

***THE PROVINCE OF
GAUTENG***

***DIE PROVINSIE
GAUTENG***

**Provincial Gazette Extraordinary
Buitengewone Provinsiale Koerant**

Vol. 14

PRETORIA, 28 NOVEMBER 2008

No. 326

CONTENTS • INHOUD*No.**Page
No. Gazette
No.***GENERAL NOTICE**

5321	Local Government: Municipal Structures Act (117/1998): Amendment: Establishment of the West Rand District Municipality	3	326
------	--	---	-----

GENERAL NOTICE

NOTICE 5321 OF 2008

LOCAL GOVERNMENT: MUNICIPAL STRUCTURES ACT, 1998

AMENDMENT OF PROPOSED NOTICE ESTABLISHING THE WEST RAND DISTRICT MUNICIPALITY (NOTICE NO. 4862 OF 2005)

In terms of section 16(1) of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998), I, Qedani Dorothy Mahlangu, Member of the Executive Council responsible for local government in the Province of Gauteng, hereby amend the notice establishing the West Rand District Municipality (Notice No. 4862 of 2005) as set out in the Schedule hereto.

Given under my hand at Johannesburg, this 28th day of November 2008.

Q D MAHLANGU

MEC RESPONSIBLE FOR LOCAL GOVERNMENT: GAUTENG PROVINCE

SCHEDULE

Notice No. 4862 of 2005, published in the Gauteng Provincial Gazette Extraordinary No. 527 dated 6 December 2005, is hereby amended by amending the Schedule thereto as follows:

AMENDMENT OF PART 1

1. *Amendment of clause 1*

Clause 1 is hereby amended by the substitution for the definitions **"district municipal area"** and **"local municipality"** of the following definitions:

"district municipal area" means the area indicated by Map No. 4, in provisional General Notice No. 644 of 2008, published in Gauteng Provincial Gazette Extraordinary No. 6556 dated 17 November 2008;

"local municipality" means a Category B municipality established by clauses 10, 19, 28 and 54 of this Schedule;

AMENDMENT OF PART 2

2. *Amendment of clause 2*

Clause 2 is hereby amended by the substitution for sub-clause (1) of the following:

"(1) For the district municipal area indicated by Map No. 4, published under provisional General Notice No. 644 of 2008 in Gauteng Provincial Gazette Extraordinary No. 6556 dated 17 November 2008, a new district municipality called the West Rand District Municipality is hereby established with effect from the effective date."

3. *Amendment of clause 5*

Clause 5 is hereby amended by the substitution for sub-clause (1) of the following:

"(1) The boundaries of the West Rand District Municipality are as indicated in Map No. 4, published under provisional General Notice No. 644 of 2008 in Gauteng Provincial Gazette Extraordinary No. 6556 dated 17 November 2008, and attached hereto as **Annexure "A"**.

4. *Amendment of clause 6*

Clause 6 is hereby amended by the substitution therefor of the following clause:

"6. The council of the West Rand District Municipality consists of 43 councillors of whom:

- (a) 20 must be proportionally elected councillors;
- (b) 10 must be appointed by the local municipality mentioned in Part 3 of this Schedule;
- (c) 4 must be appointed by the local municipality mentioned in Part 4 of this Schedule;
- (d) 3 must be appointed by the local municipality mentioned in Part 5 of this Schedule;
- (e) 6 must be appointed by the local municipality mentioned in Part 10 of this Schedule;

AMENDMENT OF PART 8

5. *Amendment of clause 41*

Clause 41 is hereby amended by the addition in sub-clause (2) of the following paragraph:

"(e) the disestablished Merafong City Local Municipality shall apply to the meeting of the municipality established by clause 54 hereof."

AMENDMENT OF PART 9

6. *Amendment of clause 47*

Clause 47 is hereby amended by the addition in sub-clause (1) of the following paragraph:

"(e) the municipal manager of the disestablished Merafong City Local Municipality shall be deemed to be the municipal manager of the newly established Merafong City Local Municipality."

7. *Amendment of clause 48*

Clause 48 is hereby amended by the addition in sub-clause (8) of the following paragraph:

"(d) the disestablished Merafong City Local Municipality shall apply to the appointment and employment of staff to the newly

established Merafong City Local Municipality who are appointed after the effective date.”

8. By the insertion of the following Part after clause 53:

PART 10

ESTABLISHMENT OF THE MERAFONG CITY LOCAL MUNICIPALITY

54. For that part of the district municipal area indicated by Map No. 14, published under provisional General Notice No. 644 of 2008 in Gauteng Provincial Gazette Extraordinary No. 6556 dated 17 November 2008, a new local municipality called the Merafong City Local Municipality is hereby established with effect from the effective date.

CATEGORY

55. The Merafong City Local Municipality is a Category B municipality as determined by the Demarcation Board in terms of section 4 of the Municipal Structures Act.

TYPE

56. The Merafong City Local Municipality is a municipality with a mayoral executive system combined with a ward participatory system as described in section 3(d) of the Gauteng Types of Municipality Act.

BOUNDARIES AND AREA OF JURISDICTION

57. (1) The boundaries of the Merafong City Local Municipality are as indicated in Map No. 14, published under provisional General Notice No. 644 of 2008 in Gauteng Provincial Gazette Extraordinary No. 6556 dated 17 November 2008, and attached hereto as **Annexure “E”**.
- (2) The area of jurisdiction of the Merafong City Local Municipality shall be the area falling within the boundaries referred to in sub-clause (1).

NUMBER OF COUNCILLORS

58. The council of the Merafong City Local Municipality consists of 51 councillors as originally determined in provincial Notice No. 2813 dated 9 May 2000 of whom:

- (a) 25 must be proportionally elected councillors; and
- (b) 26 must be ward councillors.

FULL-TIME COUNCILLORS

59. Any or all of the following office-bearers may be designated by the council of the Merafong City Local Municipality as full-time councillors:

- (a) The Speaker;
- (b) The Executive Mayor;
- (c) Members of the Mayoral Committee, and
- (d) A single whip.

WARDS

60. The Merafong City Local Municipality consists of 26 wards with boundaries as set out in original provincial General Notice No. 6905 dated 2 October 2000.

EXEMPTIONS

61. The Merafong City Local Municipality is not exempted from any provision of the Municipal Structures Act.

SEAT

62. The seat of the Merafong City Local Municipality shall be the offices of the disestablished Merafong City Local Municipality at Halite Street, Carletonville, or the council of the municipality may by resolution decide that the seat of the Merafong City Local Municipality shall be at such other place as it may determine.

COMMENCEMENT OF THIS NOTICE

63. Notwithstanding the meaning of effective date as contained in clause 1 of Notice No. 4862 of 2005, published in the Gauteng Provincial Gazette Extraordinary No. 527 dated 6 December 2005, this Notice takes effect on the same date as the commencement of the Cross-boundary Municipalities Laws Repeal and Related Matters Act, 2009.



