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# LOCAL AUTHORITY NOTICES

## LOCAL AUTHORITY NOTICE 263

THABA CHWEU MUNICIPALITY  
LYDENBURG ADMINISTRATIVE UNIT  
PROPOSED LYDENBURG EXTENSION 44

### DECLARATION AS APPROVED TOWNSHIP

In terms of the provisions of Section 103(1) of the Town Planning and Townships Ordinance, 1986, the Thaba Chweu Municipality, Lydenburg Administrative Unit, hereby declares LYDENBURG EXTENSION 44 township situated on Portion 176 (a Portion of Portion 146) of the farm Townlands of Lydenburg 31 J.T. to be an approved township, subject to the conditions set out in the Schedule hereto.

### SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY THE HEADS TRUST (HEREINAFTER REFERRED TO AS THE APPLICANT / TOWNSHIP OWNER) UNDER THE PROVISIONS OF PARTS A AND C OF CHAPTER 3 OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 176 (A PORTION OF PORTION 146) OF THE FARM TOWNLANDS OF LYDENBURG 31 - JT

#### 1. CONDITIONS OF ESTABLISHMENT

- (1) **NAME**  
The name of the township shall be Lydenburg Extension 44.
- (2) **DESIGN**  
The township shall consist of erven and streets as indicate on General Plan S.G. No. 2939/2005.
- (3) **DEMOLITION OF BUILDINGS AND STRUCTURES**  
The township owner shall at his own expense cause all existing buildings and structures situated within the building line reserves, side spaces or over common boundaries to be demolished to the satisfaction of the local authority, when required by the local authority to do so.
- (4) **OBLIGATIONS IN REGARD TO ESSENTIAL SERVICES AND THE RESTRICTION ON THE DISPOSAL OF ERVEN**  
No erven shall be disposed of or transferred in the name of the buyer before the Thaba Chweu Municipality, Lydenburg Administrative Unit confirmed that the essential services have been installed.

#### 2. DISPOSAL OF EXISTING CONDITIONS OF TITLE

All erven shall be made subject to existing conditions and servitudes, if any, including the reservation of rights to minerals, but excluding the following conditions which do not affect the township area: -

- (1) **REGARDING PORTION 144 (FORMERLY KNOWN AS PORTION 79) OF THE FARM TOWNLANDS OF LYDENBURG 31 J.T.**
  - A. Die voormalige Gedeelte 144 ('n Gedeelte van Gedeelte 39) van die plaas Townlands of Lydenburg 31 J.T., waarvan daardie Gedeelte wat aangedui was deur die figuur KCDEFIK op kaart L.G. Nr 142/2005, 'n Gedeelte vorm, is onderhewig aan die volgende voorwaardes:
    - (a) **SUBJECT** to the provisions of certain Contract entered into the 24<sup>th</sup> May 1983, between the GOVERNMENT OF THE TRANSVAAL and certain PHILLIPUS JEREMIAS COETSER, Senior, PIETER WILLEM COETSER and JAN PETRUS COETSER, as owners of Portion of the farm STERKSPRUIT No 33, Registration Division J T, district Lydenburg, relative to a water furrow leading from the said farm STERKSPRUIT to the town Lydenburg, which Contract is registered in the Deeds Office, PRETORIA, under No 614/1896.
    - (b) By Notarial Deed No. K840/1936S the right has been granted to EVKOM to convey electricity over the property hereby conveyed, together with the erection of a transformer building, and ancillary rights and subject to conditions, as will more fully appear on reference to said Notarial Deed.
    - (c) By Notarial Deed No. K1331/1976S the right has been granted to EVKOM to convey electricity over the property hereby conveyed, together with ancillary rights and subject to conditions, as will more fully appear on reference to said Notarial Deed.

- (d) By Notarial Deed No. K2341/1976S the right has been granted to EVKOM to convey electricity over the property hereby conveyed, together with ancillary rights and subject to conditions, as will more fully appear on reference to said Notarial Deed.
- (e) By Notarial Deed No. K2342/1976S the right has been granted to EVKOM to convey electricity over the property hereby conveyed, together with ancillary rights and subject to conditions, as will more fully appear on reference to said Notarial Deed.
- (f) By Notarial Deed No. K2343/1976S the right has been granted to EVKOM to convey electricity over the property hereby conveyed, together with ancillary rights and subject to conditions, as will more fully appear on reference to said Notarial Deed.
- (g) Kragtens K800/1999S gedateer 5 Februarie 1999 is die binnegemelde eiendom onderhewig aan 'n kraglynserwituut ten gunste van ESKOM met bykomende regte, soos meer volledig sal blyk uit genoemde serwituut met kaart daaraangeheg, welke roete bepaal is deur Notariële Akte van Roetebepaling K6063/1999S gedateer 7 Desember 1999, synde die lyne Ab (middel van dorpsrivier) en cDd op kaart LG No. 2372/1999 en wydte van die serwituut synde 18 meter aan albei kante van die gemelde lyne.
- (2) REGARDING PORTION 145 (FORMELY KNOWN AS PORTION 79) OF THE FARM TOWNLANDS OF LYDENBURG 31 J.T.
- B. Die voormalige Gedeelte 145 ('n Gedeelte van Gedeelte 79) van die plaas Townlands of Lydenburg 31 J.T., waarvan daardie Gedeelte wat aangedui word deur die figure ABKIGHJA op Kaart L.G. Nr 142/2005 'n Gedeelte uitmaak, is onderhewig aan die volgende voorwaardes:
- (a) SUBJECT to the provisions of certain Contract entered into the 24<sup>th</sup> May 1983, between the GOVERNMENT OF THE TRANSVAAL and certain PHILLIPUS JEREMIAS COETSER, Senior, PIETER WILLEM COETSER and JAN PETRUS COETSER, as owners of Portion of the farm STERKSPRUIT No 33, Registration Division JT, district Lydenburg, relative to a water furrow leading from the said farm STERKSPRUIT to the town of Lydenburg, which Contract is registered in the Deeds Office, PRETORIA, under No 614/1896.
- (b) Kragtens Notariële Akte Nr 840/1963S, geregistreer op die 23ste Augustus 1963, is die reg aan die ELEKTRISITEITSVOORSIENINGSKOMMISSIE verleen om elektrisiteit oor die RESTERENDE GEDEELTE VAN GEDEELTE 39, van die plaas "TOWNLANDS OF LYDENBURG" Nr 31, Registrasie Afdeling JT, groot 6924,2381 HEKTAAR (waarvan die eiendom hiermee getranspoteer 'n Gedeelte uitmaak) te vervoer, tesame met die oprigting van 'n transformator en bykomende regte, onderhewig aan die kondisies, soos meer volledig blyk uit die gesegde Notariële Akte.
- (c) Kragtens Notariële Akte No K1331/1976S geregistreer op die 7de Mei 1976 is die reg aan EVKOM verleen om elektrisiteit oor die RESTERENDE GEDEELTE van GEDEELTE 39 van die plaas "TOWNLANDS OF LYDENBURG: Nr 31, Registrasie Afdeling JT, groot 6889,6162 HEKTAAR (waarvan die eiendom hiermee getranspoteer 'n Gedeelte uitmaak) te vervoer, tesame met bykomende regte, en onderworpe aan voorwaardes, soos meer volledig sal blyk uit gesegde Akte.
- (d) Kragtens Notariële Akte No K2341/1976S geregistreer op 11 Augustus 1976 is die reg aan EVKOM verleen om elektrisiteit oor die RESTERENDE GEDEELTE van GEDEELTE 39 van die plaas "TOWNLANDS OF LYDENBURG" Nr 31, Registrasie Afdeling JT, groot 6 889,6162 HEKTAAR (waarvan die eiendom hiermee getranspoteer 'n Gedeelte uitmaak) te vervoer, tesame met bykomende regte, en onderworpe aan voorwaardes, soos meer volledig sal blyk uit gesegde Akte.
- (e) Kragtens Notariële Akte No K2342/1976S geregistreer op 11 Augustus 1976 is die reg aan EVKOM verleen om elektrisiteit oor die RESTERENDE GEDEELTE van GEDEELTE 39 van die plaas "TOWNLANDS OF LYDENBURG" Nr 31, Registrasie Afdeling JT, groot 6889,6162 HEKTAAR (waarvan die eiendom hiermee getranspoteer 'n Gedeelte uitmaak) te vervoer, tesame met bykomende regte, en onderworpe aan voorwaardes, soos meer volledig sal blyk uit gesegde Akte.

- (f) Kragtens Notariële Akte No K2343/1976S geregistreer op 11 Augustus 1976 is die reg aan ESKOM verleen om elektrisiteit oor die RESTERENDE GEDEELTE van GEDEELTE 39 van die plaas "TOWNLANDS OF LYDENBURG" Nr 31, Registrasie Afdeling JT, groot 6889,6162 HEKTAAR (waarvan die eiendom hiermee getransporeer 'n Gedeelte uitmaak) te vervoer, tesame met bykomende regte, en onderworpe aan voorwaardes, soos meer volledig sal blyk uit gesegde Akte.

The following rights will not be passed onto the erven in the township:

Die voormalige Gedeelte 144 ('n Gedeelte van Gedeelte 39) van die plaas Townlands of Lydeburg 31 J.T. waarvan daardie Gedeelte wat aangedui word deur figuur KCDEFIk op Kaart L.G. 142/2005 'n Gedeelte vorm, is onderhewig aan die volgende voorwaardes:

- (i) ENTITLED to certain rights of water furrow pipeline and aqueduct over certain Portions of the farm STERKSPRUIT No 33, Registration Division J T, district Lydenburg, as will more fully appear from Notarial Deed No 177/1934-S, registered on the 16<sup>th</sup> April, 1934.
- (ii) By Notarial Deed No 487/53S dated 18 June 1958 the abovementioned property has been granted a servitude of pipeline, waterfurrow and other rights more fully described by the letters Abx on diagram annexed to the said Notarial Deed over portion 57 (portion of portion 1) called Marmer of Portion N of portion, the Remaining Extent of Portion 1 called Marmer of Portion N of Portion 2 of Portion N of Portion Sterkspruit No. 33, Registration Division J.T., district Lydenburg.

Die voormalige Gedeelte 145 ('n Gedeelte van Gedeelte 79) van die plaas Townlands of Lydeburg 31 J.T. waarvan daardie Gedeelte wat aangedui word deur figuur ABKIGHJA op Kaart L.G. 142/2005 'n Gedeelte vorm, is onderhewig aan die volgende voorwaardes:

- (i) ENTITLED to certain rights of water furrow pipeline and aqueduct over certain portions of the farm STERKSPRUIT No 33, Registrasion Division JT, district Lydenburg, as will more fully appear from Notarial Deed No 177/1934-S, registered on the 16<sup>th</sup> April, 1934.
- (ii) By Notarial Deed No 487/53 S dated 18<sup>th</sup> July 1953 and registered on 20<sup>th</sup> June 1953, the said property has been granted a servitude of pipeline, waterfurrow and other rights more fully described by the letters A B X on diagram annexed to the said Notarial Deed over Portion 57 (a Portion of Portion 1 called Marmer of Portion N of Portion); the Remaining extend of Portion 1 called Marmer of Portion N of Portion and Portion 2 of Portion N of Portion STERKSPRUIT NO33, Registration Division JT, district Lydenburg"

### 3. CONDITIONS OF TITLE

All erven shall be subject to the following conditions imposed by the local authority in terms of the provisions of the Town Planning and Townships Ordinance, 1986.

- (1) The erf is subject to a servitude, 2m wide, in favour of the local authority, 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 local authority: Provided that the local authority may dispense with any such servitude.
- (2) No building or other structure shall be erected within the aforesaid servitude area and no large-rooted trees be planted within the area of such servitude or within 2m thereof.
- (3) The local authority 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 local authority.

**LOCAL AUTHORITY NOTICE 264**

THABA CHWEU MUNICIPALITY  
LYDENBURG ADMINISTRATIVE UNIT  
LYDENBURG TOWN PLANNING SCHEME, 1995: LYDENBURG AMENDMENT SCHEME 108/95

The Thaba Chweu Municipality, Lydenburg Administrative Unit hereby, in terms of the provisions of Section 125(1) of the Town Planning and Townships Ordinance, 1986, declares that it has approved an amendment scheme, being an amendment of Lydenburg Town Planning Scheme, 1995, comprising the same land as included in the township of Lydenburg Extension 44 township.

Map 3 and the scheme clauses of the amendment scheme are available for inspection at all reasonable times at the office of the Department of Agriculture and Land Administration, C/O De Waal and Anderson Streets, Simenye Corner Building, 1<sup>st</sup> Floor, Room 20, Nelspruit, Attention: Marita Stoop, as well as the Acting Municipal Manager, Thaba Chweu Municipality, Lydenburg Administrative Unit, Sentraal Street, Lydenburg.

This amendment is known as Lydenburg Amendment Scheme 108/95.

Acting Municipal Manager, Thaba Chweu Municipality, Sentraal Street, Lydenburg, P O Box 61, Lydenburg, 1120

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**PLAASLIKE BESTUURSKENNISGEWING 264**

THABA CHWEU MUNISIPALITEIT  
LYDENBURG ADMINISTRATIEWE EENHEID  
LYDENBURG DORPSBEPLANNINGSKEMA, 1995: LYDENBURG WYSIGINGSKEMA 108/95

Die Thaba Chweu Munisipaliteit, Lydenburg Administratiewe Eenheid verklaar hierby, ingevolge die bepalings van Artikel 125(1) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986, dat dit 'n wysigingskema, synde 'n wysiging van die Lydenburg Dorpsbeplanningskema, 1995, wat uit dieselfde grond as die dorp Lydenburg Uitbreiding 44 bestaan, goedgekeur het.

Die Kaart 3 en die skemaklousules van die wysigingskema word in bewaring gehou by die kantoor van die Departement van Landbou en Grond Administrasie, H/V De Waal en Andersonstrate, Simenye Corner Gebou, 1ste Vloer, Kamer 20, Nelspruit, Aandag: Marita Stoop en by die Waarnemende Munisipale Bestuurder, Thaba Chweu Munisipaliteit, Lydenburg Administratiewe Eenheid, Sentraalstraat, Lydenburg.

Hierdie wysiging staan bekend as Lydenburg Wysigingskema 108/95.

Waarnemende Munisipale Bestuurder, Thaba Chweu Munisipaliteit, Sentraalstraat, Lydenburg, Posbus 61, Lydenburg, 1120

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