

**PROCLAMATION 38 OF 2020**

**LOCAL AUTHORITY NOTICE: POLOKWANE LOCAL MUNICIPALITY  
PIETERSBURG/SESHEGO AMENDMENT SCHEME NO 604**

The Polokwane Local Municipality hereby in terms of the provisions of Section 33(4) of the Development Facilitation Act, 1995 (Act 67 of 1995) read with Section 60(3) of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013), declares that it has approved an amendment scheme being an amendment of the Polokwane/Seshego Town-Planning Scheme, 1999, comprising the same land as indicated in the township of Bendor Extension 108 Township.

Map 3 and the scheme clauses of the amendment scheme, together with Annexure 372, are filed with the Manager: Land Use Management and Spatial development, Polokwane Local Municipality, and are open for inspection at all reasonable times. This notice is known as Pietersburg/Seshego Amendment Scheme 604 and shall come into operation on the date of this publication notice.

**Mr Dikgape Makobe**  
**MUNICIPAL MANAGER, CIVIC CENTRE, POLOKWANE 0699**  
**Date: 2 October 2020**

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**POLOKWANE LOCAL MUNICIPALITY DECLARATION AS AN APPROVED TOWNSHIP:  
BENDOR EXTENSION 108 TOWNSHIP**

In terms of Section 33(4) of the Development Facilitation Act, 1995 (Act 67 of 1995) read with Section 60(3) of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013), the Polokwane Local Municipality, hereby declares Bendor Extension 108 Township to be an approved township, subject to the conditions as set out in the Schedule hereto.

**SCHEDULE**

**STATEMENT OF THE CONDITIONS UNDER WHICH THE LAND DEVELOPMENT APPLICATION MADE BY G P SMITH LETTING CC (HEREINAFTER REFERRED TO AS THE LAND DEVELOPMENT APPLICANT) UNDER THE PROVISIONS OF CHAPTER V OF THE DEVELOPMENT FACILITATION ACT, 1995 (ACT 67 OF 1995 – NOW REPEALED), READ WITH SECTION 60(3) OF THE SPATIAL PLANNING AND LAND USE MANAGEMENT ACT, 2013 (ACT 16 OF 2013), FOR PERMISSION TO ESTABLISH A LAND DEVELOPMENT AREA ON PORTION 522 (A PORTION OF PORTION 1) OF THE FARM TWEEFONTEIN 915, REGISTRATION DIVISION LS, LIMPOPO PROVINCE, HAS BEEN APPROVED**

Pre-amble:

It is recorded that these Conditions of Establishment is to replace all previous conditions including the conditions dated 20.06.2016 in terms whereof the General Plan S.G. No 740/2016 was approved by the Surveyor General. These will bring the number of erven on the General Plan approved to be in line with the Record of Decision by the Development Facilitation Tribunal dated 06.06.2008.

1. CONDITIONS TO BE COMPLIED WITH PRIOR TO THE REGISTRATION OF THE TOWNSHIP
  - 1.1 The developer shall make the necessary arrangements with the local and relevant authorities for the provision and installation of water, electricity and sanitation as well as the construction of roads and storm-water drainage in and for the township.
  - 1.2 The applicant shall obtain public access to the township to the satisfaction of the local authority.

- 1.3 The Land Development Applicant shall provide all necessary diagrams, guarantees, documents and certificates to enable the Designated Officer to comply with the provisions of Section 38(1) of the Development Facilitation Act, 1995 (Act 67 of 1995), read with Section 60(3) of the Spatial Planning and Land Use Act, 2013 (Act 16 of 2013).
2. CONDITIONS TO BE COMPLIED WITH PRIOR TO NOTIFICATION OF THE LAND DEVELOPMENT AREA IN TERMS OF SECTION 33(4) OF ACT 67 OF 1995, READ WITH SECTION 60(3) OF THE SPATIAL PLANNING AND LAND USE ACT, 2013 (ACT 16 OF 2013)
- 2.1 The Land Development Applicant shall comply with the provisions of Section 37 of the Development Facilitation Act, 1995 (Act 67 of 1995), read with Section 60(3) of the Spatial Planning and Land Use Act, 2013 (Act 16 of 2013).
- 2.2 The applicant shall satisfy the local authority that the necessary documentation, clauses, maps, etc. regarding the amendment scheme as contemplated in Ordinance 15 of 1986, are in order and can be published simultaneously with the notice contemplated in Section 33(4) of the Act, read with Section 60(3) of the Spatial Planning and Land Use Act, 2013 (Act 16 of 2013).
- 2.3 The Land Development Applicant shall provide the Polokwane Municipality of an approved copy of the General Plan of the Land Development Area, as well as copies of the approved Map 3 Series.
3. CONDITIONS OF ESTABLISHMENT
- 3.1 NAME
- The name of the land development area shall be Bendor Extension 108 Township.
- 3.2 DESIGN
- The land development area shall consist of erven and streets as indicated on the amended Layout Plan and Amended General Plan (S.G. No. 740/2016) of Bendor Extension 108.
- 3.3 DISPOSAL OF EXISTING CONDITIONS OF TITLE
- All erven shall be made subject to existing conditions and servitude's, if any, but excluding the following conditions which must be cancelled and removed from the title deed T110105/96:-
- "Die eiendom onderhewig is aan die volgende voorwaardes:
- A. Onderhewig aan die volgende voorwaardes opgele in terme van Wet Nr 21 van 1940:
1. Die grond mag slegs vir woon- en landboudoeleindes gebruik word. Op die grond of op enige behoorlik goedgekeurde onderverdeling daarvan, mag daar nie meer geboue wees as een woonhuis tesame met die buitegeboue wat gewoonweg vir gebruik in verband daarmee nodig is en welke geboue en bouwerke as wat vir landboudoeleindes nodig mag wees nie.
  2. Mag geen winkel of besigheid of nywerheid van watter aard ookal op die grond geopen of gedryf word nie.

- B. Onderworpe aan die volgende voorwaardes opgele deur en ten gunste van ANDRE FRANCOIS DURR NAUDE, gebore op 15 Februarie 1940, sy erfgename, eksekuteurs, administrateurs of regsverkrygendes:-
1. Die hoewe mag nie onderverdeel word nie en geen gedeelte daarvan mag verkoop, verhuur of op enige ander wyse van die hand gesit word sonder die skriftelike toestemming van die Provinsiale Administrasie eers daartoe verkry is nie.
  2. Die hoewe mag nie aan twee of meer persone verkoop of deur hulle gesamentlik gehou word nie.
  3. die waarde van die woonhuis, sonder inbegrip van die buitegeboue wat op die hoewe opgerig word, moet minstens R15 000 (VYFTIEN DUISEND RAND) wees.
  4. Die woonhuis moet gelyktydig met of voor die buitegeboue opgerig word en moet 'n voltooid huis wees en nie een wat gedeeltelik opgerig word om eers later voltooi te oword nie.
  5. Geen gebou van hout en/of sink en/of rougrondstene mag op die hoewe opgerig word nie.
  6. Geen hout, ysterware, boumateriaal of enige ander handelsartikels hoegenaamd, sal op die hoewe opgeberg of gestoor word vir handelsdoeleindes nie en die hoewe sal ook nie gebruik word vir die berging van tweedehandse motors of enige ander handelsware bedoel vir die handel nie. Dit word spesiaal bepaal dat geen motorwrak of landbou- of ander implementewrakke op die hoewe toegelat sal word nie. Die hoewe sal nie gebruik word vir 'n motorbegraafplaas of vir die berging van ander onooglike onohigieniese goedere nie.
  7. Geen varkboerdery of hondetelery word op die hoewe toegelaat nie en die aantal vee wat op die hoewe aangehou mag word, mag nie 12 te bowe gaan nie."

#### 3.4 BUILDING STANDARDS

The National Building Regulations will apply in respect of the development.

#### 3.5 APPLICATION OF ZONING SCHEME

The following zoning scheme for regulating land use will apply in the land development area (Bendor Extension 108 township), namely: "Pietersburg/Seshego Town Planning Scheme, 1999", or as amended from time to time in terms of relevant legislation.

### 4. CONDITIONS OF TITLE

#### 4.1 SERVIDUES IN FAVOUR OF LOCAL AUTHORITY: ALL ERVEN

- (i) This erf is subject to a servitude, 2 m wide, in favour of the local authority, for sewerage and other municipal purposes, along any two boundaries other than a street boundary: Provided that the local authority may dispense with any such servitude.
- (ii) 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 m thereof.
- (iii) The local authority shall be entitled to deposit temporally on the land adjoining the aforesaid servitude such material as may be excavated by it during the course of the construction, maintenance or removal of such sewerage mains and other works as it in its discretion may deem necessary and shall further be entitled to reasonable access to the said land for the aforesaid purpose subject to any damage done during the process of the construction, maintenance or removal of such sewerage mains and other works being made good by the local authority.

4.2 SERVITUDES IN FAVOUR OF LOCAL AUTHORITY: ERVEN 8203, 8228, 8276 and 8354

Subject to paragraph 4.1 above, these erven are subject to a 3m wide servitude for municipal purposes, in favour of the local authority, as indicated on General Plan S.G. No. 740/2016.

4.3 SERVITUDES IN FAVOUR OF LOCAL AUTHORITY: ERF 8541 (park erf)

Subject to paragraph 4.1 above, this erf is subject to a servitude in favour of the local municipality, as indicated on General Plan S.G. No 740/2016, for the purposes of an attenuation dam.

4.4 SERVITUDES IN FAVOUR OF ESKOM: ERVEN 8178, 8188, 8353, 8359, 8367, 8452, 8460 and 8471

Subject to paragraph 4.1 above, these erven are subject to a servitude in favour of ESKOM and / or the Local Authority, as indicated on General Plan S.G. No 740/2016, for purposes of transmitting electricity over these erven.

5. CONDITIONS TO BE INCORPORATED IN ADDITION TO THE PROVISIONS OF THE PIETERSBURG/SESHEGO TOWN PLANNING SCHEME, 1999, AMENDMENT SCHEME 604, ANNEXURE 372

5.1 ERVEN 8176 – 8274, 8276, 8280 – 8288, 8293 – 8303, 8308 - 8346, 8348 – 8370, 8383 – 8478, 8483 – 8496 and 8499 – 8512:

Use Zone 1: "Residential 1".

5.2 ERVEN 8275, 8304 - 8307:

Use Zone 2: "Residential 2".

The maximum number of dwellings on these erven shall not exceed 44 dwelling units per hectare.

5.3 ERF 8541:

Use Zone 18: "Public Open Space".

5.4 ERF 8347:

Use Zone 8: "Special".

This erf may be used for purposes as allowed by the Polokwane Municipality in terms of Special Consent allowed by the Town Planning Scheme in operation.