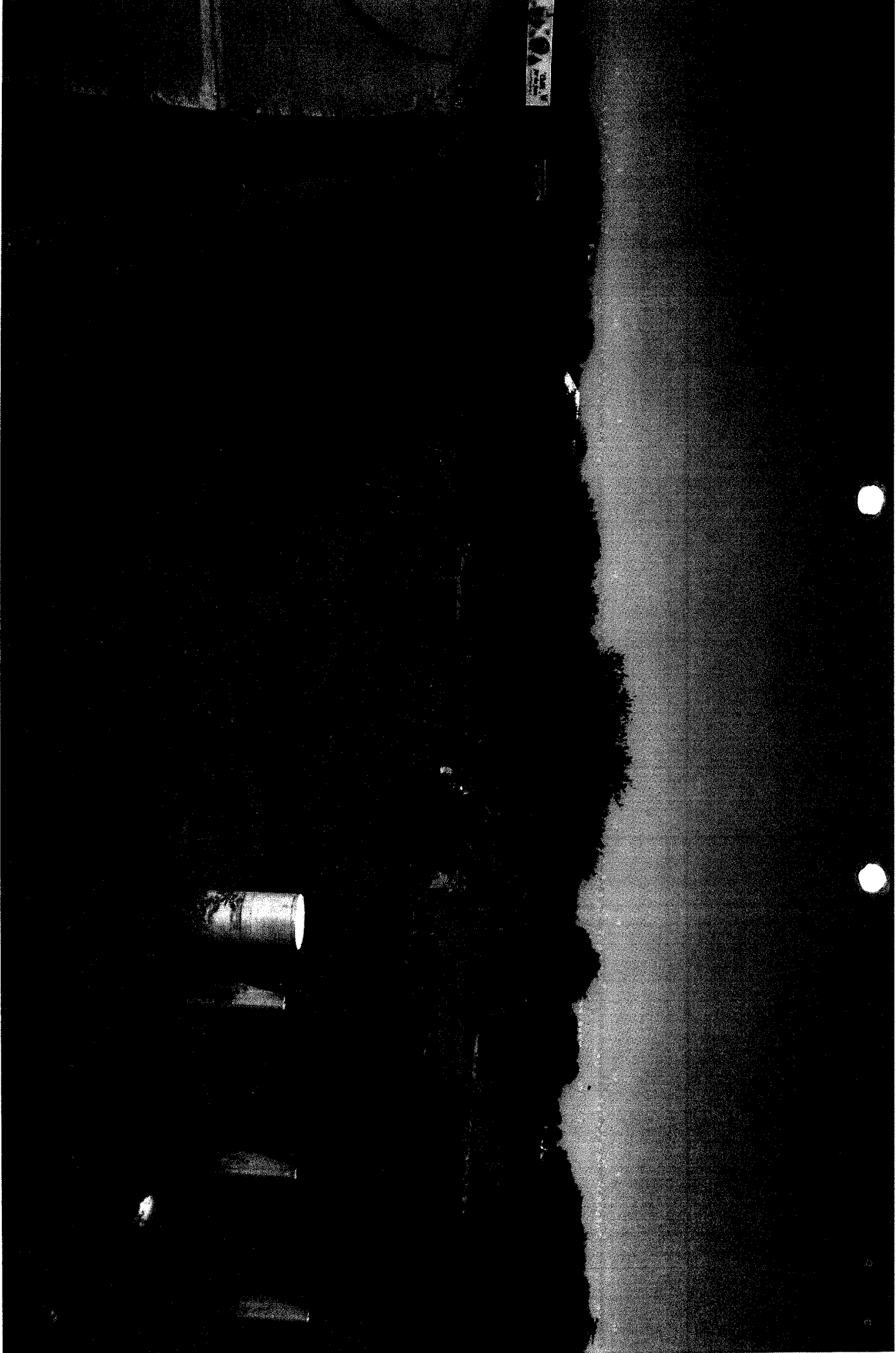


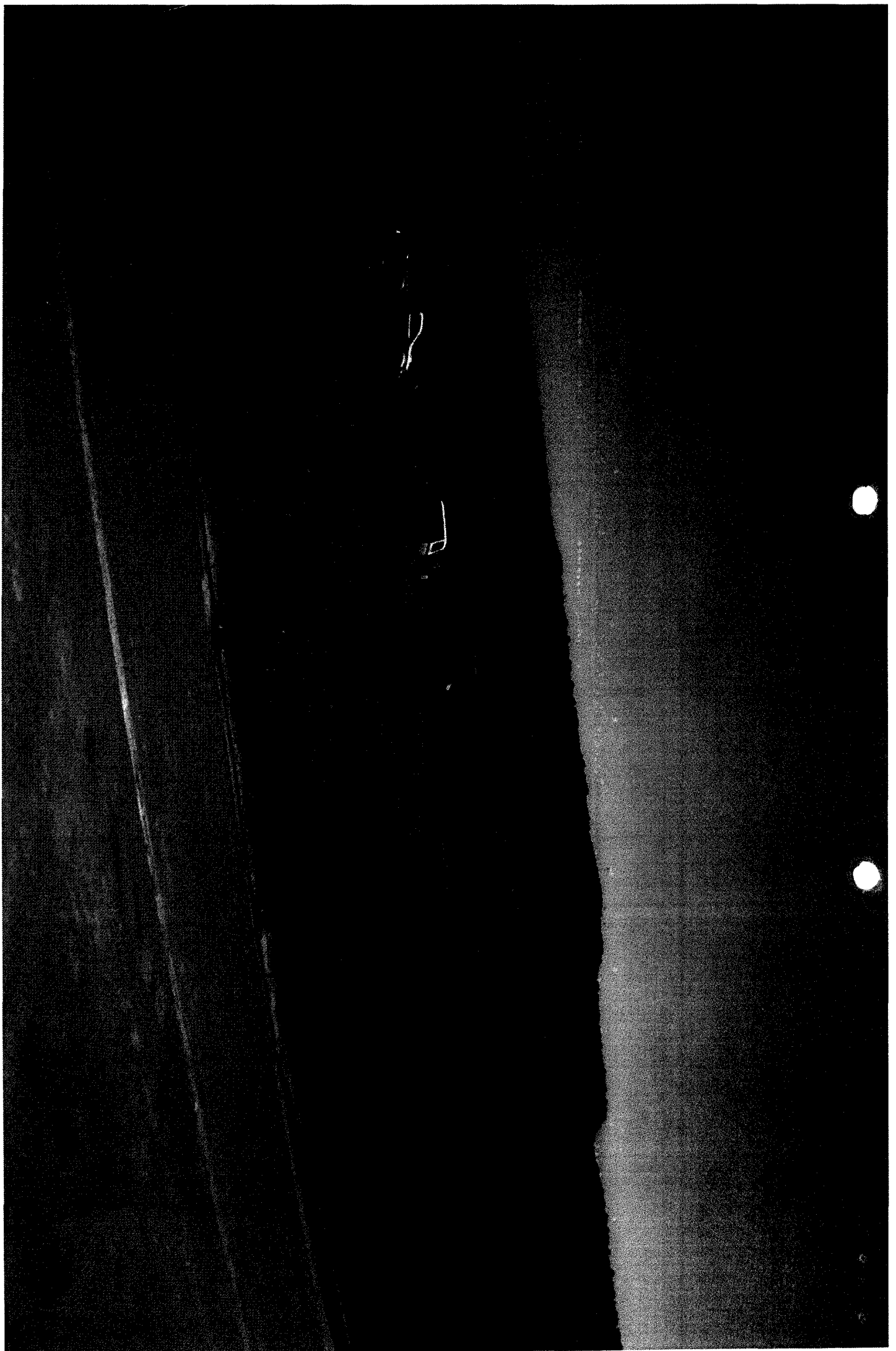


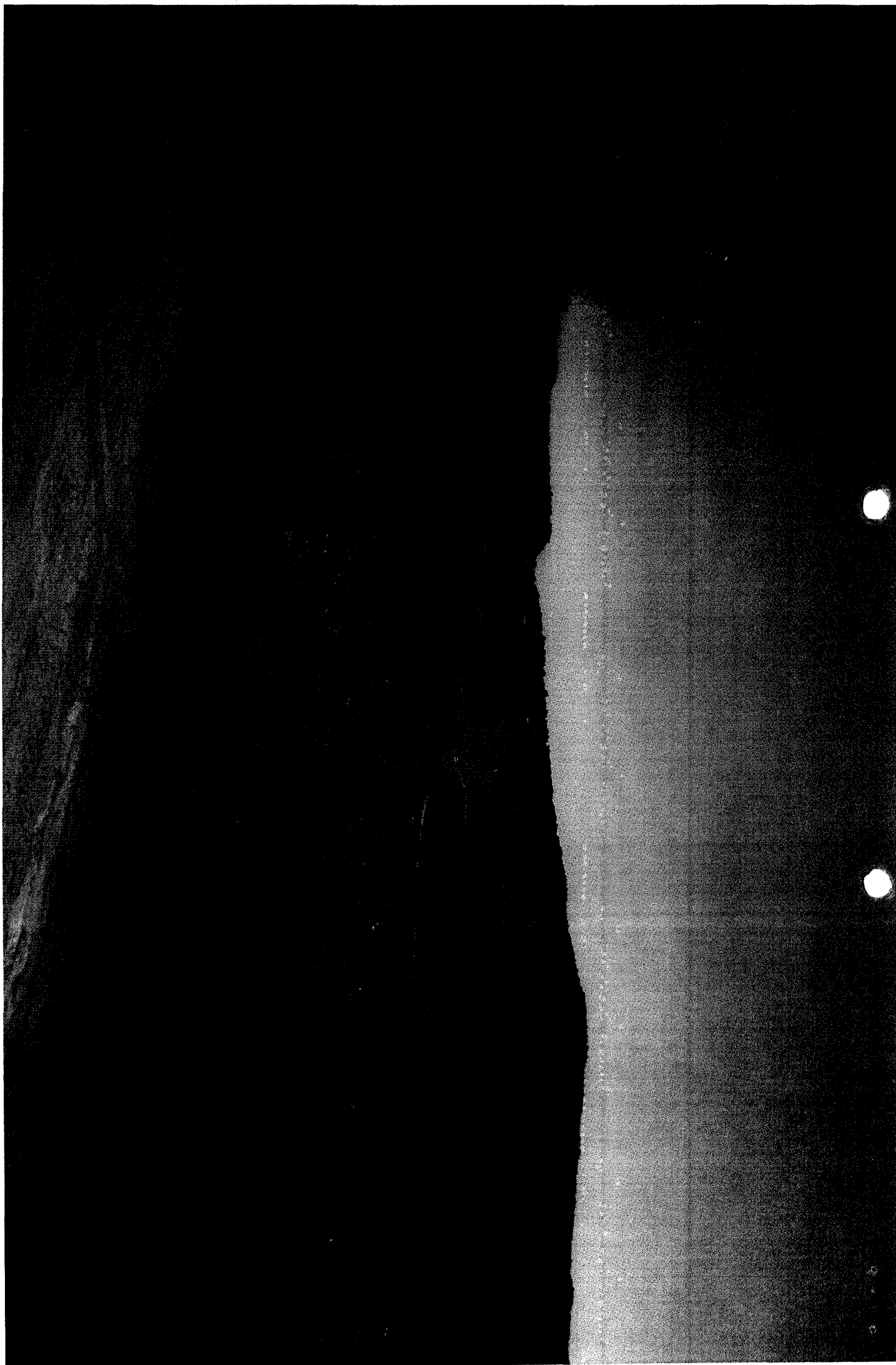
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100

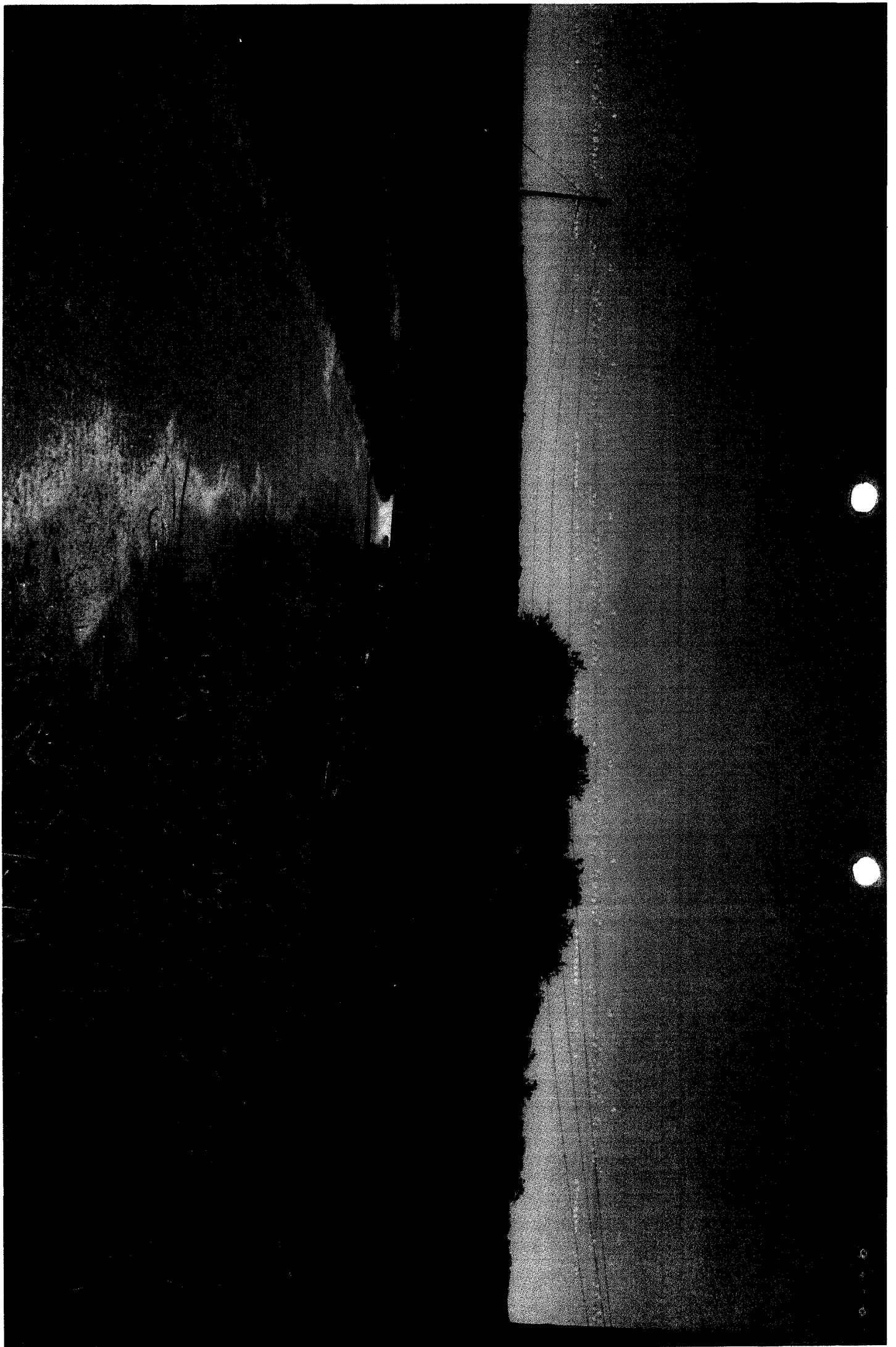
100













# Annexure H

Copyright © 2001 Google

35.284315, -122.688889, 15m

PROVINCIAL PRISON  
14 Nelson St  
North Vancouver  
Nelson Street  
North Vancouver  
Nelson Street  
North Vancouver

Google earth

35.284315, -122.688889, 15m



# Annexure I

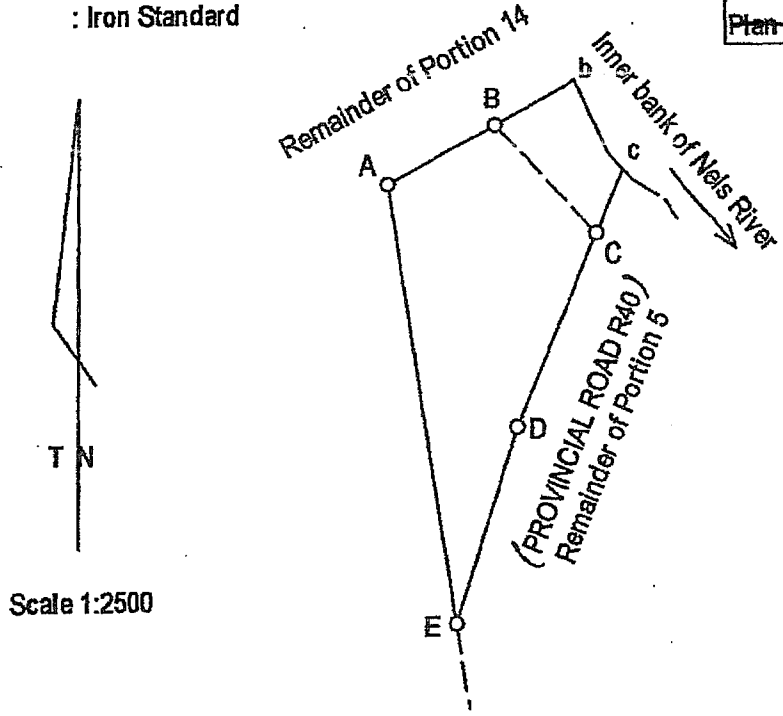
**SUBDIVISION DIAGRAM**

SIDES Metres		ANGLES OF DIRECTION		CO-ORDINATES Y System: WG 31° X		S.G. No.  115/2007  Approved  <i>[Signature]</i>  for SURVEYOR- GENERAL  2007 -03- 12
		Constants:		± 0,00	+2 800 000,00	
AB	42,47	241 01 40	A	+3 611,10	+13 524,30	
BC	52,35	316 29 40	B	+3 573,95	+13 503,73	
CD	72,58	22 50 00	C	+3 537,91	+13 541,70	
DE	71,28	17 07 20	D	+3 566,07	+13 608,59	
EA	154,29	171 02 10	E	+3 587,06	+13 676,71	
Bb	INDICATORY	DATA				
Cc		241 01 40				
		202 50 00				
		Nelspruit (9) $\Delta$		-466,54	+20 373,05	
		Besterslast (100) $\Delta$		+3 394,82	+18 192,55	

**Description of Beacons**

- A,E : 12mm Round Iron Peg
- B : 12mm Hole in Rock
- C,D : Iron Standard

Ordinance No. 20 of 1986  
Sect. 2(1)(g)  
Plan and Certificate



The figure **Ab** inner bank of Nels river cDEA  
represents **7307 square metres** of land being  
**Portion 84 (a portion of Portion 5) of the farm**  
**BOSCHRAND No. 283-JT**

**Province of Mpumalanga**  
Surveyed in December 2006 by me

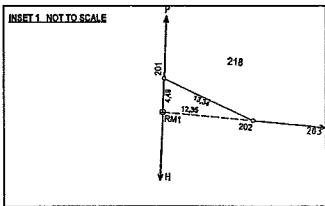
*[Signature]*  
W.C. Grobler  
Professional Land Surveyor  
Registration Number PLS 0834-D

Small scale Diagram of part of the township  
Riverside Park Extension 20 S.G. No.117/2007

This diagram is annexed to	The original diagram is	File : -/18
No.	S.G. No. : A2912/1924	S.R. : 38/2007
d.d. :	Transfer T9065/1924	G.P. :
i.f.o.	Grant :	Comp. : JTNZ-24
Registrar of Deeds Pta		T.P. :

DATA BLOCK		CO-ORDINATES		AREAS	
		Origin: 1983 21'		SQ. METRES	
Elevations		± 0.00		± 0.00	
A B	42.47	24191.60	A	+ 3 971.70	+ 13 651.70
B C	46.22	34833.20	B	+ 3 972.95	+ 13 630.71
C D	111.22	17286.58	C	+ 3 973.91	+ 13 543.79
D E	154.28	17702.59	D	+ 3 975.07	+ 13 465.69
E A	164.29	17182.18	E	+ 3 977.08	+ 13 448.71
F B	476.26	32947.29	F	+ 3 969.32	+ 13 389.23
G B	274.74	45281.61	G	+ 3 970.60	+ 14 055.92
H J	53.48	186172.29	H	+ 3 974.28	+ 14 194.77
I K	61.21	181101.59	I	+ 3 985.55	+ 14 352.53
L L	182.25	186171.59	L	+ 3 986.79	+ 14 877.61
M N	87.78	188116.59	M	+ 3 974.50	+ 13 974.50
O P	81.22	188241.59	O	+ 3 944.82	+ 13 443.29
Q R	85.45	188241.29	Q	+ 3 988.07	+ 13 418.89
R P	85.45	188242.00	R	+ 3 985.00	+ 13 418.89
S R	85.29	202171.00	S	+ 3 943.07	+ 13 488.20
T P	31.99	207173.00	T	+ 3 946.00	+ 13 529.01
MAGNETIC DATA					
Δ	20180.00				
Δ	202200.00				
Δ	202250.00				
Δ	202300.00				

REFERENCE MARKS			
RM1	+ 3 974.28	+ 13 638.42	
RM2	+ 3 952.32	+ 13 885.84	
TRIGONOMETRICAL BEACONS			
Δ	19180	+ 3 364.82	+ 13 963.59
BEACON LAST	Δ	70 9	+ 29 373.85
WELSPLANT			
BLOCK CORNERS			
191	+ 3 550.82	+ 13 842.46	
192	+ 3 544.55	+ 13 871.11	
193	+ 3 481.45	+ 13 831.91	
194	+ 3 521.21	+ 13 831.22	
195	+ 3 372.29	+ 13 828.83	
196	+ 3 265.70	+ 13 882.00	
197	+ 3 327.76	+ 13 882.38	
198	+ 3 276.25	+ 14 008.16	
199	+ 3 555.01	+ 13 798.45	
200	+ 3 540.39	+ 13 882.00	
201	+ 3 482.77	+ 13 830.52	
202	+ 3 382.81	+ 13 828.06	
203	+ 3 333.00	+ 13 852.53	
204	+ 3 384.81	+ 13 942.77	
205	+ 3 390.81	+ 14 011.59	



S.G. No. 117/2007

APPROVED

for SURVEYOR GENERAL 2007-09-12

# GENERAL PLAN

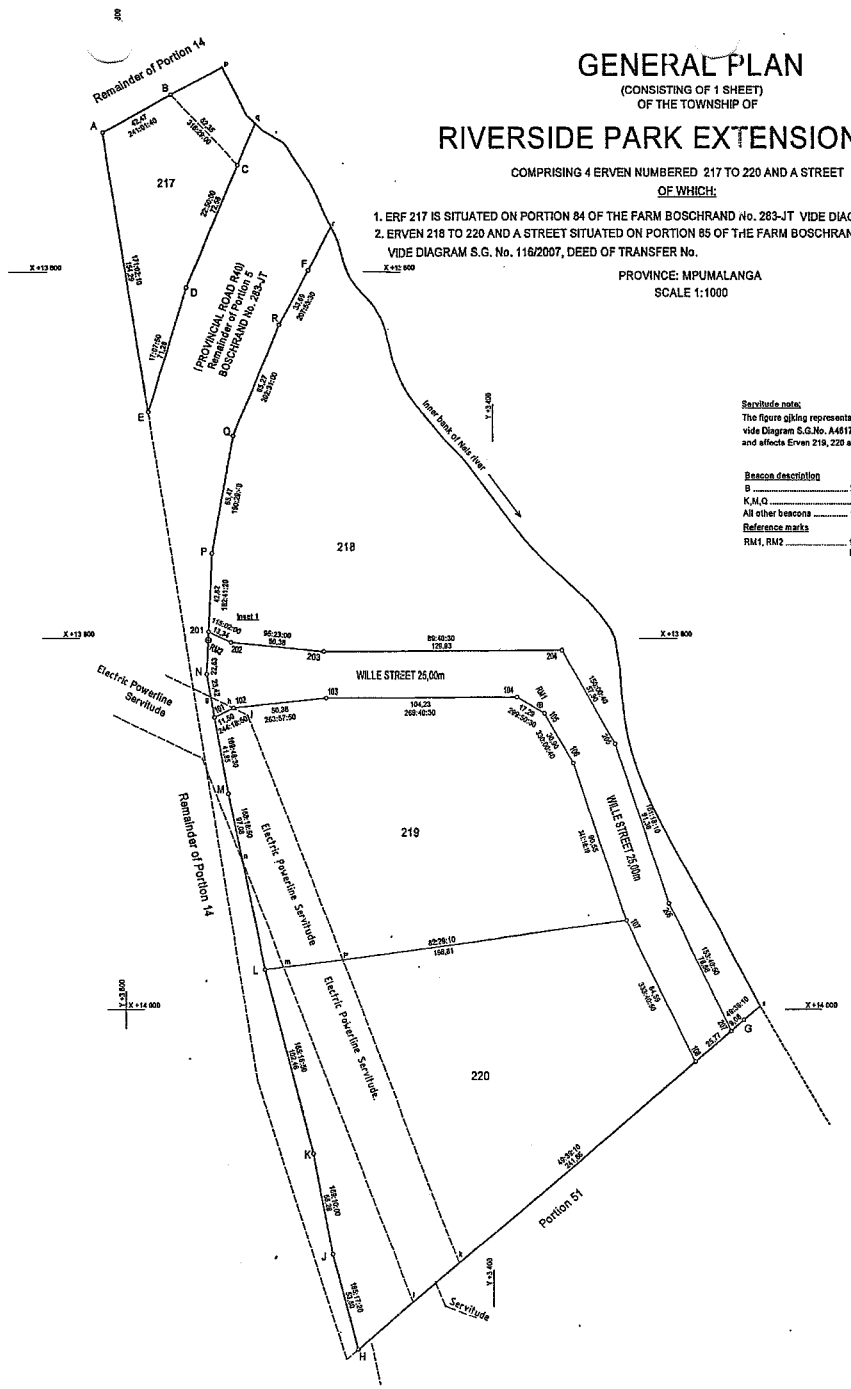
(CONSISTING OF 1 SHEET)  
OF THE TOWNSHIP OF

## RIVERSIDE PARK EXTENSION 20

COMPRISING 4 ERVEN NUMBERED 217 TO 220 AND A STREET  
OF WHICH:

1. ERF 217 IS SITUATED ON PORTION 84 OF THE FARM BOSCHRAND No. 283-JT VIDE DIAGRAM S.G. No. 115/2007, DEED OF TRANSFER No.
2. ERVEN 218 TO 220 AND A STREET SITUATED ON PORTION 85 OF THE FARM BOSCHRAND No. 283-JT VIDE DIAGRAM S.G. No. 118/2007, DEED OF TRANSFER No.

PROVINCE: MPUMALANGA  
SCALE 1:1000



**Servitude notes**  
The figure gliking represents an electric powerline servitude 31,49 metres wide vide Diagram S.G.No. A4817/1954 Deed of servitude No. K12821955 and affects Erven 219, 220 and a Street.

**Beacon description**  
B ..... Hole in rock  
K,M,Q ..... Iron Standard  
All other beacons ..... 12mm iron pegs  
**Reference marks**  
RM1, RM2 ..... 12mm iron peg in concrete below ground level

SURVEYED IN DECEMBER 2006  
BY ME

W.C. GROBLER  
PROFESSIONAL LAND SURVEYOR  
REGISTRATION NUMBER PL60834-D

FILE No. TSP  
SURVEY RECORDS No. 38/2007  
COMPILATION/JTNZ-24

# Annexure J



**NOTAS** **NOTES**


VERNIETIG ALLE VORIGE TEKENINGE MET <sup>3</sup> **STRIKSWAAN**  
 DESTROY ALL PREVIOUS DRAWINGS ON RECEIPT OF REVISED PLAN

VAN KANTOORGEBRUIK FOR OFFICE USE

---

NO.	DATUM / DATE	PARALEL / PRETELLE	OESKRIFTING / DESCRIPTION

**WYSIGINGS** **AMENDMENTS**



**DMV NELSPRUIT INCORPORATED**  
 Development Management and Engineering Consultants

TAKERS 1500 8200 00	PROJECTS 1600 00 00 00	MANAGEMENT 1600 00 00 00	DRAWING NO. 1600 00 00 00
------------------------	---------------------------	-----------------------------	------------------------------

**PROJ. NO.** **PROJ. DESC.**

**ERF 217  
RIVERSIDE X20**

OVTREK / DRAWN	DESIGN
NAMEREN <b>P.A.N.</b>	ONTREK <b>P.A.N.</b>
TEKENER <b>E.J.R.</b>	TEKENER <b>E.J.R.</b>
INGENIEUR <b>P.A.N.</b>	INGENIEUR <b>P.A.N.</b>
DATUM <b>10/2012</b>	DATE <b>10/2012</b>
GOEDGEKUR <b>P.A.N.</b>	APPROVED <b>P.A.N.</b>
AFWERK DATUM <b>29 Oct 2012</b>	PRINT DATE <b>29 Oct 2012</b>
CAD WERK <b>P.A.N.</b>	CAD REF. <b>P.A.N.</b>
STRAAL <b>NOT TO SCALE</b>	SCALE <b>NOT TO SCALE</b>
TREK NOMEER <b>03842-001</b>	DRAWING NUMBER <b>03842-001</b>