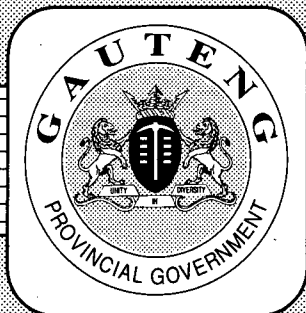


**THE PROVINCE OF  
GAUTENG**



**DIE PROVINSIE  
GAUTENG**

# Provincial Gazette Extraordinary Buitengewone Provinsiale Koerant

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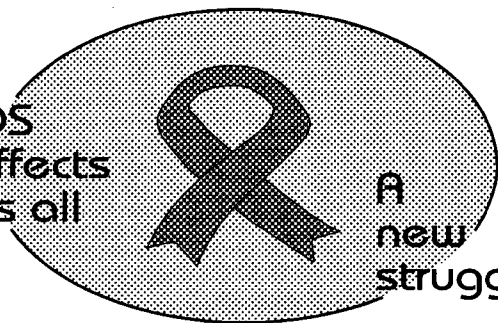
Vol. 6

PRETORIA, 4 DECEMBER 2000  
DESEMBER

No. 196

**We all have the power to prevent AIDS**

AIDS  
affects  
us all



A  
new  
struggle

Prevention is the cure

**AIDS  
HELPLINE**

**0800 012 322**

DEPARTMENT OF HEALTH

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**GENERAL NOTICE**

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**NOTICE 8699 OF 2000****LOCAL GOVERNMENT: MUNICIPAL STRUCTURES ACT, 1998****AMENDMENT OF NOTICE ESTABLISHING THE SEDIBENG DISTRICT  
MUNICIPALITY (NOTICE NO. 6765 OF 2000)**

In terms of section 16(1) of the Local Government: Municipal Structures Act, 1998, I, Trevor George Fowler, Member of the Executive Council responsible for local government in the Province of Gauteng, hereby amend the notice establishing the Sedibeng District Municipality (Notice No. 6765 of 2000) as set out in the Schedule hereto.

Given under my hand at Johannesburg, this 1st day of December 2000.



**T G FOWLER**  
**MEC: DEVELOPMENT PLANNING AND LOCAL GOVERNMENT: GAUTENG**  
**PROVINCE**

## SCHEDULE

1. Notice No. 6765 of 2000, published in Provincial Gazette Extraordinary No. 141, dated 1 October 2000, is hereby amended by the substitution for the term "Executive Municipality", where it appears therein, of the term "Executive Council".
2. The Schedule to the notice referred to in clause 1 above is amended as follows:

### AMENDMENT OF PART 1

#### (1) *Amendment of clause 1*

Clause 1 is hereby amended:

- (a) By the substitution for the term "a municipality" where it occurs in the definition of "Disestablished municipality" of the term "an existing municipality";
- (b) by the substitution for the word "part" of the word "parts" where it occurs in the definition of "Local Municipality";
- (c) by the substitution for the figure "6869" of the figure "6569" where it occurs in the definition of "District municipal area"; and
- (d) by the substitution for the word "municipalities" of the word "municipality" where it occurs in the definition of "New Municipalities" and by the deletion of the semicolon after the word "schedule" and the addition thereto of the following term:  

", or where the context so indicates, any other municipality established in terms of section 12 of the Municipal Structures Act;"

### AMENDMENT OF PART 2

#### (2) *Amendment of clause 3*

Clause 3 is hereby amended by the substitution for the figure "6869" of the figure "6569".

(3) *Amendment of clause 6*

Clause 6 is hereby amended:

- (a) by the substitution for the figure "6869" in sub-clause (1) of the figure "6569"; and
- (b) the map referred to in sub-clause (1), showing the boundaries of District Council DC 42, is hereby withdrawn and substituted by annexure "A".

(4) *Amendment of clause 7*

Clause 7(1) is hereby amended by the renumbering thereof to 7.

(5) *Amendment of clause 8*

Clause 8(1) is hereby amended:

- (a) by the renumbering thereof to 8;
- (b) by the deletion of sub-clause (c), the addition of the word "and" to sub-clause (b) and the renumbering of sub-clause (d) to "(c)".

**AMENDMENT OF PART 3**

(6) *Amendment of clause 14*

The map referred to in sub-clause (1) and showing the boundaries of Local Municipality GT 421, is hereby withdrawn and substituted by annexure "B".

(7) *Amendment of clause 15*

Clause 15(1) is hereby amended by the renumbering thereof to 15.

(8) *Amendment of clause 16*

Clause 16(1) is hereby amended:

- (a) by the renumbering thereof to 16;
- (b) by the deletion of sub-clause (c), the addition of the word "and" to sub-clause (b) and the renumbering of sub-clause (d) to "(c)".

**AMENDMENT OF PART 4***(9) Amendment of clause 20*

Clause 20 is hereby amended by the substitution for the term "Notice 1175 dated 2 March 2000," of the term "Notice No. 6569 dated 19 September 2000,".

*(10) Amendment of clause 23*

Clause 23 is hereby amended:

- (a) by the substitution for the term "1175 date 2 March 2000" of the term "6569 dated 19 September 2000"; and
- (b) the map referred to in sub-clause (1), showing the boundaries of Local Municipality GT 422, is hereby withdrawn and substituted by annexure "C".

*(11) Amendment of clause 24*

Clause 24(1) is hereby amended:

- (a) by the renumbering thereof to 24; and
- (b) by the insertion of a full stop after the word "councillors".

*(12) Amendment of clause 25*

Clause 25 is hereby amended:

- (a) by the substitution for the word "term" of the word "terms"; and
- (b) by the substitution for the words "a full-time councillor." of the words "full-time councillors" where it appears therein.

*(13) Amendment of clause 26*

Clause 26 is hereby amended by the deletion of the full stop at the end thereof and the addition thereto of the term "and provincial General Notice No. 6771 dated 30 September 2000."

**AMENDMENT OF PART 5***(14) Amendment of clause 32*

The map referred to in sub-clause (1) and attached to the Schedule showing the boundaries of Local Municipality GT 423, is hereby withdrawn and substituted by annexure "D".

*(15) Amendment of clause 33*

Clause 33(1) is hereby amended by the renumbering thereof to 33.

*(16) Amendment of clause 34*

Clause 34 is hereby amended:

- (a) by the substitution for the term "In term of section 18(4) of Municipal Structures Act" of the term "In terms of section 18(4) of the Municipal Structures Act"; and
- (b) by the substitution for the word "councillor." at the end of the clause of the word "councillors."

**AMENDMENT OF PART 6***(17) Amendment of clause 38*

Sub-clause (1) is hereby amended:

- (a) by the substitution for the figure "3" of the figure "4" where it occurs in sub-clauses (e), (f), (g), (h), (i), (j), (k) and (l); and
- (b) by the addition of the following sub-clause after sub-clause (2):
  - "(3) Notwithstanding the provisions of any other law, the present term of office of all existing committees and office bearers of a municipalities to be disestablished on the effective date shall extend until that date."

**AMENDMENT OF PART 7***(18) Amendment of clause 40*

Clause 40 is hereby amended:

- (a) by the substitution for the term "those set out in section 83" in sub-clause (1) of the term "those as set out in section 83"; and
- (b) by the substitution for the term "Regional Services Municipality Act" in sub-clause (2) of the term "Regional Services Councils Act".

**AMENDMENT OF PART 8***(19) Amendment of clause 41*

Clause 41 is hereby amended by the substitution for the term "a disestablished municipalities" in sub-clause (1) of the term "a disestablished municipality".

*(20) Amendment of clause 43*

Clause 43 is hereby amended:

- (a) by the substitution for the word "Municipality" of the word "Council" in the heading of the clause;
- (b) by the insertion of the words "of the new municipality" after the word "Council" in sub-clause (1);
- (c) by the deletion of the full stop after sub-clause 2 and the addition thereto of the following term:  
  
"; Provided that no matter shall be dealt with at the meeting before all the office bearers as required in terms of the Municipal Structures Act have been elected."; and
- (d) by the substitution for the words "managers" and "meetings" in sub-clause (3) of the words "manager" and "meeting" respectively.

*(21) Amendment of clause 46*

Clause 46 is hereby amended:

- (a) by the insertion of a closing bracket after the figure 1986 in sub-clause (1)(b); and



(b) by the substitution for sub-clause (2) of the following:

"(2) The new municipalities shall, as from the effective date, be the local authorities as contemplated in part 2 of the Sixth Schedule of the Local Government Ordinance, 1939 (Ordinance No. 17 of 1939)".

## AMENDMENT OF PART 9

### (22) *Amendment of clause 47*

Sub-clause (2) is hereby amended:

(a) by the substitution for sub-clause (a) of the following:

"(a) All by-laws, and any action taken in terms of such by-laws, and all resolutions, delegations, town planning schemes, integrated development plans or statutory notices of a disestablished municipality, or of a local government body incorporated into it in terms of the Local Government Transition Act, 1993, that are in force on the effective date, shall continue in force in the area in which they were applicable until superseded, amended or repealed."; and

(b) by the substitution for the term "must be applied (or carry out)" in sub-clause (b) of the term "or local government body referred to in sub-clause (a), must be applied or carried out".

### (23) *Amendment of clause 48*

Clause 48 is hereby amended by the substitution therefor of the following clause:

"48. (1) The transfer of staff to a new municipality shall be effected in accordance with an agreement entered into between all the relevant new municipalities upon completion of an audit of the functions to be performed by a new municipality and the staff and other resources necessary for the performance of such functions.

(2) The agreement referred to in sub-clause (1) must be signed within three (3) months from the effective date.

(3) Until such time as the agreement referred to in sub-clause (1) has been signed a person who on the effective date is an employee of a disestablished municipality becomes an

employee of a new municipality in accordance with the following rules:

- (a) Employees who are for most of their normal working day occupied with work directly related or incidental to the performance of a specific function, allocated in terms of section 84(1) and (2) or 85 of the Municipal Structures Act, to a new municipality, or the performance of a specific function in a specific area, become employees of the new municipality which as from the effective date is responsible for the performance of that specific function or for the performance of that specific function in that specific area.
  - (b) Employees not mentioned in sub-clause (a) become employees of the new local municipality in whose area they are usually stationed.
- (4) The employment of persons transferred to a new district or a new local municipality in terms of sub-clause (1)-
- (a) must be regulated in accordance with any collective agreement concluded between the new district or new local municipality and trade unions representing those employees; and
  - (b) is subject to section 197 of the Labour Relations Act, 1995 (Act No. 66 of 1995), and any other applicable legislation.
- (5) Until an agreement referred to in sub-clauses (1) and (4)(a) has been concluded, employees are employed by the new district or a new local municipality on the same terms and conditions, including remuneration, applicable to them as employees of the disestablished municipalities which previously employed them.
- (6) The chief executive officer/town clerk of a disestablished municipality must by not later than seven days after the effective date draw up a list containing the names and particulars of all persons who on that date were in the employ of the municipality and submit that list to the acting municipal manager.
- (7) Notwithstanding the provisions of sub-clause (1) the transfer of staff may include the transfer in administrative

units as envisaged by section 14(3)(b) of the Municipal Structures Act.

- (8) The transfer of any person who is employed by any other organ of state in the rendering of municipal function, which will as from the effective date become function of the new municipality must be negotiated in accordance with the Labour Relations Act, 1995, and any other applicable legislation.
- (9) Until such time as the new municipality has adopted conditions of service for its employees, the conditions of service of the disestablished Lekoa/Vaal Metropolitan Council shall apply to the appointment and employment of staff who are appointed after the effective date."

*(24) Amendment of clause 49*

Clause 49 is hereby amended by the substitution for sub-clause (2) of the following sub-clause:

- "(2) The acting municipal manager shall be a person nominated by the Municipal Facilitation Committee for the Southern District Council (DC 42), established in terms of section 14(5) of the Municipal Structures Act, and approved and designated by the MEC; Provided that the MEC may, if no nomination of the Municipal Facilitation Committee is accepted by him, make such an appointment in his discretion."

*(25) Amendment of clause 50*

Clause 50 is hereby amended:

- (a) by the renumbering of sub-clauses (1), (2) and (3) to (a), (b) and (c) respectively; and
- (b) by the substitution for the term "new district and the new local municipality" in sub-clause (c) of the term "new municipality".

*(26) Amendment of clause 51*

Clause 51 is hereby amended by the substitution thereof of the following clause:

"51. Notwithstanding the provisions of any applicable law:

- (1) any valuation roll and any supplementary or interim valuation roll of a disestablished municipality which was of

force and effect on the effective date, shall continue to be of force and effect from the effective date in the area of jurisdiction of the new municipality until such time as it is superseded by another valid valuation roll;

- (2) the new municipality shall be entitled to compile an interim valuation roll for an area in which such roll does not exist until a single valuation roll has been compiled for the whole area of jurisdiction of the new municipality and such interim valuation roll will have no effect on the existing valuation rolls as described in sub-clause (1)."

*(27) Amendment of clause 52*

Clause 52 is hereby amended by the substitution for sub-clause (1) of the following sub-clause:

- "(1) If a service which is rendered in an area which will form part of the area of a new municipality can, because of prevailing circumstances, not be rendered by such new municipality, the successor of the municipality which rendered the service prior to the effective date, shall, subject to sub-clauses (2) and (3), continue to render the service; Provided that if the latter successor is unable or lacks the capacity to render such service it may enter into an agreement with any other municipality for the rendering of such a service, as envisaged in clause 45."

*(28) Amendment of clause 53*

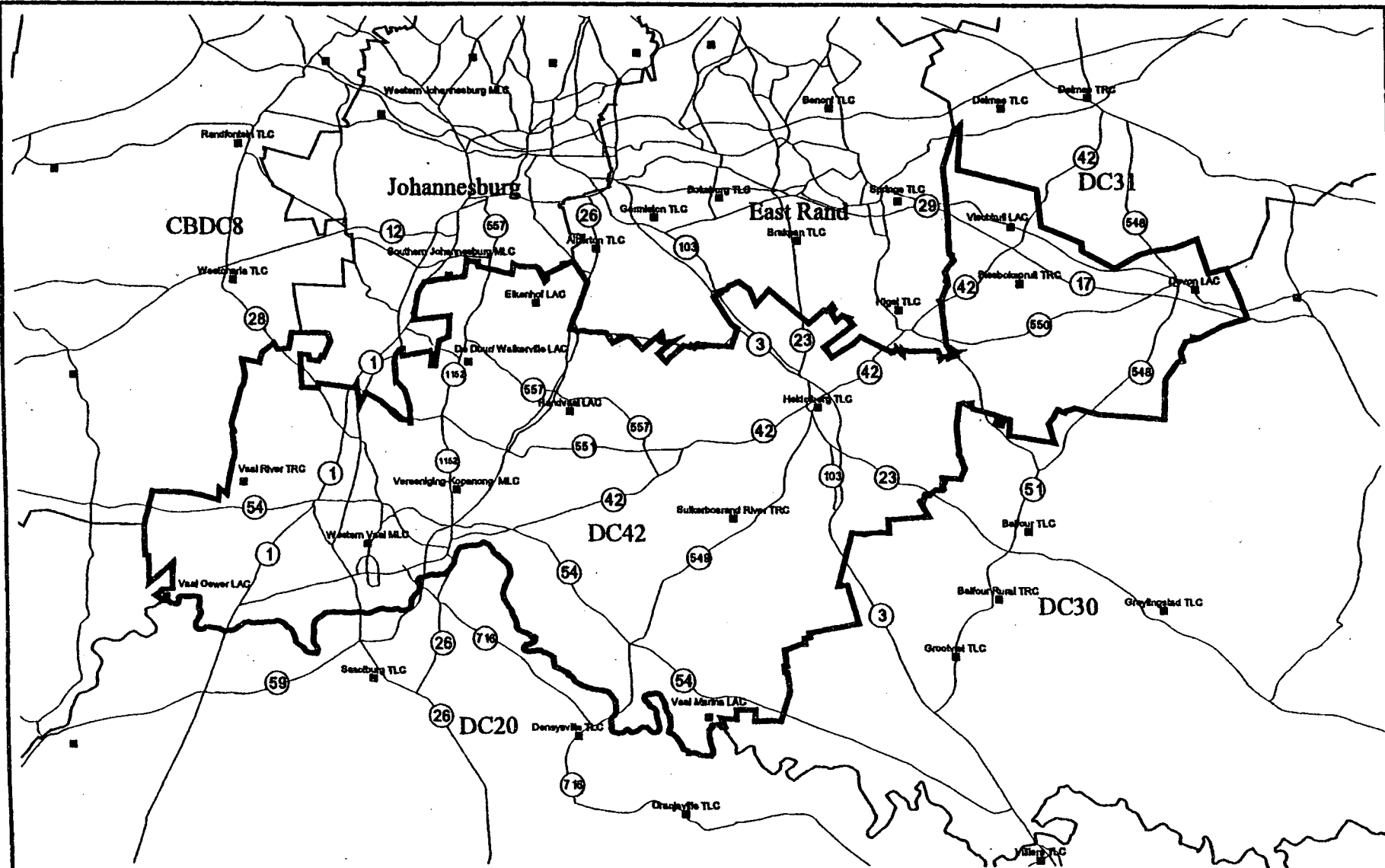
Clause 53 is hereby amended by the substitution for sub-clause (5) of the following sub-clause:

- "(5) Subject to sub-clause (7), nothing contained in this clause shall prevent the council of any municipality to declare a dispute for resolution by the MEC in terms of section 86 of the Municipal Structures Act."

*(29) Amendment of clause 55*

Clause 55 is hereby amended by the substitution of the terms "Lekoa Vaal Metropolitan Municipality", "Vereeniging Kopanong Metropolitan Municipality" and "Western Vaal Metropolitan Municipality" of the terms "Lekoa/Vaal Metropolitan Council", "Vereeniging/Kopanong Metropolitan Local Council" and "Western Vaal Metropolitan Local Council" respectively.

**ANNEXURE 'A'**



<p>Legend</p> <p>x Existing TLC/TRC</p> <p>— Main Roads</p> <p>— New Boundary</p>	<p>N</p>
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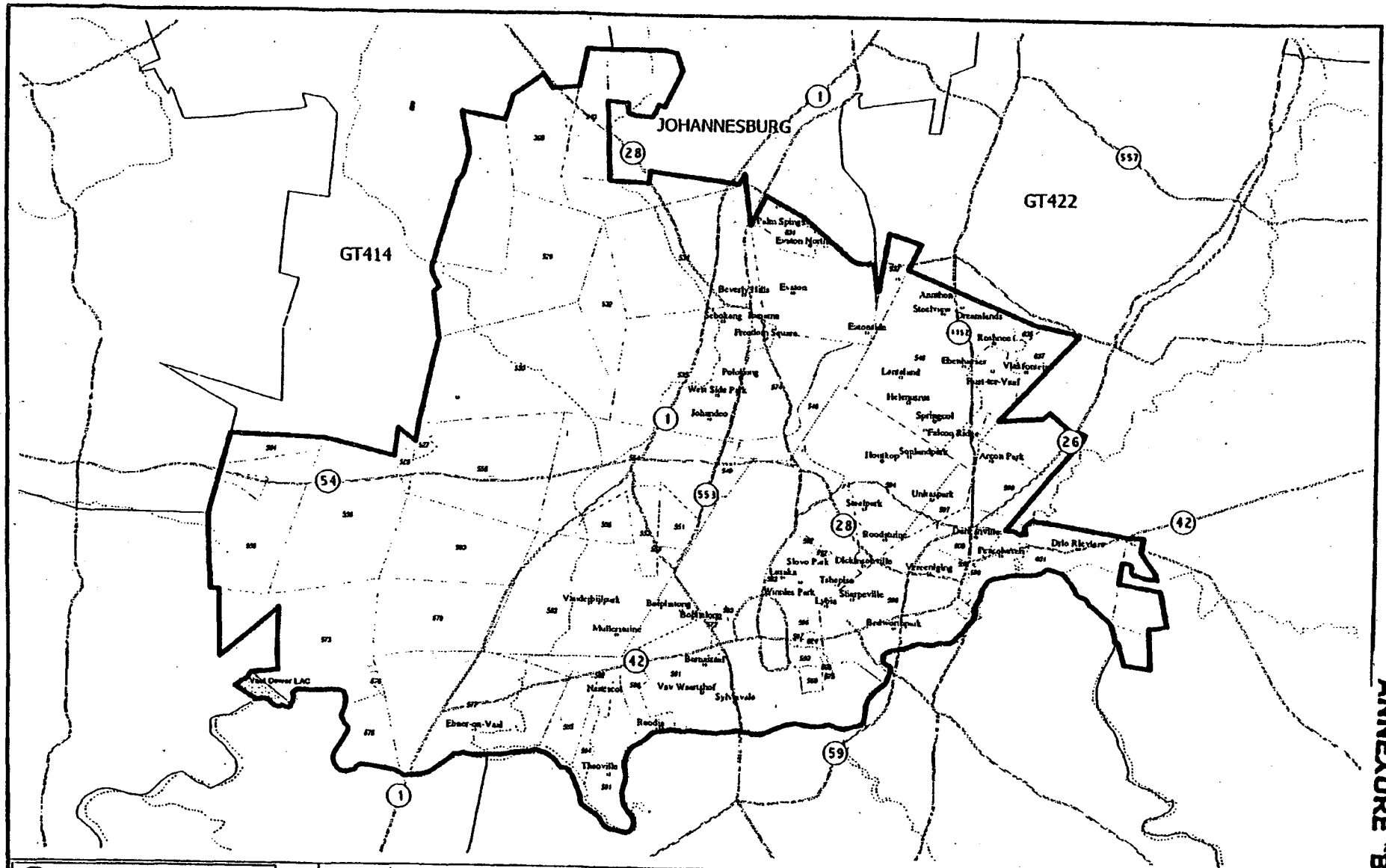
**Determination of the outer boundary of District Council DC42  
in terms of Section 21 of the Local Government :  
Municipal Demarcation Act, No 27 of 1998.**

Date : September 2000  
Map No. 2  
Kaart Nr. 2

Additional information relating to the map can be obtained by contacting the Municipal Demarcation Board at:  
Tel: 012- 3422481 Fax: 012-3422480  
Toll-free : 8000-111-008  
e-mail: mdb@dm.govt.co.za  
Internet: www.demarcation.org.za  
Postal : Private Bag 728, Hatfield, 0028



ANNEXURE "B"



Thick line: Outer boundary  
 Dashed line: Council area  
 Dotted line: Ward  
 Thin line: Street

Please consult attached Data Summary Sheet (DSS) for  
 Coloured descriptions are based on digital information supplied by the Demarcation Office

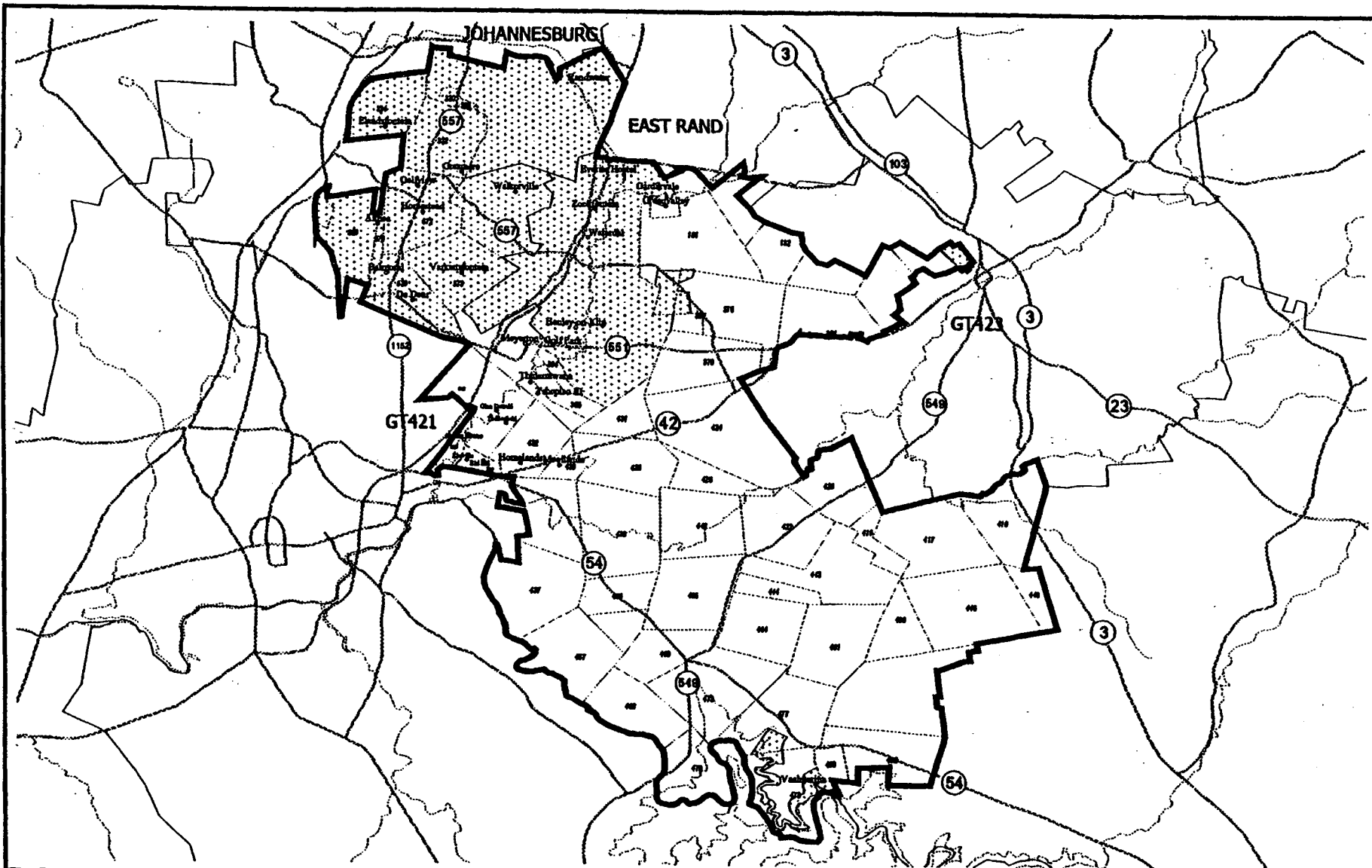
**Re-determination of the outer boundary of Local Municipality GT421  
 in terms of Section 21(b) of the Local Government :  
 Municipal Demarcation Act, No 27 of 1998.**

Date: February 2000  
 Map No. 3  
 Kart No. 3

Additional information relating to this map can be obtained  
 by contacting the Municipal Demarcation Board at:  
 Tel: 012-3422481      Toll-free: 0800-111-006  
 Fax: 012-3422480      email: mdb@dmarcator.org.za  
 Internet: www.demarcation.org.za  
 Postal: Private Bag X28, Hatfield, 0028



**ANNEXURE "C"**



Outer Boundary   Existing   Proposed   Unsettled Area

From the Information System, Department of Surveying and Mapping, Pretoria.
   
 Contoured Boundaries are based on digital information supplied by the Surveyor-General's Office.

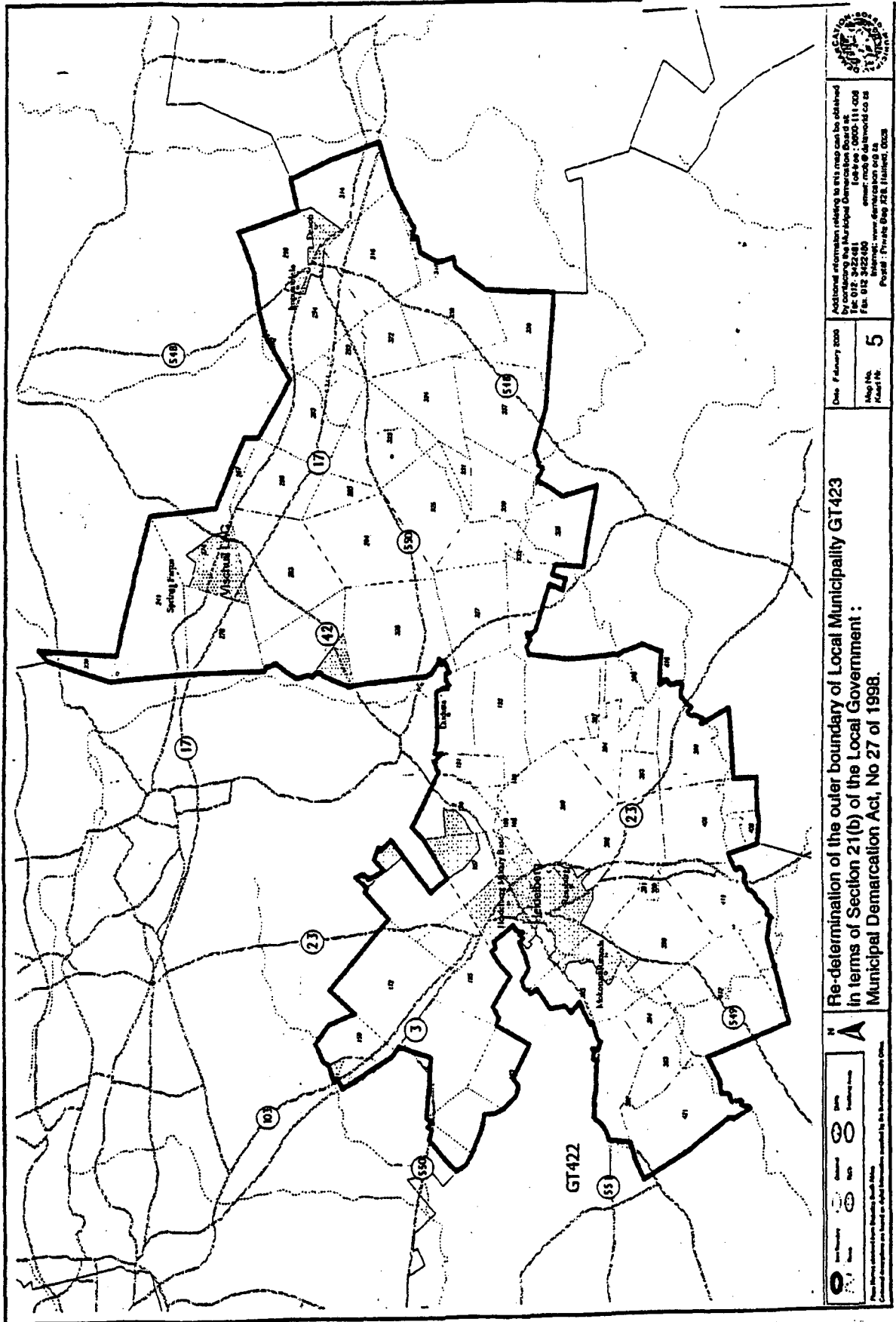
**Determination of the outer boundary of Local Municipality GT422**  
 in terms of Section 21(b) of the Local Government :  
 Municipal Demarcation Act, No 27 of 1998.


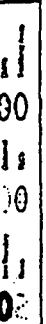

Date : September 2000  
 Map No. **4**  
 Keurt No.

Additional information relating to this map can be obtained by contacting the Municipal Demarcation Board at:  
 Tel: 012-3422481      Toll-free: 0800-111-006  
 Fax: 012-3422480      email: mdb@damworld.co.za  
 Internet: www.demarcation.org.za  
 Postal : Private Bag 728, Hatfield, 0028



**ANNEXURE "D"**



 Additional information relating to this map can be obtained by contacting the Municipal Demarcation Board at: Tel: 012-3422481    Toll-free: 0800-111-009 Fax: 012-3422480    e-mail: mdb@damard.co.za Postal: Private Bag 228, Hatfield, 0028	Date: February 2000	Map No. / Part No. <b>5</b>
	<b>Re-determination of the outer boundary of Local Municipality GT423</b> in terms of Section 21(b) of the Local Government: Municipal Demarcation Act, No 27 of 1998.	
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