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PROCLAMATIONS

PROKLAMASIES

[NO. 23 OF 2009]

[NO. 23 VAN 2009]

AMENDMENT OF THE TOWN-PLANNING SCHEME OF BAINSVLEI

WYSIGING VAN DIE DORPSAANLEGSKEMA VAN BAINSVLEI

By virtue of section 29(3), read with section 30 of the Townships Ordinance, 1969 (Ordinance No. 9 of 1969), I, hereby given notice that I have amended the Town-Planning Scheme of Bainsvlei, as set out in the Schedule, and that a copy of such amendment will be open for inspection during office hours at the offices of the Townships Board and Mangaung Local Municipality.

Kragtens artikel 29(3), saamgelees met artikel 30 van die Ordonnansie op Dorpe, 1969 (Ordonnansie No. 9 van 1969), gee ek hiermee kennis dat ek die Dorpsaanlegskema van Bainsvlei gewysig het soos in die Bylae aangedui, en dat 'n afskrif van gemelde wysiging gedurende kantoorure by die kantore van die Dorperaad en Mangaung Plaaslike Munisipaliteit van Bainsvlei ter insae beskikbaar is.

Given under my hand at Bloemfontein this 13 day of July 2009.

Gegee onder my hand te Bloemfontein op hierdie 13 dag van Julie 2009.

M.J. ZWANE
MEMBER OF THE EXECUTIVE COUNCIL:
COOPERATIVE GOVERNANCE, TRADITIONAL AFFAIRS AND HUMAN SETTLEMENTS

M.J. ZWANE
LID VAN DIE UITVOERENDE RAAD:
KOÖPERATIEWE REGERING
TRADISIONELE SAKE EN HUISVESTING

SCHEDULE

BYLAE

Amend "Special Use 14", Clause 9, Table C, by the replacing of the erf numbers as follows:

Wysig "Spesiale Gebruik 14", Klousule 9, Tabel C, deur die vervanging van die erf nommers soos volg:

Previous proclaimed numbers	New allocated numbers	Use within special use 14
28537	30133	Street
28833-28836, 28841-28842, 28846-28852, 28856-28893, 29003	29509-29514 30086-30105 30107-30132	Dwelling Houses
29078	30106	Residential Building
29079, 29087, 29088, 29089	30134-30137	Open Space

Voorheen geproklameerde nommers	Nuwe toegekende nommers	Gebruik binne "Spesiale gebruik 14"
28537	30133	Straat
28833-28836, 28841-28842, 28846-28852, 28856-28893, 29003	29509-29514 30086-30105 30107-30132	Woonhuis
29078	30106	Residensiële Geboue
29079, 29087, 29088, 29089	30134-30137	Oopruimte

[NO. 24 OF 2009]

[NO. 24 VAN 2009]

**DECLARATION TO TOWNSHIP: BLOEMFONTEIN, (SHELLYVALE):
EXTENSION 7: AMENDMENT OF PROCLAMATION**

**DORPSVERKLARING: BLOEMFONTEIN, (SHELLYVALE):
UITBREIDING 7: WYSIGING VAN PROKLAMASIE**

By virtue of the powers vested in me by section 14(2) of the Townships Ordinance, 1969 (Ordinance No. 9 of 1969), I, M.J. Zwane, Member of the Executive Council of the Province responsible for Cooperative Governance, Traditional Affairs and Human Settlements hereby amend Proclamation No. 56 of 2008 by:

Kragtens die bevoegdheid my verleen by artikel 14(2) van die Ordonnansie op Dorpe, 1969 (Ordonnansie No. 9 van 1969) wysig ek, M.J. Zwane, Lid van die Uitvoerende Raad verantwoordelik vir Koöperatiewe Regering Tradisionele Sake en Huisvestig hierby Proklamasie No. 56 van 2008 soos volg:

Amending condition B.6.1 under the heading "B Conditions of Title" by the omission of the figures 18/508 in the English proclamation.

Substituting the figure B.6. with the figure B.7. in the english proclamation indicated under the heading "B. Conditions of Title".

Amending the land use table under the heading "A. Conditions of Establishment" in the English proclamation. The amendments are indicated in bold:

Use zone	Erf number	Permissible land use	Conditions of Title
Municipal Purpose	507	Special Buildings	B.2, B.4
Special Use Cvii	Erf 538	Shop, Nursery, Office	B.1, B.2
	512 – 521	Dwelling Houses	B.1, B.2
	1/508 – 5/508, 7/508 – 17/508, 19/508 – 20/508, 22/503 – 30/508, 32/508 – 36/508. 38/508 – 48/508, 50/508 - 56/508, 58/508 – 72/508, 74/508 – 90/508, 92/508 – 109/508, 111/508 – 117/508	Group Housing	B.1, B.2, B.6.1, B.6.4
	527	Town Houses	B.1, B.2, B.4, B.5
	510, 531, 533, 534	Town Houses	B.1, B.2
	526	Maisonnette	B.1, B.2, B.3, B.5
	522, 524, 525	Maisonettes	B.1, B.2, B.3
	536	Restaurant	B.1, B.2, B.7
	509, 511, 523, 532, 535, 539	Private Open Space	B.1, B.2
	Erf 537	Private Open Space	B.1, B.2, B.5
	6/508, 18/508, 21/508, 31/508, 37/508, 49/508, 57/508, 73/508, 91/508, 110/508	Private Open Space	B.1, B.2, B.6.2, B.6.4
	Remainder of erf 508	Street	B.6.3

Given under my hand at Bloemfontein this 8th day of July 2009.

M.J. ZWANE
MEMBER OF THE EXECUTIVE COUNCIL:
COOPERATIVE GOVERNANCE, TRADITIONAL AFFAIRS AND HUMAN SETTLEMENTS

[NO. 25 OF 2009]

DECLARATION OF TOWNSHIP: LEPHOI: EXTENSION 4

By virtue of the powers vested in me by section 14(1) of the Townships Ordinance, 1969 (Ordinance No. 9 of 1969), I, M.J. Zwane, Member of the Executive Council of the Province responsible for Cooperative

Die wysiging van voorwaarde B.6.1 onder die opskrif "B. Eiendomsvoorwaardes" deur die weglating van die uitdrukking 18/508 in die Afrikaanse proklamasie.

Deur die uitdrukking B.6. met die uitdrukking B.7. in die afrikaanse proklamasie onder die opskrif "B Eiendomsvoorwaardes" te vervang.

Die wysiging van die grondgebruikstabel onder die opskrif "A. Stigtingsvoorwaardes" in die Afrikaanse proklamasie. Die wysigings word in vetgedrukte letters en syfers aangetoon:

Gebruik sone	Erf nommers	Toelaatbare grondgebruik	Grondgebruik voorwaardes
Munisipale Doeleindes	507	Spesiale geboue	B.2, B.4
Spesiale Gebruik Cvii	Erf 538	Winkel, Kwekery, Kantoor	B.1, B.2
	512 – 521	Woonhuise	B.1, B.2
	1/508 – 5/508, 7/508 – 17/508, 19/508 – 20/508, 22/503 – 30/508, 32/508 – 36/508. 38/508 – 48/508, 50/508 - 56/508, 58/508 – 72/508, 74/508 – 90/508, 92/508 – 109/508, 111/508 – 117/508	Groepsbehuising	B.1, B.2, B.6.1, B.6.4
	527	Meenthuse	B.1, B.2, B.4, B.5
	510, 531, 533, 534	Meenthuse	B.1, B.2
	526	Maisonnette	B.1, B.2, B.3, B.5
	522, 524, 525	Maisonettes	B.1, B.2, B.3
	536	Restaurant	B.1, B.2, B.7
	509, 511, 523, 532, 535, 539	Privaat Oop Ruimte	B.1, B.2
	Erf 537	Privaat Oop Ruimte	B.1, B.2, B.5
	6/508, 18/508, 21/508, 31/508, 37/508, 49/508, 57/508, 73/508, 91/508, 110./508	Privaat Oop Ruimte	B.1, B.2, B.6.2, B.6.4
	Remainder of erf 508	Straat	B.6.3

Gegee onder my hand te Bloemfontein op hede die 8^{ste} dag van Julie 2009.

M.J. ZWANE
LID VAN DIE UITVOERENDE RAAD:
KOÖPERATIEWE REGERING
TRADISIONELE SAKE EN HUISVESTING

[NO. 25 VAN 2009]

DORPSVERKLARING: LEPHOI: UITBREIDING 4

Kragtens die bevoegdheid my verleen by artikel 14(1) van die Ordonnansie op Dorpe, 1969 (Ordonnansie No. 9 van 1969), verklaar ek, M.J. Zwane, Lid van die Uitvoerende Raad van die Provinsie ver-

Governance, Traditional Affairs and Human Settlements, hereby declare the area represented by General Plan S.G. No. 2325/2008 as approved by the Surveyor General on 18 November 2008 to be an approved township under the name Lephoi, Extension 4, subject to the conditions as set out in the Schedule.

Given under my hand at Bloemfontein this 8th day of July 2009.

M.J. ZWANE
COOPERATIVE GOVERNANCE,
TRADITIONAL AFFAIRS AND HUMAN SETTLEMENTS

ANNEXURE A

CONDITIONS OF ESTABLISHMENT AND OF TITLE

The town is Lephoi, Extension 4 situated on Portion 47 of the farm Bethulie No. 303 district Bethulie consisting of a total of 260 erven numbered 1722-1749, 1751-1848, 1850-1859, 1861-1931, 1933-1981, 4 parks numbered 1750, 1849, 1860, 1932 and streets as indicated on General Plan SG No. 2325/2008.

A CONDITIONS OF ESTABLISHMENT

A1 The erven of this town are classified into the following groups and are subject to the conditions as set out in paragraph B.

USE ZONE	ERVEN	CONDITIONS
Residential	1723-1749, 1751-1832, 1834-1848, 1850-1859, 1861-1899, 1901-1931, 1934-1952, 1954-1981	B1, B2
Business	1833	B3, B2
<u>Community Facilities</u>		B4, B2
- Crèche	1953	
- Church	1900, 1933	
- School	1722	
Public Open Space	1750, 1849, 1860, 1932	B5, B2

B CONDITIONS OF TITLE

The conditions of title mentioned in paragraph A are as follows:

antwoordelik vir Koöperatiewe Regering, Tradisionele Sake en Huisvesting hierby die gebied voorgestel deur Algemene Plan L.G. No. 2325/2008 soos goedgekeur deur die Landmeter-Generaal op 18 November 2008 tot 'n goedgekeurde dorp onder die naam Lephoi, Uitbreiding 4, onderworpe aan die voorwaardes soos in die Bylae uiteengesit.

Gegee onder my hand te Bloemfontein op hede die 8^{ste} dag van Julie 2009.

M.J. ZWANE
LID VAN DIE UITVOERENDE RAAD
KOÖPERATIEWE REGERING, TRADISIONELE
SAKE EN HUISVESTING

AANHANGSEL A

STIGTINGS- EN EIENDOMSVOORWAARDES

Die dorp is Lephoi uitbreiding 4 geleë op gedeelte 47 van die plaas Bethulie No. 303, Bethulie distrik en bestaan uit 260 erwe genummer 1722 – 1749, 1751 – 1848, 1850 – 1859, 1861 – 1931, 1933 – 1981, 4 Parke erwe genummer 1750, 1849, 1860, 1932 en strate soos aangedui op Algemene Plan LG 2325/2008.

A STIGTINGSVOORWAARDES

A1 Die erwe van hierdie dorp word in die ondergemelde gebruikstreke ingedeel en is verder onderworpe aan die eiendomsvoorwaardes soos uiteengesit in paragraaf B.

GEBRUIKSTREEK	ERWE	VOORWAARDES
Residensieel	1723-1749, 1751-1832, 1834-1848, 1850-1859, 1861-1899, 1901-1931, 1934-1952, 1954-1981	B1, B2
Besigheid	1833	B3, B2
<u>Gemeenskapsfasiliteite</u>		B4, B2
- Crèche	1953	
- Kerke	1900, 1933	
- Skool	1722	
Publieke Oop Ruimte	1750, 1849, 1860, 1932	B5, B2

B EIENDOMSVOORWAARDES

Die eiendomsvoorwaardes wat in paragraaf A vermeld word, is soos volg:

IN FAVOUR OF THE KOPANONG MUNICIPALITY

- B1 This erf may be used only for dwelling purposes and only one house together with the necessary out-buildings may be erected thereon: Provided that with the written consent of the municipality the following uses may be conducted as secondary uses: places of public workshop, places of instruction, social halls, sport and recreational purposes, institutions, medical suites and the practice of the occupants' professions or trades which includes retail trade: Provided further that not any of the secondary uses may exceed the scale of the primary use and that the non-residential uses shall not be noxious or a nuisance interfering with the amenity of the neighbourhood. The municipality also has the authority to revoke any secondary use or to have it terminated if it poses a nuisance to the people in the vicinity. The maximum allowable coverage on this erf is 60% while a maximum height of 2 floors is allowed.
- B2 This erf is subject to a servitude 2m wide along any of the side and rear boundary. This servitude is for the laying of any municipal services above or under ground and officials of the municipality will have access to these services at any reasonable time for purposes of maintenance and repair thereof. The municipality may relax these servitudes if it is of the opinion that it is not needed for services.
- B3 This erf may only be used for business purposes and purposes incidental thereto. The permissible coverage on this erf is 70% while a maximum height of 2 floors is allowed. Parking must be provided at the ratio of 4 parking areas per 100m² business area.
- B4 This erf may only be used for community facilities such as a crèche, church, sport and recreation, library, clinic, post office, cemetery, education and purposes incidental thereto: provided that with the written consent of the municipality residential dwellings may be erected on the erf. The permissible coverage on this erf is 70%. In the case of a cemetery the coverage must be to the satisfaction of the Kopanong Local Authority and no crematorium may be erected on the erf without the prior consent of the Kopanong Local Authority.
- B5 This erf may only be used for purposes of a public open space and purposes incidental thereto: provided that the necessary outbuildings and buildings for sport and recreational purposes may also be erected on the erf. The permissible coverage on this erf will be to the satisfaction of the Kopanong Local Authority.

TEN GUNSTE VAN DIE KOPANONG MUNISIPALITEIT

- B1 Hierdie erf mag slegs vir woondoeleindes gebruik word en slegs een huis met die nodige buitegeboue mag op die erf opgerig word: Met dien verstande dat met die munisipaliteit se skriftelike toestemming enige van die volgende gebruike as sekondêre gebruike op die erf bedryf mag word: plekke van openbare godsdienstebeoefening, plekke van onderrig, gemeenskapsale, sport en ontspanningsdoeleindes, inrigtings, mediese suites en die beoefening van die okkupeerders se professies of nerings wat insluit kleinhandelsbesigheids bedrywe: Met dien verstande verder dat nie enige van die sekondêre gebruike op 'n groter skaal as die primêre gebruik bedryf mag word nie en dat die nie-residensiële gebruike nie hinderlik is of die bevaligheid van die omgewing nadelig raak nie. Die munisipaliteit het ook die reg om enige sekondêre bedryf in te trek of te laat staak indien dit hinderlik is vir die mense in die omgewing. Die maksimum toelaatbare dekking op hierdie erf is 60% terwyl 'n maksimum hoogte van 2 verdiepings toegelaat word.
- B2 Hierdie erf is onderhewig aan 'n servituut 2 meter wyd langs enige van die sygrense en agterste grens. Hierdie servituut is vir die lê van enige munisipale dienste bo of onder die grond en beamptes van die munisipaliteit sal te enige redelike tyd toegang tot hierdie dienste verkry vir die onderhoud of herstel daarvan. Die munisipaliteit mag die servituute verslap indien hy van mening is dat dit onnodig is vir dienste.
- B3 Hierdie erf mag slegs vir besigheidsdoeleindes gebruik word: Met dien verstande dat met die skriftelike toestemming van die Raad residensiële geboue ook op die erf opgerig mag word. Die maksimum toelaatbare dekking is 70% terwyl 'n maksimum hoogte van 2 verdiepings toegelaat word. Parkering moet voorsien word in die verhouding van 4 parkeerplekke per 100m² besigheidsoppervlakte.
- B4 Hierdie erf mag slegs vir die doeleindes van gemeenskapsfasiliteite soos 'n crèche, kerk, sport en ontspanning, biblioteek, kliniek, poskantoor, begraafplaas, opvoeding en doeleindes in verband daarmee gebruik word: Met dien verstande dat met die skriftelike toestemming van die Raad residensiële geboue ook op die erf opgerig mag word. Die maksimum toelaatbare dekking is 70%. In die geval van 'n begraafplaas sal die dekking wees tot bevrediging van die Kopanong Plaaslike Munisipaliteit en geen krematorium mag op die erf opgerig word nie sonder die toestemming van die Kopanong Plaaslike Owerheid.
- B5 Hierdie erf mag slegs vir die doeleindes van openbare oop ruimtes gebruik word en slegs geboue in verband daarmee mag op die erf opgerig word: Met dien verstande dat die nodige geboue vir sport en ontspanningsdoeleindes ook op die erf opgerig mag word. Die maksimum toelaatbare dekking sal wees tot bevrediging van die Kopanong Plaaslike Owerheid.

[NO. 26 OF 2009]

(P37/3/3497)

Under the powers vested in me by section 3 of the Roads Ordinance, 1968 (Ordinance 4 of 1968), as amended, I hereby declare that the public roads, described below, will be closed and changed in name and number from the date of publication of this proclamation:

1. CLOSING OF A SECTION OF THE ALLANDALE – NELS RUST SECONDARY ROAD S617, A-B-C, SITUATED IN THE MAGISTERIAL DISTRICT WINBURG (LENGTH ± 13,7 km):

From point A on the boundary line between Subdivision 1 of Nynami 1479 and Dangerpoint 589; thence over Dangerpoint 589, Mount Pleasant 1307, Subdivision 1 of Alleen 570, Subdivision 1 of Erfdeel 143, Mount Pleasant 1307, Hereenig 976, Driehoek 165, Sekelos Kraal 316, Manoah 1429, De Villiershoop 1450, Vruggebruik 2365, Olyfhoek 2364 and Fransina 186, to point B on Fransina 186, where tertiary road T4910 branches off.

2. CLOSING OF THE SUBDIVISION 1 OF ALLEEN – MOUNT NELSON TERTIARY ROAD T3296, B-D, SITUATED IN THE MAGISTERIAL DISTRICT WINBURG (LENGTH ± 5,7 km):

From point B on Subdivision 1 of Alleen 570, where it leaves secondary road S617; thence over Subdivision 1 of Alleen 570 and Mount Nelson 2369, to point D on Mount Nelson 2369, where it joins secondary road S622.

3. DECLARATION OF A SECTION OF THE ALLANDALE – NELS RUST SECONDARY ROAD S617 AS A SECTION OF THE CLIFTON – FRANCINA TERTIARY ROAD T4910, C-E, SITUATED IN THE MAGISTERIAL DISTRICT WINBURG (LENGTH ± 1,2 km):

From point C on Fransina 168, where tertiary road T4910 branches off; thence over Fransina 186 and Nels Rust 409, to point E on Nels Rust 409, where it joins secondary road S39.

The roads concerned are shown approximately on plan S617/KK/2 in the office of the Head: Police, Roads and Transport, Bloemfontein.

Given under my hand at Bloemfontein on 21 July 2009.

Signed by:

MR T.M. MANYONI
MEMBER OF THE EXECUTIVE COUNCIL:
POLICE, ROADS AND TRANSPORT

[NO. 26 VAN 2009]

(P37/3/3497)

Kragtens die bevoegdheid my verleen by artikel 3 van die Ordonnansie op Paaie, 1968 (Ordonnansie 4 van 1968), soos gewysig, verklaar ek hiermee dat die openbare paaie, hieronder beskryf, vanaf die datum van afkondiging van hierdie proklamasie gesluit en van naam en nommer verander sal wees:

1. SLUITING VAN 'N GEDEELTE VAN DIE ALLANDALE – NELS RUST SEKONDÊRE PAD S617, A-B-C, GELEË IN DIE LANDDROSDISTRIK WINBURG (LENGTE ± 13,7 km):

Vanaf punt A op die grenslyn tussen Onderverdeling 1 van Nynami 1479 en Dangerpoint 589; vandaar oor Dangerpoint 589, Mount Pleasant 1307, Onderverdeling 1 van Alleen 570, Onderverdeling 1 van Erfdeel 143, Mount Pleasant 1307, Hereenig 976, Driehoek 165, Sekelos Kraal 316, Manoah 1429, De Villiershoop 1450, Vruggebruik 2365, Olyfhoek 2364 en Fransina 186, tot by punt B op Fransina 186, waar tersiëre pad T4910 wegdraai.

2. SLUITING VAN DIE ONDERVERDELING 1 VAN ALLEEN – MOUNT NELSON TERSIËRE PAD T3296, B-D, GELEË IN DIE LANDDROSDISTRIK WINBURG (LENGTE ± 5,7 km):

Vanaf punt B op Onderverdeling 1 van Alleen 570, waar dit sekondêre pad S617 verlaat; vandaar oor Onderverdeling 1 van Alleen 570 en Mount Nelson 2369, tot by punt D op Mount Nelson 2369, waar dit by sekondêre pad S622 aansluit.

3. VERKLARING VAN 'N GEDEELTE VAN DIE ALLANDALE – NELS RUST SEKONDÊRE PAD S617 TOT 'N GEDEELTE VAN DIE CLIFTON – FRANCINA TERTIËRE PAD T4910, C-E, GELEË IN DIE LANDDROSDISTRIK WINBURG (LENGTE ± 1,2 km):

Vanaf punt C op Fransina 168, waar tersiëre pad T4910 wegdraai; oor Fransina 186 en Nels Rust 409, tot by punt E op Nels Rust 409, waar dit by sekondêre pad S39 aansluit.

Die betrokke paaie word by benadering aangetoon op plan S617/KK/2 in die kantoor van die Hoof: Polisie, Paaie en Vervoer, Bloemfontein.

Gegee onder my hand te Bloemfontein op 21 Julie 2009.

Onderteken deur:

MNR T.M. MANYONI
LID VAN DIE UITVOERENDE RAAD:
POLISIE, PAAIE EN VERVOER

[NO. 27 OF 2009]

(P37/3/3499)

Under the powers vested in me by section 3 of the Roads Ordinance, 1968 (Ordinance 4 of 1968), as amended, I hereby declare that the public roads, described below, will be closed from the date of publication of this proclamation:

CLOSING OF THE SUBDIVISION 2 OF ANNASDAL – WELGELEGEN TERTIARY ROAD T4912, A-B-C, SITUATED IN THE MAGISTERIAL DISTRICT OF MARQUARD (LENGTH ± 2,05 km):

From point A on Subdivision 2 of Annasdal 258, where it leaves secondary road S942; thence over Subdivision 2 of Annasdal 258, Marisusa 162 and Rondebult 164, to point C on the boundary line between Rondebult 164 and Welgelegen 163.

The road concerned is shown approximately on plan T4912/KK/1 in the office of the Head: Police, Roads and Transport, Bloemfontein.

Given under my hand at Bloemfontein on 21 July 2009.

Signed by:

**MR T.M. MANYONI
MEMBER OF THE EXECUTIVE COUNCIL:
POLICE, ROADS AND TRANSPORT**

[NO. 28 OF 2009]

(P37/3/3501)

Whereas the route of the Subdivision 1 of Mullersrust – Subdivision 17 of Mullersrust tertiary road T5331 situated in the magisterial district of Parys has been incorrectly described in Proclamation 151 of 1986 (Administrator's); and

WHEREAS it is deemed necessary to rectify the description;

NOW, THEREFORE, under the powers vested in me by the Roads Ordinance, 1968 (Ordinance 4 of 1968), as amended, I hereby declare that the description of the Subdivision 1 of Mullersrust – Subdivision 17 of Mullersrust tertiary road T5331 in the said proclamation shall be amended by-

- (i) the insertion of the expressions "Subdivision 17 of Mullersrust 325, Subdivision 29 of Mullersrust 325, Subdivision 30 of Mullersrust 325", between the expressions "Subdivision 1 of Mullersrust 325" and "Mullersrust 325".

Given under my hand at Bloemfontein on 21 July 2009.

Signed by:

**MR T.M. MANYONI
MEMBER OF THE EXECUTIVE COUNCIL:
POLICE, ROADS AND TRANSPORT**

[NO. 27 VAN 2009]

(P37/3/3499)

Kragtens die bevoegdheid my verleen by artikel 3 van die Ordonnansie op Paaie, 1968 (Ordonnansie 4 van 1968), soos gewysig, verklaar ek hiermee dat die openbare paaie, hieronder beskryf, vanaf die datum van afkondiging van hierdie proklamasie gesluit sal wees:

SLUITING VAN DIE ONDERVERDELING 2 VAN ANNASDAL – WELGELEGEN TERSIËRE PAD T4912, A-B-C, GELEË IN DIE LANDDROSDISTRIK MARQUARD (LENGTE ± 2,05 km):

Vanaf punt A op Onderverdeling 2 van Annasdal 258, waar dit sekondêre pad S942 verlaat; vandaar oor Onderverdeling 2 van Annasdal 258, Marisusa 162 en Rondebult 164, tot by punt C op die grenslyn tussen Rondebult 164 en Welgelegen 163.

Die betrokke pad word by benadering aangetoon op plan T4912/KK/1 in die kantoor van die Hoof: Polisie, Paaie en Vervoer, Bloemfontein.

Gegee onder my hand te Bloemfontein op 21 Julie 2009.

Onderteken deur:

**MNR. T.M. MANYONI
LID VAN DIE UITVOERENDE RAAD:
POLISIE, PAAIE EN VERVOER**

[NO. 28 VAN 2009]

(P37/3/3501)

Nademaal die roete van die Onderverdeling 1 van Mullersrust – Onderverdeling 17 van Mullersrust tersiëre pad T5331 geleë in die landdrosdistrik Parys in Proklamasie 151 van 1986 (Administrateurs) foutief beskryf is; en

NADEMAAL dit nodig geag word om die beskrywing reg te stel;

SO IS DIT dat ek kragtens die bevoegdheid my verleen by die Ordonnansie op Paaie, 1968 (Ordonnansie 4 van 1968), soos gewysig, hierby verklaar dat die beskrywing van tersiëre pad T5331 in genoemde proklamasie gewysig word deur-

- (i) die uitdrukkings "Onderverdeling 17 van Mullersrust 325, Onderverdeling 29 van Mullersrust 325, Onderverdeling 30 van Mullersrust 325", tussen die uitdrukkings "Onderverdeling 1 van Mullersrust 325" en "Mullersrust 325" in te voeg.

Gegee onder my hand te Bloemfontein op 21 Julie 2009.

Onderteken deur:

**MNR. T.M. MANYONI
LID VAN DIE UITVOERENDE RAAD:
POLISIE, PAAIE EN VERVOER**

PROVINCIAL NOTICES

[NO. 164 OF 2009]

REMOVAL OF RESTRICTIONS ACT, 1967 (ACT NO. 84 OF 1967): BLOEMFONTEIN (BAYSWATER): REMOVAL OF RESTRICTIONS: ERF 7238

Under the powers vested in me by section 2 of the Removal of Restrictions Act, 1967 (Act No. 84 of 1967), I, M.J. Zwane, Member of the Executive Council of the Province responsible for Cooperative Governance, Traditional Affairs and Human Settlements, hereby alter the conditions of title in Deed of Transfer T10510/2008 pertaining to erf 7238, Bloemfontein (Bayswater) by the removal of conditions (a) and (b) on page 2 in the said Deed of Transfer.

[NO. 165 OF 2009]

REMOVAL OF RESTRICTIONS ACT, 1967 (ACT NO. 84 OF 1967): BLOEMFONTEIN EXTENSION 55 (UNIVERSITAS): REMOVAL OF RESTRICTIVE CONDITIONS AND REZONING: ERF 8502

Under the powers vested in me by section 2 of the Removal of Restrictions Act, 1967 (Act No. 84 of 1967), I, M.J. Zwane, Member of the Executive Council of the Province responsible for Cooperative Governance, Traditional Affairs and Human Settlements, hereby alter:

- a) the conditions of title in Deed of Transfer T6892/2009 pertaining to erf 8502, Bloemfontein, Extension 55, (Universitas), by the removal of conditions 2.(a) and 2.(b) on pages 2 and 3 in the said Deed of Transfer; and
- b) the Town-Planning Scheme of Bloemfontein by the rezoning of erf 8502, Bloemfontein, Extension 55 (Universitas), from "Single Residential 2" to "Single Residential 3", subject to the registration of the following condition against the title deed of the said erf:

"This property may only be used for a guesthouse as defined in the Bloemfontein Town-Planning Scheme."

PROVINSIALE KENNISGEWINGS

[NO. 164 VAN 2009]

WET OP OPHEFFING VAN BEPERKINGS, 1967 (WET NO. 84 VAN 1967): BLOEMFONTEIN (BAYSWATER): OPHEFFING VAN BEPERKINGS: ERF 7238

Kragtens die bevoegdheid my verleen by artikel 2 van die Wet op Opheffing van Beperkings, 1967 (Wet No. 84 van 1967), wysig ek, M.J. Zwane, Lid van die Uitvoerende Raad van die Provinsie verantwoordelik vir Koöperatiewe Regering, Tradisionele Sake en Huisvesting, hierby die titelvoorwaardes in Transportakte T10510/2008 ten opsigte van erf 7238, Bloemfontein (Bayswater) deur die opheffing van voorwaardes (a) en (b) op bladsy 2 van genoemde Transportakte.

[NO. 165 VAN 2009]

WET OP OPHEFFING VAN BEPERKINGS, 1967 (WET NO. 84 VAN 1967): BLOEMFONTEIN UITBREIDING 55 (UNIVERSITAS) OPHEFFING VAN BEPERKENDE VOORWAARDES EN HERSONERING: ERF 8502

Kragtens die bevoegdheid my verleen by artikel 2 van die Wet op Opheffing van Beperkings, 1967 (Wet No. 84 van 1967), wysig ek, M.J. Zwane, Lid van die Uitvoerende Raad van die Provinsie verantwoordelik vir Koöperatiewe Regering, Tradisionele Sake en Huisvesting, hierby:

- a) die titelvoorwaardes in Transportakte T6892/2009 ten opsigte van erf 8502, Bloemfontein, Uitbreiding 55 (Universitas) deur die opheffing van voorwaardes 2.(a) en 2.(b) op bladsye 2 en 3 van die genoemde Transportakte; en
- b) die Dorpsaanlegskema van Bloemfontein deur die hersonering van erf 8502, Bloemfontein, Uitbreiding 55 (Universitas) vanaf "Enkelwoon 2" na "Enkelwoon 3", onderworpe aan die registrasie van die volgende voorwaarde teen die titelakte van die genoemde erf.

"This property may only be used for a guesthouse as defined in the Bloemfontein Town-Planning Scheme."

[NO. 166 OF 2009]

REMOVAL OF RESTRICTIONS ACT, 1967 (ACT NO. 84 OF 1967): BLOEMFONTEIN (WESTDENE): REZONING: PORTION 1 OF ERF 281

Under the powers vested in me by section 2 of the Removal of Restrictions Act, 1967 (Act No. 84 of 1967), I, M.J. Zwane, Member of the Executive Council of the Province responsible for Cooperative Governance, Traditional Affairs and Human Settlements, hereby alter:

- the Town-Planning Scheme of Bloemfontein by the rezoning of portion 1 of erf 281, Bloemfontein (Westdene) from "Single Residential 2" to "Restricted Business 3".

[NO. 167 OF 2009]

REMOVAL OF RESTRICTIONS ACT, 1967 (ACT NO. 84 OF 1967): BLOEMFONTEIN, EXTENSION 54 (HOSPITAL PARK): REMOVAL OF RESTRICTIONS: ERF 9742

Under the powers vested in me by section 2 of the Removal of Restrictions Act, 1967 (Act No. 84 of 1967), I, M.J. Zwane, Member of the Executive Council of the Province responsible for Cooperative Governance, Traditional Affairs and Human Settlements, hereby alter:

- the conditions of title in Deed of Transfer T10051/2007 pertaining to erf 9742, Bloemfontein, Extension 54 (Hospital Park), by the removal of condition 1.(c) on page 2 in the said Deed of Transfer.

[NO. 168 OF 2009]

REMOVAL OF RESTRICTIONS ACT, 1967 (ACT NO. 84 OF 1967): BLOEMFONTEIN, EXTENSION 52: REMOVAL OF RESTRICTIONS: ERF 7446 (BAYSWATER)

Under the powers vested in me by section 2 of the Removal of Restrictions Act, 1967 (Act No. 84 of 1967), I, M.J. Zwane, Member of the Executive Council of the Province responsible for Cooperative Governance, Traditional Affairs and Human Settlements, hereby alter:

- the conditions of title in Deed of Transfer T6915/2008 pertaining to Erf 7446, Bloemfontein, Extension 52 (Bayswater) by the removal of restrictive conditions (a) and (b) on page 2 in the said Deed of Transfer.

[NO. 166 VAN 2009]

WET OP OPHEFFING VAN BEPERKINGS, 1967 (WET NO. 84 VAN 1967): BLOEMFONTEIN (WESTDENE) HERSONERING: GEDEELTE 1 VAN ERF 281

Kragtens die bevoegdheid my verleen by artikel 2 van die Wet op Opheffing van Beperkings, 1967 (Wet No. 84 van 1967), wysig ek, M.J. Zwane, Lid van die Uitvoerende Raad van die Provinsie verantwoordelik vir Koöperatiewe Regering, Tradisionele Sake en Huisvesting, hierby:

- die Dorpsaanlegskema van Bloemfontein deur die hersonering van gedeelte 1 van erf 281, Bloemfontein (Westdene) vanaf "Enkelwoon 2" na "Beperkte Besigheid 3".

[NO. 167 VAN 2009]

WET OP OPHEFFING VAN BEPERKINGS, 1967 (WET NO. 84 VAN 1967): BLOEMFONTEIN, UITBREIDING 54 (HOSPITAALPARK): OPHEFFING VAN BEPERKINGS: ERF 9742

Kragtens die bevoegdheid my verleen by artikel 2 van die Wet op Opheffing van Beperkings, 1967 (Wet No. 84 van 1967), wysig ek, M.J. Zwane, Lid van die Uitvoerende Raad van die Provinsie verantwoordelik vir Koöperatiewe Regering, Tradisionele Sake en Huisvesting, hierby:

- die titelvoorwaardes in Transportakte T10051/2007 ten opsigte van erf 9742, Bloemfontein, Uitbreiding 54 (Hospitaalpark), deur die opheffing van voorwaarde 1.(c) op bladsy 2 in genoemde Transportakte.

[NO. 168 VAN 2009]

WET OP OPHEFFING VAN BEPERKINGS, 1967 (WET NO. 84 VAN 1967): BLOEMFONTEIN, UITBREIDING 52: OPHEFFING VAN BEPERKINGS: ERF 7446 (BAYSWATER)

Kragtens die bevoegdheid my verleen by artikel 2 van die Wet op Opheffing van Beperkings, 1967 (Wet No. 84 van 1967), wysig ek, M.J. Zwane, Lid van die Uitvoerende Raad van die Provinsie verantwoordelik vir Koöperatiewe Regering, Tradisionele Sake en Huisvesting, hierby:

- die titelvoorwaardes in Transportakte T6915/2008 ten opsigte van Erf 7446, Bloemfontein, Uitbreiding 52 (Bayswater) deur die opheffing van voorwaardes (a) en (b) op bladsy 2 in genoemde Transportakte.

[NO. 169 OF 2009]

REMOVAL OF RESTRICTIONS ACT, 1967 (ACT NO. 84 OF 1967): HLOHLOLWANE (CLOCOLAN): EXTENSION 6: REZONING: PROPOSED SUBDIVISION (CLOSED PORTION) OF PARK ERF 3561

Under the powers vested in me by section 2 of the Removal of Restrictions Act, 1967 (Act No. 84 of 1967), I, M.J. Zwane, Member of the Executive Council of the Province responsible for Cooperative Governance, Traditional Affairs and Human Settlements, hereby alter the Land Use Conditions, as contained in Annexure F of the Township Establishment and Land Use Regulations, 1986 (Government Notice R1897 of 12 September 1986) by the alteration of the use zone of the proposed subdivision (closed portion) of park erf 3561, Extension 6 Hlohlohwane (Clocolan) from "Public Open Space" to "Residential" and "Street" as indicated on the approved subdivision diagram.

[NO. 169 VAN 2009]

WET OP OPHEFFING VAN BEPERKINGS, 1967 (WET NO. 84 VAN 1967): HLOHLOLWANE (CLOCOLAN): UITBREIDING 6: HERSONERING: VOORGESTELDE ONDERVERDELING (GESLOTE GEDEELTE) VAN PARK ERF 3561

Kragtens die bevoegdheid my verleen by artikel 2 van die Wet op Opheffing van Beperkings, 1967 (Wet No. 84 van 1967), wysig ek, M.J. Zwane, Lid van die Uitvoerende Raad van die Provinsie verantwoordelik vir Koöperatiewe Regering, Tradisionele Sake en Huisvesting, hierby die Grondgebruiksvoorwaardes soos vervat in Aanhangel F van die Dorpstigings-, en Grondgebruik Regulasies, 1986 (Goewermentskennisgewing No. 1897 van 12 September 1986) deur die verandering van die gebruikzone van die voorgestelde onderverdeling (geslote gedeelte) van park erf 3561, Uitbreiding 6, Hlohlohwane (Clocolan) van-af "Publieke Oop Ruimte" na "Residensieel" en "Straat" soos aangedui op dië goedgekeurde onderverdelingsdiagram.

[NO. 170 OF 2009]

REMOVAL OF RESTRICTIONS ACT, 1967 (ACT NO. 84 OF 1967): MEQHELENG (FICKSBURG): REZONING OF THE CONSOLIDATED PORTION CONSISTING OF ERVEN NUMBERS 5540 AND 5541, EXTENSION 5, AND CANCELLED ERF NUMBER 1743 (TO BE KNOWN AS ERF NUMBER 8922)

Under the powers vested in me by section 2 of the Removal of Restrictions Act, 1967 (Act No. 84 of 1967), I, M.J. Zwane, Member of the Executive Council of the Province responsible for Cooperative Governance, Traditional Affairs and Human Settlements, hereby alter the Land Use Conditions, as contained in Annexure F of the Township Establishment and Land Use Regulations, 1986 (Government Notice R1897 of 12 September 1986) by the alteration of the use zone of the consolidated portion consisting of erven numbers 5540 and 5541, Extension 5, Meqheleng (Ficksburg) and cancelled erf no. 1743, Meqheleng (Ficksburg) (to be known as erf 8922, Meqhleng (Ficksburg), from "Community Facility" to "Residential" and "Street" as indicated on the approved subdivision diagram.

[NO. 170 VAN 2009]

WET OP OPHEFFING VAN BEPERKINGS, 1967 (WET NO. 84 VAN 1967): MEQHELENG (FICKSBURG): HERSONERING VAN DIE GEKONSOLIDEERDE GEDEELTE BESTAANDE UIT ERWE NOMMERS 5540 EN 5541, UITBREIDING 5 EN GEROJEERDE ERF NOMMER 1743 (WAT BEKEND SAL STAAN AS ERF NOMMER 8922)

Kragtens die bevoegdheid my verleen by artikel 2 van die Wet op Opheffing van Beperkings, 1967 (Wet No. 84 van 1967), wysig ek, M.J. Zwane, Lid van die Uitvoerende Raad van die Provinsie verantwoordelik vir Koöperatiewe Regering, Tradisionele Sake en Huisvesting, hierby die Grondgebruiksvoorwaardes soos vervat in Aanhangel F van die Dorpstigings-, en Grondgebruik Regulasies, 1986 (Goewermentskennisgewing No. 1897 van 12 September 1986) deur die verandering van die gebruikzone van die gekonsolideerde gedeelte bestaande uit erwe nommers 5540 en 5541, Uitbreiding 5, Meqheleng (Ficksburg) en gerojeerde erf nommer 1743, Meqheleng (Ficksburg) (wat bekend sal staan as erf nommer 8922 Meqheleng (Ficksburg) vanaf "Gemeenskapsfasiliteit" na "Residensieel" en "Straat" soos aangedui op dië goedgekeurde onderverdelingsdiagram.

[NO. 171 OF 2009]

REMOVAL OF RESTRICTIONS ACT, 1967 (ACT NO. 84 OF 1967): WELKOM (EXTENSION 7): REZONING: PROPOSED SUBDIVISION OF TOERMALYN STREET

Under the powers vested in me by section 2 of the Removal of Restrictions Act, 1967 (Act No. 84 of 1967), I, M.J. Zwane, Member of the Executive Council of the Province responsible for Cooperative

[NO. 171 VAN 2009]

WET OP OPHEFFING VAN BEPERKINGS, 1967 (WET NO. 84 VAN 1967): WELKOM (UITBREIDING 7): HERSONERING: VOORGESTELDE ONDERVERDELING VAN TOERMALYNSTRAAT

Kragtens die bevoegdheid my verleen by artikel 2 van die Wet op Opheffing van Beperkings, 1967 (Wet No. 84 van 1967), wysig ek, M.J. Zwane, Lid van die Uitvoerende Raad van die Provinsie verantwoorde-

Governance, Traditional Affairs and Human Settlements, hereby alter the Town-Planning Scheme of Welkom by the rezoning of the proposed subdivision of Toermalyn Street, Extension 7, Welkom from "Street" to "Business Type D" as indicated on the approved subdivision diagram.

lik vir Koöperatiewe Regering, Tradisionele Sake en Huisvesting, hierby die Dorpsaanlegskema van Welkom deur die hersonering van die voorgestelde onderverdeling van Toermalynstraat Uitbreiding 7, Welkom vanaf "Straat" na "Besigheid Tipe D", soos aangetoon op die goedgekeurde onderverdelings diagram.

[NO. 172 OF 2009]

[NO. 172 VAN 2009]

REMOVAL OF RESTRICTIONS ACT, 1967 (ACT NO. 84 OF 1967): LADYBRAND: REZONING: PORTION 3 (OF 2) OF ERF NO. 201

WET OP OPHEFFING VAN BEPERKINGS, 1967 (WET NO. 84 VAN 1967): LADYBRAND HERSONERING: GEDEELTE 3 (VAN 2) VAN ERF NO. 201

Under the powers vested in me by section 2 of the Removal of Restrictions Act, 1967 (Act No. 84 of 1967), I, M.J. Zwane, Member of the Executive Council of the Province responsible for Cooperative Governance, Traditional Affairs and Human Settlements, hereby alter the Town-Planning Scheme of Ladybrand by the rezoning of Portion 3 (of 2) of erf No. 201, Ladybrand, from "Special Residential" to "General Residential".

Kragtens die bevoegdheid my verleen by artikel 2 van die Wet op Opheffing van Beperkings, 1967 (Wet No. 84 van 1967), wysig ek, M.J. Zwane, Lid van die Uitvoerende Raad van die Provinsie verantwoordelik vir Koöperatiewe Regering, Tradisionele Sake en Huisvesting, hierby die Dorpsaanlegskema van Ladybrand deur die hersonering van Gedeelte 3 (van 2) van erf No. 201, Ladybrand, vanaf "Spesiale Woon" na "Algemene Woon".

[NO. 173 OF 2009]

[NO. 173 VAN 2009]

REMOVAL OF RESTRICTIONS ACT, 1967 (ACT NO. 84 OF 1967): BLOEMFONTEIN: REMOVAL OF RESTRICTIONS: ERF NO. 2594 (WESTDENE)

WET OP OPHEFFING VAN BEPERKINGS, 1967 (WET NO. 84 VAN 1967): BLOEMFONTEIN: OPHEFFING VAN BEPERKINGS: ERF NO. 2594 (WESTDENE)

Under the powers vested in me by section 2 of the Removal of Restrictions Act, 1967 (Act No. 84 of 1967), I, M.J. Zwane, Member of the Executive Council of the Province responsible for Cooperative Governance, Traditional Affairs and Human Settlements, hereby alter the conditions of title in Deed of Transfer T19396/2003 pertaining to Erf No. 2594, Bloemfontein (Westdene), by the removal of restrictive condition A.2. on page 2 in the said Deed of Transfer.

Kragtens die bevoegdheid my verleen by artikel 2 van die Wet op Opheffing van Beperkings, 1967 (Wet No. 84 van 1967), wysig ek, M.J. Zwane, Lid van die Uitvoerende Raad van die Provinsie verantwoordelik vir Koöperatiewe Regering, Tradisionele Sake en Huisvesting, hierby die titelvoorwaardes in Transportakte T19396/2003 ten opsigte van Erf No. 2594, Bloemfontein (Westdene), deur die opheffing van beperkende voorwaarde A.2. op bladsy 2 van genoemde Transportakte.

[NO. 174 OF 2009]

NOTICE IN TERMS OF SECTION 14(2)(b) OF THE LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT, 2000:

[1.] I, MOSEBENZI ZWANE, Member of the Executive Council responsible for Cooperative Governance and Traditional Affairs in terms of Section 14(2)(b) of the Local Government: Municipal Structures Act, 2000 (Act 32 of 2000) hereby publish standard draft by-laws for Commonages as set out in the Schedule hereto for public comment.

- [2.] The public and interested parties are invited to submit comments in writing on these proposed standard draft by-laws by not later than 30 days from the date of publication of this notice, to -

The Deputy Director-General
 Department of Local Government
 Local Government Branch
 PO Box 211
 BLOEMFONTEIN
 9301

Comments may also be submitted by facsimile to number 051 407 6732 or by e-mail to:
chohne@lgh.fs.gov.za

SCHEDULE

DRAFT STANDARD BY-LAWS RELATING TO COMMONAGES

Purpose of Draft By-Laws

The purpose of these draft by-laws is to:

- (a) Set aside land identified as commonage for the pasture of animals and for the purpose of establishing garden allotments; to assist with local development and provide for an inexpensive portion of land to people with a focus on registered indigents; to provide for the conservation of the commonage through the prohibition of certain activities, the damaging of vegetation, bird- and animal life and to provide for matters incidental thereto, and
- (b) Manage together with the Department of Agriculture land made available by the Provincial Land reform Office of the Free State to assist categories of emerging farmers.

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Definitions

1. In these by-laws, unless the context otherwise indicates, words referring to -
 - (a) the singular include the plural and vice versa;
 - (b) any one gender include both genders, and –

"animal" means any livestock defined hereunder: cattle, sheep, goat (ruminants); horse, mule, donkey (non-ruminants) ostrich (monogastic) and pig or the hybrid of such animal).

"commonage" means any land or portion of land which is in possession or under the control of the municipality and set aside by the municipality for the purposes of establishing grazing camps for animals, irrigation land or plots for gardening or other economic activity, excluding any farm the municipality is leasing to a commercial farmer as an entity;

"commonage management committee" means a Commonage Management Committee is a representative management body comprising at least 1 member but not more than 2 members of the owner, X members of the beneficiary group and X other persons agreed to by the Owner and the Beneficiary Group.

"commonage manager" means a manager appointed (in terms of Section 56 of the Municipal Systems Act) by a Municipal Council, after consultation with the municipal manager, which directly accountable to the municipal manager.

"municipal area" means any land situated inside the area of jurisdiction of the Municipality of which the Municipality is the owner, but outside the boundaries of any residential area;

"Municipality" means the Local Municipality established in terms of Section 12 of the Municipal Structures Act, 117 of 1998, and includes any political structure, political office bearer, councillor, duly authorised agent thereof or any employee thereof acting in connection with these by-laws by virtue of a power vested in the municipality and delegated or sub-delegated to such political structure, political office bearer, councillor, agent or employee;

"Municipal Manager" means the person appointed in terms of section 82 of the Local Government: Municipal Structures Act 1998 (Act No. 117 of 1998);

"permit holder" means the person to whom a permit has been issued by the Municipal Manager in terms of these by-laws;

"plot" means any portion of a commonage set aside by the municipality for other purposes than grazing or irrigation farming.

Commonage

2. (1) The Municipality may by resolution, subject to the provisions of any law or any restrictions regarding the use of land in the title deed of that land:
 - (a) Reserve suitable municipal land as commonage,
 - (b) At any time add defined municipal land to the commonage so reserved, and
 - (c) At any time, partly or wholly in consultation with the Premier of the Free State withdraw any land which forms part of the commonage.
- (2) The Provincial Land Reform Office may purchase and make available land to the municipality in terms of section 10 of the Provision of Land and Assistance Act 126 of 1993 for the purpose of farming activities by categories of emerging farmers.
- (3) The Municipality must subject to the provisions of any law or any restrictions regarding the use of land in the title deed of that land manage together with the Department of Agriculture any land acquired by the Provincial Land Reform Office and transferred to the Municipality for the purpose of a commonage as such;
- (4) The Municipality may subject to the provisions of any law or any restrictions regarding the use of land in the title deed of that land at any time, partly or wholly withdraw any land which forms part of the commonage, excluding the commonage or portion of the commonage mentioned in sub section (2), in consultation with the Premier of the Free State.

Eligibility Criteria

3. The following persons would be eligible for using the commonage:
 - (a) residents of the town owning the commonage, and
 - (b) households that qualify in terms of municipality's indigent policy

Commonage Fees

4. The Council by resolution may set fees for the use of commonage land and for this purpose may differentiate between categories of commonage users.

Commonage Management Committee

5. (1) Users of land on the commonage must establish a commonage management committee facilitated by the Municipal Manager as set out in Annexure A;
- (2) The Municipal Manager in the event of leasing the commonage to a functioning commonage management committee may not issue grazing or irrigation permits to or enter into a lease agreement with any individual person or group of persons in respect of that commonage;
- (3) The Municipal Manager shall lease the commonage as a unit to a commonage management committee established in terms of sub section (1) for a period not exceeding 9 years and eleven months under such conditions as determined by the Council;
- (4) The commonage management committee must sub-let grazing camps or irrigation land for farming activities to specific interest groups and or farmers recognised by that commonage management committee in respect of the specific categories of users and farmers identified in sections 11 or 12 for a period of not less than one year but not exceeding five years.
- (5) The original lease or rent agreement mentioned in sub section (4) must be handed to the Municipal Manager for safekeeping.
- (6) The lessee of a camp, plot, or land on the commonage shall not sublease such camp land or field.
- (7) The lease agreements contemplated in sub section (4) and the agreements contemplated in sub section (6) shall not lapse when the commonage management committee ceases to exist. In such event the municipal manger must forthwith facilitate the election of a new commonage management committee in terms of Annexure A to take over the powers, functions, assets, liabilities and budget of the previous commonage management committee.

Functions of the commonage management committee

2. The commonage management committee should serve as an advisory body, or in its absence, the Municipal Manager or nominated municipal official must: —
3.
 - (1) Divide each piece of land reserved as commonage in terms of section 3, in separate camps suitable for the grazing of animals, gardening plots, or irrigational land allocating a number to each camp, garden plot and irrigational land;
 - (2) Provide, in each camp, plot or irrigational land in consultation with and assistance of the Department of Agriculture such facilities as may be necessary for the maintenance of animals, gardening or irrigation in that camp plot or land;
 - (3) Compile proper maps of each piece of land reserved as part of the commonage, indicating at least the boundaries of camps, plots, gates and waterholes;
 - (4) Establish and maintain the following:-
 - (a) A separate budget for the commonage;
 - (b) A commonage management plan linked to the Municipal Integrated Development Plan, and
 - (c) A register of all registered animals kept on municipal commonages.
 - (5) Allocate the animals of each permit holder, lessee or renter to a specific camp or camps and notify such permit holder accordingly.
 - (6) Ensure that the necessary infrastructure (fences, water, roads etc) is in place before any permit is issued or lease or rental agreements are entered into;
 - (7) Ensure that the minimum water requirements as set out in Annexure B are met, and in the event where available water for grazing animals falls below the minimum requirements, the Municipality will support commonage users to restore the recommended levels subject to the availability of funds and resources.
 - (8) Ensure that leases or rental agreements are fair and fully understood by the lessee or renter
 - (9) Ensure that the Municipality, permit holders, lessees and renters adhere to the commonage management plan.
 - (10) Ensure that commonages are accessible to persons registered as indigent in terms of the municipality's indigent policy and endeavour to terminate as soon as possible any leases or users agreements with any institutions or persons other than registered indigent persons or the commonage management committee;
 - (11) Develop and implement a proper program of rotation of grazing on land reserved as commonage by the Municipality; and
 - (12) Keep proper records, open for public inspection, regarding-
 - (i) all permit or lease holders or renters;
 - (ii) dates of expiry of all permits;
 - (iii) payments or exemptions of payment of all permit holders,
 and any other matter which, in the opinion of the Municipal Manager, needs to be recorded.

Grazing permit required to graze animals on commonage

7. (1) A person shall not graze animals on the commonage of the Municipality, unless;
- (a) he is the holder of a grazing permit issued by the Municipal Manager in consultation with the CMC, in respect of a category 1 user as identified in section 10, subject to the conditions of such permit stipulating the camp number in the commonage and the number and kind of animals to be kept in the camp;
 - (b) he has paid the applicable fees, determined by the Municipality in respect of the period for which the grazing permit was issued.
- (2) A permit holder may partly or wholly be exempted from the payment of such commonage fees in terms of the indigent policy of the Municipality.

Application for and issue of grazing permit

8. (1) An application for a grazing permit by a category 1 user as identified in section 12 must -
- (a) be directed to the Municipal Manager
 - (b) be on the prescribed form made available by the Municipality for this purpose;
 - (c) contain adequate proof that the applicant is a South African citizen and a permanent resident within the area of jurisdiction of the Municipality; and
 - (d) contain such further particulars as the Municipality may require.
- (2) When considering an application, the commonage management committee together with Municipal Manager must take into account the availability and condition of land in the commonage of the Municipality to accommodate the required number of animals for which application is made;
- (3) After due consideration of the application, the commonage management committee together with the Municipal Manager must -
- (a) issue the permit as applied for by the applicant;
 - (b) issue a permit for a lesser number of animals than applied for; or
 - (c) give written notification to the applicant that his or her application was unsuccessful and state the reasons thereof.
- (4) An aggrieved person may in terms of section 62(4)(b) of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000), appeal to the Municipality against a finding of the commonage management committee and Municipal Manager.
- (5) A permit for the grazing of animals on the municipal commonage is —
- (a) valid for not less than one year or more than 5 years and all permits shall lapse on the 30th June of the year of termination;
 - (b) subject to the conditions set out in the permit, and;
 - (c) subject to prior payment of the applicable fees determined by the Municipality.
- (6) The Municipal Manager in consultation with the CMC or designated official may withdraw a permit for the grazing of animals on the municipal commonage if the permit holder contravenes or fails to—
- (a) comply with a condition subject to which the permit was issued;
 - (b) comply with any provision of this By-law;
 - (c) comply with a lawful direction by the Municipal Manager or of the veterinary surgeon appointed by the Municipality, or
 - (d) pay the applicable fees as determined by Council within 30 days after becoming due,
 - (e) Provided a permit holder had been given a 14-day notice to comply or provide reasons why his permit should not be withdrawn.
- (7) A permit to graze animals on the commonage of the Municipality is not transferable and may not be subleased.

Management and Maintenance of Commonage

9. (1) The Municipal Manager is responsible for the proper management and maintenance of all land, infrastructure and equipment forming part of the commonage.
- (2) The Municipal Manger must register and keep record of all animals kept on the commonage in terms of a valid permit or lease or rental agreement.
- (2) The Municipality has the right to gather all animals on the commonage from time to time to ascertain if the animals are registered with the Municipality. All animals, which are not registered, will be impounded.
- (3) It is the owner's responsibility to mark and register his animals.

Appointment of Municipal Commonage Manager

10. The Municipality may appoint a commonage- manager with agricultural-, business- and communication skills on a performance based fixed term contract as contemplated in section 57 of the Local Government: Municipal Systems Act, Act 32 of 2000 or any suitable person or official to fulfil the functions prescribed by the Municipal Manager.

Categories of commonage users and pasture farming

11. Only a person or farmer falling within one of the following categories may obtain a grazing permit from the municipality or commonage management committee or enter into a livestock farming agreement with the commonage management committee for a period not less than one year but not exceeding five years:-
- (1) Category 1 user consisting of:-
 - (a) new entrants into the commonage farming system;
 - (b) subsistence or indigent users using commonage land to supplement income but are not able to graduate to commercial farming.
 - (c) Minimum requirements for a person to qualify as category 1 user:-
 - (i) be a registered owner of animals;
 - (ii) must be resident in the town owning the commonage
 - (iii) must obtain an annual grazing permit from the commonage management committee or municipality;
 - (iv) must have a maximum number of 5 cattle, or 30 sheep or 30 goats or a combination of animals equal to 5 cattle as determined by Department of Agriculture.
 - (2) Category 2 user consisting of farmers:-
 - (a) sharing a piece of the commonage with a maximum number of 4 other commonage farmers in terms of a lease agreement with the commonage management committee, and
 - (b) having at least 5 cattle, or 30 sheep or 30 goats or a combination of animals that is equivalent to 5 cattle; but not more than 15 cattle, or 90 sheep or 90 goats or a combination that is equivalent to 15 cattle.
 - (3) Category 3 users consisting of farmers:-
 - (a) renting or leasing his or her own piece of land from the commonage management committee, and
 - (b) having at least 15 cattle, or 90 sheep or 90 goats or a combination of animals equal to 15 cattle but not more than 30 cattle, or 180 sheep or 180 goats or a combination of animals equal to 30 cattle;
 - (4) Any farmer with more livestock than mentioned in subsection (3)(b) must be assisted by the Provincial Land Reform Office to purchase own land not forming part of the commonage.

Categories of farmers and irrigation farming

12. Only a farmer falling within one of the following categories may enter into an irrigation farming agreement with the commonage management committee for a period not less than one year but not exceeding five years:-
- (1) Category 1 farmers consisting of farmers:-
 - (a) belonging to a farming co-operative;
 - (b) who have a constitution approved by the municipality or commonage management committee, and
 - (c) with a maximum allocation of 3ha irrigational land.
 - (2) Category 2 farmers consisting of farmers:-
 - (a) who have been allocated not less than 3ha and not more than 10ha irrigational land for personal use, and
 - (b) with a rental agreement signed with the municipality or commonage management committee.
 - (3) Any farmer with more than 10ha irrigational land must be assisted by the Provincial Land Reform Office to purchase own land not forming part of the commonage.

Prevention of Veld Fires

13. The Municipal Manager or Fire Protection Association established in terms of National Veld and Forest Fires Act, 1998 must provide a firebreak to a permit holder, lessee or renter.

Prohibited Actions

- 14.
- (1) A person is not allowed to keep any animal in any residential area or on the boundaries thereof
 - (2) A person is not allowed to keep a pig on the commonage in any place other than in an enclosure or cage as approved by the Municipal Manager;
 - (3) A person is not allowed to keep on the commonage any animal of which he is not the bona fide owner;
 - (4) A person is not allowed to kill and or slaughter any animal on the commonage, save for the purpose of disposing of the carcass of a dead animal.
 - (5) A person is not allowed in, on or at any of the Municipality's water resources without prior written approval from the Municipality;
 - (6) A person shall not erect any hut, shelter, kraal, habitation or structure of any kind nor occupy, camp or squat on any portion of the commonage or in any street, or road, thoroughfare or public place without the prior written consent of the Municipality;
 - (7) A person shall not without prior permission of the Municipality, accumulate, dump or deposit or cause to be accumulated, dump or deposited on any portion of the commonage any scrap or waste;
 - (8) A person shall not on the commonage dig or remove soil, clay, sand, gravel or boulders without a valid and current permit issued by the municipality;
 - (9) A person shall not make bricks, or erect brick-, lime - or charcoal kilns, on the any land within the municipal area, or on land under control of the municipality, without prior written consent of the Municipality, except on land denoted for such purposes in terms of an approved spatial development plan and zoning scheme and further subject to payment of the fees determined by municipality;
 - (10) A person shall not cut, damage, burn, destroy, gather or remove any plants, shrubs, trees, timber, firewood, brushwood, manure or any grass growing or being upon any portion of grazing camps on the commonage without prior written permission of the Municipality;
 - (11) A person shall not interfere with or cause damage to any fence, gate, drinking trough, water tap or other appliance or thing, or set fire to the pasture or any bush, tree, shrub on the commonage;
 - (12) A person shall not make use of any road over the commonage other than such roads as shall be allowed open by the municipality from time to time;
 - (13) A person shall not deposit or in any way leave any poison for whatever purpose on the commonage without the written permission of the municipality;
 - (14) The municipality may cause traps to be set for vermin on the commonage and any person interfering with or damaging such traps in any way or letting loose or removing or causing to be loosened or removed any vermin from such traps or in any way disposing of any bodies from such a trap without the prior approval of the municipality, shall be guilty of an offence;
 - (15) A person shall not kill, catch, capture, hunt, remove or attempt to kill, any game on the commonage;
 - (16) A person shall not set traps of whatsoever description on the commonage without the prior written consent of the municipality;
 - (17) A person shall not remove any bees, hives or honey from the commonage without the written permission of the Municipality;
 - (18) A person is not allowed to make an open fire on the commonage, unless it is for the purpose of making or maintaining a fire break.
 - (19) A person shall not hunt, shoot, catch, disturb or kill any wild bird on the commonage or destroy or disturb the nest of any wild bird, nor shall any person remove the eggs or young thereof from such nest, and
 - (20) If the Municipality is of the opinion that it is in the public interest, it may, for such period and subject to such conditions as it may deem fit, exempt any person, group or category of persons in writing from compliance with any prohibited action in terms of this section.

Liability

15. The permit holder, lessee or renter shall be liable for:-
- (1) Any damage or claims, which originate from damage caused by his animal or animals outside the commonage, and.
 - (2) Any damage to or loss of the infrastructure or installations on a grazing camp, irrigation field or plot on a commonage at the expiry of the permit or lease agreement.
 - (3) Any damages resulting from non compliance of the conditions of the permit.

Penalties

16. (1) A person who contravenes or fails to comply with any provision of this By-law or any requirement, condition hereunder or to pay the prescribed commonage fees due in terms of this by-law shall be guilty of an offence.
- (2) A person convicted of an offence in terms of subsection (1) shall be liable to a fine or to imprisonment or to both a fine and such imprisonment.

Transitional Arrangements

17. Any permission obtained, right granted, condition imposed, activity permitted or anything done under a repealed law, shall be deemed to have been obtained, granted, imposed, permitted or done under the corresponding provision (if any) of this By-law, as the case may be.

Repeal of by-laws

18. Any by-laws relating to commonages adopted by the Municipality or any municipality now comprising an administrative unit of the Municipality is repealed from the date of promulgation of these by-laws.

Short title

19. These by-laws shall be called the Municipal Commonage By - Law, 200

ANNEXURE A**Commonage Management Committee Structure**

1. The Municipal Manager must facilitate the establishment of interest groups of commonage users in each town to form interest groups representative of all like-minded users who must develop a constitution, ground rules, and an informed leadership structure who will manage the group's production and financial affairs positively;
2. Each interest group must in consultation with the Department of Agriculture develop and maintain a management plan for the respective enterprises of that interest group;
3. Two members of an interest group should be elected to a Commonage Management Committee;
4. The Commonage Management Committee should elect three or four representatives (or one each from the interest groups) to the Municipal Commonage Management Committee;
5. Each Commonage Management Committee must in consultation with the Department of Agriculture develop and maintain an overall management plan for its area, and
6. The Municipal Commonage Committee is accountable for all lease agreements, commonage management plans, maintenance of assets, collecting of rentals from the interest groups and the payment thereof to the Municipality.

ANNEXURE "B"

Daily water requirements of grazing animals

Animal	Age	Weight kg	Condition	Water requirements litres per day
Cattle	4 weeks	51	growing	0.3-5.7
	8 weeks	69	growing	5-7
	12 weeks	93	growing	8-9
	16 weeks	119	growing	11-13
	20 weeks	148	growing	15-17
	26 weeks	189	growing	17-23
	60 weeks	354	growing	23-30
	84 weeks	464	pregnant	30-38
	1-2 months	464-545	fattening	30-34
	2-8 months	545-726	lactating	39-95
	2-8 months	545-726	grazing	17-34
Pigs		14	growing	1-4
		27-36	growing	2.6-4.5
		36-57	growing	4.0-7.5
		91-180	maintenance	5.7-13
		91-180	pregnant	15-19
Sheep and Goats		9	growing	1.9
		23	growing	1.5
		68-91	grazing	1.9-5.7
		68-91	grazing (salty)	8
		68-91	hay and grain	0.4-3.0
	68-91	good pasture	<1.9	
Horses				45

COOPERATIVE, GOVERNANCE, TRADITIONAL AFFAIRS AND HUMAN SETTLEMENTS NOTICES

TOKOLOGO MUNICIPALITY

PUBLIC NOTICE CALLING FOR INSPECTION OF THE VALUATION ROLL AND LODGING OF OBJECTIONS

Notice is hereby given in terms of Section 49(1)(a)(i) read together with Section 78(2) of the Local Government: Municipal Property Rates Act, 2004 (Act No. 6 of 2004) that the valuation roll for the financial year 2009/2010 was open for public inspection at the Municipal Offices (Boshof, Seretse, Dealesville, Tshwaraganang and Hertzogville) and Libraries (Boshof, Dealesville and Hertzogville) during office hours (08:00 – 13:00 and 14:00 - 16:00) for the period 25 February 2009 till 30 April 2009.

KOÖPERATIEWE REGERING, TRADISIONELE SAKEN EN HUISVESTING KENNISGEWINGS

TOKOLOGO MUNISIPALITEIT

OPENBARE KENNISGEWING VIR DIE INSPEKSIE VAN DIE WAARDASIELYS EN DIE AANTEKEN VAN BESWARE

Kennis geskied hiermee in gevolge artikel 49(1)(a)(1) saamgelees met artikel 78(2) van die Wet op Plaaslike Regering: Munisipale Eiendomsbelasting, 2004 (Wet No. 6 van 2004) dat die waardasielys vir die Finansiële jaar 2009/2010 vir die publiek ter insae gelê het by Munisipale kantore (Boshof, Seretse, Dealesville, Tshwaraganang en Hertzogville) en Biblioteke (Boshof, Dealesville en Hertzogville) gedurende kantoorure (08:00 – 13:00 and 14:00 – 16:00) vir 'n tydperk 25 Februarie 2009 tot 30 April 2009.

An invitation was hereby made in terms of Section 49(1)(a)(ii) read together with Section 78(2) of the Act, that any owner of property or any other person who desires should lodge an objection with the Municipal Manager in respect of any matter reflected in, or omitted from, the valuation roll within the mentioned period.

Attention was specifically drawn to the fact that in terms of Section 50(2) of the Act, an objection must be in relation to a specific individual property and not against the valuation process as such. The prescribed form for lodging an objection was obtainable at the above-mentioned municipal offices and libraries. The completed forms can be returned to any mentioned municipal office or to the following postal address:

Private Bag X 46
Boshof
8340

For enquiries please contact Mr. L. Rossouw or Mr. B. Wessels at 053 – 5410014.

MR L.M.A. MOFOKENG
MUNICIPAL MANAGER

Ingevolge artikel 49(1)(a)(ii) saamgelees met artikel 78(2) word kon enige persoon wat 'n beswaar ten opsigte van enige aangeleentheid in, of weggelaat uit, die waardasielyst wil aanteken, genooi word om dit op die voorgeskrewe wyse binne die vermelde tydperk te doen.

Met verwysing na artikel 50(2) moes 'n beswaar slegs op 'n spesifieke individuele eiendom betrekking hê en nie op die waardasielyst as sodanig nie. 'n Voorgeskrewe vorm vir besware was verkrygbaar by die bogenoemde Munisipale kantore en Biblioteke. Die voltooide vorms kan terugbesorg word by enige bogenoemde Munisipale kantoor of kan per pos versend word na die volgende posadres:

Privaatsak X 46
Boshof
8340

Vir enige navrae kan u vir Mnr. L. Rossouw of Mr. B. Wessels skakel by 053 – 5410014.

MNR. L.M.A. MOFOKENG
MUNISIPALE BESTUURDER

**PROPERTY RATES BY-LAW
(FINAL)**

(18 MAY 2009)

FOR IMPLEMENTATION ON 1 JULY 2009

**TOKOLOGO LOCAL MUNICIPALITY
PROPERTY RATES BY-LAW**

The Municipal Manager of Tokologo Local Municipality hereby, in terms of Section 6 of the Local Government: Municipal Property Rates Act, 2004 (No. 6 of 2004), publishes the Property Rates By-law for the Tokologo Local Municipality, as approved by its Council as set out hereunder.

PURPOSE OF BY-LAW

To allow Council to exercise its power to value and impose rates on immovable properties located within its area of jurisdiction in such a manner that it will contribute to effective and economic service delivery to the entire community.

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1. DEFINITIONS
2. PRINCIPLES
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21. COMMENCEMENT

1. Definitions

For the purpose of these by-laws any word or expression to which a meaning has been assigned in the Local Government: Municipal Property Rates Act, 2004 (Act No. 6 of 2004) shall bear the same meaning in these by-laws and unless the context indicates otherwise-

- 1.1 "Act" means the Local Government: Municipal Property Rates Act, 2004 (Act No. 6 of 2004);
- 1.2 "Agent", in relation to the owner of a property, means a person appointed by the owner of the property-
 - (a) to receive rental or other payments in respect of the property on behalf of the owner; or
 - (b) to make payments in respect of the property on behalf of the owner;
- 1.3 "Agricultural purpose" in relation to the use of a property, includes the use of a property for the purpose of eco-tourism or for the trading in or hunting of game;
- 1.4 "Annually" means once every financial year;
- 1.5 "Category"
 - (a) in relation to property, means a category of properties determined in terms of Section 5 of this By-law; and
 - (b) in relation to owners of properties, means a category of owners determined in terms of Section 6 of this By-law.
- 1.6 "Child-headed household" means a household where the main caregiver of the said household is younger than 18 years of age. Child-headed household means a household headed by a child as defined in terms of section 28(3) of the Constitution.
- 1.7 "Definitions, words and expressions" as used in the Act are applicable to this By-law, where ever it is used;
- 1.8 "Land reform beneficiary", in relation to a property, means a person who -
 - (a) acquired the property through -
 - (i) the Provision of Land and Assistance Act, 1993 (Act No. 126 of 1993); or
 - (ii) the Restitution of Land Rights Act, 1994 (Act No. 22 of 1994);
 - (b) holds the property subject to the Communal Property Associations Act, 1996 (Act No 28 of 1996);
 - (c) holds or acquires the property in terms of such other land tenure reform legislation as may pursuant to section 25(6) and (7) of the Constitution (Act No.108 of 1996) be enacted after this Act has taken effect;
- 1.9 "Land tenure right" means an old order right or a new order right as defined in section 1 of the Communal Land Rights Act, 2004 (Act No.11 of 2004);
- 1.10 "Municipality" means the Local Municipality of Tokologo;
- 1.11 "Newly Rateable property" means any rateable property on which property rates were not levied before the end of the financial year preceding the date on which this Act took effect, excluding –

- (a) a property which was incorrectly omitted from a valuation roll and for that reason was not rated before that date; and
- (b) a property identified by the Minister by notice in the Gazette where the phasing-in of a rate is not justified;

1.12 **“Owner”-**

- (a) in relation to a property referred to in paragraph (a) of the definition of “property”, means a person in whose name ownership of the property is registered;
- (b) in relation to a right referred to in paragraph (b) of the definition of “property”, means a person in whose name the right is registered;
- (c) in relation to a land tenure right referred to in paragraph (c) of the definition of “property”, means a person in whose name the right is registered or to whom it was granted in terms of legislation; or
- (d) in relation to public service infrastructure referred to in paragraph (d) of the definition of “property”, means the organ of state which owns or controls that public service infrastructure as envisaged in the definition of “publicly controlled”, provided that a person mentioned below may for the purposes of this Act be regarded by a municipality as the owner of a property in the following cases:-
 - (i) a trustee, in the case of a property in a trust excluding state trust land;
 - (ii) an executor or administrator, in the case of a property in a deceased estate;
 - (iii) a trustee or liquidator, in the case of a property in an insolvent estate or in
 - (iv) a judicial manager, in the case of a property in the estate of a person under
 - (v) a curator, in the case of a property in the estate of a person under curatorship;
 - (vi) a person in whose name a usufruct or other personal servitude is registered, in the case of a property that is subject to a usufruct or other personal servitude;
 - (vii) a lessee, in the case of a property that is registered in the name of a municipality and is leased by it; or
 - (viii) a buyer, in the case of a property that was sold by a municipality and of which possession was given to the buyer pending registration of ownership in the name of the buyer;

1.13 **“Privately owned towns serviced by the owner”** means single properties, situated in an area not ordinarily being serviced by the municipality, divided through sub division or township establishment into (ten or more) full title stands and/ or sectional units and where all rates related services inclusive of installation and maintenance of streets, roads, sidewalks, lighting, storm water drainage facilities, parks and recreational facilities are installed at the full cost of the developer and maintained and rendered by the residents of such estate.

1.14 **“Property”** means -

- (a) immovable property registered in the name of a person, including, in the case of a sectional title scheme, a sectional title unit registered in the name of a person;
- (b) a right registered against immovable property in the name of a person, excluding a mortgage bond registered against the property;
- (c) a land tenure right registered in the name of a person or granted to a person in terms of legislation; or
- (d) public service infrastructure.

1.15 **“Public service infrastructure”** means publicly controlled infrastructure of the following kinds:

- (a) national, provincial or other public roads on which goods, services or labour move across a municipal boundary;
- (b) water or sewer pipes, ducts or other conduits, dams, water supply reservoirs, water treatment plants or water pumps forming part of a water or sewer scheme serving the public;

- (c) power stations, power substations or power lines forming part of an electricity scheme serving the public;
- (d) gas or liquid fuel plants or refineries or pipelines for gas or liquid fuels, forming part of a scheme for transporting such fuels;
- (e) railway lines forming part of a national railway system;
- (f) communication towers, masts, exchanges or lines forming part of a communications system serving the public;
- (g) runways or aprons at national or provincial airports;
- (h) breakwaters, sea walls, channels, basins, quay walls, jetties, roads, railway or infrastructure used for the provision of water, lights, power, sewerage or similar services of ports, or navigational aids comprising lighthouses, radio navigational aids, buoys, beacons or any other device or system used to assist the safe and efficient navigation of vessels;
- (i) any other publicly controlled infrastructure as may be prescribed; or
- (j) rights of way, easements or servitudes in connection with infrastructure mentioned in paragraphs (a) to (i).

1.16 "Residential property" means improved property that:-

- (a) is used predominantly (60% or more) for residential purposes including any adjoining property registered in the name of the same owner and used together with such residential property as if it were one property. Any such grouping shall be regarded as one residential property for rate rebate or valuation reduction purposes.
- (b) Is a unit registered in terms of the Sectional Title Act and used predominantly for residential purposes.
- (c) Is owned by a share-block company and used solely for residential purposes.
- (d) Is a residence used for residential purposes situated on property used for or related to educational purposes.
- (e) Retirement schemes and life right schemes used predominantly (60% or more) for residential purposes.

And specifically exclude hostels, flats, old age homes, guest houses and vacant land irrespective of its zoning or intended use.

1.17 "Rural communal settlements" means the residual portion of rural communal land excluding identifiable and rateable entities within the property and excluding State Trust Land and land reform beneficiaries as defined in the Act.

1.18 "state trust land" means land owned by the state-

- (a) in trust for persons communally inhabiting the land in terms of a traditional system of land tenure;
- (b) over which land tenure rights were registered or granted; or
- (c) which is earmarked for disposal in terms of the Restitution of Land Rights Act, 1994 (Act No. 22 of 1994).

1.19 In this by-law, words used in the masculine gender include the feminine, the singular includes the plural and vice versa.

2. Principles

- 2.1 Rates will be levied in accordance with the Act as an amount in the rand based on the market value of all rateable property contained in the municipality's valuation roll and supplementary valuation roll.
- 2.2 The municipality will differentiate between various categories of property and categories of owners of property as contemplated in clause 5 and 6 of this by-law.
- 2.3 Some categories of property and categories of owners will be granted relief from rates.
- 2.4 The municipality will not grant relief in respect of payments for rates to any category of owners or properties, or to owners of properties on an individual basis.
- 2.5 There will be no phasing in of rates based on the new valuation roll, except as prescribed by legislation and in accordance with clause 14 of this by-law.

- 2.6 The municipality's rates policy will be based on the following principles:
- (a) Equity
The municipality will treat all ratepayers with similar properties the same.
 - (b) Affordability
The ability of a person to pay rates will be taken into account by the municipality. In dealing with the poor/indigent ratepayers the municipality will provide relief measures through exemptions, reductions or rebates and cross subsidy from the equitable share.
 - (c) Sustainability
Rating of property will be implemented in a way that:
 - i. it supports sustainable local government by providing a stable and buoyant revenue source within the discretionary control of the municipality;
 - ii. Supports local, social and economic development; and
 - iii. Secures the economic sustainability of every category of ratepayer.
 - (d) Cost efficiency
Rates will be based on the value of all rateable property and will be used to fund community and subsidised services after taking into account profits generated on trading (water, electricity) and economic (refuse removal, sewerage disposal) services and the amounts required to finance exemptions, rebates, reductions and phasing-in of rates as approved by the municipality from time to time.
3. **Application of By-law**
- 3.1 Where this by-law contradicts national legislation, such legislation has preference over this by-law. The Municipal Manager shall bring such conflicts immediately to the attention of the municipality once he becomes aware of such conflicts and will propose changes to the municipality's by-laws to eliminate such conflicts.
 - 3.2 If there is any conflict between this by-law and the Property Rates policy of the municipality, this by-law will prevail.
 - 3.3 In imposing the rate in the rand for each annual operating budget component, the municipality shall grant exemptions, rebates and reductions to the categories of properties and categories of owners.
4. **Principles applicable to financing services**
- 4.1 The municipal manager or his/her nominee must, subject to the guidelines provided by the National Treasury and Executive Committee of the municipality, make provision for the following classification of services:-
 - (a) Trading services
 - i. Water
 - ii. Electricity
 - (b) Economic services
 - i. Refuse removal.
 - ii. Sewerage disposal.
 - (c) Community and subsidised services
These include all those services ordinarily being rendered by the municipality that benefit the community as a whole, excluding those mentioned in 4.1 (a) and (b).
 - 4.2 Trading and economic services as referred to in clauses (a) and (b) must be ring fenced and financed from service charges while community and subsidised services referred to in clause (c) will be financed from surpluses on trading and economic services, regulatory fees, rates and rates related income.
5. **Categories of property**
- 5.1 Different rates may be levied in respect of the categories of rateable properties as determined by the municipality's rates policy.
 - 5.2 Such rates will be determined on an annual basis during the compilation of the municipality's budget.
 - 5.3 In determining the category of a property referred to in 5.1 the municipality shall take into consideration the dominant use of the property regardless the formal zoning of the property;
 - 5.4 Properties used for multiple purposes shall be categorised and rated as provided for in section 9 of the Act and as more fully described in clause 7 of this by-law.

6. Categories of owners

- 6.1 For the purpose of granting exemptions, reductions and rebates in terms of clause 9, 10 and 11 respectively the following categories of owners of properties are determined:
- (a) Those owners who qualify and who are registered as indigents in terms of the adopted indigent policy of the municipality;
 - (b) Those owners who do not qualify as indigents in terms of the adopted indigent policy of the municipality but whose total monthly income is less than the amount annually determined by the municipality in its budget;
 - (c) Owners of property situated within an area affected by-
 - i. a disaster within the meaning of the Disaster Management Act, 2002 (Act No. 57 of 2002); or
 - ii. serious adverse social or economic conditions.
 - (d) Owners of residential properties with a market value below the amount as determined annually by the municipality in its budget;
 - (e) Owners of properties situated in "privately owned towns" as determined by the municipality's rates policy;
 - (f) Owners of agricultural properties as determined by the municipality's rates policy; and
 - (g) Child headed families where any child of the owner or child who is a blood relative of the owner of the property, is responsible for the care of siblings or parents of the household.

7. Properties used for multiple purposes

- 7.1 Rates on properties used for multiple purposes will be levied by the dominant use of the property.

8. Differential rating

- 8.1 Criteria for differential rating on different categories of properties will be according to-
- (a) The nature of the property including its sensitivity to rating e.g. agricultural properties used for agricultural purposes.
 - (b) The promotion of social and economic development of the municipality.
- 8.2 Differential rating among the various property categories will be done by way of setting different cent amount in the rand for each property category; and
- 8.3 by way of reductions and rebates as provided for in the municipality's rates policy document.

9. Exemptions and Impermissible Rates

- 9.1 Categories of property and categories of owners as determined by the municipality's rates policy on an annual basis will be exempted from paying rates.
- 9.2 Conditions determined by the rates policy will be applied accordingly.
- 9.3 Exemptions will automatically apply where no applications are required.
- 9.4 Rates may not be levied by the municipality on properties prescribed in Section 17(1) of the Municipal Property Rates Act, 2004.
- 9.5 Public Benefit Organisations performing a specific public benefit activity and registered in terms of the Income Tax Act, 1962 (No 58 of 1962) for tax reduction because of those activities, may apply for exemption of property rates, on conditions as determined by the municipality's rates policy.
- 9.6 The municipality retains the right to refuse the exemption if the details supplied in the application form were incomplete, incorrect or false.
- 9.7 The extent of the exemptions implemented will annually be determined by the municipality and it must be included in the annual budget.

10. Reductions

- 10.1 Reductions as contemplated in section 15 of the Act will be considered on an *ad-hoc* basis in the event of the following:
- 10.1.1 Partial or total destruction of a property.
 - 10.1.2 Disasters as defined in the Disaster Management Act, 2002 (Act 57 of 2002).

- 10.2 The following conditions shall be applicable in respect of 10.1:-
- 10.2.1 The owner referred to in 10.1.1 shall apply in writing for a reduction and the onus will rest on such applicant to prove to the satisfaction of the municipality that his property has been totally or partially destroyed. He/she will also have to indicate to what extent the property can still be used and the impact on the value of the property.
- 10.2.2 Property owners will only qualify for a rebate if affected by a disaster as referred to in the Disaster Management Act, 2002 (Act No. 57 of 2002).
- 10.2.3 A maximum reduction determined annually by the municipality will be allowed in respect of both 10.1.1 and 10.1.2.
- 10.2.4 An ad-hoc reduction will not be given for a period in excess of 6 months, unless the municipality gives further extension on application.
- 10.2.5 If rates were paid in advance prior to granting of a reduction the municipality will give credit to such an owner as from the date of reduction until the date of lapse of the reduction or the end of the period for which payment was made whichever occurs first.

11. Rebates

- 11.1 Categories of property
- 11.1.1 The municipality may grant rebates to categories of property as determined in the municipality's rates policy.
- 11.2 Categories of owners
- 11.2.1 The municipality may grant rebates to categories of owners as determined annually in the municipality's rates policy.
- 11.3 Conditions determined by the rates policy will be applied accordingly.
- 11.4 Applications for rebates must reach the municipality before the date determined by the property policy, preceding the start of the new municipal financial year for which relief is sought.
- 11.5 The municipality retains the right to refuse rebates if the details supplied in the application form were incomplete, incorrect or false.
- 11.6 Properties with a market value below a prescribed valuation level of an amount determined annually by the Municipality may, instead of a rate being determined on the market value, be rated a uniform fixed amount per property.
- 11.7 The extent of the rebate in terms of 11.1, 11.2 and 11.6 will annually be determined by the municipality and it must be included in the annual budget.

12. Payment of rates

- 12.1 Council may levy assessment rates: -
- (a) On a monthly basis or less regular as determined by the Municipal Finance Management Act,(No.56 of 2003) or
- (b) Annually, as agreed with the owner of the property.
- 12.2 The municipality shall determine the due dates for payments in monthly installments and the single annual payment and this date shall appear on the accounts forwarded to the owner/ tenant/ occupants/ agent.
- 12.3 Rates payable on an annual basis, will be subject to a discount of 5% if paid in full on or before 30 September of each year.
- 12.4 Interest on arrears rates, whether payable on or before 30 September or in equal monthly instalments, shall be calculated in accordance with the provisions of the Credit Control and Debt Collection Policy of the Municipality.
- 12.5 If a property owner who is responsible for the payment of property rates in terms of the rates policy, fails to pay such rates in the prescribed manner, it will be recovered from him/her in accordance with the provisions of the Credit Control and Debt Collection By-law of the Municipality.
- 12.6 Arrears rates shall be recovered from tenants, occupiers and agents of the owner, in terms of section 28 and 29 of the Act and the Municipality's credit control en debt collection by-law.
- 12.7 Where the rates levied on a particular property have been incorrectly determined, whether because of an error or omission on the part of the municipality or false information provided by the property owner concerned or a contravention of the permitted use to which the property concerned may be put, the rates payable shall be appropriately adjusted for the period extending from the date on which the error or omission is detected back to the date on which rates were first levied in terms of the current valuation roll.
- 12.8 In addition, where the error occurred because of false information provided by the property owner or as a result of a contravention of the permitted use of the property concerned, interest on the unpaid portion of the adjusted rates payable shall be levied at the maximum rate permitted by prevailing legislation.

13. Accounts to be furnished

13.1 The municipality will furnish each person liable for the payment of rates with a written account, which will specify:

- (i) the amount due for rates payable,
- (ii) the date on or before which the amount is payable,
- (iii) how the amount was calculated,
- (iv) the market value of the property, and
- (v) rebates, exemptions, reductions or phasing-in, if applicable.

13.2 A person liable for payment of rates remains liable for such payment, whether or not such person has received a written account from the municipality. If the person concerned has not received a written account, he/she must make the necessary enquiries with the municipality.

13.3 In the case of joint ownership the municipality shall consistently, in order to minimise costs and unnecessary administration, recover rates from one of the joint owners only provided that it takes place with the consent of the owners concerned.

14. Phasing in of rates

14.1 The rates to be levied on newly rateable property shall be phased in as explicitly provided for in section 21 of the Act.

14.2 The phasing-in discount on the properties referred to in section 21 shall be as follows:

- First year : 75% of the relevant rate;
- Second year : 50% of the relevant rate; and
- Third year : 25% of the relevant rate.

14.3 No rates shall be levied on newly rateable properties that are owned and used by organisations conducting activities that are beneficial to the public and that are registered in terms of the Income Tax Act for those activities, during the first year. The phasing-in discount on these properties shall be as indicated below:-

- First year : 100% of the relevant rate;
- Second year : 75% of the relevant rate;
- Third year : 50% of the relevant rate; and
- Fourth year : 25% of the relevant rate.

15. Special rating areas

15.1 The municipality will, whenever deemed necessary, by means of a formal Council resolution determine special rating areas in consultation with the relevant communities as provided for in section 22 of the Act.

15.2 The following matters shall be attended to in consultation with the committee referred to in clause 15.3 whenever special rating is being considered:

- 15.2.1 Proposed boundaries of the special rating area;
- 15.2.2 Statistical data of the area concerned giving a comprehensive picture of the number of erven with its zoning, services being rendered and detail of services such as capacity, number of vacant erven and services that are not rendered;
- 15.2.3 Proposed improvements clearly indicating the estimated costs of each individual improvement;
- 15.2.4 Proposed financing of the improvements or projects;
- 15.2.5 Priority of projects if more than one;
- 15.2.6 Social economic factors of the relevant community;
- 15.2.7 Different categories of property;
- 15.2.8 The amount of the proposed special rating;
- 15.2.9 Details regarding the implementation of the special rating;
- 15.2.10 The additional income that will be generated by means of this special rating.

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- 15.3 A committee consisting of 6 members of the community residing within the area affected will be established to advise and consult the municipality in regard to the proposed special rating referred to above. This committee will be elected by the inhabitants of the area concerned who are 18 years of age or older. No person under the age of 18 may be elected to serve on the committee. The election of the committee will happen under the guidance of the Municipal Manager. The committee will serve in an advisory capacity only and will have no decisive powers.
- 15.4 The required consent of the relevant community shall be obtained in writing or by means of a formal voting process under the chairmanship of the Municipal Manager. A majority shall be regarded as 50% plus one of the households affected. Each relevant household, i.e. every receiver of a monthly municipal account, will have 1 vote only.
- 15.5 In determining the special additional rates the municipality shall differentiate between different categories as referred to in clause 5.
- 15.6 The additional rates levied shall be utilised for the purpose of improving or upgrading of the specific area only and not for any other purposes whatsoever.
- 15.7 The municipality shall establish separate accounting and other record-keeping systems, for the identified area and the households concerned shall be kept informed of progress with projects and financial implications on an annual basis.
- 16. Frequency of valuation**
- 16.1 The municipality shall prepare a new valuation roll every 4 (four) years.
- 16.2 The municipality, under exceptional circumstances, may request the MEC for Local Government and Housing in the province to extend the validity of the valuation roll to 5 (five) years.
- 16.3 Supplementary valuations will be done at least on an annual basis to ensure that the valuation roll is properly maintained.
- 17. Community participation**
- 17.1 Before the municipality adopts the rates by-law, the municipal manager will follow the process of community participation envisaged in chapter 4 of the Municipal Systems Act and comply with the following requirements:
- 17.1.1 Council must establish appropriate mechanisms, processes and procedures to enable the local community to participate and will provide for consultative sessions with locally recognised community organisations and where appropriate traditional authorities.
- 17.1.2 Conspicuously display the draft rates by-law for a period of at least 30 days (municipality to include period decided on) at the municipality's head and satellite offices and libraries (and on the website).
- 17.1.3 Advertise in the media a notice stating that the draft rates by-law has been prepared for submission to council and that such by-law is available at the various municipal offices and on the website for public inspection.
- 17.1.4 Property owners and interest persons may obtain a copy of the draft policy from the municipal offices during office hours at a fee as determined by Council as part of its annual tariffs.
- 17.1.5 Property owners and interest persons are invited to submit written comments or representations to the municipality within the specified period in the notice.
- 17.1.6 The municipality will consider all comments and/or representations received when considering the finalisation of the rates policy and by-law.
- 17.1.7 The municipality will communicate the outcomes of the consultation process in accordance with section 17 of the Municipal Systems Act 32 of 2000.
- 18. Register of properties**
- 18.1 The municipality will compile and maintain a register in respect of all properties situated within the jurisdiction of the municipality. The register will be divided into Part A and Part B.
- 18.2 Part A of the register will consist of the current valuation roll of the municipality and will include all supplementary valuations done from time to time.

- 18.3 Part B of the register will specify which properties on the valuation roll or any supplementary valuation roll are subject to:
- i. Exemption from rates in terms of section 15 of the Property Rates Act, 2004,
 - ii. Rebate or reduction in terms of section 15 of the Act,
 - iii. Phasing-in of rates in terms of section 21 of the Act, and
 - iv. Exclusions as referred to in section 17 of the Act.
- 18.4 The register will be open for inspection by the public at the municipal main offices during office hours or on the website of the municipality.
- 18.5 The municipality will update Part A of the register during the supplementary valuation process.
- 18.6 Part B of the register will be updated on an annual basis as part of the implementation of the municipality's annual budget.
- 19. Regular review processes**
- 19.1 The municipality's rates policy must be reviewed on an annual basis to ensure that it complies with the Municipality's strategic objectives as contained in the Integrated Development Plan and with relevant legislation.
- 20. Short title**
This by-law is the rates by-law of the Tokologo Local Municipality.
- 21. Commencement**
This by-law comes into force and effect on 1 July 2009.

NOTICE

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Annexure D

NOTICE OF GRANTING OF OWNERSHIP

[REGULATION 6]

The Conversion of Certain Rights into Leasehold or Ownership Act, 1988 (Act No. 81 of 1988)

I, Muzamani Charles Nwaila Director General of the Free State Province, hereby declare that rights of ownership in respect of the affected sites (situated in the area of jurisdiction of the Municipality of SETSOTO) indicated in column 1 of the Schedule, have been granted to the persons indicated in column 2 of the Schedule.

DIRECTOR-GENERAL

Aanhangsel D

KENNISGEWING VAN VERLENING VAN EIENDOMSREG

[REGULASIE 6]

Wet op die Omskepping van Sekere Regte tot Huurpag of Eiendomsreg, 1988 (Wet No. 81 van 1988)

Hiermee verklaar ek Muzamani Charles Nwaila Direkteur-generaal van die Provinsie Vrystaat, dat eiendomsreg ten opsigte van die geaffekteerde persele (geleë binne die regsgebied van die Munisipaliteit van SETSOTO) aangedui in kolom 1 van die Bylae, verleen is aan die persone aangedui in kolom 2 van die Bylae.

DIREKTEUR-GENERAAL

SCHEDULE/BYLAE

Column 1 Kolom 1	Column 2 Kolom 2
Affected sites Geaaffekteerde persele	Name of person to whom the acting Director general intends to declare a right of ownership Naam van persoon wat die Waarnemende direkteur- generaal voornemens is te verklaar eiendomsreg verleen te gewees het.
FICKSBURG - MEOHELENG	
1756	SEETSA ZACHARIA PITSO
1765	MASENA ABIEL MASENA
530	TANKISO REBECCA MATLALA
316	METHODIST CHURCH IN AFRICA
321	AFRICAN METHODIST EPISCOPAL CHURCH
371	MSUNGUTU AUGUSTINE VELAPI
591	TLALI JOHANNES MOKAOLI
184	RABASHANE JOSEPH MOKHELE
228	MALEFANE LUCAS MATLALA
25	GAUDA NYAKANE
597	SANKOELA PETRUS MOFUTA
889/2	RABASHANE JOSEPH MOKHELE
933	MALIKOBO NORAH TLADI
821	LIEKETSENG MARY MAROTHOLI
766	LISEMELO JEANETT RAKHORO
640	MOEKETSI JOSEPH SEBILO
1675	MANTSHIENG SHILDA LEKOPA
1688	SEBOLELO EVA PHUMUDI
2695	SUPING NEPHTALI MOKHOBO