TOWNSHIP NAME AND NUMBER RESERVATION

MSUKALIGWA MUNICIPALITY

PO Box 48 Ermelo Mpumalanga Province South Africa 2350

Customer Care Center: 08611 MSUKA [67852] Msukaligwa Municipality Fax: +27 17 801-3851



Civic Centre C/o Kerk & Taute Street Ermelo Mpumalanga Province South Africa 2350

Internet: www.msukaligwa.gov.za E-Mail: msuka@msukaligwa.gov.za

TECHNICAL SERVICES

Enquiries:

T Motloung

Contact Details:

(017) 801 3605

02 April 2014

J PAUL VAN WYK PO Box 11522 HATFIELD 0028

Madam,

APPLICATION FOR TOWNSHIP ESTABLISHMENT ON ERF 89/268 - ERMELO EXTENSION 47

The Msukaligwa Local Municipality in terms of Section 69(6)(a) of the Town Planning and Townships Ordinance 15 of 1986, hereby grants consent to J Paul Van Wyk Urban Economists and Planners to give notice of the application on behalf of the Municipality in the local media (Highveld Tribune) and Mpumalanga Provincial Gazette as well as erecting site notices on the property. The applicant can erect any number of site notices at strategic positions clearly visible to the public in relation to the site.

Important authorities to forward the application to:

- Eskom
- Telkom
- SANRAL
- DEDET

We trust that you find the above in order.

Yours Faithfully,

MR TE MOTLOUNG

TECHNICAL SERVICES: TOWN PLANNING

ANNEXURE 'B'

ERMELO DISTRIKSLANDBOU-UNIE AND COMPANY RESOLUTIONS AND SPECIAL POWER OF ATTORNEY

SPECIAL POWER OF ATTORNEY

I/We, the undersigned,

11 1

PIETER BEYERS (ID 770323 5270 081)

duly authorized, on behalf of

Stylestar Investments (Pty) Ltd (Reg No 2008/3442/07)

to hereby nominate, constitute and appoint

J Paul van Wyk Urban Economists & Planners cc

represented by

J Paul van Wyk Pr Pln (A089/1985) and / or Ulrike Ohland-Schumacher

[or nominee]

to apply to the Msukaligwa Local Municipality for township establishment on Remainder of Portion 89 of the farm Nooitgedacht 268-IT in terms of Section 96(1) of the Townships Ordinance, 1986 (Ord 15 of 1986);

and generally for affecting the purposes aforesaid, to do or cause to be done whatsoever shall be requisite, as fully and effectually, for all intents and purposes, as I/we might or could do if personally present and acting herein - hereby ratifying, allowing and confirming and promising and agreeing to ratify, allow and confirm all and whatsoever my/our said Attorney(s) and Agent(s) shall lawfully do, or cause to be done, by virtue of these presents.

Signed at <u>Pretorio</u> this <u>II</u> day of December 2013, in the presence of the undersigned witnesses.

AS WITNESSES:

Danie

2. 6 ch

PLETER BEYERS

COMPANY RESOLUTION

EXCERPT FROM THE MINUTES OF A MEETING OF DIRECTORS OF STYLESTAR INVESTMENTS (PTY) LTD (REG NO 2008/3442/07) HELD AT TSHWANE ON LL DECEMBER 2013.

IT WAS RESOLVED TO :-

- 1. apply to the Msukaligwa Local Municipality (MLM) for township establishment on Remainder of Portion 89 of the farm Nooitgedacht 268-IT in Ermelo;
- appoint messrs J Paul van Wyk Urban Economists & Planners cc, herein represented by J Paul van Wyk Pr Pln (A089/1985) and / or Ulrike Ohland-Schumacher, to undertake the application on behalf of the Company; and;
- 3. authorize Pieter Beyers (ID 770323 5270 081) to sign all documentation required to facilitate the above, including a Special Power of Attorney.

CERTIFIED AS TRUE AND JUST:

DTRECTOR?

11 December 2013

DATE

DELEGATION OF AUTHORITY

We the undersigned, JOHANNES WILLEM NICOLAS HENNING and JOHANNES JACOBUS RAUTENBACH duly authorised by virtue of a Resolution of the ERMELO DISTRIKSLANDBOU-UNIE passed at Ermelo on 25 November 2013 hereby authorise PIETER BEYERS Identity Number 770323 5270 08 1, a duly authorised Representative of STYLESTAR INVESTMENTS PROPRIETARY LIMITED or any other duly authorised representative of STYLESTAR INVESTMENTS PROPRIETARY LIMITED to appoint:

- J Paul van Wyk Pr Pln (A089/1985) and / or Ulrike Ohland-Schumacher of J Paul van Wyk Urban Economists & Planners CC to apply for Township Establishment in terms of the relevant provisions of the Town-Planning and Township Ordinance 15 of 1986; and
- Dr Gwen Theron of Imbrilinx CC, Registration Number: 2010/089810/23 trading as LEAP to apply for environmental authorisation in terms of the National Environmental Management Act 109 of 1998; and
- 3. Any other consultant to the professional team in respect of the Township Development.

And generally to do all such things, and sign all such documents, as may be necessary or expedient in order to give effect to this Delegation of Authority, hereby ratifying and confirming and undertaking to ratify and confirm all things done or to be done by the aforesaid person in terms hereof;

in respect of the following property namely:

REMAINING EXTENT OF PORTION 89 OF THE FARM NOOITGEDACHT 268 REGISTRATION DIVISION IT, PROVINCE OF MPUMALANGA

IN EXTENT: 10,9677 (TEN COMMA NINE SIX SEVEN SEVEN) Hectares

THUS DONE AND SIGNED AT ERMELO ON 25 NOVEMBER 2013

JOHANNES WILLEM NICOLAS HENNING

JÓHÁNNES JACOBUS RAUTENBACH

RESOLUSION OF THE MEMBERS OF THE ERMELO DISTRIKSLANDBOU-UNIE (the "EDLU")
HELD AT ERMELO ON THE 25% DAY OF Montes 2013.

RESOLVED THAT:

 The EDLU enters into a Lease Agreement in respect of the following property: REMAINING EXTENT OF PORTION 89 OF THE FARM NOOITGEDACHT 268 REGISTRATION DIVISION IT, PROVINCE OF MPUMALANGA IN EXTENT: 10,9677 (TEN COMMA NINE SIX SEVEN SEVEN) Hectares

with STYLESTAR INVESTMENTS PROPRIETARY LIMITED

Registration Number: 2008/003442/07

in terms whereof the property is let for a period of 60 (sixty) years from the effective date (after the fulfilment of the suspensive conditions) as stipulated in the Lease Agreement at a monthly rental from the construction date of 5% (five percent) of the nett income received from the sub-leasees or R125 000 (One Hundred and Twenty Five Thousand Rand), whichever amount is higher.

- JOHANNES WILLEM NICOLAS HENNING en JOHANNES JACOBUS RAUTENBACH are hereby authorised to sign to sign all relevant documents on behalf of the EDLU relating to the following:
 - 2.1 Finalising and registration of the Notarial Lease Agreement;
 - 2.2 Township development on the property, which includes but is not limited to the environmental impact assessment in terms of the relevant legislation (including special powers of attorney in favour of the representatives Stylestar Investments Proprietary Limited or members of the professional team in respect of the township development)

ALL MEMBERS TO SIGN

EXTRACT FROM THE MINUTES OF A MEETING OF THE MEMBER OF

J PAUL VAN WYK URBAN ECONOMISTS AND PLANNERS CC (Registration No 2004/013713/23)

PASSED AT PRETORIA ON THE 20TH DAY OF NOVEMBER 2013.

RESOLVED THAT:

J PAUL VAN WYK URBAN ECONOMISTS AND PLANNERS CC shall render consulting professional planning services to instructing clients from its business premises in Pretoria, with regard, but not limited to:

- (i) Applications for the amendment of statutory land use or town planning schemes;
- (ii) Applications for the subdivision and/or consolidation of land portions (including erven in proclaimed townships, registered farm portions or agricultural holdings);
- (iii) Applications for the establishment of new development areas or new township extensions in terms of ruling legislation;
- (iv) Applications for the removal and/or suspension of conditions of title and/or servitudes which may be deemed to be restrictive alternatively obsolete with regard to property development initiatives to be undertaken by instructing clients;
- (v) Applications for the suspension of the provisions of any legislation which may be deemed to be dilatory in the context of executing the property development proposals of instructing clients;
- (vi) Applications for the closure of public roads and/or public places and applications to procure such closed public roads and/or public places so as to form part of the properties under control of instructing clients;
- (vii) Applications for the extension of township boundaries;
- (viii) Applications for the cancellation of the whole or part of any general plan of any registered township or development area so as to give effect to property development initiatives of instructing clients;

- (ix) Applications for departures from or relaxations of any provisions emanating from a statutory town planning scheme or land use management scheme which restrict the development potential of land under control of an instructing client;
- (x) Preparing for and appearing at any form of hearing before a town planning committee of a municipal authority (or similar tribunal), any appeal body at provincial level authorised to decide matters pertaining to land use, property development or the provision of engineering services or any similar body authorised to consider and decide on matters relevant to applications for land development and/or amendments relevant to statutory development restrictions.

FURTHER RESOLVED THAT:

JOHANNES PAULUS VAN WYK AND/OR ANY OTHER EMPLOYEE OF THE FIRM J PAUL VAN WYK URBAN ECONOMISTS ANDPLANNERS CC be authorised to act for J PAUL VAN WYK URBAN ECONOMISTS AND PLANNERS CC in attending to any or all of the above mentioned matters on behalf of instructing clients in circumstances where J PAUL VAN WYK URBAN ECONOMISTS AND PLANNERS CC is appointed to attend to any or all of the above-mentioned matters on behalf of such instructing clients and to do whatever shall be requisite to give effect to this resolution.

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DATE	20 Nov	rember 20	013		

Certified a true extract of the minutes.

ANNEXURE 'C'

TITLE DEED AND CONVEYANCER'S REPORT

WinDeed Report Enquiry by Property

Print Date: 2013/11/06 05:21:32 PM

IT 268 NOOITGEDACHT, 89 (REMAINING EXTENT)

Search Criteria

Type:

Farm

Deeds Office:

Mpumalanga

Farm Name:

NOOITGEDACHT

Registration Division: Farm Number:

268

Portion:

Search Date:

2013/11/06 16:03:44

Reference:

ermelo property

Requester:

Information

Farm

Property type: Portion:

89 (REMAINING EXTENT)

Farm Number:

268

Farm name:

NOOITGEDACHT

Situated at:

TT

Reg Div: Province:

MPUMALANGA

Local authority:

MSUKALIGWA LOCAL MUNICIPALITY

Prev. description:

PTN 13-LG1064/963

Diagram deed:

T6075/953

Extent:

117007.2669H Not Available

Street Address: GIS Code:

T0IT00000000026800089

Deeds Office:

Mpumalanga

Information Source:

Deeds Office Not Yet Searched

BFS Number: Map View:

NOOITGEDACHT 268 89 (REMAINING EXTENT)

Multiple Owners:

Owners

Owner 1 of 1

Person type:

UNKNOWN

Name:

ERMELO DISTRIKSLANDBOU-UNIE

ID number:

Title deed:

T6075/1953 19530321

Registration date:

Purchase price: Share:

Purchase date:

Microfilm Reference:

2005 1252 3134

Multiple properties: Multiple owners:

No No

Endorsements

Endorsement 1 of 5

Document:

VA311/1986-T6075/53

Description:

Institution:

LOST COPY

Amount: Microfilm Reference:

Unknown Awaiting Mfilm

Endorsement 2 of 5

Document:

Description:

VA7402/2005 LOST COPY

Institution:

ERMELO DISTRIKSLANDBOU-UNIE

Amount:

Document:

Unknown

Microfilm Reference:

Endorsement 3 of 5

CL-ERMELO TC PARTLY

Description: Institution:

Amount:

Unknown

Microfilm Reference:

Awaiting Mfilm

2005 1252 3128

Page 2 of 2

Endorsement 4 of 5

Document:

INFO FROM PRETORIA DEEDS REGIS

Description: Institution:

Amount:

Unknown

Microfilm Reference:

Awaiting Mfilm

Endorsement 5 of 5

Document: Description: Institution:

IT, 268,89

Amount: Unknown

Microfilm Reference: 1987 0720 0356

History

History 1 of 1

Document:

K1922/1986L

Description:

CONTRACT SERVITUDES/MINERALS/LEASES/PC

Owner:

Amount/Price:

Unknown

Microfilm Reference:

2005 1252 3144

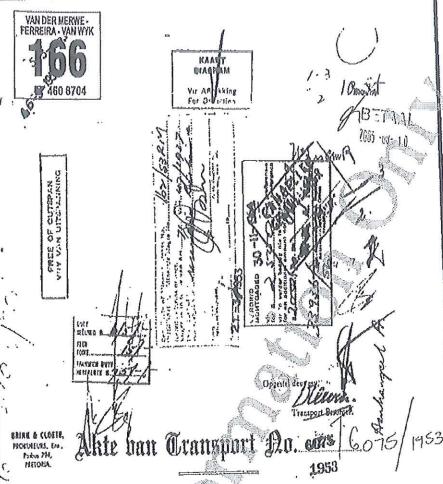
Enquiries

Company Name:

Error loading Enquiries

Enquiry Date: Contact Person: Contact Email: Contact Phone:

This report contains information gathered from our suppliers and we do not make any representations about the accuracy of the data displayed nor do we accept responsibility for inaccurate data. WinDeed will not be liable for any damage caused by reliance on this report. This report is subject to the terms and conditions of the WinDeed End User Licence Agreement (EULA).



SY DIT HIERMEE KENNELIK:

DAT JOHANNES MICHAEL VAN HELSDINGEN BRINK voor my, die Assistent Registrateur von Aktes, te Pretoria, verskyn bet, waartoe hy, die Komparant behoorlik gewagtig is uit krag van 'n Prokurasie, gedateer die 11de das van Pohruaria 1953, gotokon to Broolo,

en aan hom verken deur WILLEN HENDRIK BRUINER en OERT JACOBUS VLOK, in huile hosdenighede as Burgenesster en Stadskierk respektionelik van Din DORPSRAAD VAN MEMAD, en behoorlik gemestig deur Besluit van genoemde Dorpsrand geneem op 'n vergedering gehou te Ernelo, op 20 Januarie 1955.

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DORPERAAD VAN ERWELD

die bierna vermelde siendom waarlik on wattiglik verruil het

DIE COSTELIEE TRINSVALLEE LANDECU UNIE,
vir seker gedeelte 88 ('n gedeelte van gedeelte HELLEVUS

DORP) van die plaas VAN OUDTSHOOMSTROOM Ho 16, gelee in die
distrik Erzelo, groot '5 morge, soos deur genoemde Unie gebou onder Akta van Transport Ho 25451/1951, gedateer 16 Oktober 1951; onderworpe san die hieras vermelde bepalings; en

dat hy, die genoemde Komparant, in sy hoedanightid voormeld, hietmee in volle en vry eiendam sedeer en transporteer aan en ten gunate van

DIE OOSTALDIZ TRANSVALSE LANDROU UNDE,

die beherende belang waarin gebou word deur persone wat lede in van die Planke Groep soos ceakres in die Wot op Groepsgebiede No 41 van 1950,

die so Oprolgers in Titel of Regrerkrygendes,

HOOLDENACHT No 10, Roles in die distrik Krasio;

Toegeken aan die RAAD VAN DIE MUNISIPALITEIT VAN ERHELO (nou vorvarg deur die DORPSRAAD VAN ERHELO), deur Kroongrondbrief no 51/1907, gedateer 27 Februarie 1907;

Groot VIF EN TWINTIO (R5) morge, soon meer ten volle and blyk wit die hieraan gehegte Kaart No A.4637/52, deur Lendgeter Carl F. Schneider in Julie 1952 verraardig;

Spesiaal onderworps aan die volgende bepalings:

(a) Die voorbehoud ten gunete van die DORPERAAD VAN
BRUKEO van elle regte ten opsigte van Minerale en
Rdelgesteentes, insluitende elle regte wat in die
eienaar gevestig mag word en te deel in die opp enge
wat aan die Staat mag toeken as gevolg van die vervreending van die ondergardse regte van die hiernee

-getransporteerde

getransporteerde eienden, insluitende huurgelde en profyte wat ean die eienaar meg toeken ender enige mynkontrak toegesteen ten opsigte van die genoende eienden,

(b) Die eiendem of enige gedeelte dearvan mal mig getransporteer i. Verhuur word of op enige mider wyne van die hand gesit word of vertreem word han enige Asiest, kleurling of naturel, en geen Asiest, kleurling of maturel anders dan die die bediemies van die eiendem of bewoner wie bons fide op die eiendem in diens is, ent toegelent word om of die geboende eiendem te woon of te bly nie; die nakening waarvan deur geboende Dorpsraad afgedwing kan word,

En verder onderhewig ean suite kondisies coon in genoerde Akte vermeld bisan of waspie verys word.

Weshaluz die Komparant, alstand doen van al die reg en aansprank wat

die genoeman

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DORRERAD VAN KRIELO

tevore op die voornoemde eiendom gehad het, en gevolglik ook erken dat Alt gebeel en al uit die besli daarvaa is en nie meer daartoe geregtig is nie : en dat uit krag hiervan, die genoemde

ODSTRIJEN TRANSVAALSE LANDSOU UNTE

die se Opvolgers in Titel of regrerkrygenies,

nou dantoe geregtig is en voortaan geregtig aal wees ooreenkometig plaaelike gebruik; die Goewerment nogtans, sy reg benoudende.

En ten slotte het die Komparant verklear dat die genouge elector generateer is been ther bulging vir holomo. POND (22500), marop Hereregte betael is.

IN GETUIENIS WAARVAN bet ek, die Ausstent Registrateur van Aktes, tesome met die Komporant q.q., bierdie Akte onderleken en met my ampseel bekragtig.

ALDUS GEDOEN EN VERRIG op die Kanjoor van die Registrateur van Aktes, te Fretoris, Transvaal, op hierdie in die jaar van Ons Here, .. Ben Dulsend Nege Honderd Drie en Vyftig.

In my teenwoordigheid

Assistent Registrateur

(1). Geregisteer op die Landiregister van te Pretoria gehod, Boek I Blodey / die bogemelde datum.

(2), Geregi: ; it op die Landsregister van te Pretoria gehau Boek Bladsy die bogemelde datum Bladey

(3). Geregistreer op die Landsregister van te Pretoria gehou, Boek die bogemelde datum.

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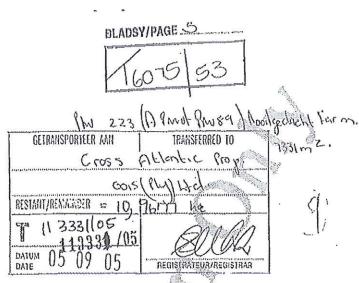
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Motariele Overneams, dd. 6/9/84.

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M.N. KGWALE

08 AUG 2005

VA 05 07402

GESERTURISEEN WYNGE ALSKEIF VAS DIE REGISTBASHOUFLIKAAT DY TERME VAN REME Certified a time copy of the degistry dupticate in terms of regulation es Lasse 08 kractens tig registrasie van aktes viet, ho 47 van 1937, en is dit-Lasse 08 kractens tig registries act, fig. 47 of 1937, and is issued to take place under the different by die plek van die oorepronkline.

ELEGISTRESULKANTOON DEADA MEGISTRE PRETORIA

ASSE DECISION VAN ANTES ASSE DECISION OF DEEDS

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CONVEYANCER'S REPORT

I, the undersigned

ROELOF GROVÉ

a Conveyancer, practicing at Pretoria, do hereby report that

DIE ERMELO DISTRIKSLANDBOU-UNIE

is the registered owner of:

REMAINING EXTENT OF PORTION 89 OF THE FARM NOOITGEDACHT 268
REGISTRATION DIVISION IT PROVINCE OF MPUMALANGA
IN EXTENT: 10,9677 (TEN COMMA NINE SIX SEVEN SEVEN) HECTARES
HELD BY DEED OF TRANSFER T6075/1953

- A. The endorsement on page 6 of Deed of Transfer T6075/1953 indicates that the name of "Oostelike Transvaalse Landbou-Unie" was changed to "Die Ermelo Distrikslandbou- Unie" in terms of Section 93(1) of the Deeds Registries Act No 47 of 1937.
- B. The following conditions contained in the aforesaid title deed should be omitted from all further deeds:
 - 1. "(a) Die voorbehoud ten gunste van die DORPSRAAD VAN ERMELO van alle regte ten opsigte van Minerale en Edelgesteentes, insluitende alle regte wat in die eienaar gevestig mag word om te deel in die opbrengs wat aan die Staat mag toekom as gevolg van die vervreemding van die onderaardse regte van die hiermee getransporteerde eiendom, insluitende huugelde en profyte wat aan die eienaar mag toekom onder enige mynkontrak toegestaan ten opsigte van die genoemde eiendom."
 - 2. "(b) Die eiendom of enige gedeelte daarna sal nie getransporteer of verhuur word of op enige ander wyse van die hand gesit word of vervreem word aan enige Asiaat, kleurling of naturel, en geen Asiaat, kleurling of naturel anders dan die eie bediendes van die eienaar of bewoner wie bona fide op die eiendom in diens is, sal toegelaat word om op die genoemde eiendom te woon of te bly nie, die nakoming waarvan deur genoemde Dorpsraad afgedwing kan word."

C. The following condition contained in the aforesaid title deed has lapsed due to an effluxion of time and should be cancelled in terms of Section 68(1) of the Deeds Registries Act No 47 of 1937:

"Kragtens Notariële Akte van Ooreenkoms K1922/86L word bovermelde eiendom tesame met alle verbeterings daarop, verhuur aan die Hoëveld Skouvereniging vir 'n tydperk van 25 (vyf en twintig) jaar, welke periode in aanvang neem op 1 November 1983, nieteenstaande die datum van ondertekening van die ooreenkoms soos meer volledig blyk in gemelde Notariële Ooreenkoms, dd 6/9/84".

D. There are no other conditions/servitudes which will affect the aforesaid property.

SIGNED AT PRETORIA ON 25 NOVEMBER 2013.

CONVEYANCER ROELOF/GROVÉ

ANNEXURE 'D'

SURVEYOR GENERAL DIAGRAM

s.g. no. a. 4637/52

Approved

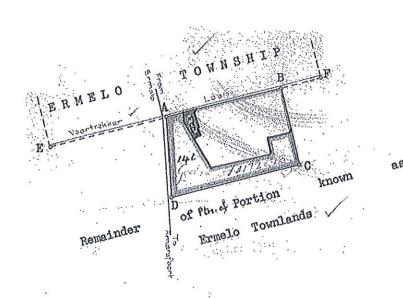


DESCRIPTION OF BEACONS

ABCDF.... x 18" iron pegs under cairns

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For Servitude Deductions an Endorsements See Over

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REGISTRASIE AFDE REGISTRATION DIVI

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(a portion of Portion known as Ermelo Townlands)

...represents 25.0000

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of the farm

NOOTTGEDACHT

In the DISTRICT of ERMELO

PROVINCE of TR

Surveyed In . .

July

15,000

by me

lagram is annexed to Deed of

The original diagram is No. A. 4585/05

annexed to Deed of Grant

No. 51 /1907 dated

in favour of

S.G. File No. 300/1/ 10546

Survey Records No. Compilation No. 15-6-8-

Lat. South Long. Eas

Registrar of Deeds.

sked by authority-Grocott & Sherry, P.O. Box 2404, Johannesburg 2114

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ZONING CERTIFICATE AND EXTRACT FROM ETPS

MSUKALIGWA MUNICIPALITY

PO Box 48 Ermelo Mpumalanga Province South Africa 2350

Customer Care Center: 08611 MSUKA [67852] Msukaligwa Municipality Fax: +27 17 801-3851



Civic Centre C/o Kerk & Taute Street Ermelo Mpurnalanga Province South Africa 2350

Internet: www.msukaligwa.gov.za E-Mail: msuka@msukaligwa.gov.za

TOWN SERVICES

Enquiries:

G. H Hlatshwayo

Reference

89/268

2 December, 2013

TO WHOM IT MAY CONCERN

ZONING CERTIFICATE ERF NUMBER: 89/268 FARM NOOITGEDACHT ERMELO

ZONING

Agricultural

PRIMARY USE

Agricultural purpose

CONSENT USE

Agriculture

HEIGHT ZONE

H0

COVERAGE

60%

FAR

1.8

BUILDING CONTROL OFFICER

Msukaligwa Municipality

NMZ/en

ERMELO TOWN PLANNING SCHEME, 1982

PART 1: GENERAL

ARRANGEMENT	1.	This Schem	ne is divided into	parts relating to the following matters respectively:—		
OF SCHEME :		PART 1		GENERAL		
		PART 2		STREETS, BUILDING LINES, BUILDING RESTRICTION AREAS AND LINES OF NO ACCESS		
		PART 3		BUILDING RESTRICTIONS AND USE OF LAND		
		PART 4		GENERAL AMENITY AND CONVENIENCE		
	-	PART 5		MISCELLANEOUS		
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DEFINITIONS:

2.

In the Scheme, except where the context otherwise requires, or it is otherwise expressly provided, the following words and expressions have the respective meanings hereby assigned to them:—

"ADMINISTRATOR" - the officer defined in the Ordinance.

"AGRICULTURAL BUILDING" — a building designed for use in connection with, and which is ordinarily incidental to, or reasonably necessary in connection with the use of the land on which the building is sited as agricultural land, and may include a dwelling house.

"AGRICULTURAL LAND" — includes, inter alia, arable, meadow or pasture land, market gardens, poultry farms, pig farms, land used for bee-keeping, nursery gardens, plantations and orchards, but shall not include:—

- (a) land occupied as a park together with a dwelling house thereon;
- (b) land used as a garden other than aforesaid;

or

(c) land kept or zoned for the purposes of sport, athletics or recreation or used as a racecourse.

"ANNEXURE TO THE SCHEME" — the document containing special rights, restrictions and conditions applicable to those properties shown on the "A" series of the Map by means of circled numbers.

"AREA" - the area described in Clause 3 hereof.

"BOARD" — the Townships Board as constituted under the Ordinance.

"BASEMENT" — any floor of a building of which the greater part of the ceiling is below the average ground level of the area covered by the building.

"BUILDING" — includes structures or constructions, other than entrance structures, pergolas, garden ornaments, garden walls and fences, swimming pools and tennis courts, for the purposes of Clause 11, 12, 13, 14, 15, 17, 18, 19, 21 and 22, but elsewhere in the Scheme it includes any structure covered by a roof, except for the purposes of Clause 9 where a swimming pool and a tennis court will be considered to be a building.

"BUILDING LINE" — a line indicating the furthest boundary of a building restriction area from a street, or any other boundary of a property other than a street boundary and which is at a fixed distance from a boundary of the property.

"BUILDING RESTRICTION AREA" — an area wherein no building, except those permitted in the Scheme, may be erected.

"BUSINESS PREMISES" — a building used as an office, warehouse or for other business purposes, but does not include a piace of instruction or place of amusement or any build-

TABLE "D" Continued

		TABLE D Continue		
Use Zone	Notation as shown on the A Series of the Map	Buildings which may be erected and purposes for which they may be used	Buildings which may be erected and purposes for which they may be used only with the special consent of the local authority.	Buildings which may not be erected (5)
(1)	(2)	(3)	(4)	131
12 Industrial 3		Such industrial buildings and/or business premises other than offices that the local authority may approve in writing, places of refreshment for employees only, offices and other uses directly related to and subordinate to the main use, retail trade in goods which are partially or entirely manufactured, processed or assembled on the property, or any other goods which although not manufactured, processed or assembled on the property form a part of and/or are connected to the sale of and/or are used in or together with goods which are manufactured, processed or assembled on the property	Special bollows	oulidings not inder columns 3) and (4)
13. Commercial	E C. V. S.	Business Premises other than offices, place of refreshment for employees only, offices which are supplementary to and directly related to but subordiante to the main use, retail trace permitted by the Administrator and which is directly related to, but subordinate to, the main use	buildings	Buildings not under columns (3) and (4)
14. Institutional		Institutions, dwelling units, places of public worship, places of instruction	Social halls, special buildings	Buildings not under columns (3) and (4)
15. Educational		Places of instruction, social nalls, places of public worship	Dwelling units, institutions, special pulldings	Buildings not under columns (3) and (4)
16 Amusement		Praces of amusement, social halls	Places of instruction, special buildings, places of refresh- ment	Buildings not under columns (3) and 14
17 Municipa	++++++	Municips- purposes	owelling units, places of public worship, places of instruction, social nalls, instructions, special pullblings acticultural pullblings	Buildings not summer columns (3) and (4)
18 Agricultura	in Maria	Agricultura Dulipings	-	Bibliologs not u
19 Public garage		Public garages	Place of refreshment overling unit for caretaker special buildings, pane peating and spraypainting tworkshops	Buildings not under columns (3) and (4
	555	- 11 -		

ANNEXURE 'F'

DRAFT CONDITIONS OF ESTABLISHMENT

STATEMENT OF THE CONDITIONS UNDER WHICH THE APPLICATION MADE BY ERMELO DISTRIKSLANDBOU-UNIE (HEREINAFTER REFERRED TO AS THE TOWNSHIP OWNER) UNDER THE PROVISIONS OF CHAPTER III: PART C OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON REMAINDER OF PORTION 89 OF THE FARM NOOITGEDACHT 268-IT, MPUMALANGA PROVINCE BY, HAS BEEN APPROVED.

- CONDITIONS TO BE COMPLIED WITH PRIOR TO THE OPENING OF THE TOWNSHIP REGISTER AND THE DECLARATION OF THE TOWNSHIP AS AN APPROVED TOWNSHIP, IN TERMS OF THE PROVISIONS OF SECTION 103 OF THE TOWNPLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986) (HEREINAFTER REFERRED TO AS "THE ORDINANCE")
 - a. The township owner shall comply with the provisions of Section 101(1) of the Ordinance.
 - b. The applicant shall satisfy the Msukaligwa Local Municipality (hereinafter referred to as the "Municipality") that
 - (i) the relevant amendment scheme (in terms of Section 125 of the Ordinance, is in order and may be published simultaneously with the declaration of the township as an approved township;
 - (ii) access is available to the township and that a public street system is available to all erven in the township
 - (iii) The name of the township as well as the street names have been approved by the Municipality and is indicated on the General Plan in accordance with Regulation 18(1)(a)(iv);
 - (iv) a geotechnical report has been submitted in order to determine soil suitability of the land on which the township is to be established and that the said report shall be favourable and the Engineer Geologist has certified that he compared the final layout plan of the township with the geological report in conjunction with the consulting town planner and he is satisfied that buildings can be erected on every erf. If any special arrangements have to be made for any erf the township owner shall provide proof that these arrangement have been made to the satisfaction of the Municipality.
 - (v) the township owner shall comply with the provisions of Section 72 and 75 of the Ordinance;
 - (vi) the portions of the road reserves adjoining the proposed township, and which are required for the proper installation and maintenance of municipal services, shall be acquired by the township owner.
 - (vii) the consent of the Department: Mineral Resources was obtained before the proclamation of the Township.
 - (viii) Engineering Services: The township owner shall, at its costs and to the satisfaction of the Municipality, design, provide and construct all engineering services including the stormwater reticulation, within the

boundaries of the township, to the satisfaction of the Municipality. The township owner shall for the purpose of providing such engineering services reach agreement to the satisfaction of, and with the Municipality on the availability and provision of engineering services for the township, which agreement shall indicate the standard of services to be provided and obligations of the township owner and the Municipality with regard to the provision of internal and external engineering services.

- (ix) a traffic impact study shall be submitted to the satisfaction of the Municipality.
- (x) Environmental authorisation be obtained from the Mpumalanga Department of Economic Development, Environment and Tourism (MDEDET) shall be obtained in terms of the provisions of the National Environmental Management Act, 1998 (Act. 107 of 1998) and conditions that may have been imposed in the record of decision shall be complied with at the cost of the township owner.
- 2. CONDITIONS OF ESTABLISHMENT:
 - 2.1 NAME:

The name of the township shall be Ermelo Extension 47.

2.2 DESIGN:

The township shall consist of erven indicated on Township Layout Plan No TOWNSHIP/ERMELO EXTENSION 46/02 and General Plan SG No _____.

2.3 PROVISION AND INSTALLATION OF ENGINEERING SERVICES
The township owner shall, at its costs and to the satisfaction of the Municipality, design, provide and construct all engineering services including the stormwater reticulation, within the boundaries of the township, to the satisfaction of the Municipality.

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

- 2.4 CONDITIONS IMPOSED BY THE MPUMALANGA DEPARTMENT OF ECONOMIC DEVELOPMENT, ENVIRONMENT AND TOURISM (MDEDET) The township owner shall at its own costs comply with and strictly adhere to all the conditions and/or requirements imposed by MDEDET including those by which exemption has been granted from compliance with Regulations No 1182 and 1183 promulgated in terms of Sections 21, 22 and 26 of the Environment Conservation Act, (Act 73 of 1989) or the National Environmental Management Act, 1998 (Act 107 of 1998) as amended and the Regulations thereto, as the case may be for the development of this township.
- 2.5 CONDITIONS IMPOSED BY PROVINCIAL HERITAGE RESOURCES AGENCY: MPUMALANGA

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

- 2.6 CONDITIONS IMPOSED BY MPUMALANGA PROVINCIAL ROADS AGENCY The township owner shall, at its own cost, comply with and strictly adhere to all the conditions and/or requirements imposed by the Mpumalanga Provincial Roads Agency and where applicable, as imposed by the Municipality.
- 3. CONDITIONS TO BE COMPLIED WITH BEFORE THE ERVEN IN THE TOWNSHIP BECOME REGISTERABLE WHICH SHALL BE READ WITH THE CONDITIONS OF ESTABLISHMENT INDICATED IN 2 ABOVE

3.1 ACCESS

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

3.2 ACCEPTANCE AND DISPOSAL OF STORMWATER

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

3.3 REFUSE REMOVAL

- (a) The township owner shall at its own expense have all litter within the township area removed to the satisfaction of the Municipality, when required to do so by the Municipality.
- (b) The township owner shall provide sufficient refuse collection points in the township and shall make arrangements to the satisfaction of the Municipality for the removal of all refuse.

3.4 REMOVAL OR REPLACEMENT OF EXISTING SERVICES

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

3.5 DEMOLITION OF BUILDINGS AND STRUCTURES

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

3.6 CONSOLIDATION OF ERVEN

The township owner shall, at its own costs, after proclamation of the township but prior to the development of the township, consolidate Erven 1 and 2 to the satisfaction of the Municipality.

The Municipality hereby grants its consent for the consolidation of Erven 1 and 2 in terms of Section 92(1)(b) of Ordinance 15 of 1986, which consolidation shall only come into operation on proclamation of the township and subject to the Section 82 certificate being issued by the Municipality.

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

Installation and provision of services:

- 4.1 The township owner shall install and provide internal engineering services in the township as provided for in the services agreement.
- 4.2 The Municipality shall install and provide external engineering services for the township as provided for in the services agreement.
- DISPOSAL OF EXISTING CONDITIONS OF TITLE:
 All erven shall be made subject to existing conditions and servitudes, if any, but excluding:
 - 5.1 The following rights/entitlements which will not be passed on the erven in the township:
 - "(a) Die voorbehoud ten gunste van die DORPSRAAD VAN ERMELO van alle regte ten opsigte van Minerals en Edelgesteentes, insluitende alle regte wat in die eienaar gevestig mag word om te deel in die opbrengs wat aan die Staat mag toekom as gevolg van die vervreemding van die onderaardse regie van die hiermee getransporteerde eiendom, insluitende huugelde en profyte wat aan die eienaar mag toekom onder enige mynkontrak toegestaan ten opsigte van die genoemde eiendom.
 - (b) Die elendom of enige gedeelte daarna sal nie getransporteer of verhuur word of op enige ander wyse van die hand gesit word of vervreem word aan enige Asiaat, kleurling of natural, en geen Asiaat, kleurling of nature! anders dan die eie bediendes van die eienaar of bewoner wie bona fide op die eiendom in diens is, sal toegelaat word om op die genoemde eiendom te woon of te bly nie, die nakoming waarvan deur genoemde Dorpsraad afgedwing kan word."
 - 5.2 The following condition contained in the aforesaid title deed which has lapsed due to an effluxion of time and should be cancelled in terms of Section 68(1) of the Deeds Registries Act No 47 of 1937:

"Kragtens Notariele Akte van Ooreenkoms K1922/86L word bovermelde eiendom tesame met alle verbeterlngs daarop, verhuur aan die Hoeveld Skouvereniging vir 'n tydperk van 25 (vyf en twinlig) jaar, welke periode in aanvang neem op 1 November 1983, nieteenstaande die datum van ondertekening van die ooreenkoms soos meer volledig blyk in gemelde Notariele Ooreenkoms, dd 6/9/84".

6. CONDITIONS OF TITLE:

- 6.1 CONDITIONS OF TITLE IMPOSED IN TERMS OF THE PROVISIONS OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986):
 - 6.1.1 All erven:
 - 5.1.1.1 The erf is subject to a servitude, 2 metres wide along any two boundaries in favour of the Municipality for sewerage and other municipal purposes and, in the case of a panhandle erf, an additional servitude for municipal purposes 2 metres wide across the access portion of the erf, if and when required by the Municipality: Provided that the Municipality may relax or grant exemption from the required servitudes.

- 5.1.1.2 No building or other structure shall be erected within the aforesaid servitude area and no large-rooted trees shall be planted within the area of such servitude or within 2 metres thereof.
- 5.1.1.3 The Municipality shall be entitled to deposit temporarily on the land adjoining the aforesaid servitude such material as may be excavated by it during the course of the construction, maintenance or removal of such sewerage mains and other works as it, in its discretion, may deem necessary and shall further be entitled to reasonable access to the said land for the aforesaid purpose, subject to any damage done during the process of the construction, maintenance or removal of such sewerage mains and other works being made good by the Municipality.

6.1.2 Erf 1

The erf is subject to a 3m x 6m electrical service servitude in favour of the Municipality, for municipal purposes as indicated on Township Layout Plan No TOWNSHIP/ERMELO EXTENSION 46/02 and the General Plan.

7. CONDITIONS TO BE INCORPORATED WITHIN THE EXISTING TOWN PLANNING SCHEME IN TERMS OF SECTION 125 OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986) IN ADDITION TO THE EXISTING PROVISIONS OF THE TOWN PLANNING SCHEME:

ERVEN 1 AND 2, ERMELO EXTENSION 47:

1	Use Zone	9: Special
2	Uses permitted	Business premises, supermarket, shop, place of refreshment, place of amusement, retail industry, automatic teller machine (ATM), financial institution, fitness centre, car wash, garden centre, internet café, optometrist, post office, drive-through restaurant, billboard, taxi transport terminus, conference centre and ancillary and subservient uses.
3	Uses with consent	Office, place of instruction, dry cleaner, medical / dental consulting rooms, filling station, residential building, and other uses which in the opinion of the Municipality will be compatible with the predominant uses on the erf.
4	Uses not permitted	All other uses
5	Definitions	 (1) Supermarket: means land and buildings used for the business of offering for sale all merchandise normally sold in a supermarket, including but not limited to a butchery, a bakery, a fishmonger, delicatessen and with fresh fruit and vegetables, a dispensary in pharmaceutical and health products and a financial and / or post office counter. (2) Retail industry: means, inter alia, catering, a confectionary, dress-making, and tailoring,

instant printing and copying, engraving, photographic jewellery manufacturing. processing, picture framing, and screen printing; as well as the servicing and repair of air conditioners, audio equipment, basket ware and cane furniture, canvas goods and tents, bicycles, electronic equipment, domestic equipment, leather-works and shoes, office equipment, television and video equipment, upholstery, watches, weighing machines and window blinds, but does not include a light industry and the wholesale selling of goods.

(3) Automatic teller machine (ATM): means land and buildings used for a computerized unattended electronic machine that performs basic banking functions either outside of or located separately from the bank or other financial institution it represents for selfbanking purposes.

(4) Financial institution: means land and buildings used by an accredited institution (public or private) that collects funds (from the public or other institutions) and invests them in financial assets including a bank.

(5) Fitness centre: means a building where people exercise with or without exercise apparatus."

- (6) Car wash: means land and buildings used for the washing, polishing and cleaning of vehicles by means of mechanical apparatus or by hand.
- (7) Garden centre: means land and buildings used for the storage, cultivation and sale of plants, bulbs, seed, fish, birds, pots, compost, fertilizer, pesticides, herbicides and may include the sale of ancillary and subservient products.
- (8) Internet café: means land and buildings or part of a building used for hiring of computers with internet linkage to customers for use on the premises.
- (9) Optometrist: means land and buildings used by a specialist who is qualified to examine people's eyes to determine if they need eyeglasses or medical treatment and may include the sale of spectacle frames, sunglasses, contact lenses, eye care products and other ancillary and subservient uses.
- (10) Post office: means land and buildings used as a local branch office where mail is received, sorted, and delivered, and where stamps and other postal materials are sold and may offer additional services such as providing and accepting government forms, processing of government services and fees, and banking

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		services. (15) Ancillary and subservient uses: means uses and activities which support and complement the main use on the property and which shall not exist on its own when the main use on the property is discontinued. (16) Billboard: means any screen or board larger than 9m², supported by free-standing structure, which is to be used or intended to be used for the purpose of posting, displaying or exhibiting an advertisement and which is also known as an advertising hoarding. The main function of a billboard is to advertise non-locality-bound enterprises, activities or services. (15) Drive-through restaurant: means land and buildings used for a restaurant with kitchen, storage area, limited seating, delivery yard, manager's offices, ablutions a take-away restaurant / counter area as well as a driveway and queuing space for patrons to order meals and drinks through a window to the restaurant from the comfort of their vehicles. (16) Taxi transport terminus: means land and buildings designed and used as a terminus or gathering place for mini-bus taxis arriving from and departing in a variety of directions / routes and may include ablution facilities, a meeting room and other ancillary and subservient uses. (17) Conference centre: means land and buildings used for congresses, seminars training, meetings, cultural events and social activities and may include a kitchen. (18) Other uses: Part 1, Clause 2 of the Scheme
6	Density	Not applicable
7	Coverage	As per site development plan
8	Height	Three (3) storeys
9	Floor space ratio	0,6
10	Site development plan and landscape development plan	 (1) A site development plan, compiled by a person suitably qualified to the satisfaction of the Municipality, shall be submitted to the Municipality for approval. (2) The street frontage of the erven and exterior of buildings shall be treated in accordance with the site development plan. (3) The landscaping in terms of the landscape development plan shall be completed with completion of the development or any phase thereof. The continued maintenance of the landscape development shall be to the

		satisfaction of the Municipality.
11	Building-lines	 (1) Voortrekker Street : 8m (2) Other street boundaries : 5m (3) Other boundaries : As per site development plan
12	Parking requirements	Clause 22, Table H of the Scheme: Provided that the total number of parking bays may be relaxed by the Municipality as per site development plan on recommendation by a traffic engineer without requiring further advertising or public participation.
13	Paving of traffic areas	All parts of the erf upon which motor vehicles may move or park shall be provided with a permanent dust-free surface, which surface shall be paved, drained and maintained to the satisfaction of the Municipality.
14	Access to the erf	Entrances to, and exits from the erf shall be located, constructed and maintained to the satisfaction of the Municipality.
15	Loading & off-loading	Loading and off-loading facilities shall be provided on the erf to the satisfaction of the Municipality and all loading and off-loading shall take place on the erf.
16	Turning facilities	Turning space for vehicles shall be provided on the erf to the satisfaction of the Municipality.
17	Physical barriers	A permanent, non-removable physical barrier which restricts vehicular and pedestrian movement shall be erected and maintained on the boundary of Erven 1 and 2 along its boundaries with Juliana, Dahlia and Piekaar Avenue as well as along the common boundary with adjacent residential erven (western boundary). The height, siting, design, materials and finishes of the barrier shall be to the satisfaction of the Municipality.
18	Health measures	Any requirements for air pollution-, noise abatement- or health measures required by Municipality shall be complied with to the satisfaction of, and without any costs to the Municipality.
19	Outdoor advertising	Advertisements and/or sign boards shall not be erected or displayed on the erf without the written consent of the Municipality first being obtained in terms of its municipal by-laws for outdoor advertising.

20 General:

- 1. No building shall be occupied before completely developed: Provided that the Municipality may, in exceptional circumstances, grant consent thereto.
- 2. An engineer must be appointed before the approval of building plans, who must design, specify and supervise structural measures for the foundations of all structures according to the soil classification for each

- zone as described in the geological report. On completion of the structures, he / she must certify that all his / her specifications have been met.
- 3. In addition to the above conditions the erf and buildings thereon are further subject to the general provisions of the Ermelo Townplanning Scheme, 1992.

ANNEXURE 'G'

DRAFT SITE PLAN

