

**REGIONAL TOWN AND COUNTRY PLANNING ACT, CHAPTER 29:12**

**(SECTION 40)**

**FILE REF: BYO/METRO/RC/87  
PERMIT NO: BYO/METRO/06/13  
APPLICANT: RADAR PROPERTIES**

**SUBDIVISION OF THE REMAINING  
EXTENT OF WILLSGROVE:  
BULAWAYO DISTRICT**

**PERMIT FOR THE SUBDIVISION OF LAND**

The Minister of Local Government, Public Works and National Housing (hereinafter called "the Minister" ) hereby grants a PERMIT, in terms of Section 40(5) (a) of the Regional, Town and Country Planning Act, Chapter 29:12 (hereinafter called "the Act") to **RADAR PROPERTIES** (hereinafter called the 'Applicant') in respect of an application dated 1 July 2013 and numbered BYO/METRO/06/13 in the register of the Provincial Planning Officer, Matabeleland North for the **SUBDIVISION OF:**

A Certain : piece of land situate in the **DISTRICT OF BULAWAYO**  
Being : Remaining Extent of Willsgrove  
Measuring : 2 166.5084 hectares  
Held Under : Deed of Transfer No. 1733/94

**TO CREATE**

Certain : pieces of land situated in the **DISTRICT OF BULAWAYO**  
Being : **Stands 1 to 7821 Sunninghill North Township of Willsgrove** (see Annexure for stand numbers, sizes and uses for the individual stands.)

As Will More  
Fully Appear

: from the Subdivision Diagram Numbers **BF37, BF38, and BF39** attached hereto.

Subject

: to the under mentioned conditions:-

In these conditions

:-

“the owner”

: means the person in whose favour any of the stands is subsequently transferred to by the Registrar of Deeds.

“the Local Authority”

: means Umguza Rural District Council or its successors.

PART 1

: STANDARD CONDITIONS

Condition 1

: The Applicant through its Land Surveyor shall, within 12 months from the date of issue of this PERMIT or any extension of the period which may be granted by the Minister in writing, lodge with the Surveyor General for action in terms of Section 40(5)(a)(ii) of the Regional, Town and Country Planning Act Chapter 29:12 and Section 25 of the Land Survey Act Chapter 20:12, such documents as the latter may require in connection with this Permit.

Condition 2

- : a) All new roads which shall be formed must be graded and surfaced with bituminous asphalt by the Applicant at its expense with the exception of 10m roads which shall be formed, graded and gravelled at the cost of the Applicant to the specification of the Local Authority.
- b) Storm water drainage shall be constructed by the Applicant at its cost to a specification approved prior to installation by, and to the satisfaction of the Local Authority and The Director of Engineering Services, City of Bulawayo.
- c) An invert or piped culvert shall be installed by the Applicant at its cost where applicable to specifications approved and to the satisfaction of The Director of Engineering Services (City of Bulawayo) and the Local Authority.
- d). The land depicted as road on BF37, BF38 and BF39 together with splays shall be set aside as a road and shall be vested in the Local Authority.

Condition 3

: A reticulated water supply system which services the existing built up area should be upgraded to accommodate new connections to the newly created stands to specifications approved prior to installations by, and to the satisfactions of The Director of Engineering Services and the Local Authority.

- Condition 4 : A reticulated sewerage system which services the area should be maintained and all new connections for the new proposals should also be connected to the reticulated network to specifications approved by the Provincial Medical Director (Matabeleland North) and the Local Authority.
- Condition 5 : All sewerage and water mains costs to be borne by the Applicant at its own expense.
- Condition 6 : No development shall take place nor building operations commence on the stand until a development permit has been issued by the Local Authority in terms of Section 26 of the Regional, Town and Country Planning Act, Chapter 29:12.
- Condition 7 : Building plans of all proposed developments shall be submitted to the Local Authority for approval prior to the commencement of any building operations.
- Condition 8 : The stands shall not be occupied until:-
- i. Approved buildings have been erected and completed thereon.
  - ii. A reticulated water supply system has been installed to the satisfaction of the Local Authority and the Director of Engineering Services, City of Bulawayo.
  - iii. A sanitary system to the satisfaction of the Local Authority and the Provincial Medical Director, Matabeleland North has been installed thereon.
- Condition 9 : The applicant shall pay endowment to the Local Authority in in Terms of Section 41(1) of the Regional, Town and Country Planning Act Chapter 29:12 before any other transfers are made. Endowment shall be calculated as follows:-
- i. 10% for residential
  - ii. 13% for commercial
  - iii. 7% for other uses such as churches and crèches
- NOTE:** *These percentages exclude the value of improvements at the date of disposal and shall be paid to the Local authority in terms of Section 41(1) of the Act and Section 10 of the Subdivisions and Consolidation Regulations and the monies shall be paid into development account save that no money shall be payable on the last property transferred.*
- Condition 10 : Implementation of this project shall be subject to the requirements of Section 97 of the Environmental Management Act (Chapter 20:27).

- Condition 11 : The Registrar of Deeds shall not register and/or transfer any subdivision until:-
- a. he/she is in possession of a Certificate of Compliance issued by the Local Authority confirming that the Applicant has fully complied with Conditions 2, 3, 4 and 12 above and,
  - b. written confirmation by the Local Authority to the effect that the Applicant is up to date with the payment of any property rates or levies.
- Condition 12 : All open spaces and buffer strips shall be transferred to the Local Authority and shall not be subject to conditions as are mentioned or contained in the Deed of Transfer of the relevant properties.

PART TWO: CONDITIONS FOR INCLUSION IN THE TITLE DEEDS TO PROPERTIES

- Condition 1 : All relevant conditions mentioned or referred to in the said Deed of Transfer Number 1733/94 shall be carried forward.
- Condition 2 : Stands 4-13, 15-24, 26-64, 66-150, 153-157, 159-227, 229-418, 420-499, 501-516, 518-538, 540-554, 556-569, 571-588, 590-701, 703-730, 734-778, 780-841, 843-891, 893-1006, 1008-1031, 1033-1084, 1086-1124, 1126-1137, 1139-1176, 1178-1198, 1200-1264, 1267-1276, 1278-1311, 1314-1346, 1349-1468, 1470-1490, 1495-1528, 1530-1536, 1538-1892, 1894-1904, 1906-1916, 1918-2008, 2010-2110, 2112-2203, 2205-2349, 2352-2458, 2460-2584, 2586-2681, 2683-2703, 2705-2838, 2840-2880, 2882-2897, 2899-3053, 3056-3208, 3211-3322, 3324-3365, 3367-3524, 3526-3649, 3654-4073, 4075-4216, 4218-4236, 4238-4282, 4284-4563, 4565-4821, 4823-4875, 4877-4896, 4898-5316, 5318-5420, 5422-5441, 5800-5870, 5873-5938, 5940-6024, 6026-6111, 6113-6131, 6133-6274, 6276-6418, 6421-6436, 6439-6469, 6471-6582, 6584-6617, 6619-6658, 6660-6689, 6691-6714, 6716-6786, 6788-7022, 7024-7262, 7264-7392, 7395-7409, 7414-7470, 7472-7504 and 7506-7562 shall be used for Residential Purposes only as defined in terms of the Statutory Instrument 216 (Use Group) Regulations of 1994.
- Condition 3 : Stand 1, Stands 7565 -7572 of Stand 152, Stands 7573 - 7586 of Stand 517, Stands 7614-7630 and Stands 7642-7652 of Stand 1085, Stands 7587-7591 of Stand 1494, Stand 7592, 7601-7609 of Stand 2350, Stands 7610-7613 of Stand 2839, Stands 7653- 7663 of Stand 3323, Stands 7679, 7688 – 7699 of Stand 3653, Stands 7673-7678 of Stand 4074, Stands 7700-7709 of Stand 5523, Stand 7792-7810 and 7821 of Stand 6462, Stand 7771-7791 of Stand 7023 and Stands 7710-7743 of Stand 7410 shall be used for Commercial Purposes only as defined by Statutory Instrument 216 (Use Group) Regulations of 1994.
- Condition 4 : Stands 2, 25, 65, 151, 158, 419, 500, 555, 589, 702, 731- 733, 1032, 1125, 1138, 1177, 1199, 1266, 1312, 1313, 1347, 1469, 1493, 1529, 1893, 1905, 1917, 2009, 2111, 2351, 2459, 2682, 2881, 3054, 3055, 3209, 3525, 4217, 4237, 4822, 4897, 5421, 5799, 5871, 5872, 5939, 6025, 6275, 6420, 6437, 6618, 6690, 6715, 6787, 7263, 7393, 7394, 7412, 7413 and 7471 shall be used for Institutional Purposes only as defined by Statutory Instrument 216 (Use group) regulations of 1994.
- Condition 5 : Stand 7593-7600 of Stand 2350, Stands 7665-7672 of Stand 3323, Stands 7680-7687 of Stand 3653, Stands 7744 to 7755 of Stand 7410, Stands 7756-7770 of Stand 7023, Stand 7811-7820 of Stand 6462, 5444-5522, 5524-5562, 5564-5671, 5673-5743 and 5746-5798 shall be used for Industrial Purposes only as defined in terms of Statutory Instrument 216 (Use Group) Regulations of 1994.

14,228,539,842,1265,1277,1348,1491,1492,1537,2204,2585,2704,289  
8,3210,3366,3652,4283,4564,5317,5442,5443,5563,5672,5744,5745,6  
112,6132,6419,6438,6583,6659,6787,7411,7505,7563 and 7 564 shall  
be used for open spaces and buffer strips and shall vest in the Local  
Authority.

Condition 7 : Servitudes over any subdivisions for any Local Authority, for all  
water supply, storm and water drainage channels, sewerage  
reticulation and other public utility purposes shall be granted by the  
applicant or owner of the subdivision concerned as and when required  
at no cost to the Local Authority.

Condition 8 : No building other than boundary walls and fences shall be erected  
within the following boundary lines:-

- a) 5m of the road frontage and 3m from the rest of the boundaries for  
residential stands.
- b) 3m of the rear boundary and stand coverage should not exceed  
75% for all commercial stands.
- c) 9m of any road frontage and 5m of any other boundary for all  
institutional stands.
- d) 3m of any front boundary, 2m of rear boundary and 1m of the side  
boundaries for all service industrial stands.

**L.SIBANDA**  
**For Acting PROVINCIAL PLANNING OFFICER**  
**MATABELELAND NORTH**

**FOR PRINCIPAL DIRECTOR OF PHYSICAL PLANNING**

..... 2016  
**DATE OF ISSUE**

(Do not action before ..... 2016)

## **"ANNEXURE"**

### **THE ATTENTION OF THE APPLICANT IS DRAWN TO THE FOLLOWING MATTERS:**

#### **1. APPEALS**

Any person aggrieved by any decision made or deemed to have been made by local planning authority in connection with this permit may, in terms of Section 44 of the Act appeal to the Administrative Court, P O Box Cy 1364, Causeway, Harare. Such appeal should be addressed to the Registrar and lodged with him **within one month** of the date of notification of the decision against which the appeal is made.

#### **2. WARNING**

Attention is drawn to the fact that any action taken in pursuance of the granting of this permit within the **period allowed for appeals** shall be at the risk of the person taking the action concerned.

#### **3. REVOCATION OF PERMIT**

In terms of subsection (9) of Section 40 of the Act, failure to lodge with the Surveyor-General such documents as he may require within twelve months or to obtain a certificate of consolidated title (if required) within six months from the date of approval of the consolidated diagram by the Surveyor-General will result in the permit being deemed to have been revoked.

#### **4. EXTENSION OF TIME**

Permit holders are warned that no extension of the period referred to in paragraph 3 above will be granted unless the local planning authority is satisfied that good and sufficient reasons exist for any request so made.

#### **5. DEVELOPMENT**

All development on the properties mentioned in this permit shall be carried out in accordance with the provisions of Part V of the Act or in terms of the provisions of any applicable general or special development order. **THIS PERMIT DOES NOT AUTHORIZE DEVELOPMENT.**

#### **6. SURVEY**

This permit should be handed to a Land Surveyor as authority to prepare and lodge with the Surveyor-General the necessary survey diagrams and general plans.

#### **7. COPIES OF PERMIT**

Copies of this permit may be obtained on payment of the prescribed fee from the issuing local planning authority. In this regard the permit number and file reference should be quoted on all correspondence.

#### **8. AMMENDMENT OF PERMIT**

Amendment of this permit can only be made as provided by Section (41) (10) of the Act. Correspondence in this connection must quote the details referred to in paragraph 7 above. Any change required which is not of a minor nature cannot be effected by way of an amendment. An application for a permit would have to be made.

#### **9. QUERIES**

Any queries in connection with this permit should be addressed to Provincial Planning Officer,  
Matabeleland North, P.Bag A 5201, Bulawayo.

*Bbanda*

**L.SIBANDA**

**For Acting PROVINCIAL PLANNING OFFICER  
MATABELELAND NORTH**

**FOR PRINCIPAL DIRECTOR OF PHYSICAL PLANNING**

..... 2016  
**Date of issue**

**(Do not action before ..... 2016)**

**ADDRESSED TO:**

**1. APPLICANT:**

**Appendix:**

**Schedule of stands 1 to 7821 and their areas for proposed  
Sunninghill North Township of Willsgrrove**

Stand number	Area m <sup>2</sup>	Land use	Stand number	Area m <sup>2</sup>	Land use
1	9.7089Ha	Commercial	68 - 78	4000	Residential
2	11.2105ha	Institutional	79	5760	Residential
3	3.9Ha	Special Residential	80	5025	Residential
4	3306	Residential	81 - 82	2580	Residential
5 - 12	2000	Residential	83	3350	Residential
13	3431	Residential	84	3230	Residential
14	10.0325ha	Open space	85 - 101	2580	Residential
15 - 17	2000	Residential	102	4000	Residential
18	2320	Residential	103 - 106	2580	Residential
19	2000	Residential	107 - 108	4100	Residential
20	2430	Residential	109	5775	Residential
21	2350	Residential	110	5123	Residential
22 - 24	2000	Residential	111 - 125	2580	Residential
25	7062	Institutional	126	4200	Residential
26 - 29	2000	Residential	127	5160	Residential
30 - 31	2430	Residential	128 - 129	2580	Residential
32 - 36	2000	Residential	130 - 136	4100	Residential
37	2065	Residential	137 - 138	4000	Residential
38	2000	Residential	139 - 142	4000	Residential
39	2250	Residential	143 - 144	6201	Residential
40	2000	Residential	145 - 150	4000	Residential
41 - 42	2495	Residential	151	3.5607Ha	Institutional
43	2530	Residential	152	8305	Commercial
44	2215	Residential	153	2100	Residential
45 - 49	2000	Residential	154	2000	Residential
50 - 51	2340	Residential	155	2050	Residential
52 - 55	2000	Residential	156	2090	Residential
56	2250	Residential	157	2030	Residential
57	2300	Residential	158	6478	Institutional
58	2385	Residential	159 - 160	2000	Residential
59	3082	Residential	161	2130	Residential
60	2850	Residential	162 - 165	2000	Residential
61 - 64	2000	Residential	166	4360	Residential
65	8.4988Ha	Institutional	167 - 171	2000	Residential
66	5638	Residential	172	2600	Residential
67	5520	Residential	173	2770	Residential

**Schedule of stands 1 to 7821 and their areas for proposed  
Sunninghill North Township of Willsgrrove**

Stand number	Area m <sup>2</sup>	Land use	Stand number	Area m <sup>2</sup>	Land use
174 - 179	2000	Residential	265 - 266	2200	Residential
180	2770	Residential	267 - 271	2000	Residential
181	2200	Residential	272 - 273	2300	Residential
182 - 187	2000	Residential	274 - 278	2000	Residential
188	1.1162Ha	Residential	279 - 280	2100	Residential
189 - 194	2000	Residential	281	2000	Residential
195	2200	Residential	282 - 283	2550	Residential
196	2140	Residential	284 - 289	2000	Residential
197 - 204	2000	Residential	290 - 291	2500	Residential
205	2300	Residential	292 - 298	2000	Residential
206	3700	Residential	299	2600	Residential
207	2200	Residential	300 - 303	2000	Residential
208	2250	Residential	304 - 305	2770	Residential
209	2450	Residential	306 - 311	2000	Residential
210	2630	Residential	312 - 313	2770	Residential
211	3160	Residential	314 - 319	2000	Residential
212	265	Residential	320 - 321	2770	Residential
213 - 214	2000	Residential	322 - 327	2000	Residential
215	2560	Residential	328 - 329	2770	Residential
216 - 217	2000	Residential	330 - 335	2000	Residential
218	2200	Residential	336 - 337	2770	Residential
219	2350	Residential	338 - 341	2000	Residential
220 - 222	2000	Residential	342 - 347	2060	Residential
223	2100	Residential	348	2150	Residential
224 - 225	2000	Residential	349 - 354	2000	Residential
226	2530	Residential	355	3400	Residential
227	2100	Residential	356 - 360	2000	Residential
228	1.4024Ha	Open space	361 - 362	2200	Residential
229 - 234	2000	Residential	363 - 368	2000	Residential
235 - 236	2100	Residential	369	3200	Residential
237 - 242	2000	Residential	370 - 375	2000	Residential
243	2200	Residential	376	2200	Residential
244 - 248	2000	Residential	377	2600	Residential
249	2320	Residential	378 - 383	2000	Residential
250	2675	Residential	384 - 385	2150	Residential
251 - 264	2000	Residential	386 - 389	2000	Residential