



LIMPOPO PROVINCE  
LIMPOPO PROVINSIE  
XIFUNDZANKULU XA LIMPOPO  
PROFENSE YA LIMPOPO  
VUNDU LA LIMPOPO  
IPHROVINSI YELIMPOPO

**Provincial Gazette • Provinsiale Koerant • Gazete ya Xifundzankulu  
Kuranta ya Profense • Gazethe ya Vundu**

*(Registered as a newspaper) • (As 'n nuusblad geregistreer) • (Yi rhijistariwile tanihi Nyuziphepha)  
(E ngwadisits'we bjalo ka Kuranta) • (Yo redzhistariwa sa Nyusiphepha)*

Vol. 23

POLOKWANE,  
3 JUNE 2016  
3 JUNIE 2016  
3 KHOTAVUXIKA 2016  
3 JUNE 2016  
3 FULWI 2016

**No. 2713**

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



**Prevention is the cure**

**AIDS  
HELPLINE**

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DEPARTMENT OF HEALTH

**N.B. The Government Printing Works will  
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"Hard Copies" or "Electronic Files"  
submitted for publication purposes**

ISSN 1682-4563



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# Government Printing Works

## Notice submission deadlines

Government Printing Works has over the last few months implemented rules for completing and submitting the electronic Adobe Forms when you, the customer, submit your notice request.

In line with these business rules, GPW has revised the notice submission deadlines for all gazettes. Please refer to the GPW website [www.gpwonline.co.za](http://www.gpwonline.co.za) to familiarise yourself with the new deadlines.

### CANCELLATIONS

Don't forget!

Cancellation of notice submissions are accepted by GPW according to the deadlines stated in the table above.

Non-compliance to these deadlines will result in your request being failed. **Please pay special attention to the different deadlines for each gazette.**

**Please note that any notices cancelled after the cancellation deadline will be published and charged at full cost.**

Requests for cancellation must be sent by the original sender of the notice and must be accompanied by the relevant notice reference number (N-) in the email body.

### AMENDMENTS TO NOTICES

take note!

With effect from **01 October**, GPW will not longer accept amendments to notices. The cancellation process will need to be followed and a new notice submitted thereafter for the next available publication date.

### CUSTOMER INQUIRIES



Many of our customers request immediate feedback/confirmation of notice placement in the gazette from our Contact Centre once they have submitted their notice – While GPW deems it one of their highest priorities and responsibilities to provide customers with this requested feedback and the best service at all times, we are only able to do so once we have started processing your notice submission.

GPW has a **2-working day turnaround time for processing notices** received according to the business rules and deadline submissions.

Please keep this in mind when making inquiries about your notice submission at the Contact Centre.

### PROOF OF PAYMENTS



GPW reminds you that all notice submissions **MUST** be submitted with an accompanying proof of payment (PoP) or purchase order (PO). If any PoP's or PO's are received without a notice submission, it will be failed and your notice will not be processed.

When submitting your notice request to [submit.egazette@gpw.gov.za](mailto:submit.egazette@gpw.gov.za), please ensure that a purchase order (GPW Account customer) or proof of payment (non-GPW Account customer) is included with your notice submission. All documentation relating to the notice submission must be in a single email.

A reminder that documents must be attached separately in your email to GPW. (In other words, your email should have an Adobe Form plus proof of payment/purchase order – 2 separate attachments – where notice content is applicable, it should also be a 3rd separate attachment).

### REMINDER OF THE GPW BUSINESS RULES

- ☐ Single notice, single email – with proof of payment or purchase order.
- ☐ All documents must be attached separately in your email to GPW.
- ☐ 1 notice = 1 form, i.e. each notice must be on a separate form
- ☐ Please submit your notice **ONLY ONCE**.
- ☐ Requests for information, quotations and inquiries must be sent to the Contact Centre **ONLY**.
- ☐ The notice information that you send us on the form is what we publish. Please do not put any instructions in the email body.



eGazette



**IMPORTANT NOTICE:**

**THE GOVERNMENT PRINTING WORKS WILL NOT BE HELD  
RESPONSIBLE FOR ANY ERRORS THAT MIGHT OCCUR DUE TO THE  
SUBMISSION OF INCOMPLETE / INCORRECT / ILLEGIBLE COPY.**

**No FUTURE QUERIES WILL BE HANDLED IN CONNECTION WITH THE ABOVE.**

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Government Gazette Type	Publication Frequency	Publication Date	Submission Deadline	Cancellations Deadline
National Gazette	Weekly	Friday	Friday 15h00 for next Friday	Tuesday, 12h00 - 3 days prior to publication
Regulation Gazette	Weekly	Friday	Friday 15h00, to be published the following Friday	Tuesday, 12h00 - 3 days prior to publication
Petrol Price Gazette	As required	First Wednesday of the month	One week before publication	3 days prior to publication
Road Carrier Permits	Weekly	Friday	Thursday 15h00, to be published the following Friday	3 days prior to publication
Unclaimed Monies (justice, labour or lawyers)	January / As required 2 per year	Any	15 January / As required	3 days prior to publication
Parliament (acts, white paper, green paper)	As required	Any		3 days prior to publication
Manuals	As required	Any	None	None
Legal Gazettes A, B and C	Weekly	Friday	One week before publication	Tuesday, 12h00 - 3 days prior to publication
Tender Bulletin	Weekly	Friday	Friday 15h00 for next Friday	Tuesday, 12h00 - 3 days prior to publication
Gauteng	Weekly	Wednesday	Two weeks before publication	3 days after submission deadline
Eastern Cape	Weekly	Monday	One week before publication	3 days prior to publication
Northern Cape	Weekly	Monday	One week before publication	3 days prior to publication
North West	Weekly	Tuesday	One week before publication	3 days prior to publication
KwaZulu-Natal	Weekly	Thursday	One week before publication	3 days prior to publication
Limpopo	Weekly	Friday	One week before publication	3 days prior to publication
Mpumalanga	Weekly	Friday	One week before publication	3 days prior to publication
Gauteng Liquor License Gazette	Monthly	Wednesday before the First Friday of the month	Two weeks before publication	3 days after submission deadline
Northern Cape Liquor License Gazette	Monthly	First Friday of the month	Two weeks before publication	3 days after submission deadline
National Liquor License Gazette	Monthly	First Friday of the month	Two weeks before publication	3 days after submission deadline
Mpumalanga Liquor License Gazette	2 per month	Second & Fourth Friday	One week before	3 days prior to publication

**GOVERNMENT PRINTING WORKS CONTACT INFORMATION****Physical Address:**

Government Printing Works  
149 Bosman Street  
Pretoria

**Postal Address:**

Private Bag X85  
Pretoria  
0001

**GPW Banking Details:**

**Bank:** ABSA Bosman Street  
**Account No.:** 405 7114 016  
**Branch Code:** 632-005

**For Gazette and Notice submissions:** Gazette Submissions:

**E-mail:** submit.egazette@gpw.gov.za

**For queries and quotations, contact:** Gazette Contact Centre:

**E-mail:** info.egazette@gpw.gov.za

**Tel:** 012-748 6200

**Contact person for subscribers:** Mrs M. Toka:

**E-mail:** subscriptions@gpw.gov.za

**Tel:** 012-748-6066 / 6060 / 6058

**Fax:** 012-323-9574

## LIST OF TARIFF RATES FOR PUBLICATION OF NOTICES

**COMMENCEMENT: 1 APRIL 2016**

### NATIONAL AND PROVINCIAL

Notice sizes for National, Provincial & Tender gazettes 1/4, 2/4, 3/4, 4/4 per page. Notices submitted will be charged at R1000 per full page, pro-rated based on the above categories.

Pricing for National, Provincial - Variable Priced Notices		
Notice Type	Page Space	New Price (R)
Ordinary National, Provincial	1/4 - Quarter Page	250.00
Ordinary National, Provincial	2/4 - Half Page	500.00
Ordinary National, Provincial	3/4 - Three Quarter Page	750.00
Ordinary National, Provincial	4/4 - Full Page	1000.00

### EXTRA-ORDINARY

All Extra-ordinary National and Provincial gazette notices are non-standard notices and attract a variable price based on the number of pages submitted.

The pricing structure for National and Provincial notices which are submitted as **Extra ordinary submissions** will be charged at **R3000** per page.

## GOVERNMENT PRINTING WORKS BUSINESS RULES

**Government Printing Works** has established rules for submitting notices in line with its electronic notice processing system, which requires the use of electronic Adobe Forms. Please ensure that you adhere to these guidelines when completing and submitting your notice submission.

1. No hand written notices will be accepted for processing, this includes Adobe forms which have been completed by hand.
2. Notices can only be submitted in Adobe electronic form format, to the email submission address [submit.egazette@gpw.gov.za](mailto:submit.egazette@gpw.gov.za). All notice submissions not on Adobe electronic forms will be rejected.
3. When submitting your notice request, please ensure that a purchase order (GPW Account customer) or proof of payment (non-GPW Account customer) is included with your notice submission. All documentation relating to the notice submission must be in a single email and must be attached separately. (In other words, your email should have an Adobe Form plus proof of payment/purchase order as 2 separate attachments. Where notice content is applicable, it should also be a 3rd separate attachment).
4. Notices brought to GPW by "walk-in" customers on electronic media can only be submitted in Adobe electronic form format.
5. All "walk-in" customers with notices that are not on electronic Adobe forms will be routed to the Contact Centre where they will be assisted to complete the forms in the required format. Where a customer walks into GPW with a stack of hard copy notices delivered by a messenger on behalf of any organisation e.g. newspaper publisher, the messenger will be referred back to the sender as the submission does not adhere to the submission rules.
6. For National or Provincial gazette notices, the following applies:
  - 6.1 These notices must be accompanied by an electronic Z95 or Z95Prov Adobe form
  - 6.2 The notice content (body copy) MUST be a separate attachment.
7. The current cut-off of all Gazette's remains unchanged for all channels. (Refer to the GPW website for submission deadlines – [www.gpwonline.co.za](http://www.gpwonline.co.za))
8. Incorrectly completed forms and notices submitted in the wrong format will be rejected to the customer to be corrected and resubmitted. Assistance will be available through the Contact Centre should help be required when completing the forms. (012-748 6200 or email [info.egazette@gpw.gov.za](mailto:info.egazette@gpw.gov.za))
9. All re-submissions will be subject to the standard cut-off times.
10. All submissions and re-submissions that miss the cut-off will be rejected to the customer to be submitted with a new publication date.
11. The electronic Adobe form will be taken as the primary source for the notice information to be published. Instructions that are on the email body or covering letter that contradicts the notice form content will not be considered.
12. Requests for Quotations (RFQs) should be received by the Contact Centre at least 24 hours before the submission deadline for that specific publication.

### APPROVAL OF NOTICES

13. Any notices other than legal notices are subject to the approval of the Government Printer, who may refuse acceptance or further publication of any notice.

### GOVERNMENT PRINTER INDEMNIFIED AGAINST LIABILITY

The Government Printer indemnified against liability

14. The Government Printer will assume no liability in respect of—
  - 14.1 any delay in the publication of a notice or publication of such notice on any date other than that stipulated by the advertiser;



- 14.2 erroneous classification of a notice, or the placement of such notice in any section or under any heading other than the section or heading stipulated by the advertiser;
- 14.3 any editing, revision, omission, typographical errors or errors resulting from faint or indistinct copy.

#### LIABILITY OF ADVERTISER

- 15. Advertisers will be held liable for any compensation and costs arising from any action which may be instituted against the Government Printer in consequence of the publication of any notice.

#### COPY

- 16. Copy of notices must be submitted using the relevant Adobe PDF form for the type of notice to be placed and may not constitute part of any covering letter or document.
- 17. Where the copy is part of a separate attachment document for **Z95, Z95Prov** and **TForm03**
  - 17.1 Copy of notices must be supplied in a separate document and may not constitute part of any covering letter, purchase order, proof of payment or other attached documents.

The content document should contain only one notice. (You may include the different translations of the same notice in the same document).
  - 17.2 The notice should be set on an A4 page, with margins and fonts set as follows:

Page size = A4 Portrait with page margins: Top = 40mm, LH/RH = 16mm, Bottom = 40mm;  
Use font size: Arial or Helvetica 10pt with 11pt line spacing;

Page size = A4 Landscape with page margins: Top = 16mm, LH/RH = 40mm, Bottom = 16mm;  
Use font size: Arial or Helvetica 10pt with 11pt line spacing;

#### PAYMENT OF COST

- 18. The Request for Quotation for placement of the notice should be sent to the Gazette Contact Centre as indicated above, prior to submission of notice for advertising.
- 19. Payment should then be made, or Purchase Order prepared based on the received quotation, prior to the submission of the notice for advertising as these documents i.e. proof of payment or Purchase order will be required as part of the notice submission, as indicated earlier.
- 20. Where there is any doubt about the cost of publication of a notice, and in the case of copy, an enquiry, accompanied by the relevant copy, should be addressed to the Gazette Contact Centre, Government Printing Works, PrivateBag X85, Pretoria, 0001 email: info.egazette@gpw.gov.za before publication.
- 21. Overpayment resulting from miscalculation on the part of the advertiser of the cost of publication of a notice will not be refunded, unless the advertiser furnishes adequate reasons why such miscalculation occurred. In the event of underpayments, the difference will be recovered from the advertiser, and future notice(s) will not be published until such time as the full cost of such publication has been duly paid in cash or electronic funds transfer into the Government Printing Works banking account.
- 22. In the event of a notice being cancelled, a refund will be made only if no cost regarding the placing of the notice has been incurred by the Government Printing Works.
- 23. The Government Printer reserves the right to levy an additional charge in cases where notices, the cost of which has been calculated in accordance with the List of Fixed Tariff Rates, are subsequently found to be excessively lengthy or to contain overmuch or complicated tabulation.

#### PROOF OF PUBLICATION

- 24. Copies of the Government Gazette which may be required as proof of publication, may be ordered from the Government Printer at the ruling price. The Government Printer will assume no liability for any failure to post such Government Gazette(s) or for any delay in despatching it them



**IMPORTANT ANNOUNCEMENT*****Closing times for the* ORDINARY WEEKLY 2016  
LIMPOPO PROVINCIAL GAZETTE**

*The closing time is **15:00** sharp on the following days:*

- **28 April 2016**, Thursday for the issue of Friday **06 May 2016**
- **06 May 2016**, Friday for the issue of Friday **13 May 2016**
- **13 May 2016**, Friday for the issue of Friday **20 May 2016**
- **20 May 2016**, Friday for the issue of Friday **27 May 2016**
- **27 May 2016**, Friday for the issue of Friday **03 June 2016**
- **03 June 2016**, Friday for the issue of Friday **10 June 2016**
- **09 June 2016**, Thursday for the issue of Friday **17 June 2016**
- **17 June 2016**, Friday for the issue of Friday **24 June 2016**
- **24 June 2016**, Friday for the issue of Friday **01 July 2016**
- **01 July 2016**, Friday for the issue of Friday **08 July 2016**
- **08 July 2016**, Friday for the issue of Friday **15 July 2016**
- **15 July 2016**, Friday for the issue of Friday **22 July 2016**
- **22 July 2016**, Friday for the issue of Friday **29 July 2016**
- **29 July 2016**, Friday for the issue of Friday **05 August 2016**
- **04 August 2016**, Thursday for the issue of Friday **12 August 2016**
- **12 August 2016**, Friday for the issue of Friday **19 August 2016**
- **19 August 2016**, Friday for the issue of Friday **26 August 2016**
- **26 August 2016**, Friday for the issue of Friday **02 September 2016**
- **02 September 2016**, Friday for the issue of Friday **09 September 2016**
- **09 September 2016**, Friday for the issue of Friday **16 September 2016**
- **16 September 2016**, Friday for the issue of Friday **23 September 2016**
- **23 September 2016**, Friday for the issue of Friday **30 September 2016**
- **30 September 2016**, Friday for the issue of Friday **07 October 2016**
- **07 October 2016**, Friday for the issue of Friday **14 October 2016**
- **14 October 2016**, Friday for the issue of Friday **21 October 2016**
- **21 October 2016**, Friday for the issue of Friday **28 October 2016**
- **28 October 2016**, Friday for the issue of Friday **04 October 2016**
- **04 November 2016**, Friday for the issue of Friday **11 November 2016**
- **11 November 2016**, Friday for the issue of Friday **18 November 2016**
- **18 November 2016**, Friday for the issue of Friday **25 November 2016**
- **25 November 2016**, Friday for the issue of Friday **02 December 2016**
- **02 December 2016**, Friday for the issue of Friday **09 December 2016**
- **08 December 2016**, Thursday for the issue of Thursday **15 December 2016**
- **15 December 2016**, Thursday for the issue of Friday **23 December 2016**
- **22 December 2016**, Thursday for the issue of Friday **30 December 2016**

## GENERAL NOTICES • ALGEMENE KENNISGEWINGS

### NOTICE 62 OF 2016

#### NOTICE OF APPLICATION FOR AMENDMENT OF A TOWN-PLANNING SCHEME IN TERMS OF SECTION 56(1)(b)(i) OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986), AND THE REMOVAL OF CONDITIONS OF TITLE IN TERMS OF SECTION 41(2) ( e ) OF THE SPLUMA, 2013 (ACT 16 OF 2013)

I, Mafinya Mpho of the firm City Dynamics Planners Pty Ltd, being the authorized agent of the registered owners of the properties described below, hereby give notice in terms of Section 56(1)(b)(i) of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), read together with SPLUMA 2013, (Act 16 of 2013), that I have applied to the Elias Motsoaledi Local Municipality for the amendment of the town-planning scheme known as the Groblersdal Town Planning Scheme 2006, by the rezoning of the properties described below, respectively to subject to conditions and the removal of conditions of Title in the following manner.

1. Rezoning of Erf 407 Groblersdal Extension 5 from "Residential 1" to "Business 4" for the purpose of "dwelling units".
2. Rezoning of the Remaining extent of Erf 343 Groblersdal Extension 2 Township, from "Residential 1" to "Residential 4" for the purpose of "dwelling units".
- 3.

Particulars of the application will be available for inspection during normal office hours at the office of the Municipal Manager, Municipal Offices, 2 Grobler Avenue, Groblersdal, for a period of 28 days from 03 June 2016 (the date of the first publication of the notice). Objections to or representations in respect of the application must be lodged with or made in writing to the Municipal Manager at the above address or at PO Box 48, Groblersdal 0470 within a period of 28 days from 03 June 2016.

Address of agent: Mr. Mafinya Mpho, 105 Victorian Heights, Reyno ridge Witbank 1049 Tel: (083) 761 1410 / (0715575864), Fax: (086) 6099045, Email: [mafinyam@citydynamics.co.za](mailto:mafinyam@citydynamics.co.za)

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### KENNISGEWING 62 VAN 2016

#### KENNISGEWING VAN AANSOEK OM WYSIGING VAN 'N DORPSBEPLANNINGSKEMA INGEVOLGE ARTIKEL 56 (1) (B) (I) VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986 (ORDONNANSIE 15 VAN 1986), EN DIE OPHEFFING VAN TITELVOORWAARDES IN INGEVOLGE ARTIKEL 41 (2)( e ) VAN DIE SPLUMA, 2013 (WET 16 VAN 2013)

Ek, Mafinya Mpho van die firma City Dynamics Beplanners Pty Ltd, synde die gemagtigde agent van die geregistreerde eienaars van die eiendomme hieronder beskryf, gee hiermee ingevolge Artikel 56 (1) (b) (i) van die Ordonnansie op Dorpsbeplanning en Dorpe Ordonnansie, 1986 (Ordonnansie 15 van 1986), saamgelees met SPLUMA 2013 (Wet 16 van 2013), kennis dat ons by die Elias Motsoaledi Plaaslike Munisipaliteit aansoek gedoen het om die wysiging van die dorpsbeplanningskema bekend as die Groblersdal Dorpsbeplanningskema 2006, deur die hersonering van die eiendomme hieronder beskryf, onderskeidelik om onderworpe aan voorwaardes en die opheffing van sekere voorwaardes van titel op die volgende wyse.

1. Die hersonering van Erf 407 Groblersdal Uitbreiding 5 vanaf "Residensieel 1" na "Besigheid 4" met die doel om "wooneenhede".
2. Die hersonering van die Restant van Erf 343 Groblersdal Uitbreiding 2 dorpsgebied, vanaf "Residensieel 1" na "Residensieel 4" met die doel om "wooneenhede".

Besonderhede van die aansoek sal gedurende gewone kantoorure beskikbaar wees vir inspeksie by die kantoor van die Munisipale Bestuurder, Munisipale Kantore, Groblerlaan 2, Groblersdal, vir 'n tydperk van 28 dae vanaf 3 Junie 2016 (die datum van die eerste publikasie van die kennisgewing). Besware teen of vertoe ten opsigte van die aansoek moet sodanige beswaar of voorlegging op skrif aan die Munisipale Bestuurder by bovermelde adres of by Posbus 48, Groblersdal 0470 binne 'n tydperk van 28 dae vanaf 3 Junie 2016.

Adres van agent: Mnr Mafinya Mpho, 105 Victoriaanse Heights, Reyno Ridge Witbank 1049 Tel: (083) 761 1410 / (0715575864), Faks: (086) 6099045, e-pos: [mafinyam@citydynamics.co.za](mailto:mafinyam@citydynamics.co.za)

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**NOTICE 63 OF 2016****LEPHALALE AMENDMENT SCHEME 444**

**NOTICE OF APPLICATION FOR AMENDMENT OF THE LEPHALALE TOWN PLANNING SCHEME, 2005 IN TERMS OF SECTION 56(1)(b)(i) OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986), READ TOGETHER WITH THE RELEVANT PROVISIONS OF THE SPATIAL PLANNING AND LAND USE MANAGEMENT ACT, 2013 (ACT 16 OF 2013) AND REGULATIONS AS PROMULGATED, AS WELL AS THE REMOVAL OF RESTRICTIVE CONDITIONS IN TERMS OF SECTION 41(1) AND SECTION 47(1) OF THE SPATIAL PLANNING AND LAND USE MANAGEMENT ACT, 2013 (ACT 16 OF 2013) (SPLUMA) AND IN TERMS OF THE REMOVAL OF RESTRICTIONS ACT, 1967, (ACT 84 OF 1967) IN AS FAR AS IT IS APPLICABLE TO THE LIMPOPO PROVINCE**

I, Izel van Rooy from the firm Plan Wize Town and Regional Planners, being the authorized agent of the owner of Erf 2168 Ellisras Extension 16 hereby gives notice in terms of Section 56(1)(b)(i), of the Town-Planning and Townships Ordinance, 1986, read together with the relevant provisions of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) and Regulations as promulgated that I have applied to the Lephalale Municipality for the amendment of the town planning scheme known as the Lephalale Town planning scheme, 2005, by the rezoning of the property as described above, from "Residential 1" with a density of "One dwelling house per erf" to "Residential 2" with a density of "One dwelling house per 500m<sup>2</sup>" as well as for the Removal of Restrictive Conditions in terms of Section 41(1) and Section 47(1) of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) (SPLUMA) and in terms of the Removal of Restrictions Act, 1967, (Act 84 of 1967) in as far as it is applicable to the Limpopo Province, for the removal of the conditions C (a), (b) and (c) in title deed T43277/2002.

Particulars of the application will lie for inspection during normal office hours at the office of the Manager Corporate Services, Room D105, Municipal Offices, Lephalale Municipality, Lephalale for a period of 28 days from 3 June 2016.

Objections to or representations in respect of the application must be lodged with or made in writing to the Manager Corporate Services at the above address or at Private Bag X 136, Ellisras, 0555, within a period of 28 days from 3 June 2016.

ADDRESS OF AGENT: PLAN WIZE TOWN AND REGIONAL PLANNERS, P.O. BOX 2445, THABAZIMBI, 0380, TEL: 0824497626

03-10

**KENNISGEWING 63 VAN 2016****LEPHALALE DORPSBEPLANNINGSKEMA, 2005****LEPHALALE WYSIGINGSKEMA 444**

**KENNISGEWING VAN AANSOEK VIR WYSIGING VAN DIE LEPHALALE DORPSBEPLANNINGSKEMA, 2005 INGEVOLGE ARTIKEL 56(1)(b)(i) VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986 (ORDONNANSIE 15 VAN 1986), SAAMGELEES MET DIE RELEVANTE BEPALINGS VAN DIE WET OP RUIMTELIKE BEPLANNING EN GRONDGEBRUIKBESTUUR, 2013 (WET 16 VAN 2013) (SPLUMA) EN REGULASIES SOOS GEPROMULGEER, ASOOK DIE OPHEFFING VAN BEPERKENDE VOORWAARDES INGEVOLGE ARTIKEL 41(1) EN ARTIKEL 47(1) VAN DIE WET OP RUIMTELIKE BEPLANNING EN GRONDGEBRUIKBESTUUR, 2013 (WET 16 VAN 2013) (SPLUMA) EN INGEVOLGE DIE WET OP OPHEFFING VAN BEPERKINGS, 1967, (WET 84 VAN 1967) IN SOVER DIT VAN TOEPASSING IS OP DIE LIMPOPO PROVINSIE**

Ek, Izel van Rooy van die firma Plan Wize Stads-en Streekbeplanners, synde die gemagtigde agent van die eienaar van Erf 2168 Ellisras Uitbreiding 16 gee hiermee ingevolge Artikel 56(1)(b)(i) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986), saamgelees met die relevante bepalings van die Wet op Ruimtelike Beplanning en Grondgebruikbestuur, 2013 (Wet 16 van 2013) (SPLUMA) en Regulasies soos gepromulgeer kennis dat ek aansoek gedoen het by die Lephalale Munisipaliteit vir die wysiging van die dorpsbeplanningskema bekend as die Lephalale Dorpsbeplanningskema, 2005, deur die hersonering van die eiendom soos hierbo beskryf van "Residensieël 1" met 'n digtheid van "Een woonhuis per erf" na "Residensieël 2" met 'n digtheid van "Een woonhuis per 500m<sup>2</sup>" asook vir die Opheffing van Beperkende Voorwaardes ingevolge Artikel 41(1) en Artikel 47(1) van die Wet op Ruimtelike Beplanning en Grondgebruikbestuur, 2013 (Wet 16 Van 2013) (SPLUMA) en ingevolge die Wet op Opheffing van Beperkings, 1967, (Wet 84 van 1967) in sover dit van toepassing is op die Limpopo Provinsie, vir die opheffing van die voorwaardes C (a), (b) en (c) in akte van transport T43277/2002.

Besonderhede van die aansoek lê ter insae gedurende gewone kantoorure by die Bestuurder Korporatiewe Dienste, kamer D105, Munisipale Kantore, Lephalale Munisipaliteit, Lephalale, vir 'n tydperk van 28 dae vanaf 3 Junie 2016.

Besware teen of verhoë ten opsigte van die aansoek moet binne 28 dae vanaf 3 Junie 2016 skriftelik by of tot die Bestuurder Korporatiewe Dienste by bovermelde adres of by Privaatsak X 136, Ellisras, 0555 ingedien word.

ADDRESS OF AGENT: PLAN WIZE TOWN AND REGIONAL PLANNERS, P.O. BOX 2445, THABAZIMBI, 0380, TEL: 0824497626

03-10

**NOTICE 64 OF 2016****THABAZIMBI LAND USE SCHEME, 2014  
THABAZIMBI AMENDMENT SCHEME 015****NOTICE OF APPLICATION FOR AMENDMENT OF THE THABAZIMBI LAND USE SCHEME, 2014 IN TERMS OF SECTION 16(1) OF THE THABAZIMBI LAND USE MANAGEMENT BY-LAW, 2015 READ TOGETHER WITH THE RELEVANT PROVISIONS OF THE SPATIAL PLANNING AND LAND USE MANAGEMENT ACT, 2013 (ACT 16 OF 2013) AND REGULATIONS AS PROMULGATED**

I, Izel van Rooy from the firm Plan Wize Town and Regional Planners, being the authorized agent of the owners of Erf 73 Northam Extension 2 hereby gives notice in terms of Section 16(1) of the Thabazimbi Land Use Management By-Law, 2015, read together with the relevant provisions of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) and Regulations as promulgated that I have applied to the Thabazimbi Municipality for the amendment of the Thabazimbi Land Use Scheme, 2014, by the rezoning of the property as described above, from "Residential 1" to "Residential 3".

Particulars of the application will lie for inspection during normal office hours at the office of the Manager: Planning and Economic Development, Thabazimbi Municipality, 7 Rietbok Street, Thabazimbi for a period of 30 days from 3 June 2016.

Objections to or representations in respect of the application must be lodged with or made in writing to the Manager: Planning and Economic Development, Thabazimbi Municipality, at the above-mentioned address or at Private Bag X530, Thabazimbi, 0380 within a period of 30 days from 3 June 2016.

**ADDRESS OF AGENT: PLAN WIZE TOWN AND REGIONAL PLANNERS, P.O. BOX 2445, THABAZIMBI, 0380, TEL: 0824497626**

3-10

**KENNISGEWING 64 VAN 2016****THABAZIMBI GRONDGEBRUIKSKEMA,  
2014 THABAZIMBI WYSIGINGSKEMA 015****KENNISGEWING VAN AANSOEK VIR WYSIGING VAN DIE THABAZIMBI  
GRONDGEBRUIKSKEMA, 2014 INGEVOLGE KLOUSULE 16(1) VAN DIE THABAZIMBI BYWET OP  
GRONDGEBRUIKBESTUUR, 2015 SAAMGELEES MET DIE RELEVANTE BEPALINGS VAN DIE WET  
OP RUIMTELIKE BEPLANNING EN GRONDGEBRUIKBESTUUR, 2013 (WET 16 VAN 2013)  
(SPLUMA) EN REGULASIES SOOS GEPROMULGEER**

Ek, Izel van Rooy van die firma Plan Wize Stads-en Streekbeplanners, synde die gemagtigde agent van die eienaar van Erf 73 Northam Uitbreiding 2 gee hiermee ingevolge Klousule 16(1) van die Thabazimbi Bywet op Grondgebruikbestuur, 2015 saamgelees met die relevante bepalinge van die Wet op Ruimtelike Beplanning en Grondgebruikbestuur, 2013 (Wet 16 van 2013) (SPLUMA) en Regulasies soos gepromulgeer kennis dat ek aansoek gedoen het by die Thabazimbi Munisipaliteit vir die wysiging van die Thabazimbi Grondgebruikskema, 2014, deur die hersonering van die eiendom soos hierbo beskryf van "Residensieël 1" na "Residensieël 3".

Besonderhede van die aansoek lê ter insae gedurende gewone kantoorure by die kantoor van die Bestuurder: Beplanning en Ekonomiese Ontwikkeling, Thabazimbi Munisipaliteit, 7 Rietbokstraat, Thabazimbi vir 'n tydperk van 30 dae vanaf 3 Junie 2016.

Besware teen of verhoë ten opsigte van die aansoek moet binne 'n tydperk van 30 dae vanaf 3 Junie 2016 skriftelik by of tot die Bestuurder: Beplanning en Ekonomiese Ontwikkeling, Thabazimbi Munisipaliteit, by bovermelde adres of by Privaat Sak X530, Thabazimbi, 0380 ingedien of gerig word.

**ADDRESS OF AGENT: PLAN WIZE TOWN AND REGIONAL PLANNERS, P.O. BOX 2445,  
THABAZIMBI, 0380, TEL: 0824497626**

3-10

**NOTICE 65 OF 2016****SCHEDULE 16 (REGULATION 26 (1))****NOTICE OF INTENTION TO ESTABLISH TOWNSHIP BY MOLEMOLÉ LOCAL MUNICIPALITY**

The Molemole Local Municipality, hereby gives notice in terms of Section 108 (1) (a) of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986) reads with section 2 (2) and the relevant provisions of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013), that an application to establish the township referred to in the Annexure hereto, has been received by it.

Particulars of the application will lie for inspection during normal office hours at the office of the Municipal Manager, Civic Centre, 303 Church Street, Mogwadi, for a period of 28 days from 03 June 2016.

Objections to or representations in respect of the application must be lodged with or made in writing and in duplication to the Municipal Manager at the above address or at Private Bag X 44, Mogwadi, 0715, within a period of 28 days from 03 June 2016.

**ANNEXURE:**

**Name of Township:** Mogwadi Extension 7

**Full Name of the Applicant:** Mahlori Development Consultants & Project Management Solutions, PO Box 11989, The Tramshed, 0126, Tel: (012) 809 0401, Fax: 086 659 2756 and Emails: mdc@executivemail.co.za/ makasanib@gmail.com

**Number of Erven in the township and proposed zonings:** 2 Erven

- o "Public Open Space": 1 Erf; and
- o "Municipal": 1 Erf;

**Extent of the proposed township:** 1.7949 hectares

**Description of land on which township is to be established:** part of remaining extent of portion 2 of the farm Deutschland 169 LS

**Location of the proposed township:** The subject area is located approximately ±1.8 South of Mogwadi Town opposite the graveyard.

**Mr. N.I Makhura (Municipal Manager)**

3-10

**KENNISGEWING 65 VAN 2016****BYLAE 16 (REGULASIE 26 (1))****KENNISGEWING VAN VOORNEME OM DORPSTIGTING DEUR MOLEMOLÉ PLAASLIKE MUNISIPALITEIT**

Die Molemole Plaaslike Munisipaliteit, gee hiermee ingevolge artikel 108 (1) (a) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986) lees met artikel 2 (2) en die toepaslike bepalings van die Ruimtelike Beplanning en Grondgebruik Bestuur, 2013 (Wet 16 van 2013), dat 'n aansoek om die dorp in die Bylae hierby genoem, te stig deur hom ontvang is.

Besonderhede van die aansoek le te insae gedurende gewone kantoorure by die kantoor van die Munisipale Bestuurder, Burgersentrum, 303 Kerkstraat, Mogwadi, vir 'n tydperk van 28 dae vanaf 03 Junie 2016.

Besware teen of vertoe ten opsigte van die aansoek moet binne 'n tydperk van 28 dae by of skriftelik en in duplisering by die Munisipale Bestuurder by bovermelde adres of by Privaatsak X 44, Mogwadi, 0715, vanaf 03 Junie 2016.

**BYLAE**

**Naam van die dorp:** Mogwadi Uitbreiding 7

**Volle naam van die aansoeker:** Mahlori Development Consultants & Project Management Solutions, Posbus 11989, The Tramshed, 0126, Tel (012) 809 0401, faks 086 659 2756 en e-pos mdc@executivemail.co.za/ makasanib@gmail.com

**Aantal erwe in die dorp en voorgestelde sonerings:** 2 Erwe

- o 'Openbare Oopruimte' 1 Erf; en
- o 'Munisipale' 1 Erf;

**Omvang van die voorgestelde dorp:** 1.7949 hektaar

**Beskrywing van grond waarop dorp gestig staan te word:** deel van Resterende Gedeelte van Gedeelte 2 van die plaas Deutschland 169 LS

**Ligging van die voorgestelde dorp:** Die vakgebied is geleë ongeveer ± 1.8 Suid van Mogwadi Town oorkant die begraafplaas.

**Mnr N.I Makhura (Munisipale Bestuurder)**

3-10



**NOTICE 66 OF 2016****SCHEDULE 16 (REGULATION 26 (1))****NOTICE OF INTENTION TO ESTABLISH TOWNSHIP BY MUSINA LOCAL MUNICIPALITY**

The Musina Local Municipality, hereby gives notice in terms of Section 108 (1) (a) of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986) reads with section 2 (2) and the relevant provisions of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013), that an application to establish the township referred to in the Annexure hereto, has been received by it.

Particulars of the application will lie for inspection during normal office hours at the office of the Municipal Manager, Civic Centre, Irwin Street, Musina, for a period of 28 days from 03 June 2016.

Objections to or representations in respect of the application must be lodged with or made in writing and in duplication to the Municipal Manager at the above address or at Private Bag X 611, Musina, 0090, within a period of 28 days from 03 June 2016.

**ANNEXURE:**

**Name of Township:** Rhighno Ridge Park

**Full Name of the Applicant:** Mavona & Associates Development Consultants CC, PO Box 727, Bendor Park, 0713, Tel: 087 754 9590, Fax: 086 600 7119 and Emails: justice@mavona.co.za/info@khosads.co.za

**Number of Erven in the township and proposed zonings:** 906 Erven

- "Residential 1": 882 Erven;
- "Business 1": 3 Erven;
- "Educational": 1 Erf;
- "Municipal": 1 Erf;
- "Cemetery": 1 Erf;
- "Hospital": 1 Erf, and
- "Open Space": 12 Erven.

**Extent of the proposed township:** 127.142 Hectares

**Description of land on which township is to be established:** Part of remainder of the farm Messina 4 MT

**Location of the proposed township:** The subject area is located between the established township of Messina-Nancefield Ext 1, 8, 9, 13 and Messina Township; it is approximately ±2.5km away from Messina CBD on the Western direction.

**Mr. J. Matshivha (Municipal Manager)**

3-10

**KENNISGEWING 66 VAN 2016****BYLAE 16 (REGULASIE 26 (1))  
KENNISGEWING VAN VOORNEME OM DORPSTIGTING DEUR MUSINA PLAASLIKE  
MUNISIPALITEIT**

Die Musina Plaaslike Munisipaliteit, gee hiermee ingevolge artikel 108 (1) (a) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986) lees met artikel 2 (2) en die toepaslike bepalings van die Ruimtelike Beplanning en Grondgebruik Bestuur, 2013 (Wet 16 van 2013), dat 'n aansoek om die dorp in die Bylae hierby genoem, te stig deur hom ontvang is.

Besonderhede van die aansoek le ter insae gedurende gewone kantoorure by die kantoor van die Munisipale Bestuurder, Burgersentrum, Irwin, Musina, vir 'n tydperk van 28 dae vanaf 03 Junie 2016. Besware teen of vertoe ten opsigte van die aansoek moet binne 'n tydperk van 28 dae by of skriftelik en in duplisering by die Munisipale Bestuurder by bovermelde adres of by Privaatsak X 611, Musina, 0090, vanaf 03 Junie 2016.

**BYLAE**

**Naam van die dorp:** Rhighno Ridge Park

**Volle naam van die aansoeker:** Mavona Associates Development Consultants CC, Posbus 727, Bendor Park, 0713, Tel 087 754 9590, faks 086 600 7119 en e-pos justice@mavona.co.za / info@khosads.co.za

**Aantal erwe in die dorp en voorgestelde sonerings:** 906 Erwe

- o 'Residensieel 1' 882 Erwe;
- o 'Besigheid 1' 3 Erwe;
- o 'Opvoedkundige' 1 Erf;
- o 'Munisipale' 1 Erf;
- o 'Begraafplaas' 1 Erf;
- o 'Hospitaal' 1 Erf, en
- o 'Oopruimte' 12 Erwe.

**Omvang van die voorgestelde dorp:** 127,142 hektaar

**Beskrywing van grond waarop dorp gestig staan te word:** Deel van restant van die plaas Messina 4 MT

**Ligging van die voorgestelde dorp:** Die vakgebied is geleë tussen die gevestigde dorp Messina-Nancefield Uitbreiding 1, 8, 9, 13 en Messina Dorp; Dit is ongeveer ± 2.5km weg van Messina middestad op die Wes-rigting.

**Mnr J. Matshivha (Munisipale Bestuurder)**

3-10

**NOTICE 67 OF 2016****NOTICE OF APPLICATION FOR AMENDMENT OF THE LAND USE MANAGEMENT SCHEME IN TERMS OF SECTION 56 (1) (b) (i) OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986)****MARULENG AMENDMENT SCHEME 83**

Kago-Boswa Consulting Spatial Planners, being the authorised agent of the owner of the property mentioned below, hereby give notice in terms of Section 56 (1)(b)(i) of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), that we have applied to Maruleng Municipality for the amendment of Maruleng Land Use Management Scheme 2008, by the rezoning of:

- Erf 694 Hoedspruit Extension 6, situated in Hoedspruit, from 'Rural Residential' to 'Special' for a guesthouse/ lodge as shown on Annexure 99.

Particulars of the applications will lie for inspection during office hours at the Municipal Library, 64 Springbok Street, Hoedspruit, for a period of 28 days from 3 June 2016.

Objections to or representations in respect of the applications must be lodged with or in writing to the Municipal Manager at this address P. O. Box 627, Hoedspruit, 1380, within a period of 28 days from the 3 June 2016.

*Address of the Agent: Kago-Boswa Consulting Spatial Planners, P. O. Box 14098, Flamwood Walk, 2535 (Cell: 0827780429, email: kagoboswa@gmail.com)*

3-10

**KENNISGEWING 67 VAN 2016****KENNISGEWING VAN AANSOEK VIR WYSIGING VAN GRONDGEBRUIKSKEMA INGEVOLGE ARTIKEL 56 (1) (b) (i) VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986 (ORDONNANSIE 15 VAN 1986)****MARULENG WYSIGINGSKEMA 83**

Ons, Kago-Boswa Consulting Spatial Planners, synde die gematigde agent van die eienaar van die eiendom hieronder genome, gee hiermee ingevolge Artikel 56 (1)(b)(i) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986), kennis dat ons by die Maruleng Munisipaliteit aansoek gedoen het om die wysiging van die Maruleng Grondgebruikskema 2008, deur die hersonering van:

- Erf 694 Hoedspruit Uitbreiding 6, geleë in Hoedspruit, van 'Landelike Residensiël' na 'Spesiaal' vir gastehuis/ lodge soos aangetoon op Bylae 99.

Besonderhede van die aansoeke lê ter insae gedurende gewone kantoor ure by die Munisipaliteit Biblioteek, 64 Springbokstraat, Hoedspruit, vir 'n tydperk van 28 dae vanaf 3 Junie 2016.

Besware teen of versoë ten opsigte van die aansoeke moet binne 'n tydperk van die 28 dae vanaf 3 Junie 2016 skriftelik by of tot die Munisipale Bestuurder by Posbus 627, Hoedspruit, 1380, ingedien of gerig word.

*Adres van Agent: Kago-Boswa Consulting Spatial Planners, Posbus 14098, Flamwood Walk, 2535 (Sel: 0827780429, e-pos: kagoboswa@gmail.com)*

3-10

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## PROCLAMATION • PROKLAMASIE

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### PROCLAMATION 14 OF 2016

### PROCLAMATION 8 OF 2015

### MUTALE LOCAL MUNICIPALITY

#### DECLARATION OF MUTALE EXTENSION 1 AS APPROVED TOWNSHIP

In terms of Section 103 of the Town-Planning and Township Ordinance, 1986 (Ordinance No. 15 of 1986), the Mutale Local Municipality hereby declares the Township of Mutale Extension 1 to be an approved Township, subject to the conditions as set out in the Schedule hereto.

#### CONDITIONS OF ESTABLISHMENT

STATEMENT OF THE CONDITIONS UNDER WHICH THE TOWNSHIP ESTABLISHMENT APPLICATION MADE BY MUTALE LOCAL MUNICIPALITY (HEREINAFTER REFERRED TO AS THE APPLICANT) UNDER THE PROVISIONS OF PROCLAMATION 45 OF 1990 FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 11 AND 12 OF THE FARM TENGWE'S LOCATION NO 255 MT REGISTRATION DIVISION, LIMPOPO PROVINCE HAS BEEN GRANTED BY THE MUTALE MUNICIPALITY.

1.

CONDITIONS TO BE COMPLETED WITH PRIOR TO THE PUBLICATION OF THE NOTICE CONTEMPLATED OF THE ACT

1.1

The Applicant shall procure erf numbers from the Surveyor General and shall amend the approved township layout plan and Conditions of Establishment and the relevant zoning schedules to reflect the new property information and submit the documents to the municipality for endorsement.

1.2

Thereafter, the Applicant shall comply with the provisions of the proclamation 45 of 1990 or any other legislation to be used during proclamation, upon receipt of the approved General Plan diagrams from the Survey General, certified copies of such documents shall be filed with the Officer and the Municipality as proof of compliance.

1.3

Thereafter, the Municipality shall make arrangements for finalising the services agreement to which a copy of the approved General Plan shall be appended and thereafter the applicant submit a copy of the signed services agreement and its appendices to the municipality as proof of compliance in this regard.

1.4

The Applicant, in collaboration with the municipality, shall arrange for the publication of a notice in the Provincial Gazette confirming the suspension of the relevant conditions of title from the title deed/deed of grant, as approved by the municipality and thereafter the Applicant shall submit a copy of the relevant notice to the Registrar of Deeds.

1.5

Thereafter, the Applicant shall comply with the provisions of the Proclamation 45 of 1990 or any other legislation used in proclamation of the township, upon completion of which the Applicant shall procure from the Registrar of Deeds a letter of confirmation that the Applicant shall file with the municipality a copy of such letter as proof of compliance.

1.6

When conditions 1.1 up to and including 1.5 have been compiled with, the Applicant shall, in collaboration with the municipality make arrangements for the publication of notice to bring into operation the relevant Land Use Conditions and or amendment of the land use scheme, as approved. Thereafter the Applicant shall submit to the municipality a copy of the relevant publication notice as proof of compliance.

## 2.

CONDITIONS TO BE COMPLIED WITH PRIOR TO THE COMMENCEMENT OF REGISTRATION OF OWNERSHIP OF LAND IN THE DEVELOPMENT AREA BY THE REGISTRAR OF DEEDS AND THE APPROVAL OF THE BUILDING PLANS BY THE MUNICIPALITY

## 2.1

The Applicant shall make the necessary arrangements with the municipality for the provision and installation of water, electricity and sanitation as well as private roads and storm water drainage in and for the development area, including any external road upgrading necessary to serve the development area and shall procure from the Municipality written confirmation that such arrangements are in order so as to allow for the commencement of registration of ownership of the erven in the development area by the Registrar of Deeds and the approval of building plans by the Municipality. Thereafter the Applicant shall submit to the Municipality a copy of confirmation received.

## 2.2

When all the proceeding conditions have been compiled with to the satisfaction of the municipality, the municipality shall confirm in writing to the Registrar of Deeds that the registration of ownership of land portions within the development area may commence.

## 2.3

Thereafter, the Municipality may approve the building plans for any building to be erected on the erven in the development area.

## DECLARATION AS APPROVED TOWNSHIP

In terms of Proclamation 45 of 1990, the Mutale Local Municipality hereby declares Mutale Extension 1 Township to be approved township, subject to the conditions set out in the schedule hereto.

## SCHEDULE

CONDITIONS UNDER WHICH THE APPLICATION MADE BY MUTALE LOCAL MUNICIPALITY FOR PERMISSION TO ESTABLISH A TOWNSHIP ON PORTION 11 AND 12 OF THE OF THE FARM TENGWES LOCATION NO 255 MT REGISTRATION DIVISION, LIMPOPO PROVINCE HAS BEEN APPROVED.

## CONDITIONS OF ESTABLISHMENT

## 3. NAME

The name of the township shall be Mutale Extension 1 Township situated on portion 11 and 12 of the Farm Tengwe's Location No 255 MT Registration Division, Limpopo Province

The township shall consist of:

- i) 756 erven numbered 939-1694, parks numbered 1880-1891 and thoroughfares located on portion 12 of the Tengwe's location 255 MT as indicated on **General Plan SG 867/2003**

And

- ii) 185 erven numbered 1695-1879 and thoroughfares on portion 11 of the farm Tengwe's location 255 MT as indicated on **General Plan SG 866/2003**

## 4. LAND TO BE RESERVED BY THE OWNER (to be confirmed with a layout plan)

The township owner shall reserve the following erven for Parks, Educational, Church, Municipal, undetermined and streets:

- Educational, Institutional, Municipal and Undetermined: erven 939, 940, 1002, 1062, 1108, 1177, 1178, 1180, 1396, 1460, 1695 and 1879
- Public open space / Parks: 1880-1891

## 5. THE DISPOSAL OF ERVEN

- The township applicant shall offer for sale or alienate erven 992, 993, 994, 995, 996, 997, 998, 999, 1000, 1001, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1016, 1017, 1018, 1019, 1020, 1021, 1022 and 1023 after the date of declaration of the township to any person or body through the regular processes.
- The owner shall dispose all the residential and business erven to the eneficiaries according to its own regular process.

## 6. ACCESS ROADS/STREETS

- The minimum street size is 10m and the maximum is 20m

## 7. CONDITIONS OF TITLE

The erven mentioned here under shall be subject to the conditions as indicated in terms of the provisions of the Town-Planning and Township Ordinance, 1986.

**7.1 ALL ERVEN WITH THE EXCEPTION OF THE ERVEN MENTIONED IN CLAUSE (5)**

- i) Erven 990,1450,1451, 1442,1444, 1114 are subjected to a 3m servitude due to a water pipeline
- ii) All erven are subject to a servitude, 2m wide, in favour of the local authority, for sewerage and other municipal purposes, along any two boundaries other than street boundary and in the case of panhandle erf, an additional servitude for municipal purposes 2m wide across the access portion that the erf, if and when required by the local authority: Provided that the local authority may relax or grant exemption from the servitudes.
- iii) No building or other structure shall be erected within the aforesaid servitude area and no large-rooted trees shall be planted within the area of such servitude or within 2m thereof.
- iv) The local authority shall be entitled to deposit temporarily on the land adjoining the aforesaid servitude such material as may be excavated by it during the course of the construction, maintenance or removal of such sewerage mains and other works as it, in its discretion may deem necessary and shall further be entitled to reasonable access to the said land for the aforesaid purpose, subject to any damage done during the process of the construction, maintenance or removal of such sewerage mains and other works being made good by the Local Authority.

## 8. GENERAL CONDITIONS (land use table to be finalised when a layout plan is obtained)

Signed at MUTALE on this 19th day of April 2016

  
MUNICIPAL MANAGER  
MUTALE LOCAL MUNICIPALITY



**PROCLAMATION 15 OF 2016****GREATER TZANEEN MUNICIPALITY  
TZANEEN AMENDMENT SCHEME 330**

It is hereby notified in terms of the provisions of section 57(1)(a) of the Town-Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), that the Greater Tzaneen Municipality has approved the amendment of the Tzaneen Town Planning Scheme, 2000 by the rezoning of the Remainder of Erf 1289, Tzaneen Extension 12 from “**Residential 1**” with a density of “One dwelling per 500m<sup>2</sup>” to “**Residential 1**” with Annexure 198 for the relaxation of the building line to zero (0) metre.

Map 3 and the scheme clauses of the amendment scheme are filed with the Municipal Manager of the Greater Tzaneen Municipality, TZANEEN, and the Director: Department Co-operative Governance, Human Settlements and Traditional Affairs, POLOKWANE, and are open for inspection during normal office hours.

This amendment is known as Tzaneen Amendment Scheme 330 and shall come into operation on the date of publication of this notice.

**MR. S.R. MONAKEDI**  
**MUNICIPAL MANAGER**

Municipal Offices  
P.O. Box 24  
Tzaneen  
0850

Date : 3 June 2016  
Notice No. : PD 12/2016

**PROKLAMASIE 15 VAN 2016****GROTER TZANEEN MUNISIPALITEIT  
TZANEEN WYSIGINGSKEMA 330**

Hiermee word ingevolge die bepalings van Artikel 57(1)(a) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986), bekend gemaak dat die Groter Tzaneen Munisipaliteit die wysiging van die Tzaneen Dorpsbeplanningskema, 2000 goedgekeur het, deur die hersonering van die Restant van Erf 1289, Tzaneen Uitbreiding 12 vanaf “**Residensieel 1**” met ‘n digtheid van “Een woonhuis per 500m<sup>2</sup>” na “**Residensieel 1**” met Bylaag 198 vir die verslapping van die boulyn na zero (0) meter.

Kaart 3 en die skemaklousules van hierdie wysigingskema word deur die Munisipale Bestuurder van die Groter Tzaneen Munisipaliteit, TZANEEN, en die Direkteur: Departement Samewerkende Regering, Behuising en Tradisionele Sake, POLOKWANE, in bewaring gehou en lê gedurende gewone kantoorure ter insae.

Hierdie wysiging staan bekend as Tzaneen Wysigingskema 330 en tree op datum van publikasie van hierdie kennisgewing in werking.

**MNR. S.R. MONAKEDI**  
**MUNISIPALE BESTUURDER**

Munisipale Kantore  
Posbus 24  
Tzaneen 0850

Datum : 3 Junie 2016  
Kennisgewing Nr : PD 12/2016



**PROCLAMATION 16 OF 2016****GREATER TZANEEN MUNICIPALITY  
TZANEEN AMENDMENT SCHEME 329**

It is hereby notified in terms of the provisions of section 57(1)(a) of the Town-Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), that the Greater Tzaneen Municipality has approved the amendment of the Tzaneen Town Planning Scheme, 2000 by the rezoning of Erf 2376, Tzaneen Extension 32 from "**Residential 2**" to "**Special**" with Annexure 197.

Map 3 and the scheme clauses of the amendment scheme are filed with the Municipal Manager of the Greater Tzaneen Municipality, TZANEEN, and the Director: Department Co-operative Governance, Human Settlements and Traditional Affairs, POLOKWANE, and are open for inspection during normal office hours.

This amendment is known as Tzaneen Amendment Scheme 329 and shall come into operation on the date of publication of this notice.

**MR. S.R. MONAKEDI**  
**MUNICIPAL MANAGER**

Municipal Offices  
P.O. Box 24  
Tzaneen  
0850

Date : 3 June 2016  
Notice No. : PD 11/2016

**PROKLAMASIE 16 VAN 2016****GROTER TZANEEN MUNISIPALITEIT  
TZANEEN WYSIGINGSKEMA 329**

Hiermee word ingevolge die bepalings van Artikel 57(1)(a) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986), bekend gemaak dat die Groter Tzaneen Munisipaliteit die wysiging van die Tzaneen Dorpsbeplanningskema, 2000 goedgekeur het, deur die hersonering van Erf 2376, Tzaneen Uitbreiding 32 vanaf "**Residensieel 2**" na "**Spesiaal**" met Bylaag 197.

Kaart 3 en die skemaklousules van hierdie wysigingskema word deur die Munisipale Bestuurder van die Groter Tzaneen Munisipaliteit, TZANEEN, en die Direkteur: Departement Samewerkende Regering, Behuising en Tradisionele Sake, POLOKWANE, in bewaring gehou en lê gedurende gewone kantoorure ter insae.

Hierdie wysiging staan bekend as Tzaneen Wysigingskema 329 en tree op datum van publikasie van hierdie kennisgewing in werking.

**MNR. S.R. MONAKEDI**  
**MUNISIPALE BESTUURDER**

Munisipale Kantore  
Posbus 24  
Tzaneen 0850

Datum : 3 Junie 2016  
Kennisgewing Nr : PD 11/2016

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**PROVINCIAL NOTICES • PROVINSIALE KENNISGEWINGS**

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**PROVINCIAL NOTICE 51 OF 2016****POLOKWANE/PERSKEBULT AMENDMENT SCHEME 561.**

Davel Consulting Planners CC and/or Willem Gabriel Davel, being the authorized agent of the owner of Erf 1356 Pietersburg Ext. 4 township, hereby give notice in terms of Section 56(1) of the Town Planning and Townships Ordinance (Ord. 15 of 1986), read together with the Spatial Planning and Land Use Management Act (Act 16 of 2013), that we have applied to the Polokwane Municipality for the amendment of the Town Planning Scheme known as the Polokwane/Perskebult Town Planning Scheme, 2007 by the rezoning of the property described above, situated at 32A Dr. Anneke Street, Polokwane, from "Residential 1" to "Educational". Particulars of the application will lie for inspection during normal office hours at the office of the Town Planners, first floor, west wing, Civic Centre, Polokwane, for the period of 28 days from 27 May 2016. Objections to or representations in respect of the application must be lodged with or made in writing to the Municipal Manager at the above address or at PO Box 111, Polokwane, 0700, within a period of 28 days from 27 May 2016 but no later than 24 June 2016. Address of agent: PO Box 11110, Bendor, 0713, Tel. no. (015)2971261.

27-03

**PROVINSIALE KENNISGEWING 51 VAN 2016****POLOKWANE/PERSKEBULT WYSIGINGSKEMA 561.**

Davel Consulting Planners BK en/of Willem Gabriel Davel, synde die gemagtigde agent van die eienaar van Erf 1356 Pietersburg Uitbr. 4 dorpsgebied, gee hiermee ingevolge Artikel 56(1) van die Ordonnansie op Dorpsbeplanning en Dorpe (Ord. 15 van 1986), saamgelees met die Wet op Ruimtelike Beplanning en Grondgebruikbestuur, (Wet 16 van 2013), kennis dat ons by die Polokwane Munisipaliteit aansoek gedoen het om die wysiging van die Dorpsbeplanningskema bekend as die Polokwane/Perskebult Dorpsbeplanningskema, 2007, deur die hersonering van genoemde eiendom gelee te Dr. Annekestraat 32A Polokwane, vanaf "Residensieel 1" na "Opvoedkundig". Besonderhede van die aansoek lê ter insae gedurende gewone kantoorure by die kantore van die stadsbeplanners, eerste vloer, wesvleuel, Burgersentrum, Polokwane, vir 'n tydperk van 28 dae vanaf 27 Mei 2016. Besware teen of vertoe ten opsigte van die aansoek moet binne 'n tydperk van 28 dae vanaf 27 Mei 2016, maar nie later as 24 Junie 2016 nie, skriftelik by of tot die Munisipale Bestuurder, by bovermelde adres of by Posbus 111, Polokwane, 0700, ingedien of gerig word. Adres van agent: Posbus 11110, Bendor 0713, Tel. nr. (015) 2971261.

27-03

**PROVINCIAL NOTICE 52 OF 2016****AMENDMENT OF TZANEEN TOWN-PLANNING SCHEME, 2007  
(AMENDMENT SCHEME 336)**

I, Nkateko Muchavi being the authorized agent of the registered owners of Erf 1295 Nkowankowa-A which is situated on the corner of Bankuna and Banana Street, hereby give notice in terms of Section 56 (1) (b) (i) of the Town Planning and Township Ordinance, 1986 (Ordinance No. 15 of 1986) read together with Section 28 and 41 of Spatial Planning and Land Use Management Act 2013 (Act 16 of 2013), that I have applied to the Greater Tzaneen Municipality for the amendment of the Tzaneen Town-Planning Scheme, 2007, through the Removal of Title Conditions and the subsequent Rezoning of Erf 1295 Nkowankowa – A from “Residential 1” to “Special” for a Medical Practice consisting of a Pharmacy and Medical Consulting Rooms.

Particulars of the application will lie for inspection during normal office hours at the office of the Municipal Manager: Greater Tzaneen Municipality, 38 Agatha Street, Tzaneen for a period of 28 days from the 27th May 2016 (the date of the first publication of the notice).

Objections to or representations in respect of the application must be lodged with or made in writing to the Municipal Manager at the above-mentioned address or at Greater Tzaneen Municipality, P O Box 24, Tzaneen, 0850, within a period of 28 days from the 27th May 2016.

**ADDRESS OF AGENT**

Nkateko Muchavi  
P.O. Box 107  
Giyani  
0826  
27–3

**PROVINSIALE KENNISGEWING 52 VAN 2016****DIE WYSIGING VAN DIE TZANEEN -DORPSBEPLANNINGSKEMA , 2007  
( WYSIGINGSKEMA 336 )**

Ek , Nkateko Muchavi synde die gemagtigde agent van die geregistreerde eienaar van Erf 1295 Nkowankowa -A wat is geleë op die hoek van Bankuna en Banana Street , gee hiermee ingevolge Artikel 56 (1) (b) (i) van die Ordonnansie op op Dorpsbeplanning en Dorpe , 1986 (Ordonnansie No. 15 van 1986 ) saamgelees met Artikel 28 en 41 van Ruimtelike Beplanning en Grondgebruikbestuur Wet 2013 (Wet 16 van 2013) , kennis dat ons by die Groter Tzaneen Munisipaliteit aansoek gedoen het om die wysiging van die Tzaneen Dorpsbeplanningskema , 2007 , deur die Wet op Opheffing van titelvoorwaardes en die gevolglike hersonering van Erf 1295 Nkowankowa - a vanaf "Residensieel 1 " na "Spesiaal" vir 'n mediese praktyk wat bestaan uit 'n Apteek en mediese spreekkamers .

Besonderhede van die aansoek le ter insae gedurende gewone kantoorure by die kantoor van die Munisipale Bestuurder : Groter Tzaneen Munisipaliteit , 38 Agathastraat, Tzaneen vir 'n tydperk van 28 dae vanaf die 27 Mei 2016 ( die datum van die eerste publikasie van die kennisgewing ) .

Besware teen of vertoe ten opsigte van die aansoek moet binne 'n tydperk van 28 dae vanaf die 27ste ingedien of gerig word skriftelik by die Munisipale Bestuurder by bogenoemde adres of by Groter Tzaneen Munisipaliteit , Posbus 24 , Tzaneen , 0850 , binne 'n tydperk van 28 dae vanaf die 27 Mei 2016 .

**ADRES VAN AGENT**

Nkateko Muchavi  
P.O. Box 107  
Giyani  
0826  
27–3

## PROVINCIAL NOTICE 56 OF 2016



# MAKHADO MUNICIPALITY

*Vision : "A Dynamic Hub For Socio – Economic Development By 2025"*

*Mission : "To ensure effective utilization of economic resources to address socio- economic imperatives through mining, tourism and agriculture"*

## IMPORTANT NOTICE

Notice is hereby given that the Makhado Municipality in terms of section 75 of the Local Government: Municipal Systems Act, No 32 of 2000. Publish the undermentioned By-laws and the effective date of operation shall be the 09<sup>th</sup> of December 2016.

1. Impoundment of Animal By-laws
2. Public Nuisance By-laws
3. street trading By-laws
4. Swimming Pool By-law

Civic Centre  
83 Krogh Street  
Private Bag X2596  
MAKHADO  
0920

17 May 2016

Notice Number 55/2016  
File Number 1/3/62/1

**MR I P MUTSHINYALI**  
**MUNICIPAL MANAGER**

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*Tel: 015 519 3000 | Fax: 015 516 1195 | E-mail : [municipal.manager@makhado.gov.za](mailto:municipal.manager@makhado.gov.za) |  
Address : Civic Centre, 83 Krogh Street, Private Bag X2596, Makhado, 0920 | [www.makhado.gov.za](http://www.makhado.gov.za) |  
Call Centre : 015 516 2990/ 2994/ 2996*

# **MAKHADO LOCAL MUNICIPALITY: SWIMMING POOLS BY-LAWS**

**MAKHADO LOCAL MUNICIPALITY  
[NP344]**

**(Council Resolution A.58.28.04.16)**



**DRAFT**

The Municipal Manager of Makhado Local Municipality hereby in terms of section 13 of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) publishes the Safe Guarding of Swimming Pools by-law for the municipality as approved by its council, as set out hereunder.

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## SCHEDULES

Schedule A  
Schedule B

### 1. Definitions

In this By-law, unless the context otherwise indicates –

**"approved"** means approval by the Municipality in writing;

**"authorized agent"** means –

- (a) any person authorized by the Municipality to perform any act, function or duty in terms of, or exercise any power under these by-laws;
- (b) any person to whom the Municipality has transferred the performance of certain rights, duties and obligations in respect of this by-law;

**"authorized official"** means any official, Control Building officer, Control Officer or Director responsible for Building Regulations of the Council who has been authorised by Council to administer, implement and enforce the provisions of this by-law;

**"Building Regulations"** means the National Building Regulations made under the National Building Regulations and Building Standards Act, 1977 (Act 103 of 1977);

**"Council"** means the council of the Makhado Local Municipality; its successor in title, a service provider fulfilling a responsibility under this by-law assigned to it in terms of section 81(2) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) or any other law as the case may be;

**“Enclosure:** means a fence, wall or other enclosure;

**“Fence”** means an enclosure, wall or other structure, including doors and gates, surrounding a swimming pool to restrict access thereto;

**“Floor glide systems”** means a portion of the floor that retracts under the adjoining floor to reveal the pool;

**“Gate”** means a part of a swimming pool fence which opens on hinges and includes a door located in the wall of an attached or detached garage or carport which forms part of the swimming pool fence;

**“Municipality”** means the Makhado Local Municipality;

**“Municipal Manager”** means a person appointed as the municipal manager in terms of section 54A of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000);

**“person”** means any person, whether natural or juristic and includes, but is not limited to a local government body, a company or close corporation incorporated under any law, a body of persons whether incorporated or not, a statutory body, public utility body, voluntary association or trust;

**“Permit”** means a written document that states the registration number of the swimming pool, as well as the relevant details of the owner of the swimming pool, and the document must state that the safety requirements as set by the Council have been complied with;

**“Pool cover”** means a manually or safety operated pool cover that meets all the performance standards prescribed by the **National Spa** and Pool Institute of South Africa, which requirements shall be available from the Council;

**“Protective safety barrier”** means a structure including, but not limited to, a removable fence, that isolates the pool from the home and eliminates all unauthorised access to the pool, and a pool net;

**“Removable fence”** means a transparent, polyester mesh mounted on aluminium or fibre glass support poles placed into aluminium or plastic sleeves installed flush into the deck, and includes a self-locking gate;

**“Registration”** means the listing of swimming pool in the register of swimming pools of the Council;

**“Swimming pool”** means an indoor or outdoor swimming pool containing or capable of containing or containing at any point, water to a depth of more than 300mm.

## **2. Application of by-law**

(1) The provisions of this by-law apply within the jurisdictional area of the Municipality

## **3. Registration and application for permit**

(1) An application for permit and registration of any swimming pool must be made to the municipality on a form obtained from the municipal offices.

(2) Once an application for registration is received, the Council shall, within two weeks of such receipt, mandate an authorised official to inspect the applicant's swimming pool, and based on the authorised official's report, decide whether a permit should be issued or not;



- (3) The Council shall not unreasonably disapprove the application for permit and registration but if the application is disapproved the municipality shall provide the applicant with reason thereof.
- (4) The owner of a swimming pool shall be responsible for any fees and fines in terms of this by-law as outlined in the municipal tariffs.
- (5) No owner of any swimming pool shall keep, use, operate and maintain any swimming unless he or she comply with the provisions of this by-law.
- (6) The Council shall establish and maintain a register of all swimming pools in the Municipality and the register shall note, each pool, its compliance or otherwise.

#### **4. Enclosing of outdoor swimming pools**

- (1) The owner of any premises on which the construction of an outdoor swimming pool is started subsequent to the expiry of the ninety (90) days after promulgation of this by-law, shall cause such to be protected by an enclosure which complies with the requirements of subsection (2), before such swimming pool is filled with water.
- (2) The enclosure shall-
  - (a) be a wall or fence that complies with SABS 0400-1990 as contemplated in Part D of the National Building Regulations Under the Building Regulations or
  - (b) be an enclosure that complies with the following requirements-
    - (i) be strong and durable;
    - (ii) entirely surround the swimming pool;
    - (iii) be not less than 1m in height;
    - (iv) be so situated, constructed and maintained, that a child is not able to climb over, crawl under, squeeze through or otherwise gain access to the swimming pool except through the gate or door forming part of the enclosure if is open; and
    - (v) have fitted to every gate or door an approved self-closing and self locking gate or door.
- (3) Every outdoor swimming pool shall be secured with a pool cover or be fitted with a floating pool alarm device, at all times during which the pool is not in use.
- (4) Notwithstanding the provisions of section 5, the Council may on such conditions as it may consider necessary, exempt any owner of premises from having to comply with that section if the Council is satisfied with the efficiency of other means of protection which are used.
- (5) Every owner of premises to whom an exemption has been granted, shall take all reasonable measures to ensure that every occupier of such premises is aware of every condition imposed.

#### **5. Protective safety for indoor swimming pools**

- (1) Every indoor swimming pool –
  - (a) must be fitted with a floor glide system of which the floor has to be suitable for light pedestrian traffic; and
  - (b) shall be secured with the floor glide system or be fitted with the floating pool alarm device, at all times during which the pool is not in use.

## **6. Gates**

- (1) All gates must comply with schedule B and shall-
  - (a) Be of the same construction and height as that required for the fence;
  - (b) Be supported on the substantial hinges; and
  - (c) Contain a self-locking device
- (2) The swimming pool area must be secured at all times, except when actually used by the owner or by adults authorized by the owner to use the pool.

## **7. Existing privately owned Swimming Pools**

- (1) Existing outdoor swimming pools, which are already fenced at the passing of this by-law, shall be inspected by an authorised official, to determine whether the existing fence is adequate to protect against safety hazards that this by-law seeks to combat.
- (2) Where a swimming pool fence has been installed prior to the passing of this by-law, and is determined by the authorised official to be fenced in such a way as to provide adequate safety, it shall be deemed to comply with this by-law.
- (3) If the existing fence does not meet the requirements of the by-law, then such fence shall be modified by the owner to comply with the requirements herein.
- (4) Existing floor glide systems which are already in existence at the passing of this by-law shall be inspected by an authorised official, to determine if the existing glide system is adequate to protect against the safety hazards that this by-law seeks to combat
- (5) An authorised official shall ensure that all existing swimming pools shall comply with schedule A and B.

## **8. Notice to comply**

- (1) The Municipality may, by a notice of compliance, which must be in writing, order an owner, to comply with the provision of this by-law or to any condition imposed hereunder, to remedy such breach within a period of not less than seven(7) days specified in the notice, and the notice must specify –
  - (a) the name and residential and postal address, if either or both of these be known, of the affected person;
  - (b) the provision of this by-law which has not been complied with;
  - (c) sufficient detail to enable compliance with the notice, the measures required to remedy the situation; and
  - (d) that the person must within a specified period take the measures to comply with the notice, to diligently continue with the measures, and to complete the measures before a specified date;

**9. Inspection**

- (1) Any authorised officer of the Council may for any purpose connected with the carrying out of the provisions of this by-law at all reasonable times and without prior notice enter any premises in or upon which there is a swimming pool or in or upon which such officer has reasonable grounds for suspecting the presence of a swimming pool and carry out such inspection as he deems necessary.

**10. Obstructions**

- (1) No person shall-
  - (a) fail to give or refuse access to any officer of the Council authorised by this by-laws or by the Council to enter upon and inspect premises, if he requests entrance to any premises; or
  - (b) obstruct or hinder such officer in the execution of his or her duties in terms of this by-law; or
  - (c) fail or refuse to give information that he or she may lawfully be required to give such officer or give to such officer falsely or misleading information knowing it to be false or misleading.

**11. Indemnification from liability**

- (1) Neither employees of the Municipality nor any person, body, organisation or corporation acting on behalf of the Municipality is liable for any damage arising from any omission or act done in good faith without any fault in the course of his or her duties.

**12. Transitional arrangements**

- (1) The owner of any premises on which at the promulgation of this by-law an outdoor swimming pool is in existence must advise the Council of every swimming pool thereon within Twelve (12) months of the promulgation of this by-law.
- (2) The owner of any premises on which the construction of an outdoor swimming pool is started subsequent to the expiry of the ninety (90) days after promulgation of this by-law, shall cause such to be protected by an enclosure which complies with the requirements of this by-law before such swimming pool is filled with water.
- (3) council should give notice of the transitional stage and furthermore allow owners to register and get swimming pool compliance permit within twelve (12) months of publication of notice and thereafter by-law apply in full

**13. Offences and penalties**

- (1) A person who—
  - (a) obstructs or hinders the Municipality in the exercising of the powers or performance of functions or duties under this by-law;
  - (b) contravenes or fails to comply with any provision of this By-law
  - (c) fails to comply with any notice or other document issued or displayed in terms of this by-law; or
  - (d) fails to comply with any lawfully instruction given in terms of this by-law

shall upon conviction of an offence, be liable to a fine or in default of payment to imprisonment for a period not exceeding six months.

**14. Short title and commencement**

- (1) This by-law is called Makhado Local Municipality Swimming Pools By-law and shall come into operation on the date of publication thereof in the *Provincial Gazette*.

## **SCHEDULE A**

### **Swimming Pool walls**

1. Any wall that forms part of an enclosure shall comply with the following requirements:
  - (a) Such wall shall-
    - (i) be of concrete, brick or other approved material; and
    - (ii) extend to a height measured from ground level of at least 1m above ground level
2. There shall not be a gap exceeding 100 mm horizontal measurement between the wall and any fencing post or gate post forming part of the enclosure
3. Every gate panel forming part of the enclosure shall comply with the requirements specified in clause 1 and 3 of Schedule B
4. Every gate forming part of the enclosure shall comply with the requirements specified in clauses 4 and 5 (a) of schedule B.

**SCHEDULE B****Swimming Pool fences**

1. Every fence that forms part of an enclosure shall be assembled from individual fencing panel and gate panels shall be retained in positions by posts that are secured below ground level.
2. Every fencing panel-
  - (a) shall be of a height of at least 1m from the ground level
  - (b) shall not have any diagonal bracing;
  - (c) shall consist of vertical and horizontal round mild steel bars of at least 10mmdiameter or other approved metal and such vertical bars shall be parallel to the vertical axis of the panel;
  - (d) shall be so assembled, by fusion, spot welding or other approved means of permanently securing the bars at each point of junction that-
    - (i) the horizontal distance between adjacent vertical bars is not more than 100mm and such bars shall not deflect more than 10mm when a horizontal force of 8kg is applied
    - (ii) the vertical distance between adjacent horizontal bars is not less than 90mm
    - (iii) the bottom horizontal bar is not more than 150mm above ground level; and the top horizontal bar not less than 1,05m above ground level; and
    - (iv) every horizontal bar is on the pool side of the fence
3. every gate panel shall-
  - (a) be rectangular and of the width of at least 750 mm and a height of at least 1m
  - (b) comply with the requirements of clause 2(b),(c) and (d)
  - (c) be fitted with an adequate spring or other approved device that closes automatically and be fitted with an approved locking system
  - (d) be of such construction that a child cannot open it
4. (1) Every fencing and gate post shall have a length of at least 1.7m and be made of-
  - (a) metal piping with an outside diameter of at least 38 mm and a wall thickness of at least 2mm
  - (b) solid metal with a nominal diameter of at least 20mm
  - (2) (a) One of the gate posts shall be fitted with at least two hinges for supporting a gate panel
  - (b) Such hinges shall be so located and so shaped that it is not possible for a child to get a foothold on either of them
  - (c) The other gate post shall be so fitted with a catch that the catch engages the locking device on the gate panel, prevents the gate from opening.
5. Every fencing and gate post shall be so installed that-
  - (a) (i) the base of each gate post is at least 500mm below ground and is embedded at least 200mm deep in a concrete cube measuring 300mm x 300mm; or
  - (ii) if local conditions make compliance with subparagraph(i) impracticable, each post shall be secured in some other approved manner;
  - (b) Every fencing panel is adequately and permanently secured to the posts in such positions that the bases of their vertical bars just make contact with the surface.

## PROVINCIAL NOTICE 57 OF 2016

**IMPORTANT NOTICE**

Notice is hereby given that the Makhado Municipality in terms of section 75 of the Local Government: Municipal Systems Act, No 32 of 2000. Publish the undermentioned By-laws and the effective date of operation shall be the 09<sup>th</sup> of December 2016.

1. Impoundment of Animal By-laws
2. Public Nuisance By-laws
3. street trading By-laws
4. Swimming Pool By-law

Civic Centre  
83 Krogh Street  
Private BagX2596  
MAKHADO  
0920

17 May 2016

Notice Number 55/2016  
File Number 1/3/62/1

**MR I P MUTSHINYALI  
MUNICIPAL MANAGER**

# **TRADING: STREET TRADING BY-LAW**

**MAKHADO LOCAL MUNICIPALITY  
[NP344]**

**(Council Resolution A.57.28.04.16)**





# MAKHADO MUNICIPALITY

## DRAFT TRADING: STREET TRADING BY-LAWS

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### 1. Definitions

(1) In these by-laws, unless the context otherwise indicates-

**“Act”** means the Businesses Act, 1991 (Act No. 71 of 1991), and includes the regulations promulgated under the Act;

**“approval”** means approval by the Council and “approve” has a corresponding meaning;

**“Council”** means the Makhado Municipal Council and includes any committee or person to which or whom an instruction has been given or any power has been delegated or sub-delegated in terms of, or as contemplated in, section 59 of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000) or a service provider in respect of any power, function or duty of the Council assigned by it for the purposes of these By-laws to that service provider in terms of Section 81(2) of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000);

**“foodstuff”** means foodstuff as defined in section 1 of the Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act No. 54 of 1972); <sup>\*1</sup>

**“garden”** means a garden to which the public has a right to access;

**“goods”** means any movable property;

**“intersection”** means intersection as defined in the regulations promulgated in terms of the National Road Traffic Act, 1996 (Act No. 93 of 1996);

**“licence holder”** means a person who is the holder of a licence referred to in Chapter 2;

**“litter”** means any object or matter which is discarded by a person;

**“motor vehicle”** means a motor vehicle as defined in section 1 of the National Road Traffic Act, 1996 (Act No. 93 of 1996);

**“Municipal Manager”** means municipal manager of Makhado Municipality;

**“official”** means a designated officer who is authorised by the Council to perform and exercise any or all of the functions and powers in these By-laws;

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<sup>\*1</sup> “foodstuff means any article or substance (except a drug as defined in the Drugs Control Act, 1965 (Act 101 of 1965) ordinarily eaten or drunk by a man or purporting to be suitable, or manufactured or sold, for human consumption, and includes any part or ingredient of any such article or substance, or any substance used or intended or destined to be used as a part or ingredient of any such article substance.”

**“park”** means a park to which the public has a right to access;

**“premises”** includes any land, building, structure, part of a building or of a structure, or any vehicle, conveyance, vessel or aircraft;

**“prescribed”** means prescribed by the Council by resolution;

**“property”**, in relation to a street trader, means goods in which a street trader trades, and includes any article, container, vehicle or structure used or intended to be used in connection with street trading by the street trader;

**“public place”** means a public place as defined in section 2 of the Local Government Ordinance, 1939 (Ordinance No 17 of 1939);

**“public road”** means public road as defined in section 1 of the National Road Traffic Act, 1996 (Act No. 93 of 1996);

**“roadway”** means a public roadway as defined in section 1 of the National Road Traffic Act, 93 of 1996;

**“sell”** includes barter, exchange, hire out, display, expose, offer or prepare for sale, store with a view to sell, or provide a service for reward, and “sale” or

**“selling”** has a corresponding meaning;

**“sidewalk”** means a sidewalk as defined in section 1 of the National Road Traffic Act, 93 of 1996;

**“street furniture”** means any furniture installed by the Council on the street for public use;

**“street trader”** means a person who carries on the business of street trading, and includes a person who carries on the business of street vendor, pedlar or hawker;

**“street trading”** means the selling of any goods or the supplying of or offering to supply any service for reward in a public road or public place by a street trader, and includes the taking up of a position or the placing of property or goods;

**“verge”** means a verge as defined in section 1 of the National Road Traffic Act, 1996 (Act 93 of 1996), and any words or expressions to which a meaning has been assigned in the Business Act, 1991, have a corresponding meaning in these By-laws.

(2) A single act of selling or offering or rendering of services in a public road or public place shall constitute street trading.

- (3) A reference to a person carrying on the business of street trader includes the employee of the person.

## **2. Principles and objectives**

The Council, acting in terms of section 6A(1)(a)(i) of the Businesses Act, 1991 (Act No. 71 of 1991) and-

- (a) having regard to the principles set out in the Act and in the Constitution; and
  - (b) taking into consideration the need of the residents to actively participate in economic activities; and
  - (c) taking into consideration the need to maintain a clean and healthy environment; and
  - (d) striving to ensure that its residents are not exposed to and are protected against harmful food,
- in these By-laws regulates street trading.

## **3. Application**

These By-laws apply to all persons who carry on the business of the street trading within the area of jurisdiction of the Makhado Municipal Council.

## **4. Legislative framework**

These By-laws fall within the legislative framework of the-

- (a) Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act No. 54 of 1972);
- (b) Health Act, 1977 (Act No. 63 of 1977);
- (c) Businesses Act, 1991 (Act No. 71 of 1991);
- (d) National Road Traffic Act, 1996 (Act No. 93 of 1996);
- (e) Constitution of the Republic of South Africa, 1996 (Act No. 108 of 1996);
- (f) Promotion of Administrative Justice Act, 2000 (Act No. 3 of 2000);
- (g) Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000);

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## CHAPTER 1: GENERAL PROVISIONS APPLICABLE TO STREET TRADING

### **5. Restricted and prohibited areas**

- (1) The Council may, in terms of section 6A(2)(a) of the Act and subject to the provisions of paragraphs (b) up to and including (j), by resolution declare any place in its area of jurisdiction to be an area in which street trading is restricted or prohibited.
- (2) The Council must be erected a sign in the area indicate such area, and the sign must indicate-
  - (a) the restriction of the prohibition against street trading; and
  - (b) if the street trading is restricted -
    - (i) the boundaries of the area or stand set aside for street trading;
    - (ii) the hours when street trading is restricted or prohibited;
    - (iii) the goods or services in respect of which street trading is restricted or prohibited; and
  - (c) that the area has been let or otherwise allocated, and the sign shall serve as sufficient notice to a street trader that street trading is restricted or prohibited in the area concerned.
- (3) The Council may, from time to time, amend the sign.
- (4) A person who carries on the business as street trader in contravention of the notice contemplated in subsection (2) commits an offence.

### **6. Places where street trading is prohibited**

- (1) No person may, unless the Council has so permitted-
  - (a) in terms of an agreement; or
  - (b) by means of the display of a sign,carry on the business of a street trader in any of the following places:
  - (i) in a garden or a park to which the public has a right of access;
  - (ii) on a verge contiguous to-
    - (aa) a building belonging to, or occupied solely by, the State or the Council;

- (bb) a church or other place of worship;
  - (cc) a building declared to be a public monument under the National Heritage Resources Act, 1999 (Act No. 25 of 1999).
- (2) No person may carry on the business of a street trader in any of the following places:
  - (a) In an area declared by the Council in terms of section 6A(2)(a)<sup>\*2</sup> of the Act as an area in which street trading is prohibited;
  - (b) at a place where it obstruct the use of the side walk by pedestrians or interferes with the ability of persons using the side walk to view the goods displayed behind a shop display window or obscure such goods from view.
  - (c) within 5 metres of an intersection as defined in Regulation 322 of National Road Traffic Act, 1996 (Act No. 93 of 1996);
  - (d) at the place where it obstructs -
    - (aa) a fire hydrant;
    - (bb) the entrance to or exist from the building;
    - (cc) vehicular traffic;
    - (dd) access to pedestrian crossings, parking or loading bays or other facilities for vehicular or pedestrian traffic;
    - (ee) access to or the use of the street furniture and other facilities designed for the use of the general public;
    - (ff) or obscures a road traffic sign that is displayed in terms of the National Road Traffic Act, 1996;
    - (gg) or obscures a marking, notice or sign displayed or made in terms of these By-laws;
  - (e) that half of a public road contiguous to a building which is used for residential purposes, if the owner or person who is in control or any occupier of the building objects thereto;

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<sup>\*2</sup> "A local authority may, subject to the provisions of paragraphs (b) up to and including (j), by resolution declare any place in its area of jurisdiction to be an area in which the carrying on of the business of street vendor, pedlar or hawker may be restricted or prohibited."

- (f) on a portion of sidewalk or public place in contravention of a notice or sign erected or displayed by the Council for the purposes of these By-laws;
- (3) A person to whom an area or stand has been leased or allocated in terms of paragraphs 6A(3)(b) and ( c) of the Act<sup>\*3</sup> must -
  - (a) comply with conditions of the lease of allocation; and
  - (b) be in possession of written proof that Council has leased or allocated the area or stand to him or her,and such a person may not carry on the business of street trader in the area or stand if he or she does not comply with paragraphs (a) and (b).
- (4) A person who contravenes one or more of the provisions of this section commits an offence.

## **7. Duties of street trader**

- (1) A street trader must-
  - (a) when he or she concludes business for the day, remove his or her property, except any structure permitted by the council, to a place which is not part of a public road or public place;
  - (b) when requested by an official of the Council or a by a person who has been authorized to provide municipal services, move his or her property so as to permit the official or other person to carry out any work in relation to a public road, public place or service;
  - (c) keep the area or stand occupied by him or her in a clean and sanitary condition;
  - (d) ensure that the area is free of litter, and must, when he or she concludes business for the day, dispose of litter generated by his or her business-

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<sup>\*3</sup> Notwithstanding the provisions of any other law. A local authority may-

- (a) ....
- (b) (i) set apart by resolution and demarcate stands on areas for the purposes of the carrying on the business of street vendor, pedlar or hawker on any public road the ownership or management of which is vested in the local authority or on any other property in the occupation and under the control of the local authority; and  
(ii) in like manner extend, reduce or disestablish any such stand or area;
- (c) by agreement let or otherwise allocate any stand or area demarcated under paragraph (b)(i) or otherwise established for such purposes.



- (i) at the dumping sites of the Council; or
  - (ii) in receptacles provided by the Council for the public;
- (e) on request by an official of the Council, move his or her property so as to permit the cleansing of the area where he or she is trading;
- (f) regarding the size and location of the area or stand occupied by him or her; must-
  - (i) ensure that the area which he or she uses does not exceed 3m<sup>2</sup> in size and not exceed 3 metres in length;
  - (ii) ensure that a space of not less than 1metres is left between the wall of the shop (contiguous to which he or she conducts his or her business) and himself or herself; and
  - (iii) leave a space of not less than 1metre from the kerb of the roadway.
- (2) A person who contravenes one or more of the provisions of subsection (1) commits an offence.

## **8. Prohibited conduct**

- (1) A street trader -
  - (a) may not sleep overnight at the area where he or she is trading, or at the area where another street trader is trading;
  - (b) may not place or stack his or her property in such a manner that it-
    - (i) constitutes a danger to any person or property; or
    - (ii) is likely to injure any person or cause damage to any property;
  - (c) may not dispose of litter in a manhole, storm water drain or other place not intended for the disposal of litter;
  - (d) may not lease onto a public road or public place or into a storm water drain of fat, oil or grease in the course of conducting his or her business;

- (e) may not allow smoke, fumes, noise, smells, or other substance arising from his or her activities to cause a nuisance or pollution of any kind;
- (f) may not erect a structure for the purposes of providing shelter; except with permission from car;
- (g) may not place his or her property on a public road or public place;
- (h) who conducts his or her business from a vehicle, may not park the vehicle or trader in such a manner so as to obstruct pedestrian or vehicular traffic and must ensure that he or she complies with the provisions of the National Road Traffic Act, 1996 (Act No. 93 of 1996);
- (i) may not use an area which exceeds 3m wide, with a maximum length 3 metres;
- (j) may not place, on a public road or public place, his or her property that cannot be easily removed to a place of safety, which may not be a public road or public place, at the end of the day's business;
- (k) may not display his or other property on or in a building, without the consent of the owner, lawful occupier or person in control of such building or property;
- (l) may not attach an object by any means to a building, structure, sidewalk, tree, parking meter, lamp, pole, electricity pole, telephone booth, post box, traffic sign, bench or any other street furniture in or a public road or public place;
- (m) may not carry on his or her business in such a manner as to -
  - (i) create a nuisance;
  - (ii) damage or deface the surface of a public road or public place or public or private property; or
  - (iii) create a traffic or health hazard;
- (n) may not make an open fire that poses a health or environment hazard to any person or property or to street furniture;

- (o) may not, other than in a refuse receptacle approved or supplied by the Council, accumulate, dump, store or deposit( or cause or permit this to be done) any litter on-
    - (i) any land or premises; or
    - (ii) any public road or public place or;
    - (iii) any public or private property
  - (p) may not store his or her property in a manhole, storm water drain, public toilet, and bus shelter or in a tree;
  - (q) may not carry on such business in a place or area in contravention of any prohibition or restriction approved by the Council in terms of section 6A(2)(a) of the Act.
- (2) A person who contravenes one or more of the provisions of subsection (1) commits an offence.

## **9. Removal and impoundment**

- (1) An official-
- (a) if he or she reasonably suspects that property is being used or intended to be used in or in connection with street trading, and
  - (b) whether or not the property is in possession or under the control of any person, may-
    - (i) remove and impound the property which he or she finds at a place where street trading is restricted or prohibition; and
    - (ii) impound the property.
- (2) An official who acts in terms of subsection(1) must, except in the case of goods that have been left or abandoned, issue to the street trader a receipt for the property so removed and impounded and the receipt must contain the following particulars:
- (a) The address where the impounded property will be kept and the period thereof;
  - (b) the conditions for the release of the impounded property; and
  - (c) that unclaimed property will be sold by public auction.
- (3) If any impounded property is attached to immovable property or a structure, and the impounded property is under the apparent control

of a person present at that place, an official may order the person to remove the impounded property.

- (4) When a person fails to comply with an order to remove the impounded property, an authorized official may take such steps as may be necessary to remove the impounded property.
- (5) Council is not liable for any loss of or damage to any property removed and impounded in terms of these By-laws.
- (6) A person who hinders or obstructs an official in the performance of his or her duties under this section, or who refuses or fails to remove the object when ordered to do so by an official, commits an offence.

## **CHAPTER 2: SPECIFIC PROVISIONS APPLICABLE TO STREET TRADING IN MEALS OR PERISHABLE FOODSTUFFS**

### **10. Applicable provisions**

The provisions in this Chapter, in addition to the provisions in Chapter 1 and 3 of these By-laws and the provisions of the Business Act, 1991 (Act No. 71 of 1991) and any other applicable law, apply to street traders who sell meals or perishable foodstuffs.

### **11. Hawker's licence**

- (1) No person, whether as principal, employee or agent may, unless the business is covered by a hawker's licence issued by the Council, carry on the business of selling any foodstuff in the form of meals or any perishable foodstuff-
  - (a) which is conveyed from place to place, whether by vehicle or otherwise;
  - (b) on a public road or at any other place accessible to the public; or
  - (c) in, or from a movable structure or stationary vehicle,
- (2) A person contemplated in (1) who wishes to obtain a hawker's licence must apply on the prescribed application form contained in Schedule 1, and submit the completed form at the office of the Municipal Manager.
- (3) After consideration of an application for a licence, the Council may-

- (a) grant the licence if any apparatus, equipment, storage space, working surface, structure, vehicle, conveyances or other article or place used for or in connection with the preparation, handling or sale of foodstuffs comply with the requirements of sections 2 to 5 inclusive of the Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act No. 54 of 1972) and regulations made under section 34 to 27 inclusive of the Health Act, 1977 (Act No. 63 of 1977);
  - (b) issue the licence subject to any condition<sup>\*4</sup> therein specified in terms of which the licence holder must, in connection with the business premises or any such apparatus, equipment, storage, space, working surface, structure, vehicle, conveyance, article or place comply, or within a specified period comply, with a specific requirement relating to town planning or the safety or health of the public of a law or regulations contemplated in subsection (3)(a) which apply to those premises.
- (4) Subject to section 2(10) of the Act<sup>\*5</sup>, the Council may refuse to issue a licence if-
- (a) any apparatus, equipment, storage space, working surface, structure, vehicle, conveyance or any other article or place used for or in connection with the preparation, handling or sale of foodstuffs, does not comply with a requirement of a law or regulations contemplated in subsection(3)(a) relating to the health of the public;
  - (b) any foodstuff sold by the licence holder does not comply with a requirement of a law or regulations contemplated in subsection (3)(a) a law relating to the health of the public; or

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<sup>\*4</sup> "Section 2(10) of the Act provides as follows: "when a licensing authority decides to refuse an application for a licence, or to grant such an application subject to a condition contemplated in subsection 6(a), or to issue a licence subject to a condition, or to amend or impose a condition under subsection (8), or to withdraw or suspend a licence, it shall as soon as practicable-

- (a) notify the applicant or licence holder concerned in writing of its decision;
- (b) furnish the applicant or licence holder concerned in writing with the reasons for its decision;
- (c) inform the applicant or licence holder concerned in writing of his right to appeal under section 3."

<sup>\*5</sup> See footnote 4.

- (c) a licence of which the applicant was the holder, was at any time during the preceding 12 months, withdrawn due to non-compliance with a requirement under subsection (3).
- (5) The Council may at any time, after giving the licence holder a reasonable opportunity to be heard -
  - (a) withdraw or suspend licence on the ground that-
    - (i) any apparatus, equipment, storage space, working surface, structure, vehicle, conveyance or any other article or place used for or in connection with the preparation, handling or sale of foodstuffs, does not comply with a requirement of a law or regulations contemplated in subsection (3)(a) relating to the health of the public;
    - (ii) any foodstuff sold by the licence holder does not comply with a requirement of a law or regulations contemplated in subsection (3)(a) relating to the health of the public;
    - (iii) the person did not comply with a condition imposed by the Council in terms of subsection (3)(b).
  - (b) if it considers it necessary on the ground of changed circumstances in relation to a business or the premises, by way of endorsement on the licence amend a condition or impose a condition, and-
    - (i) may for these purposes require a licence holder in writing to produce his or her licence; and
    - (ii) must act in terms of section (2)10 of the Act.
- (6) A person who contravenes subsection (1) or a condition contemplated in this section or who fails to comply with requirement contemplated in this section, commits an offence.

### **CHAPTER 3: MISCELLANEOUS PROVISIONS**

#### **12. Notice of contravention**

- (1) The Council may serve a notice of contravention on a person who has committed an offence in terms of these By-laws.

- (2) A notice of contravention must-
- (a) specify, at the time when the notice is issued, the name and residential and postal address, if either or both of these be known, of the person on whom the notice is served
  - (b) state the particulars of the contravention;
  - (c) specify the amount of the penalty payable in respect of that contravention and the place where the penalty may be paid; and
  - (d) inform the person that he or she must-
    - (i) within 28 calendar days of the date of service of the notice, pay the penalty; or
    - (ii) within 7 calendar days of the notice, inform Council in writing that he or she elects to be tried in court on a charge of having committed an offence.

### **13. Penalty**

A person who contravenes any provision or fails to comply with any provision of this by-law commits an offence and shall on conviction be liable to-

- (a) a fine or imprisonment, or either such fine or imprisonment or to both such fine and imprisonment; and
- (b) in the case of a continuing offence, to an additional fine or an additional period of imprisonment or to such additional imprisonment without the option of a fine or to both such additional fine and imprisonment for each day on which such offence is continued; and
- (c) a further amount equal to any costs and expenses found by the court to have been incurred by Council as result of such contravention or failure.

### **14. Responsible person**

When an employee of a person who trades ("the employer") performs an act which contravenes a provision of these By-laws, the employer is deemed to



have committed the contravention himself or herself, unless he or she proves to the satisfaction of the court that -

- (a) he or she did not permit such act;
- (b) he or she took all reasonable steps to prevent the performance of the act, however the fact that he or she issued instructions forbidding an act, is not sufficient proof that he took all reasonable steps to prevent the performance of the act; and
- (c) it was not in the scope of the authority or the course of employment of the employee to perform an act which contravenes these By-laws.

## **15. Repeal**

By-laws on street trading previously made by the Council or its constituent Predecessors in respect of any portion of the area of the Makhado Municipality, are hereby repealed in so far as they are inconsistent with the provisions of these By-laws.

TES/lh/By-lawStreetTrading

**SCHEDULE 1****(Section 11(2))****APPLICATION: HAWKERS'S LICENCE FOR STREET TRADING IN MEALS  
AND PERISHABLE FOODSTUFFS**

A person who wants to obtain a hawker's licence to hawk, sell or pedal meals or foodstuffs as a street trader, must supply the following information:

NAME: .....

IDENTITY NUMBER: .....

ADDRESS: .....

.....

.....

CONTACT NUMBERS (e.g. telephone): .....

AREA/S IN WHICH YOU WANT TO TRADE: .....

.....

.....

DESCRIBE THE FOOD THAT YOU WANT TO TRADE IN: .....

.....

.....

DESCRIBE ALL EQUIPMENT THAT YOU ARE GOING TO USE:

.....

.....

.....

DESCRIBE THE SHELTER, STRUCTURE OR FROM WHICH YOU ARE GOING  
TO TRADE: .....

.....

.....

.....

.....

## PROVINCIAL NOTICE 58 OF 2016

**MAKHADO MUNICIPALITY***Vision : "A Dynamic Hub For Socio – Economic Development By 2025"**Mission : "To ensure effective utilization of economic resources to address socio- economic imperatives through mining, tourism and agriculture"***IMPORTANT NOTICE**

Notice is hereby given that the Makhado Municipality in terms of section 75 of the Local Government: Municipal Systems Act, No 32 of 2000. Publish the undermentioned By-laws and the effective date of operation shall be the 09<sup>th</sup> of December 2016.

1. Impoundment of Animal By-laws
2. Public Nuisance By-laws
3. street trading By-laws
4. Swimming Pool By-law

Civic Centre  
83 Krogh Street  
Private Bag X2596  
MAKHADO  
0920

17 May 2016

Notice Number 55/2016  
File Number 1/3/62/1

**MR I P MUTSHINYALI**  
**MUNICIPAL MANAGER**

Tel: 015 519 3000 | Fax: 015 516 1195 | E-mail : [municipal.manager@makhado.gov.za](mailto:municipal.manager@makhado.gov.za) |  
Address : Civic Centre, 83 Krogh Street, Private Bag X2596, Makhado, 0920 | [www.makhado.gov.za](http://www.makhado.gov.za) |  
Call Centre : 015 516 2990/ 2994/ 2996

**PUBLIC NUISANCE  
BY-LAW**

**MAKHADO LOCAL MUNICIPALITY  
[NP344]**

**(Council Resolution A.56.28.04.16)**



## **STREET AND DIVERSE BY-LAW**

The Municipal Manager of Makhado Local Municipality hereby in terms of section 13 of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) publishes Public Nuisance by-law for the municipality as approved by its council, as set out hereunder.

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## DEFINITIONS

1. In these by-laws, unless the context indicates otherwise:-

**"council"** means the Makhado Local Municipal Council established in terms of section 12 of the local Government: Municipal Structures Act 117 of 1998;

**"Municipality"** shall mean the area or district placed under the control and jurisdiction of a town council or of a village council.

**"Medical officer of health"** means the person for the time being lawfully acting in the capacity either of medical officers of health or of assistant medical officer of health of the local authority.

**"nuisance"** shall include any premises or part thereof of such a construction in such a state as to be offensive, injurious or dangerous to health.

**"public place"** means an open space which is unrestricted and to be used by members of the community, which includes any road, street, thoroughfare, foot-path, sidewalk, subway, foot pavement, space, garden, park enclosed space vested in a town or village under section 63 of the local Government Ordinance, 1939 (Ordinance 17 of 1939) provided that for the purpose of by-laws.

**"street"** includes any street, road or thoroughfare shown on the general plan of a township, agricultural holding or other division of land or in respect of which the public have acquired a prescriptive or other right of way, and any other word or expression to which a meaning has been assigned in the National Road Traffic Act, 1996 (Act No. 93 of 1996) as amended, Shall have that meaning.

## SECTION A

### ***2. Use of vehicle for primary purpose of advertising***

No person Shall operate or park on any street any vehicle or motor vehicle for the primary purpose of advertising without the previous consent of the council in writing.

### ***3. Ropes across street***

No person Shall place any rope, wire or pole across any street, or hang, or place anything whatsoever thereon without the previous consent of the council in writing.



#### **4. Barbed wire and dangerous fencing**

- 4.1** No owner or occupier of land Shall along any street or public place erect or cause, permit or cause to be erected, or Shall, after 60 days after promulgation of this by-law, have along such street or public place any barbed wire fence or any railing, paling, wall or other barrier which, by reason of spikes or other sharp or pointed protrusions or otherwise by reason of the nature of its construction or design, is or may become a danger to any member of the public lawfully using such street or public place.
- 4.2** Without prejudice in the duties and liabilities imposed by sub-section (1), the council may by notice, in writing, require the owner or occupier of land on which a fence, railing, paling, wall or other barrier which exists in contravention of subsection (1), at the date of promulgation of this by-law or is erected at any time thereafter, to remove it within such period being not less than three weeks as the notice may specify, and for every day or part thereof after the expiry of the period so specified, during which notice is not complied with, the said owner or occupier shall on conviction be liable to a fine not exceeding R3000.00(Three Thousand) or imprisonment for a period not exceeding 6(six) months or both.
- 4.3** Without prejudice to the penalty prescribed by subsection (2), the council may itself, immediately after the expiry of a notice referred to therein proceed to remove such fence, railing, paling, wall or other barrier and may recover the cost of so doing from such person.

#### **5. Protection of surface of roadway and sidewalk**

No person shall place upon, off-load on, or convey across a roadway or sidewalk any materials or goods unless he shall have taken adequate precautions to protect the surface of such roadway or sidewalk against damage.

#### **6. Cleanliness of streets and public places**

- 6.1** No person shall spill, drop or place or permit to be spilled, dropped or placed, in or on any street or public place any matter or substance that may interfere with the cleanliness of such street or public place, or cause annoyance, danger or accident to persons, animals, vehicles or other traffic using such street without removing it or causing it to be removed from such street forthwith.
- 6.2** No person shall spit in, urinate or upon any street or public place, or expose any private parts in the public place.

#### **7. Auction sale or morning market in street**

No person shall without the previous consent of the council in writing hold any auction sale or morning market in any street.

**8. Exposure of any article for Sale in street or public place**

No person other than a licensed hawker, pedlar or street trader or a person lawfully entitled to trade in any street or public place without taking out a licence, shall expose any article whatsoever in or upon or over any street or public place.

**9. Article placed in window facing street**

No person shall place any article likely to cause injury or damage to any person or property if it were to fall, in any window or other superstructure near any street without sufficiently safeguarding it against falling into the street.

**10. Playing in streets forbidden**

No person shall roll any hoop or fly any kite or throw stones or use any bow and arrow or by any means discharge any missile upon, over or across any street, or play any game thereupon or therein, or use any pushcart other than in the course of and for the purpose of a business.

**11. Extinguishing lamps and damaging public property**

No person shall wilfully or negligently extinguish the light of any lamp being the property of the council, or any manner interfere with such lamp, or deface, damage, remove, or in any way interfere with such lamp, or deface, damage, remove, or in any way interfere with any municipal or public property or work in or along any street.

**12. Shoeing, cleaning and repairing forbidden in streets**

No person shall by himself or his servant in any street or public place shoe any animal except in the case of accident, or clean, dress, train, break or turn loose any cattle, or clean or repair any part of a vehicle or motor vehicle except in case of accident or breakdown, or wash, dry or bleach any article or thing whatsoever.

**13. Excavations in streets**

No person shall make or cause to be made any hole, trench, pit or excavation in any street or remove any soil or metal therefrom without the previous consent of the council in writing.

**14. Defacing, marking or painting streets**

No person shall, except in the execution of his duty in any way deface, mark or paint any street or part thereof without the previous consent of the council in writing.

**15. Sweeping premises in or near streets**

**15. (1)** The occupier of premises adjoining any street shall not cause or permit:-

- a. any part of the sidewalk adjacent thereto to be swept unless and until such part shall have been adequately sprinkled with water;
- b. any dirt or refuse so swept to be thrown or in any way deposited in or upon any streets.

**2.** Any contravention of subsection (1) by any servant, agent or representative of the occupier shall be deemed to be a contravention by the occupier.

**16. Firing of a fire-arm, air-gun or air-pistol**

No person shall without lawful cause fire, a fire-arm, air-gun, or air-pistol within the municipality: Provided that this provision shall not apply in the case of:-

- a. a fire-arm during a bisley or target practice on a recognized shooting range;
- b. a fire-arm fired for the purpose of a sports meeting or practice; or
- c. a fire-arm, air-gun or air-pistol fired on land which is mainly used for agricultural purposes.

**17. Works or gestures likely to cause breach of peace**

No person shall use any threatening, abusive or insulting words or gestures of behavior in any street or public place whereby a breach of the peace is likely to be occasioned.

**18. Dangerous animals, reptiles or insects**

**18.1** No person shall without a permit issued by the council keep any wild or dangerous animal, reptile or insect which has an inherent propensity to attack human beings or the keeping of which is likely to become a nuisance or cause injuries to the health of or is fraught with danger to any person.

**18.2** Any animal, reptile or insect the keeping of which is prohibited in terms of subsection (1) may, if found at large, be destroyed by any police officer or responsible officer of the council.

**19. Singing or playing musical or noisy Instrument for profit**

No person shall for profit sound or play upon any musical or noisy instrument or sing in any street or public place, without the previous consent of the council in writing.

**20. Disturbance of public peace**

No person shall disturb the public peace in a street or public place or on private premises by making noises or causing them to be made by shouting, quarrelling, fighting, singing or playing any type of musical or noise-creating instrument or by means of a radio, loudspeaker or similar device, or by riotous, violent or immoral behaviour.

**21. Advertising by loudspeaker or other device**

**21. (1)** No person shall without the previous consent of the council in writing, play or permit the use of any loudspeaker or other audible device for the purpose of advertising on or adjacent to or which may be heard in any street or public place.

**(2)** No person shall after being required to desist by a police officer or authorised officer of the council persist in playing or operating such device.

**22. Advertising by means of advertising vehicles, sandwich boards or other devices**

**22. (1)** No person shall without the previous consent of the council in writing display or cause or allow to be displayed any advertisement by means of advertising vehicles, sandwich boards, lanterns, flags, screens or other movable advertising devices in or along any streets.

**(2)** No person shall display any advertisement or cause or allow it to be displayed on any public motor vehicle in such manner as to be readily visible to any person not upon such vehicle: Provided that an advertisement may be so displayed on the sides and back of any bus.

**(3)** The provisions of subsections (1) and (2) shall not be deemed to prevent public motor vehicle operator from advertising the transport service carried on by means of that vehicle on such vehicle.

**23. Loitering and touting at places of public entertainment**

No person shall unreasonably loiter, except when forming part of a queue or congregate in any street within 20m of the entrance to any place of public entertainment so as to obstruct or annoy persons proceeding to attending at or departing from such place of entertainment, neither shall any unauthorized person tout or solicit drivers of motor vehicles parking their motor vehicles at places of entertainment for the purpose of or under pretext of attending to same during the assembly thereat or the departure therefrom of the audience.

**24. Tree planting in public places**

No person shall plant any tree or shrub in any street without the previous permission of the council in writing.

**25. Erection of tents across streets**

No person shall erect a tent across any street without the previous consent of the council in writing

**26. Repeal of by-laws**

The provisions of any by-laws previously promulgated by the municipality or by any of the disestablished municipalities now incorporated in the municipality are hereby repealed as far as they relate to matters provided for in this by-law.

**27. Short title and commencement**

This by-law is called Makhado Local Municipality Public Nuisance By-law and shall come into operation on the date of publication thereof in the *Provincial Gazette*.

TES/lh/By-lawPublicNuisance

## PROVINCIAL NOTICE 59 OF 2016

**IMPORTANT NOTICE**

Notice is hereby given that the Makhado Municipality in terms of section 75 of the Local Government: Municipal Systems Act, No 32 of 2000. Publish the undermentioned By-laws and the effective date of operation shall be the 09<sup>th</sup> of December 2016.

1. Impoundment of Animal By-laws
2. Public Nuisance By-laws
3. street trading By-laws
4. Swimming Pool By-law

Civic Centre  
83 Krogh Street  
Private BagX2596  
MAKHADO  
0920

17 May 2016

Notice Number 55/2016  
File Number 1/3/62/1

**MR I P MUTSHINYALI  
MUNICIPAL MANAGER**

# **MAKHADO LOCAL MUNICIPALITY: POUND OF ANIMALS BY-LAWS**

**MAKHADO LOCAL MUNICIPALITY  
[NP344]**

**(Council Resolution A.59.28.04.16)**





The Municipal Manager of Makhado Local Municipality hereby in terms of section 13 of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) publishes the Impoundment of Animals: by-laws for the municipality as approved by its council, as set out hereunder.

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### 1. Definitions

In this by-law, unless the context otherwise indicates –

**"animal"** means any equine, bovine, sheep, goat, pig, fowl, ostrich, dog, cat or other domestic animal or bird, or any wild animal, wild bird or reptile which is in captivity or under the control of any person;

**"Camp"** means portion of the town lands fenced in by the Municipality and used for the purpose of keeping the pasturing stock.

"**cattle**" means bulls, cows, oxen, heifers, steers and calves;

"**goat**" means an adult male or female goat, a wether and a kid;

"**horse**" means a stallion, mare, gelding, colt, filly, donkey and mule;

"**Large stock**" means bull, cow, ox, heifer, calf (over one year), horse, mare, gelding, colt, filly, donkey or mule,

"**municipality**" means the Makhado Local Municipality, and includes any political structure, political office bearer, municipality or, duly authorised agent thereof or any employee thereof acting in connection with this by-law by virtue of a power vested in the municipality and delegated or sub-delegated to such political structure, political office bearer, municipality or, agent or employee;

"**occupier**" means any person in actual occupation of land or entitled as owner to occupy land;

"**owner**", in relation to an animal, includes any person having possession, charge, custody or control of such animal;

"**pound**" means a fenced-off area consisting of one or more camps under the control of a pound master, which was established by the municipality for the housing and care of animals which are astray, lost or at large;

"**pound fees**" means fees payable as approved by the Municipality from time to time;

"**pound master**" means a person who is an employee of the municipality;

"**proprietor**" means any owner, lessee, or occupier of land;

"**Pound master**" means an officer appointed:-

- a) A part-time or full-time employee of a Municipality, or
- b) Appointed under a service delivery agreement to keep and operate a pound,

"**Small stock**" means sheep and goats,

"**Stock**" means small stock and large stock,

"**sheep**" means a ram, an ewe, a wether and a lamb;

"**stallion**" means a male horse, donkey or mule not castrated or partially castrated;

"**veterinary surgeon**" means a person who is qualified as such in accordance with the provisions of the Veterinary and Para-Veterinary Professions Act, 1982 (Act 19 of 1982).

## **2. Legal Framework**

- Local Government Municipal Systems Act, Act 32 of 2000
- Traditional Leadership and Governance Framework Act, Act 41 of 2003

## **3. Purpose of by-law and establishment of pound**

- (1) The purpose of this by-law is to promote the achievement of a safe, and healthy environment for the benefit of residents within the area of jurisdiction of the municipality, and to provide for procedures, methods and practices to regulate the impoundment of animals.
- (2) The municipality may for the purpose of impounding animals establish a pound in its area of jurisdiction.

## **4. Prohibited Conduct**

- a. Every owner or occupier shall within the first 5(five) days of each and every month register such stock at the municipality's offices, take out a licence for the number of stock he intends to pasture or keep on the town lands during that month and pay in advance the charge per head of stock per calendar month or portion thereof as determined by the Municipality from time to time.
- b. Any animal for which no licence has been taken out as aforesaid and which has not been duly registered, may, if found on the town lands, be impounded forthwith by any member of the public, police, the Health Inspector or any duly authorized official of the Municipality.
- c. It shall be compulsory for every owner or possessor of stock to deregister stock, which may die, be stock died, was killed, sold, exchange or removed.
- d. The Municipality shall at all times, have the right to prohibit the pasturing or keeping of stock on the town lands.
- e. No animal suffering from any contagious or infections shall be allowed to graze or be at large on town lands, should any animal be found on the town lands suffering from a contagious or infectious disease the case shall immediately be reported to the police and the animal isolated at the owner's expense and subsequently dealt with in terms of the Animal Diseases and Parasites Act, 1958 and any regulations framed under the said Act.
- f. The Municipality have the right at any time by way of notice In writing, to call upon the owner of stock to round up all such stock kept or pastured by such person and to bring such stock on any specific day and hour to a place indicated in the notice and should such owner fail to do so, he shall be guilty of a contravention of these by-laws.

- g. No owner or person in charge of stock shall allow such stock to be in any street or on any sidewalk or open space, except where it shall be bona fide driven by competent and sufficient herdsman. Damages caused by such stock in any street, sidewalk, open space, or elsewhere, whether such stock as aforesaid is driven or not shall be recoverable from the owner or person having such animals under his control or in his possession.
- h. All persons pasturing or keeping animals on the town lands shall do so entirely at their own risk and the Municipality shall accept no liability for any damage, loss or injury suffered by any person or animal arising from the pasturing or keeping of any animal on the town lands.

**5. Impoundment for trespassing**

Any person may impound an animal found abandoned upon any street, road, road reserve or other public place.

**6. Pound to which animals are to be sent**

Any proprietor upon whose land an animal is found trespassing may send such animal to such pound as is nearest by a passable road or thoroughfare to the land trespassed upon, or such other pound designated by the municipality.

**7. Offer by owner before impoundment of animals**

The owner of an animal liable to impoundment may, before the animal is removed from the property trespassed upon, offer to the person complaining of the trespassing a sum of money in compensation of the damage suffered by him or her, and such offer may be made to the complainant himself or herself or to his or her servant or agent charged with the duty of taking the animal to the pound.

**8. Receiving of animals by pound master**

- (1) It is the duty of every pound master to receive into his or her charge, for impoundment, all animals brought to his or her pound, during such hours as the municipality may determine.
- (2) Any pound master who unreasonably refuses or fails to receive animals brought to his or her pound as aforesaid commits an offence and is, in addition, liable for any damage caused to the owner of the said animals, or to any other person, by reason of such refusal or failure.

**9. Receipt for impounded animals**

A pound master must give the person delivering an animal into his or her charge a written receipt, indicating the number and description of the animal so delivered, and specifying the trespassing for which the animal, as reported, is to be impounded.

**10. Enclosures**

A pound master must maintain in good repair and, as far as possible, free from all infection, separate enclosures for-

- (a) ostriches and horses;
- (b) cattle;
- (c) sheep, goats and pigs;
- (d) dogs; and
- (e) cats,

provided that a municipality may in regard to any pound in its area give permission to the pound master to maintain a smaller number of enclosures thereon.

**11. Destruction of dangerous or contagious animals**

- (1) A pound master may cause to be destroyed any impounded animal suffering from a contagious disease, or which may prove dangerous to human life or other animals impounded, however, no such animal may be destroyed unless a veterinary surgeon has examined it and has agreed with the pound master as to the necessity for its destruction.
- (2) A pound master who knows the name of the owner of an animal impounded in his or her pound, must inform the owner of such destruction.
- (3) If any animal suffering from a contagious disease is brought to the pound, or becomes infected while impounded, such animal must be kept separate from other impounded animals.

**12. Notice of impounded animals**

- (1) A pound master who knows the name of the owner of an animal impounded in his or her pound must forthwith give written notice to such owner that the said animal has been impounded.
- (2) Where the owner of an impounded animal is not known to the pound master, the pound master must upon receipt of such animal report the impoundment to the nearest South African Police Services offices and advertised by notice to the local newspaper.

**13. Keeping of pound register**

- (1) A pound master must keep a pound register with the following particulars:
  - (a) The date when, and the cause for which, all animals received by him are impounded;

- (b) the number and description of such animals;
  - (c) the name and residence of the person impounding such animals, and the name and residence of the owner or supposed owner;
  - (d) the date and particulars of the release or sale of the animals, as the case may be; and
  - (e) any other matters which he may be directed by the municipality to ascertain and record.
- (2) The entries under subsection (1)(a), (b) and (c) must be made at the time the animals are impounded and the entries under subsection (1)(d) and (e) must be made as soon as the pound master obtains the necessary information, provided that no entry may be made after the particulars in (a) to (e) has been placed in dispute by any person.
- (3) In case of the death or injury of any impounded animal, the pound master shall enter in his pound register a description of such animal and the cause of its death or injury.

#### **14. Inspection of and extracts from pound register**

A pound register must be kept at the pound or any other approved place and must at all reasonable times be open for inspection, free of charge, to any authorized officer of the municipality, veterinary surgeon, an authorised official in terms of the Animal Diseases Act, 1984 (Act 35 of 1984), any member of the police service or the public.

#### **15. Submission of pound register entries after pound sales**

A pound master must within 14 days after the date of each pound sale submit to the municipality a copy of all entries in his or her pound register made since the date of the preceding submission, and the municipality must preserve all such copies for inspection by any person desirous of seeing them.

#### **16. Inspection of pound register at place of sale**

Whenever a sale of impounded animals is to take place, the pound master or a person authorized to conduct the sale, must take the pound register with him or her to the place of sale, and such register must be open for inspection, free of charge, at the place of sale to all persons desirous of inspecting it. Adverts of sale and south African Police services.

#### **17. Pound master's fees**

- (1) The municipality may fix fees and charges or tariffs for the keeping of animals in a pound and may, in determining such fees and charges or tariffs, distinguish between different kinds of animals and provide for the keeping and feeding of animals in separate enclosures.

- (2) Every pound master is entitled to claim the fees and charges or tariffs determined by the municipality in terms of subsection (1) for every animal impounded by him or her in terms of this by-law.

#### **18. Fees payable**

- (1) The fees and charges or tariffs determined by the municipality in terms of section 15 must be paid to the pound master by the owner of the animals impounded.
- (2) The said fees and charges or tariffs, together with any costs which the pound master may have incurred, as well as such animals, which may be detained by the pound master in security of payment of the said fees and charges or tariffs, provided that if the value of the animals impounded is in excess of the total amount due thereon, as determined in terms of this by-law, and if the owner is unable to pay the said amount, the pound master may detain only so many of the said animals as may be sufficient to secure the total amount due for all the animals, and must deliver the remainder of the animals to the said owner.
- (3) A pound master who retains any greater number of such animals than is reasonably necessary to secure such amount is liable to the owner for any damages sustained by him or her on account of such retention.
- (4) If the pound master is an official of the municipality, he must pay the fees and charges or tariffs received by him or her in terms of this by-law into the revenue of the municipality.
- (5) No pound master may release any impounded animal until the prescribed fees and charges or tariffs have been paid to him or her.

#### **19. Notice of sale**

Every pound master must –

- (a) whenever any impounded animal has not been released within six days from the date of its impoundment, forward to the municipality a notice setting forth the species, marks and distinguishing features (if any) of such animal, and in regard to horses and cattle their colour also, and stating that the animal mentioned therein will be sold at the next sale of impounded animals, as well as the time and place of such sale;
- (b) upon sending such notice to the municipality, post a copy thereof in some or other conspicuous place at or near his or her pound, there to remain until the day of the sale; and
- (c) cause to be published in a newspaper circulating in the area of jurisdiction of the municipality where the pound is situated a notice of the sale of an impounded animal, provided that the cost of such notice is recoverable from the owner of the impounded animal and is deemed to be part of the amount to be deducted from the proceeds of the sale of an animal and it is recoverable from the owner of such animal if the said proceeds are less than the amount due, provided further that -



- (i) if such notice refers to more than one animal, the municipality shall in its discretion, divide the cost of such notice pro rata in respect of the animals referred to therein; and
- (ii) if the owner of an impounded animal is unknown, and the proceeds of the sale do not cover the amount as aforesaid, the municipality shall make good the deficiency.

## **20. Auctioneer**

- (1) Every sale of impounded stock must -
  - (a) be conducted by the pound master or some other person duly authorized thereto by the municipality; and
  - (b) commence at the time and date mentioned in the notice in terms of section 17(a).
- (2) No person conducting a pound sale may have any direct or indirect interest in any purchase at any sale so held by him or her.

## **21. Sale of animals**

At every such sale-

- (a) no animal may be put up for sale unless impounded for at least two weeks;
- (b) all animals, except sheep and goats must be sold individually;
- (c) sheep and goats must be sold in lots of not more than ten, and sheep and goats, or sheep or goats with different marks or brands shall in no circumstances be sold together in the same lot;
- (d) animals must be sold for cash, and the proceeds, less the amount of the pound fees and other fees, charges or tariffs payable in respect of such animals must forthwith upon receipt, be handed by the pound master to the municipality, to be paid to the owners of the animals sold according to their respective rights, provided that -
  - (i) any money, being the proceeds of the sale of any impounded animal as aforesaid, which remains in the hands of the municipality for a period of 12 months without being claimed by the owner of such animal, accrues to the municipality;
  - (ii) it shall be competent for any pound master, after compliance with the procedure prescribed by section 9, to cause to be destroyed any aged or otherwise permanently unfit animal presented at the pound;
  - (iii) if any animal dies in the pound and the owner cannot be traced, the expenses of burying the carcass shall be borne by the municipality;



- (iv) the municipality or an authorized officer may fix a reserve price for any animal offered for sale; and
- (v) the auctioneer may withdraw any animal from the sale if the highest bid received is not in his or her opinion satisfactory, irrespective of whether or not a reserve price has been fixed by the municipality.

## **22. Illegal impounding and penalties**

Any person who illegally impounds any animal commits an offence and is in addition liable to the owner for all damages, pound fees, compensation, cost and charges arising out of such proceeding, and for all charges, fees or tariffs in connection therewith.

## **23. Recovery of loss in respect of impounded animals from area of another municipality**

Any loss suffered as a result of the impounding of the animals and placed in a pound which is under the Municipal management and control of animals, fees and charges or tariffs determined by the municipality in terms of section 18 must be paid to the pound master by the owner of the animals impounded may be recovered from such municipality after such payment has been made.

## **24. Use, detention and ill-treatment of animals**

No person shall abusively drive away any animal found trespassing, worry or ill-treat it.

## **25. Offences and penalties**

Any person who -

- (a) contravenes or fails to comply with a provision of this by-law, whether or not such contravention or failure has been declared an offence elsewhere in this by-law;
  - (b) deliberately obstructs, hampers or handicaps any person in the exercise of any power or the performance of any duty or function in terms of any provision of this by-law; or
  - (c) furnishes false, incorrect or misleading information,
- commits an offence and is liable upon conviction to –
- (i) a fine or imprisonment, or either such fine or imprisonment, or to both such fine and such imprisonment; and
  - (ii) in the case of a continuing offence, to an additional fine or an additional period of imprisonment, or to such additional imprisonment without the option of a fine, or to both such additional fine and imprisonment for each day on which such offence is continued; and

- (iii) a further amount equal to any costs and expenses found by the court to have been incurred by the municipality as result of such contravention or failure.

## **26. Liaison forums in community**

- (1) The municipality may establish one or more liaison forums in a community for the purposes of –
  - (a) creating conditions for a local community to participate in the affairs of the municipality;
  - (b) encouraging a local community to participate in the affairs of the municipality; and
  - (c) promoting the achievement of a healthy environment.
- (2) A liaison forum may consist of –
  - (a) members of ward committee representing a traditional affairs interest, per region, a member of TAU, department of agriculture, african forums, association and Exco member responsible for common services;
  - (b) a member or members of a community in whose immediate area a pound exists;
  - (c) a designated official or officials of the municipality; and
  - (d) the councillor responsible for municipal pounds.
- (3)
  - (a) The municipality may, when considering an application for consent, permit or exemption certificate in terms of these By-laws, where applicable, request the input of a liaison forum.
  - (b) A liaison forum or any person or persons contemplated in subsection (2) may, on own initiative, submit an input to the municipality for consideration.

## **27. Traditional councils**

The municipality may vary in the spirit of liaison forum sections 4(1) and 5 of the Traditional Leadership and Governance Framework Act, 2003 (Act 41 of 2003), liaise with a traditional council regarding the implementation and enforcement of the provisions of these by-laws within the area of jurisdiction of such traditional council.

## **28. Exemptions**

- (1) Any person may by means of a written application, in which the reasons are given in full, apply to the municipality for exemption from any provision of these by-laws.
- (2) The municipality may –

- (a) grant an exemption in writing and the conditions in terms of which, if any, and the period for which such exemption is granted must be stipulated therein;
  - (b) alter or cancel any exemption or condition in an exemption; or
  - (c) refuse to grant an exemption.
- (3) An exemption does not take effect before the applicant has undertaken in writing to comply with all conditions imposed by the municipality under subsection (2)(a), however, if an activity is commenced before such undertaking has been submitted to the municipality, the exemption lapses.
- (4) If any condition of an exemption is not complied with, the exemption lapses immediately.

## 29. Short title and commencement

This by-law shall be known as the Makhado Local Municipality: Pound of Animals by-laws and shall come into operation on the date of publication thereof in the Provincial Gazette.

TES/lh/By-lawImpoundmentOfAnimals

## LOCAL AUTHORITY NOTICES • PLAASLIKE OWERHEIDS KENNISGEWINGS

### LOCAL AUTHORITY NOTICE 81 OF 2016

#### AMENDMENT SCHEMES

I, Theo Kotze, as the agent of the owner of the properties mentioned below, hereby give notice in terms of Section 56(1)(b)(i) of the Town Planning and Townships Ordinance (Ordinance 15 of 1986), read together with SPLUMA (Act 16 of 2013) that I have applied to the Musina municipality for the amendment of the town planning scheme known as the MUSINA LAND USE MANAGEMENT SCHEME 2010 by the rezoning of the Remainder & Portion 5 of Erf 787 Messina ext. 3 from "Business 1" to "Business 1" with an Annexure (Amendment scheme 327). The purpose of the application is to establish "limited payout gambling machines", as defined in Government notice No. R. 1425 of 21 December 2000 (Regulations on Limited payout machines under the National Gambling Act, Act No. 33 of 1996), in the existing bar on the mentioned premises. Particulars of the above application will lie for inspection during normal office hours at the office of the Municipal Manager, Civic Centre, Murphy street, for a period of 30 days from 27 May 2016. Objections to or representations in respect of the application must be lodged with or made in writing to the Municipal Manager at the above address or at Private Bag x611, Musina, 0090 within a period of 30 days from 27 May 2016. **LAND DEVELOPMENT APPLICATION:** I, Theo Kotze, being the duly authorized land development applicant, have lodged a land development application with the Thulamela local municipality. Application number allocated by municipality: Amendment scheme 11. The application was submitted in terms of section 28(1) Spatial Planning and Land Use Management Act, 2013 read together with sections 62(1) & 71 of the Thulamela Spatial Planning and Land Use Management By-law 2015, read together with Ordinance 15 of 1986. Application is made for the rezoning of Stands 960 & 970 Thohoyandou-F Ext 1 from "Residential 1" to "Residential 2" with simultaneous application for Special consent to increase the permitted density on the properties in order that a total of 8 flats / dwelling units can be erected on the consolidated property. Application is also made for consolidation of the mentioned properties. Particulars of the application will lie for inspection during normal office hours at the office of the Chief Town planner, Room 104, Civic Centre, Thohoyandou, for a period of 30 days from 27 May 2016. Objections to or representations in respect of the application must be lodged with or made in writing to the Municipal Manager at the above address or at Private bag x5066, Thohoyandou, 0950, within a period of 30 days from 27 May 2016. Agent: Developlan, Box 1883, Polokwane, 0700, Fax: 086 218 3267. [tecoplan@mweb.co.za](mailto:tecoplan@mweb.co.za)

27-03

**PLAASLIKE OWERHEID KENNISGEWING 81 VAN 2016****WYSIGINGSKEMAS**

Ek, Theo Kotze, as die gemagtigde agent van die eienaar van ondergemelde eiendomme, gee hiermee ingevolge artikel 56(1)(b)(i) van die Ordonnansie op Dorpsbeplanning en Dorpe (Ordonnansie 15 van 1986) saamgelees met SPLUMA (Wet 16 van 2013), kennis dat ek aansoek gedoen het vir die wysiging van die MUSINA LAND USE MANAGEMENT SCHEME 2010 deur die hersonering van die Restant & Gedeelte 5 van Erf 787 Messina uitbreiding 3 vanaf "Besigheid 1" na "Besigheid 1" met 'n bylaag (Wysigingskema 327). Die doel met die aansoek is om "limited pay-out gambling machines" in die bestaande kroeg op voormelde perseel te kan vestig. Die aard van voormelde masjiene sal wees soos gedefinieer in Kennisgewing No. R. 1425 van 21 Desember 2000 (Regulations on limited payout machines under the National Gambling Act, Wet no. 33 van 1996). Besonderhede van voormelde aansoek lê ter insae gedurende gewone kantoorure by die kantoor van die Munisipale Bestuurder, Burgersentrum, Murphystraat, Musina, vir 'n tydperk van 30 dae vanaf 27 Mei 2016. Besware teen of versoë ten opsigte van die aansoek moet binne 'n tydperk van 30 dae vanaf 27 Mei 2016 skriftelik by of tot die Munisipale Bestuurder by bovermelde adres of by Privaatsak x611, Musina, 0090, ingedien of gerig word. **GRONDONTWIKKELINGSAANSOEK:** Ek, Theo Kotze, synde die gemagtigde grondontwikkelaarsappikant, het 'n aansoek geloods by die Thulamela Plaaslike munisipaliteit. Aansoeknommer soos toegewys deur die munisipaliteit: Wysigingskema 11. Die aansoek is geloods ingevolge Artikel 28 van die Ruimtelike Beplanning & Grondgebruikbestuurswet, 2013 saamgelees met Afdeling 62(1) & 71 van die Thulamela Ruimtelike Beplanning en Grondgebruikbestuursbywet 2015 saamgelees met Ordonnansie 15 van 1986. Die aansoek behels die volgende: Die konsolidasie en hersonering van Erwe 960 & 970 Thohoyandou-F Uitbreiding 1 vanaf "Residensieel 1" na "Residensieel 2. Gelyktydig daarmee saam word aansoek gedoen vir spesiale toestemming sodat 'n totaal van 8 woonstelle / wooneenhede op voormelde gekonsolideerde perseel opgerig kan word. Besonderhede van die aansoek lê ter insae gedurende gewone kantoorure by die Hoof Stadsbeplanner, 1ste vloer, Kamer 104, Munisipale gebou, Thohoyandou, vir 'n tydperk van 30 dae vanaf 27 Mei 2016. Besware teen of versoë ten opsigte van die aansoek moet binne 'n tydperk van 30 dae vanaf 27 Mei 2016 skriftelik by of tot die Munisipale Bestuurder by bovermelde adres of by Privaatsak x5066, Thohoyandou 0950, ingedien of gerig word. Adres van agent: Developlan, Posbus 1883, Polokwane, 0700, Faks: 086 218 3267. [tecoplan@mweb.co.za](mailto:tecoplan@mweb.co.za)

27-03

**LOCAL AUTHORITY NOTICE 83 OF 2016****MAKHADO AMENDMENT SCHEME 215****NOTICE OF APPLICATION FOR THE AMENDMENT OF THE MAKHADO LAND USE SCHEME, 2009 IN TERMS OF SECTION 56(1) (B) (I) OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE NO 15 OF 1986) READ TOGETHER WITH SPATIAL PLANNING AND LAND USE MANAGEMENT ACT 2013 ( ACT 16 OF 2013)**

Rirothe Planning Consulting, being the authorised agent of the owner of the Erf mentioned below, hereby give notice in terms of Section 56(1)(b)(i) of the Town Planning and Townships Ordinance, 1986 (Ordinance No 15 of 1986) read together with Spatial Planning and Land Use Management Act 2013 ( Act 16 of 2013) that we have applied to the Makhado Municipality for the amendment of the Land Use Scheme known as the Makhado Land Use Management Scheme, 2009 that we have applied to the Makhado Municipality for the rezoning of the portion 1 of Erf 1312, situated at Ha-Tshikota-A (Fleifontein) from "Municipal" to "Resort" for the purpose of resort and also apply clause 22 of the above mentioned scheme for the purpose of conference facilities and clause 23 for place amusement .

Particulars of the application will lie for inspection during normal office hours at the Office of the Director Planning and Development, Makhado Local Municipality, Louis Trichardt for a period of 28 days from 27 May 2016. Objections to or representations in respect of the application must be lodged with or made in writing to the Municipal Manager at the above address or Private Bag X2596, Louis Trichardt , 0920 within a period of 28 days from 27 May 2016 .

Address of Agent:  
662 Seshogo Zone 8,  
Polokwane 0699  
PO Box 5  
Tshidimbini 0972  
Tel: 0842870467  
Fax: 0866096110  
27-3

**PLAASLIKE OWERHEID KENNISGEWING 83 VAN 2016****MAKHADO WYSIGINGSKEMA 215****KENNISGEWING VAN AANSOEK OM WYSIGING VAN DIE MAKHADO GRONDGEBRUIKSKEMA, 2009 INGEVOLGE ARTIKEL 56 (1) (b) (i) VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986 (ORDONNANSIE NO 15 VAN 1986) SAAMGELEES MET RUIMTELIKE BEPLANNING EN GRONDGEBRUIKBESTUURSKEMA WET 2013 (Wet 16 van 2013)**

Rirothe Beplanning Consulting, synde die gemagtigde agent van die eienaar van die ondergenoemde erf, gee hiermee ingevolge Artikel 56 (1) (b) (i) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie No 15 van 1986) saamgelees met Ruimtelike Beplanning en Grondgebruikbestuur Wet 2013 (Wet 16 van 2013) kennis dat ons by die Makhado Munisipaliteit aansoek gedoen het om die wysiging van die Grondgebruikskema bekend as die Makhado Grondgebruikskema, 2009 kennis dat ons by die Makhado Munisipaliteit vir die hersonerig van gedeelte 1 van Erf 1312, gelee te Ha-Tshikota-A (Fleifontein) vanaf "Munisipaal" na "oord" vir die doel van oord en is ook van toepassing klousule 22 van die bogenoemde skema vir die doel van konferensie fasiliteite en klousule 23 vir 'n plek vermaak.

Besonderhede van die aansoek le ter insae gedurende gewone kantoorure by die kantoor van die Direkteur Beplanning en Ontwikkeling, Makhado Plaaslike Munisipaliteit, Louis Trichardt vir 'n tydperk van 28 dae vanaf 27 Mei 2016. Besware teen of vertoe ten opsigte van die aansoek moet binne ingedien of gerig word aan die Munisipale Bestuurder by bovermelde adres of Privaatsak X2596, Louis Trichardt, 0920 binne 'n tydperk van 28 dae vanaf 27 Mei 2016.

Adres van agent:  
662 Seshego Sone 8,  
Polokwane 0699  
Posbus 5  
Tshidimbini 0972  
Tel: 0842870467  
Faks: 0866096110  
27-3

**LOCAL AUTHORITY NOTICE 84 OF 2016****POLOKWANE / PERSKEBULT TOWN PLANNING SCHEME, 2007****AMENDMENT SCHEME 559****NOTICE FOR REZONING FROM "INSTITUTIONAL" TO "RESIDENTIAL 1"**

I, Timothy Tshilidzi Mudzielwana of Fulwana Planning Consultants cc, being the authorized agent of the registered owner of Erf 628 Seshego C, Township Registration Division LS, Limpopo Province, hereby give notice in terms of Section 56(1)(b)(i) of the Town Planning and Townships Ordinance (Ordinance 15 of 1986) read together with Spatial Planning and Land Use Management Act 16 of 2013, that I have made an application to the Polokwane Local Municipality for the amendment of the Polokwane/Perskebult Town Planning Scheme, 2007, by rezoning of the property described above from Institutional" to "Residential 1".

The application and the relevant documents of are open for inspection during normal office hours at the office of Town Planner, First Floor, Room 125 Civic Center, and Polokwane municipality for the period of 28 days from the 27<sup>th</sup> of May 2016.

Objections and/or comments or representation in respect of the application must be lodged with or made in writing to the Municipal Manager at the above address or at P.O.BOX 111, Polokwane, 0700 within 28 days from the 27<sup>th</sup> May 2016.

Address of Authorized Agent: Fulwana Planning Consultants cc, P.O.Box 55980, Polokwane, 0700, Tel: 015 297 6060, Fax: 015 297 4040/0866635119, Cell: 072 426 6537

27-3

**PLAASLIKE OWERHEID KENNISGEWING 84 VAN 2016****POLOKWANE / PERSKEBULT DORPSBEPLANNINGSKEMA , 2007****WYSIGINGSKEMA 559****KENNISGEWING VIR hersonering vanaf " Inrigting" na "Residensieel 1 "**

Ek , Tshilidzi Timothy Mudzielwana van die firma Fulwana Planning Consultants CC , synde die gemagtigde agent van die geregistreerde eienaar van Erf 628 Seshego C , Dorpsgebied Registrasie Afdeling LS , Limpopo Provinsie , gee hiermee ingevolge Artikel 56 ( 1 ) ( b ) ( i ) van die Ordonnansie op Dorpsbeplanning en Dorpe ( Ordonnansie 15 van 1986 ) saamgelees met Ruimtelike Beplanning en Grondgebruikbestuur Wet 16 van 2013 , dat ek aansoek gedoen het by die Polokwane Plaaslike Munisipaliteit vir die wysiging van die Polokwane / Perskebult Dorpsbeplanningskema , 2007 , deur die hersonering van die eiendom hierbo beskryf vanaf Inrigting " na " Residensieel 1 " .

Die aansoek en die betrokke dokumente van is ter insae gedurende gewone kantoorure by die kantoor van die Stadsbeplanner, Eerste Vloer , Kamer 125 Burgersentrum , en Polokwane Munisipaliteit vir die tydperk van 28 dae vanaf die 27 Mei 2016 .

Besware en / of kommentaar of verhoë ten opsigte van die aansoek moet sodanige beswaar of voorlegging op skrif aan die Munisipale Bestuurder by bovermelde adres of by P.O.BOX 111 , Polokwane , 0700 binne 28 dae vanaf die 27 Mei 2016 .

Adres van gemagtigde agent : Fulwana Planning Consultants CC , P .O .Box 55980 , Polokwane , 0700 , Tel : 015 297 6060 , Faks : 015 297 4040/0866635119 , Cell : 072 426 6537 .

27-3

**LOCAL AUTHORITY NOTICE 86 OF 2016**

**EPHRAIM MOGALE LOCAL MUNICIPALITY  
TARIFFS BY-LAW**



**Ephraim Mogale Local Municipality  
TARIFFS BY-LAW**

**EPHRAIM MOGALE LOCAL MUNICIPALITY  
TARIFFS BY-LAW**

**EPHRAIM MOGALE LOCAL MUNICIPALITY  
TARIFFS BY-LAW**

**Ephraim Mogale Local MUNICIPALITY**

Notice is hereby given in terms of section 13 of the Local Government : Municipal Systems Act, 2000 (Act 32 of 2000) that the Council of Ephraim Mogale Local Municipality has made the by laws set out hereunder:

**TARIFFS BY-LAWS**

**WHEREAS** section 75A of the Local Government : Systems Act, 2000 (Act 32 of 2000) authorizes a municipality to levy and recover fees, charges or tariffs in respect of any function or service of the municipality, and to recover collection charges and interest on any outstanding amount.

**AND WHEREAS** Section 229(1) of the Constitution of the Republic of South Africa authorizes a municipality to impose-

- Rates on property and surcharges on fees for services provided by or on behalf of the municipality.
- If authorized by the national legislation, other taxes, levies and duties appropriate to local government

**AND WHEREAS** in terms of section 74(1) of the Systems Act, a municipal council must adopt and implement a tariff policy on the levying of fees for a municipal service provided by the municipality or by way of service delivery agreements which complies with the provisions of the Systems Act, the Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003) and any other applicable legislation.

**AND WHEREAS** in terms of section 75(1) of the Systems Act, a municipal council must adopt by-laws to give effect to the implementation and enforcement of its tariff policy.

**AND WHEREAS** in terms of section 75(2) of the Systems Act, by-laws adopted in terms of subsection 75(1) may differentiate between different categories of users, debtors, service providers, services, service standards and geographical areas as long as such differentiation does not amount to unfair discrimination.

**NOW THEREFORE** be it enacted by the Municipality of Ephraim Mogale as follows:

**EPHRAIM MOGALE LOCAL MUNICIPALITY  
TARIFFS BY-LAW**



## EPHRAIM MOGALE LOCAL MUNICIPALITY TARIFFS BY-LAW

### 1. Interpretation

In this By-laws, unless the context otherwise indicates-

**“Municipality”** means the Ephraim Mogale Local Municipality;

**“Tariff policy”** means a tariff policy adopted by the Municipality in terms of the Systems Act and this By-laws;

**“Constitution”** means the Constitution of the Republic of South Africa, 1996 (Act 107 of 1996);

**“Credit Control and Debt Collection By-laws and Policy”** means the Municipality's Credit Control and Debt Collection By-laws and Policy as required by sections 96(b), 97 and 98 of the Systems Act;

**“Systems Act”** means the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000).

**“tariff”** means fees, charges, or any other tariffs levied by the Municipality in respect of any function or service provided by the Municipality, excluding rates levied by the Municipality in terms of the Local Government : property Rates Act, 2004 (Act 6 of 2004).

### 2. Adoption and implementation of the tariff policy

- (1) The Municipality shall adopt and implement a tariff policy on the levying of fees for a municipal service provided by the municipality or by way of service delivery agreements which complies with the provisions of the Systems Act, the Local Government : Municipal Finance Management Act, 2003 (Act 56 of 2003) and any other applicable legislation.
- (2) The Municipality shall not be entitled to impose tariffs other than in terms of a valid tariff policy.

### 3. Content of tariff policy

The Municipality's tariff policy shall, *inter alia*:

- (1) apply to all tariffs imposed by the Municipality pursuant to the adoption of the Municipality's annual budget;
- (2) reflect the principles referred to in section 74(2) of the Systems Act and specify any further principles for the imposition of tariffs which the Municipality may wish to adopt;

## EPHRAIM MOGALE LOCAL MUNICIPALITY TARIFFS BY-LAW

**EPHRAIM MOGALE LOCAL MUNICIPALITY  
TARIFFS BY-LAW**

- (3) specify the manner in which the principles referred to in section 74(2) are to be implemented in terms of the tariff policy;
- (4) specify the basis of differentiation, if any, for tariff purposes between different categories of users, debtors, service providers, services, service standards and geographical areas as long as such differentiation does not amount to unfair discrimination;
- (5) include such further enforcement mechanism, if any, as the Municipality may impose in addition to those contained in the Credit Control and Debt Collection Bylaws and Policy;

**4. Guiding principles in the determination of tariffs.**

In the determination of tariffs the Council shall be guided by the following principles:

- Tariffs shall be equitable and affordable in that the amount due for municipal services should generally be in proportion to their use of that service;
- Tariffs shall support national macro-economic policies and shall incorporate visions, strategies and economic policies of the Republic of South Africa.
- Tariffs shall be cost effective and cost reflective and should reflect the cost reasonably associated with rendering municipal services, including capital, operating, maintenance, administration, replacement costs and financing charges;
- Tariffs shall promote the sustainability of the provision of municipal services.

**5. Application of By-Law**

This by-law shall only apply to tariffs as determined by council –

Fees, surcharges on fees, charges and tariffs in respect of municipal services, such as provision of –

- Refuse removal
- Electricity both consumption and prepaid
- All other related costs for services rendered
- Interest which has accrued or will accrue in respect of money due and payable to council
- Collection charges in those cases where the council is responsible for the rendering of municipal accounts in respect of any one or more municipal services.

**EPHRAIM MOGALE LOCAL MUNICIPALITY  
TARIFFS BY-LAW**

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**EPHRAIM MOGALE LOCAL MUNICIPALITY  
TARIFFS BY-LAW**

- The collection charges relating to the recovery of amounts due and payable in respect of thereof, irrespective whether the municipal services, or any of them are provided by the council itself or by a service utility with which it has concluded service provider agreement to provide on the municipality's behalf.

**6. Enforcement of tariff policy**

The Municipality's tariff policy shall be enforced through the Credit Control and Debt Collections By-laws and Policy and any further enforcements mechanisms stipulated in the Municipality's tariff policy.

This By-laws shall be called the Tariffs By-laws of Ephraim Mogale Local Municipality.

**7. Operative date**

This By-laws shall take effect on the date of publication in the national Gazette.

**EPHRAIM MOGALE LOCAL MUNICIPALITY  
TARIFFS BY-LAW**

**LOCAL AUTHORITY NOTICE 87 OF 2016****MAKHADO LAND USE MANAGEMENT SCHEME, 2009****AMENDMENT SCHEMES 212, 213, 214 AND 216**

I, Ronewa Murulane being the authorised agent of the owners of the properties mentioned below, hereby give notice in terms of Section 63(1) and 93(1)(a), (2)(a) read together with schedule 22 of the Makhado Municipality Spatial Planning, Land Development and Land Use Management By-Law, 2016 that I have applied to the Makhado Municipality for the amendment of the Makhado Land Use Scheme, 2009 in the following manner: **(a)** Makhado Amendment Scheme **212**: By rezoning **Portion 16 of erf 4285**, Louis Trichardt Extension 4 (First Avenue Street) from "Residential 2" to "Residential 3", simultaneously with an application in terms of Clause 14 (14.2) and Clause 22 (22.1.2) of the Makhado Land Use Scheme, 2009 to increase the density to more than 65 units per hectare for the purpose of dwelling units. **(b)** Makhado Amendment Scheme **213**: By rezoning **erf 1625**, Louis Trichardt Extension 1 (167 Hertzog and 30 Bergh Streets) from "Residential 1" to "Special" for the purpose of Overnight Accommodation. **(c)** Makhado Amendment Scheme **214**: By rezoning Remainder of Portion 1 and Portion 2 (a Portion of Portion 1) of erf 739, Louis Trichardt (60 Jeppe Street) from "Residential 1" to "Residential 2", simultaneously with an application in terms of Clause 14 (14.2) and Clause 22 (22.1.2) of the Makhado Land Use Scheme, 2009 to increase the density to 45 units per hectare and Section 72(2) of Makhado Municipality Spatial Planning, Land Development and Land Use Management By-Law, 2016 for the consolidation of Remainder of Portion 1 with Portion 2 (a Portion of Portion 1) of erf 739, Louis Trichardt. The purpose is to use the property for dwelling units. The purpose is to use the property for uses permitted under "Business 1". **(d)** Makhado Amendment Scheme **216**: By rezoning Portion 1 of Erf 834, Louis Trichardt Township from "Residential 1" to "Residential 2", simultaneously with an application in terms of Clause 14 (14.2) and Clause 22 (22.1.2) of the Makhado Land Use Scheme, 2009 to increase the density to 45 units per hectare

Particulars of the applications will lie for inspection during normal office hours as the office of the Director Development Planning, 1<sup>st</sup> floor, Civic Centre, 83 Krogh Street, Makhado, for a period of 28 days from 3<sup>rd</sup> June 2016. Objection to or representations in respect of the applications must be lodge with or made in writing to the Director, Municipal Secretariat at the above address or at Private Bag X 2596, MAKHADO, 0920 within a period of 28 days from 3<sup>rd</sup> June 2016.

Address of Agent: 156 Bendor Drive, 10 Hanani Park, Bendor, 0699

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**PLAASLIKE OWERHEID KENNISGEWING 87 VAN 2016****MAKHADO GRONDGEBRUIKSKEMA, 2009****WYSIGINGSKEMA 212, 213, 214 AND 216**

Ek, Ronewa Murulane, synde die gemagtigde agent van die eienaars van ondergenoemde eiendomme gee hiermee ingevolge Artikel 63(1) en artikel 93(1)(a) & (2)(a) saamgelees met skedule 22 van die Makhado Munisipaliteit Ruimtelike Beplanning, Grondontwikkeling en Grondgebruikstuur Verordening, 2016 kennis dat ek as volg by die Makhado Munisipaliteit aansoek gedoen het om die wysiging van die Makhado Grondgebruikskema, 2009: **(a)** Makhado Wysigingskema **212**: Hersonerings van Gedeelte 16 van Erf 4285, Louis Trichardt Uitbreiding 4 (Eerste Laan) van "Residensieël 2" na "Residensieël 3" en gesamentlik ingevolge Klousule 14 (14.2) en Klousule 22 (22.1.2) van die Makhado Grondgebruikskema, 2009 om die residensiële digtheid te verhoog na meer as 65 eenhede per hektaar vir die doeleindes van oprigting van wooneenhede. **(b)** Makhado Wysigingskema **213**: Hersonerings van Erf 1625, Louis Trichardt Uitbreiding 1 (Hertogstraat 167 & Bergstraat 30) van "Residensieël 1" na "Spesiaal" vir oornagakkommodasie. **(c)** Makhado Wysigingskema **214**: Hersonerings van die Restant van Gedeelte 1 en Gedeelte 2 ('n gedeelte van Gedeelte 1) van Erf 739, Louis Trichardt (Jeppestraat 60) van "Residensieël 1" na "Residensieël 2" en gesamentlik ingevolge Klousule 14 (14.2) en Klousule 22 (22.1.2) van die Makhado Grondgebruikskema, 2009 om die residensiële digtheid te verhoog na 45 eenhede per hektaar en gesamentlik ingevolge Artikel 72(2) van Makhado Munisipaliteit Ruimtelike Beplanning, Grondontwikkeling en Grondgebruikstuur Verordening, 2016 vir die konsolidasie van die Restant van Gedeelte 1 met Gedeelte 2 ('n gedeelte van Gedeelte 1) van Erf 739, Louis Trichardt, vir die doeleindes van oprigting van wooneenhede. **(d)** Makhado Wysigingskema **216**: Hersonerings van die Gedeelte 1 van Erf 834, Louis Trichardt Township van "Residensieël 1" na "Residensieël 2" en gesamentlik ingevolge Klousule 14 (14.2) en Klousule 22 (22.1.2) van die Makhado Grondgebruikskema, 2009 om die residensiële digtheid te verhoog na 45 eenhede per hektaar

Besonderhede van die aansoek lê ter insae gedurende gewone kantoorure by die kantoor van die Direkteur: Ontwikkeling en Beplanning, Eerste Vloer, Makhado Munisipaliteit (Burgersentrum), 83 Kroghstraat, Makhado, vir 'n tydperk van 28 dae vanaf 3 Junie 2016. Besware teen of verhoë ten opsigte van die aansoek moet binne 'n tydperk van 28 dae vanaf 3 Junie 2016 skriftelik by of tot die Direkteur, Ontwikkeling & Beplanning, by bovermelde adres of by Privaatsak X2596, MAKHADO, 0920, ingedien of gerig word.

Adres van Agent: Bendor Rylaan 156, Hanani Park Nr. 10, Bendor, 0699

03-10

## LOCAL AUTHORITY NOTICE 88 OF 2016

**THABAZIMBI LOCAL MUNICIPALITY**  
**NOTICE OF APPLICATION FOR ESTABLISHMENT OF A TOWNSHIP**

The Thabazimbi Local Municipality hereby gives notice in terms of Section 16(4) of the Thabazimbi Land Use Management By-Law, 2015, read together with the relevant provisions of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) and Regulations as promulgated, that an application to establish the township referred to in the Annexure hereto, has been received.

Particulars of the application will lie open for inspection during normal office hours at the office of the Administrator, Thabazimbi Municipality, 7 Rietbok Street, Thabazimbi, for a period of 28 days from 3 June 2016.

Objections to or representations in respect of the application must be lodged with or made in writing and in duplicate to the Administrator, Thabazimbi Municipality, at the above address or at Private Bag X530, Thabazimbi, 0380 within a period of 28 days from 3 June 2016.

**ANNEXURE***Name of township:*

Thabazimbi Extension 69

*Full name of the applicant:*Plan Wize Town and  
Regional Planners on behalf  
of the registered owner*Number of erven in proposed township:*

"Residential 1"

1 58 erven

"Business 1"

2 erven

"Institutional"

1 erf

"Private Open Space"

3 erven

"Special" for Private Access and Access control (Streets)

1 erf (15,66% of Township)

*Description of the land:*

Portion 6 of the farm Apiesdoorn, 316-KQ, Limpopo Province

*Situation of proposed township:*

The development area is located west adjacent to the Thabazimbi Industrial area, Thabazimbi Extension 7 and south of the residential township, Thabazimbi Extension 9. The township area is approximately 1,5km from the Thaba Mall and approximately 2km from the Thabazimbi Central Business District.

**ADV. J.L. THUBAKGALE,** Administrator, Municipal Offices, Private Bag X530, Thabazimbi, 0380

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## PLAASLIKE OWERHEID KENNISGEWING 88 VAN 2016

**THABAZIMBI PLAASLIKE MUNISIPALITEIT  
KENNISGEWING VAN AANSOEK OM STIGTING VAN DORP**

Die Thabazimbi Plaaslike Munisipaliteit gee hiermee ingevolge Klousule 16(4) van die Thabazimbi Bywet op Grondgebruikbestuur, 2015, saamgelees met die relevante bepalings van die Wet op Ruimtelike Beplanning en Grondgebruikbestuur, 2013 (Wet 16 van 2013) (SPLUMA) en Regulasies soos gepromulgeer, kennis dat 'n aansoek om die dorp in die Bylae hierby genoem, te stig deur hom ontvang is.

Besonderhede van die aansoek lê ter insae gedurende gewone kantoorure by die kantoor van die Administrateur, Thabazimbi Munisipaliteit, 7 Rietbokstraat, Thabazimbi vir 'n tydperk van 28 dae vanaf 3 Junie 2016.

Besware teen of versoë ten opsigte van die aansoek moet binne 'n tydperk van 28 dae vanaf 3 Junie 2016 skriftelik en in tweevoud by of tot die Administrateur, Thabazimbi Munisipaliteit, by bovermelde adres of by Privaat Sak X530, Thabazimbi, 0380 ingedien of gerig word.

**BYLAE**

*Naam van dorp:*

*Volle naam van aansoeker:*

Thabazimbi Uitbreiding 69  
Plan Wize Stads en  
Streekbeplanners namens  
die geregistreerde eienaar

*Aantal erwe in voorgestelde dorp:*

"Residensieel 1"

158 erwe

"Besigheid 1"

2 erwe

"Inrigting"

1 erf

"Privaat Oopruimte"

3 erwe

"Spesiaal" vir Privaat Toegang en

Toegangsbeheer (Strate)

1 erf (15,66% van Dorp)

*Beskrywing van grond:*

Gedeelte 6 van die plaas Apiesdoorn, 316-KQ, Limpopo Provinsie

*Ligging van voorgestelde dorp:*

Die ontwikkelingsarea is geleë wes aangrensend tot die Thabazimbi Industriële gebied, Thabazimbi Uitbreiding 7 en suid van die residensiële dorp, Thabazimbi Uitbreiding 9. Die dorpsgebied is ongeveer 1,5km van die Thabazimbi Mall en ongeveer 2km van die Thabazimbi Sentrale Besigheidsgebied.

**ADV. J.L. THUBAKGALE**, Administrateur, Munisipale Kantore, Privaat Sak X530, Thabazimbi, 0380

3-10

**LOCAL AUTHORITY NOTICE 89 OF 2016****MAKHADO LAND- USE SCHEME, 2009****AMENDMENT SCHEME 211****NOTICE FOR REZONING OF ERF 3443 LOUIS TRICHARDT EXTENSION 4**

I, Timothy Tshilidzi Mudzielwana of Fulwana Planning Consultants, being the authorized agent of the registered owners of Erf 3443 Louis Trichardt Extension 4 Township Registration Division LS, Limpopo Province, hereby give notice in terms of Town Planning and Township Ordinance 15 of 1986 read together with Spatial Planning and Land Use Management Act 16 of 2013 for the amendment of Makhado Land-Use Scheme, 2009, that I have lodged an application to the Makhado Local Municipality for rezoning from "Residential 1" to "Residential 3" and a simultaneous relaxation of density from 45 units/ha to 65 units/ha in terms of clause 22 for the purpose of erecting 4 dwelling units on the above mentioned property.

Plans and Particulars of the application will lie for inspection during normal office hours at the office of the Manager, Town Planning services, First floor, Municipal offices, Louis Trichardt for the period of 28 days from the 3<sup>rd</sup> June 2016.

Objections and/or comments or representation in respect of the application must be lodged with or made in writing to the Municipal Manager at the above address or Private Bag X2596, Louis Trichardt, 0920 for the period of 28 days from 3<sup>rd</sup> of June 2016.

**Address of the applicant:** Fulwana Planning Consultants, P.O. Box 55980, Polokwane, 0700, Tel: 015 297 6060, Fax: 015 297 4040/ 0866635119, Cell: 072 426 6537.

3-10

**PLAASLIKE OWERHEID KENNISGEWING 89 VAN 2016****MAKHADO GRONDGEBRUIK SCHEME, 2009****WYSIGINGSKEMA 211****KENNISGEWING OM HERSONERING VAN ERF 3443 LOUIS TRICHARDT UITBREIDING 4**

Ek, Tshilidzi Timothy Mudzielwana van die firma Fulwana Planning Consultants, synde die gemagtigde agent van die geregistreerde eienaar van Erf 3443 Louis Trichardt Uitbreiding 4 Dorpsgebied, Registrasie Afdeling LS, Limpopo Provinsie, gee hiermee in terme van Ordonnansie op Dorpsbeplanning en Dorpe 15 van 1986 saamgelees met ruimtelike Beplanning en Grondgebruikbestuur Wet 16 van 2013 vir die wysiging van Makhado Land - Use Scheme, 2009, dat ek 'n aansoek om die Makhado Plaaslike Munisipaliteit om hersonering vanaf "Residensieel 1" na "Residensieel 3" en 'n gelyktydige verslapping van ingedien digtheid van 45 eenhede / ha tot 65 eenhede / ha in terme van klousule 22 vir die doel van die oprigting van 4 wooneenhede op die bogenoemde eiendom.

Planne en besonderhede van die aansoek lê ter insae gedurende gewone kantoorure by die kantoor van die Bestuurder, Stadsbeplanning, Eerste vloer, Munisipale kantore, Louis Trichardt vir die tydperk van 28 dae vanaf die 3 Junie 2016.

Besware en / of kommentaar of versoë ten opsigte van die aansoek moet sodanige beswaar of voorlegging op skrif aan die Munisipale Bestuurder by bovermelde adres of Privaatsak X2596, Louis Trichardt, 0920, vir die tydperk van 28 dae vanaf 3 Junie 2016.

**Adres van die aansoeker:** Fulwana Planning Consultants, postkantoor .Box 55980, Polokwane, 0700, Tel : 015 297 6060, Faks : 015 297 4040 / 0866635119, Cell : 072 426 6537.

3-10



**LOCAL AUTHORITY NOTICE 90 OF 2016****NOTIFICATION OF SUBMISSION OF THE REZONING OF ERF 49 THOHYANDOU-R.**

I, Tshilidzi Timothy Mudzielwana of Fulwana Planning Consultants cc have lodged a land development application in terms of the Spatial Planning and Land Use Management Act, 16 of 2013 read together with section 62(1) of Thulamela Spatial Planning and Land use Management by law 2015 for the Rezoning of Erf 49 Thohoyandou-R from "Residential 1" to "Special" for Overnight Accommodation

The relevant plan(s), document(s) and information are available for inspection at the office of the Senior Manager: Planning and Economic Development, Thulamela local Municipality, first floor, Thohoyandou for a period of 30 days from (the 3<sup>rd</sup> of June 2016 and any objection or representation pertaining to the land development application must be submitted in writing to the Municipal Manager to P.O. Box 5066, Thohoyandou, 0950 before the expiry of the 30 day-period or to the offices of the Thulamela municipality during office hours from 07h45 to 16h30.

**Address of the applicant:** Fulwana Planning Consultants, P.O. Box 55980, Polokwane, 0700, Tel: 015 297 6060, Fax: 015 297 4040/ 0866635119, Cell: 072 426 6537.

3-10

**NDIVHADZO YA KHUMBELO YA U SHANDUKISA KUSHUMISELE KWA MAVU A DIVHEAHO SA ERF 49 THOHYANDOU-R.**

Nne, Tshilidzi Timothy Mudzielwana wa Fulwana Planning Consultants cc ndo ita khumbelo uya nga ha mulayo wa Spatial Planning and Land Use Management act, 16 of 2013 khathihi na khethekanyo 62(1) ya Thulamela Spatial Planning and Land Use Management by law 2015 ya u shandukisa kushumisele kwa mavu a divheaho sa Erf 49 Thohoyandou-R ubva kha "Residential 1" uya kha "Special" hu u itela u fhata fhethu ha u edela ha tshifhinganyana.

Pulane na manwalo a yelanaho na khumbelo iyi zwi wanala kha ofisi ya minidzhere muhulwane wa: kudzudzanyele na mvelaphanda, kha luta lwa u thoma kha masipala wa Thulamela Thohoyandou lwa tshifhinga tshi edanaho maduvha a Furaru (30) u bva nga duvha la 03 Fulwi 2016, vha na mbilaelo malugana na iyi khumbelo vha nwalele minidzhere wa masipala wa Thulamela kha diresi itevhelaho: P.O. Box 5066, Thohoyandou, 0950 kana vha ise ofisini ya zwa mvelaphanda nga tshifhinga tsha mushumo vhukati ha 07h45 na 16h30.

**Diresi ya dzhendedzi lire mulayoni malugana na iyi khumbelo:** Fulwana Planning Consultants, P.O.Box 55980, Polokwane, 0700. Tel: (015) 297 6060. Fax: (015) 297 4040/086 663 5119.

3-10

**LOCAL AUTHORITY NOTICE 91 OF 2016****MAKHADO LOCAL MUNICIPALITY  
NOTICE OF APPLICATION FOR ESTABLISHMENT OF TOWNSHIP**

The Makhado Municipality hereby gives notice in terms of Section 56 of the Makhado Municipality Spatial Planning, Land Development and Land Use Management By-Law, 2016 that it intends formalising the existing settlement Matshavhawe by means of township establishment, consisting of erven as referred to in the annexure hereto, on a portion of the farm Bloemfontein 223 M.T., Limpopo Province.

Particulars of the application will lie for inspection during normal office hours at the office of the Director: Development & Planning, 1<sup>st</sup> Floor, Makhado Municipality (Civic Centre), Makhado (Louis Trichardt), 83 Krogh Street, for a period of 30 days from 03 June 2016.

Objections to or representations in respect of the application must be lodged with or made in writing to the Director: Development & Planning, at the above address or at Private Bag X2596, Makhado (Louis Trichardt), 0920, within a period of 30 days from 03 June 2016.

**ANNEXURE**

Name of the township: Matshavhawe Township.

Full name of the applicant: Pieterse Du Toit & Associate (Pty) Ltd. on behalf of the Makhado Municipality.

Number of erven in proposed township: Total number of erven: 566: "*Residential 1 (Rural Settlement)*": 504 erven (erven vary in size); "*Business 2*": 6 erven; "*Educational*": 3 erven; "*Institutional*": 7 erven; "*Municipal*": 5 erven; "*Special*": 2 erven; "*Public Open Space*": 20 erven; "*Agricultural*": 19 erven and "*Streets*".

The proposed township is 171.813ha in extent.

Property Description: A portion of the farm Bloemfontein 223 M.T., Dzanani Magisterial District Limpopo Province.

Location of proposed township: Matshavhawe settlement is located 22km to the northeast of Makhado (Louis Trichardt). The settlement is located approximately 2km to the north of the Witvlag road (District Road D449).

Address of Agent: Pieterse Du Toit & Associate (Pty) Ltd., Concillium Building, 118 General Beyers Street, Welgelegen, POLOKWANE, 0699. P.O. Box 11306, BENDOR PARK, 0713. Tel: 015-2974970/1, Fax: 015-2974584, email: jaco@profplanners.co.za

3-10

**MASIPALA WA VUNDU WA MAKHADO  
NOTHISI YA KHUMBELO YA U THOMIWA HA LOKISHI**

Masipala wa Makhado u khou netshedza nothisi zwi tshi ya nga Tshitehwa 56 tsha Makhado Municipality Spatial Planning, Land Development and Land Use Management By-Law, 2016 uri u na tshipikwa tsha u ita uri vhudzulo ha Matshavhawe vhu itwe lokishi, vhu re na zwitentsi samusi zwo bulwa kha thumetshedzo i re afho fhasi, vhu re kha tshipida tsha bulasi Bloemfontein 223 M.T., Phuroventsi ya Limpopo.

Zwidodombedzwa zwa khumbelo zwi do vhewa uri zwi tolisiswe nga tshifhinga tsha mushumo ngei ofisini ya Mulanguli: Development & Planning, 1 Floor, Makhado Municipality (Civic Centre), Makhado (Louis Trichardt), 83 Krogh Street, kana tshifhingani tsha maduvha a 30 u bva nga la 03 Fulwi 2016.

U hanedzana na kana vhuimeleli ha malugana na khumbelo vhu rumelwe kana vhu hwalelwe Mulanguli: Development & Planning, kha adirese i re afho ntha kana kha Private Bag X2596, Makhado (Louis Trichardt), 0920, hu sa athu pfuka maduvha a 30 u bva nga la 03 Fulwi 2016.

**THUMETSHEDZO**

Dzina la lokishi: Lokishi la Matshavhawe.

Dzina lo fhelelaho la ane a khou ita khumbelo: Pieterse Du Toit & Assosiate (Pty) Ltd. a tshi itela Masipala wa Makhado.

Tshivhalo tsha zwitentsi zwi re kha lokishi line la khou itelwa khumbelo: Tshivhalo tsho fhelelaho tsha zwitentsi: 566: "Zwa vhadzulapo 1 (Vhudzulo ha Mahayani)": zwitentsi zwa 504 (zwitentsi zwi fhambana nga vuhulwane); "Zwa mabindu 2": Zwitentsi zwa 6; "Zwa pfunzo": Zwitentsi zwa 3; "Zwa madzangano": Zwitentsi zwa 7; "Zwa masipala": Zwitentsi zwa 5; "Zwo khetheaho": Zwitentsi zwa 2; "Zwikhala zwo vulea zwa vhomuthumunzhi": Zwitentsi zwa 20; "Zwa u lima": Zwitentsi zwa 19 na "Zwi tarafa".

Lokishi line la khou itelwa khumbelo ndi 171.813ha lo fhelela.

Thaluso ya Tshifhato: Ndi tshipida tsha bulasi Bloemfontein 223 M.T., Dzanani Magisterial District, Phuroventsi ya Limpopo.

Fhethu ha lokishi line la khou itelwa khumbelo: Matshavhawe ndi khilomithara dza 22 u ya vhukovhela ha Makhado (Louise Trichardt). Fhethu hafha ndi khilomithara mbili u ya livhuya ha ndila ya Witvlag (District Road D449).

Adirese ya Muimeleli: Pieterse Du Toit & Assosiate (Pty) Ltd., Concillium Building, 118 General Beyers Street, Welgelegen, POLOKWANE, 0699. P.O. Box 11306, BENDOR PARK, 0713. Luṭ: 015-2974970/1, Fek: 015-2974584, email: jaco@profplanners.co.za

3-10

**LOCAL AUTHORITY NOTICE 92 OF 2016**

**MAKHADO AMENDMENT SCHEME 80**

Notice is hereby given in terms of Section 57(1) of the Town-planning and Townships Ordinance, 1986 (Ord. No. 15 of 1986), as amended, that the Makhado Municipality has approved the amendment of the Makhado Land-use Scheme, 2009, by the rezoning of a portion of Portion 99 of the farm Rondebosch 287 L.S., from "Agriculture" to "Special" for a Hotel, subject to specific conditions as contained in Annexure 80.

Map 3 and the scheme clauses of the amendment scheme are filed with the Municipal Manager of Makhado Municipality and are open for inspection during normal office hours.

This amendment is known as Makhado Amendment Scheme 80 and shall come into operation on the date of publication of this notice.

**I.P. MUTSHINYALI,**  
**Municipal Manager**

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Bodenstein Street, Polokwane, 0699. Tel. (015) 291-3910