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# GENERAL NOTICES • PLAASLIKE BESTUURSKENNISGEWINGS

## NOTICE 168 OF 2006

### BELA BELA MUNICIPALITY

#### DECLARATION AS APPROVED TOWNSHIP

In terms of the Section 103 of the Town-Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), the Bela Bela Municipality hereby declares Kalkheuvel to be an approved township, subject to the conditions set out in the Schedule hereto:

#### SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY THE PRETORIA PORTLAND CEMENT COMPANY LIMITED (HEREINAFTER REFERRED TO AS "THE APPLICANT") IN TERMS OF THE PROVISIONS OF PART C OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986, (ORDINANCE 15 OF 1986), FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 5 OF THE FARM KALKHEUVEL 73-J.R., HAS BEEN GRANTED

#### 1. CONDITIONS OF ESTABLISHMENT

##### 1.1 Name

The name of the township shall be **Kalkheuvel**.

##### 1.2 Design

The township shall consist of erven and streets as indicated on General Plan SG. No. 8368/2002.

##### 1.3 Disposal of existing conditions of title

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

"A: The registered owner of the remaining extent of the farm "Kalkheuvel" No. 73 JR district Warmbaths, measuring as such 2157,7577 hectares shall not be entitled to erect buildings or other structures thereon -

(a) Within the area represented by the Figure H circular curve GH excluding the figure ABCD on Diagram No. A2866/55 annexed to Deed of Transfer T20526/1956, if such building or structure would subtend:-

- (i) Horizontally on angle of more than 1° and vertically on angle of more than 1°,
- (ii) Horizontally on angle of more than 2° and vertically on angle of more than ½ ° at ground level at the point represented by the letter O on the said diagram, and -

(b) Within the area represented by the figure F circular curve EF excluding the figure ABCD on the said diagram, if such building or structure would subtend horizontally an angle of more than 5° and vertically an angle of more than 2° at ground level at the point represented by the letter O on the said diagram; which shall be enforceable by the registered owner of Portion 1 of the farm "Kalkheuvel".

B: The remaining extent of the said farm "Kalkheuvel" No. 73 JR, measuring as such 2157,7577 hectares shall be subject to servitudes in favour of the said Portion 1 of the said farm "Kalkheuvel" of power transmission lines, telephone lines, pipelines and rights of way, the routes and widths of which shall be mutually agreed upon by the owner of Portion 1 of the farm, and the registered owner of the said remaining extent of the said farm "Kalkheuvel" No 73 shall not erect or cause to be erected any building on any of the areas traversed by these servitudes without the prior written consent of the Government of the Republic of South Africa in its Department of The Defence nor shall he cause or permit anything to be done which may in any way damage or interfere with the aforesaid power transmission lines, telephone lines or pipelines;

C: By Notarial Deed of Servitude K1096/1982 S dated 3 May 1982 the right has been granted to Escorn to convey electricity over the property hereby conveyed together with Ancillary rights, and subject to conditions, as will more fully appear from the said Notarial Deed. By virtue of Notarial Deed of Route Description No. K851/85 dated 15 March 1985 the route has been defined as follows:

Along the route indicated by the line ab and cd on diagram SG No A8404/84, the extent and width being 20 metres on both sides of the line. As will more fully appear from the said Notarial Deed:

D: Voorwaardes opgelê deur die Departement van Vervoer kragtens Wet op Nasionale Paaie 1971 (Wet 54 van 1971) teen Restant van die plaas Kalkheuvel No. 73 Registrasie Afdelig JR Transvaal.

- 1) Met die uitsondering van bestaande bouwerke mag geen bouwerk of enigiets anders hoegenaamd sonder die skriftelike goedkeuring van die Suid-Afrikaanse Padraad (SAPR) binne 'n afstand van 20 meter, gemeet vanaf die nasionale padreserwegrens opgerig word nie.
- 2) Indien die grond of enige gedeelte daarvan met enige ander grond gekonsolideer word, gaan bovermelde voorwaarde oor op die gekonsolideerde grond. Soos meer ten volle sal blyk uit gesegde voorwaarde geliasseer onder K2184/94 S gedateer 29/04/94."

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**1.4 Receiving and disposal of stormwater**

The township owner shall arrange the stormwater drainage of the township to the satisfaction of the Bela Bela Municipality.

**1.5 Removal or replacement of municipal services**

Should it become necessary to move or replace any existing municipal services as a result of the establishment of the township, the cost thereof shall be borne by the township owner.

**1.6 Demolition of buildings and structures**

When required by the Bela Bela Municipality to do so, the township owner shall at his own expense cause to be demolished to the satisfaction of the Bela Bela Municipality all existing buildings and structures situated within building line reserves and side spaces or over common boundaries, or dilapidated structures.

**1.7 Removal of litter**

The township owner shall at his own expense have all litter within the township area removed to the satisfaction of the Bela Bela Municipality, when required to do so by the Bela Bela Municipality.

**1.8 Removal and/or replacement of telkom services**

Should it become necessary to remove and/or replace any existing TELKOM services as a result of the establishment of the township, the cost thereof shall be borne by the township owner.

**2. CONDITIONS OF TITLE**

The erven mentioned below shall be subject to the conditions as indicated, laid down by the Bela Bela Municipality in terms of the provisions of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986).

**2.1 All erven**

- (a) The erf shall be subject to a servitude, 2m wide, for municipal services (water, sewer, electricity and stormwater) (hereinafter referred to as "the services"), in favour of the local authority, along any two boundaries, excepting a street boundary and, in the case of a panhandle erf, an additional servitude for municipal purposes, 2m wide, over the entrance portion of the erf, if and when required by the local authority: Provided that the local authority may waive any such servitude.
- (b) No buildings or other structures may be erected within the aforesaid servitude area and no trees with large roots may be planted within the area of such servitude or within a distance of 2m from it.
- (c) The Bela Bela Municipality shall be entitled to temporarily deposit on the land adjoining the aforesaid servitude, any material it excavates during the laying, maintenance or removal of such services and other works which in its discretion it regards necessary, and furthermore the Bela Bela Municipality shall be entitled to reasonable access to the said property for the aforesaid purpose, subject to the provision that the Bela Bela Municipality shall make good any damage caused during the laying, maintenance or removal of such services and other works.

**M. Krause**

**Divisional Head Administration**

**Bela Bela Municipality, Private Bag 1609, WARMBATHS, 0480**

**KENNISGEWING 168 VAN 2006****BELA BELA MUNISIPALITEIT****VERKLARING TOT GOEDGEKEURDE DORP**

Ingevolge artikel 103 van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986), verklaar die Bela Bela Munisipaliteit hierby die dorp Kalkheuvel tot 'n goedgekeurde dorp, onderworpe aan die voorwaardes van die bygaande bylaag:

**BYLAAG**

VOORWAARDES WAAROP DIE AANSOEK GEDOEN DEUR THE PRETORIA PORTLAND CEMENT COMPANY LIMITED (HIERONDER VERWYS IN "DIE AANSOEKER") INGEVOLGE DIE BEPALINGS VAN GEDEELTE C OP DIE DORPSBEPLANNING EN DORPE, 1986, OM TOESTEMMING OM 'N DORP TE STIG OP GEDEELTE 5 VAN DIE PLAAS KALKHEUVEL 73-J.R. GOEDGEKEUR IS.

**1. STIGTINGSVOORWAARDES****1.1 Naam**

Die naam van die dorp is **Kalkheuvel**.

**1.2 Ontwerp**

Die dorp bestaan uit erwe en strate soos aangedui op Algemene Plan L.G. Nr. 8368/2002.

**1.3 Opheffing van bestaande titelvoorwaardes**

Alle erwe moet onderworpe gemaak word aan bestaande titelvoorwaardes en serwitute, indien enige, insluitend die reservering van minerale regte, maar uitgesluit die volgende voorwaardes wat nie die dorp affekteer nie;

"A: Die geregistreerde eienaar van die resterende gedeelte van die plaas "Kalkheuvel" No. 73 JR distrik Warmbad, groot 157,7577 hektaar sal nie geregtig wees om beboue of ander strukture daarop op te rig-

- (a) Binne die area soos voorgestel word deur die Figuur H sirkulêre kurwe GH uitgesluit die figuur ABCD op Diagram Nr. A2866/55 aangeheg tot die Akte van Transport T20526/1956, indien so 'n gebou of struktuur sou onderspan word:-
- (i) Horisontaal teen 'n hoek van meer as 1° en vertikaal teen 'n hoek van meer as 1°,
- (ii) Horisontaal teen 'n hoek van meer as 2° en vertikaal teen 'n hoek van meer as ½ ° by grondvlak by die punt verteenwoordig deur die letter O op die genoemde diagram, en -
- (b) Binne die area soos voorgestel word deur die Figure F sirkulêre kurwe EF uitgesluit die figuur ABCD op die genoemde diagram, indien so 'n gebou of struktuur horisontaal onderspan word teen 'n hoek van meer as 5° en vertikaal teen 'n hoek van meer as 2° by grondvlak by die punt wat verteenwoordig word deur die letter O op die genoemde diagram; wat afdwingbaar sal wees deur die geregistreerde eienaar van Gedeelte 1 van die plaas "Kalkheuvel".

B: Die resterende gedeelte van die genoemde plaas "Kalkheuvel" Nr. 73 JR, groot 2157,7577 hektaar is onderhewig aan serwitute ten gunste van die genoemde Gedeelte 1 van die genoemde plaas "Kalkheuvel" van krag transmissie lyn, telefoon lyne, pyplyne en regte van weg, die roetes en wydtes daarvan moet gemeenskaplik ooreengekom word tussen die eienaar van Gedeelte 1 van die plaas, en die geregistreerde eienaar van die genoemde resterende gedeelte van die genoemde plaas "Kalkheuvel" No 73 mag nie enige gebou oprig of laat oprig op enige areas wat oorkruis word deur hierdie serwitute sonder vooraf geskrewe toestemming van die Regering van die Republiek van Suid-Afrika in sy Departement van Vedinging verkry is, nóg sal hy veroorsaak of toelaat dat enigiets gedoen word wat op enige manier die voorgenoemde krag transmissie lyne, telefoon lyne of pyplyne beskadig of versteur;

C: Deur Notariële Akte van Serwituut K1096/1982 S gedateer 3 Mei 1982 word die reg toegestaan aan Eskom om elektrisiteit oor die eiendom te vervoer tesame met Ondergeskikte regte, en onderhewig aan voorwaardes, soos meer duidelik sal blyk in die genoemde Notariële Akte. Kragtens die Notariële Akte van Roete Beskrywing Nr. K851/85 gedateer 15 Maart 1985 die roete is gedefinieer as volg:

Allangs die roete aangedui deur die lyn ab en cd op die diagram SG Nr. A8404/84, die omvang en wydte, 20 meter breed aan beide kante van die lyn. Soos verder sal blyk uit die genoemde Notariële Akte:

- D: Voorwaardes opgelê deur die Departement van Vervoer kragtens Wet op Nasionale Paaie 1971 (Wet 54 van 1971) teen Restant van die plaas Kalkheuvel No. 73 Registrasie Afdelig JR Transvaal.
- 1) Met die uitsondering van bestaande bouwerke mag geen bouwerk of enigiets anders hoegenaamd sonder die skriftelike goedkeuring van die Suid-Afrikaanse Padraad (SAPR) binne 'n afstand van 20 meter, gemeet vanaf die nasionale padreserwegrens opgerig word nie.
- 2) Indien die grond of enige gedeelte daarvan met enige ander grond gekonsolideer word, gaan bovermelde voorwaarde oor op die gekonsolideerde grond. Soos meer ten volle sal blyk uit gesegde voorwaarde geliasseer onder K2184/94 S gedateer 29/04/94."

**1.4 Ontvangs en verwydering van Stormwater**

Die dorpseienaar moet reël dat die stormwater dreinerig van die dorp ter bevrediging van die Bela Bela Munisipaliteit is

**1.5 Vewydering of vervanging van munisipale dienste**

Indien, omrede die stigting van die dorp, dit nodig geag sou word om enige bestaande munisipale dienste te verwyder of te vervang, sal die koste daarvan deur die dorpseienaar gedra word.

**1.6 Sloping van geboue en strukture**

Die dorps eienaar, wanneer vereis deur die Bela Bela Munisipaliteit, moet op sy eie onkoste alle bestaande geboue en strukture geleë binne die boulyn reserwes en sy spasies of oor gemeenskaplike grense, of vervalle strukture, sloop, ter bevrediging van die Bela Bela Munisipaliteit.

**1.7 Verwydering van vullis**

Die dorps eienaar moet op sy eie onkoste alle vullis binne die dorps area verwyder ter bevrediging van die Bela Bela Munisipaliteit, wanneer so vereis word deur die Bela Bela Munisipaliteit.

**1.8 Vewydering en/of vervanging van Telkom dienste**

Indien, omrede die stigting van die dorp, dit nodig geag sou word om enige bestaande Telkom dienste te verwyder en/of te vervang, sal die koste daarvan deur die dorpseienaar gedra word.

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## 2. TITELVOORWAARDES

Die erwe hieronder genoem is aan die volgende voorwaardes soos aangedui en opgelê deur die Bela Bela Munisipaliteit ingevolge die bepalings van die Ordonnansie van Dorpsbeplanning en Dorpe, 1986 (Ordinance 15 of 1986), onderworpe:

### 2.1 Alle erwe

- (a) Alle erwe is onderworpe aan 'n serwituut, 2m breed, vir munisipale dienste (water, riool, elektrisiteit en stormwarer) (hierna verwys na as "die dienste"), ten gunste van die plaaslike bestuur, langs enige twee grense, uitgesonderd 'n straatgrens en, in die geval van 'n pypsteelerf, 'n addisionele serwituut vir munisipale doeleindes, 2m breed oor die toegangsgedeelte van die erf, indien en wanneer verlang deur die plaaslike bestuur: Met dien verstande dat die plaaslike bestuur van enige serwituut mag afsien.
- (b) Geen geboue of ander struktuur mag binne die voornoemde serwituutgebied opgerig word nie en geen grootwortelbome mag binne die gebied van sodanige serwituut of binne 'n afstand van 2m daarvan geplant word nie.
- (c) Die Bela Bela Munisipaliteit is geregtig om enige materiaal wat deur hom uitgegrawe word tydens die aanleg, onderhoud of verwydering van sodanige dienste en ander werke wat hy volgens goedduke noodsaaklik ag, tydelik te plaas op die grond wat aan die voornoemde serwituut grens en voorts is die Bela Bela Munisipaliteit geregtig tot redelike toegang tot genoemde grond tot die voornoemde doel, onderworpe daaraan dat die Bela Bela Munisipaliteit enige skade vergoed wat gedurende die aanleg, onderhoud of verwydering van sodanige dienste en ander werke veroorsaak word.

## NOTICE 169 OF 2006

### WARMBATHS AMENDMENT SCHEME 31

The Bela Bela Municipality hereby in terms of the provisions of sections 125 of the Town-Planning and Townships Ordinance, 1986, declares that it has approved an amendment scheme, being an amendment of Warmbaths Town-Planning Scheme, 1995, comprising the same land as included in the township of Kalkheuvel. Map 3 and the scheme clauses of the amendment scheme are filed with the Municipal Manager of the Bela Bela Municipality, and are open to inspection during normal office hours. This amendment is known as Warmbaths Amendment Scheme 31.

**M. Krause**  
Divisional Head Administration  
Bela Bela Municipality, Private Bag 1609, WARMBATHS, 0480

## KENNISGEWING 169 VAN 2006

### WARMBAD WYSIGINGSKEMA 31

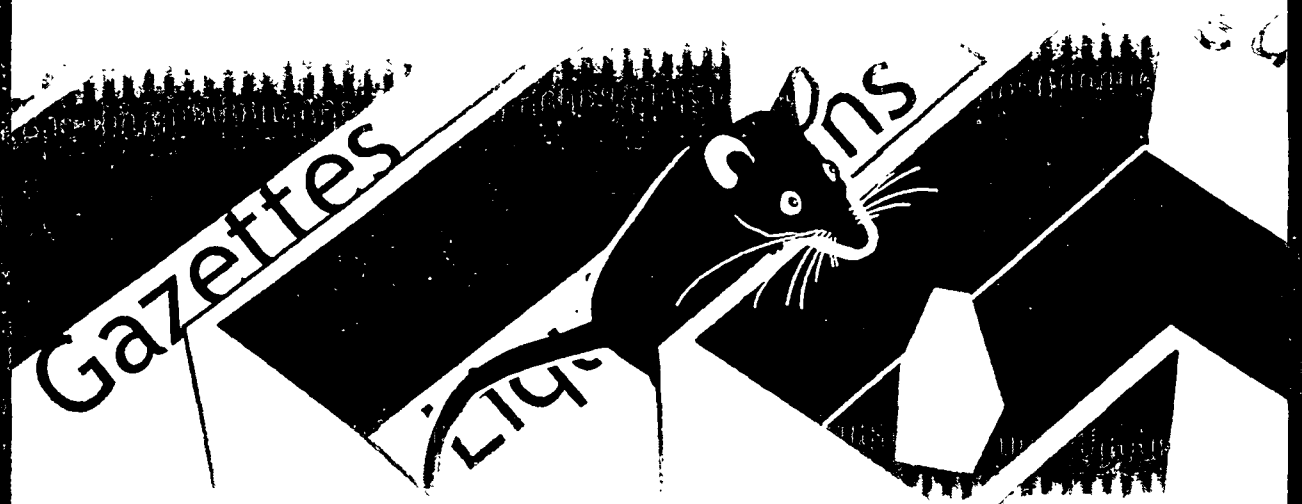
Die Bela Bela Munisipaliteit verklaar hierby ingevolge die bepalings van artikel 125 van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986, dat 'n wysigingskema synde 'n wysiging van Warmbad Dorpsbeplanningskema, 1995, wat uit dieselfde grond as die dorp Kalkheuvel bestaan, goedgekeur is. Kaart 3 en die skemaklousules van die wysigingskema word deur die Munisipale Bestuurder van die Bela Bela Munisipaliteit, in bewaring gehou en is beskikbaar vir inspeksie gedurende gewone kantoorure. Hierdie wysiging staan bekend as die Warmbad Wysigingskema 31.

**M. Krause**  
Afdelingshoof Administrasie  
Bela Bela Munisipaliteit, Privaatsak 1609, WARMBAD, 0480



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