



THE PROVINCE OF MPUMALANGA  
DIE PROVINSIE MPUMALANGA

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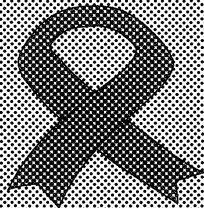
**Vol. 20**

NELSPRUIT, 23 DECEMBER  
DESEMBER 2013

**No. 2245**

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

AIDS  
affects  
us all



A  
new  
struggle

**Prevention is the cure**

**AIDS  
HELPLINE**

**0800 012 322**

DEPARTMENT OF HEALTH

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## GENERAL NOTICE

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### NOTICE 454 OF 2013

#### MPUMALANGA DEPARTMENT OF CO-OPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS

#### PUBLICATION OF MPUMALANGA TOWN PLANNING AND TOWNSHIPS ORDINANCE REPEAL BILL, 2013

I, Simon Piet Dollman Skhosana, in my capacity as Member of Executive Council responsible for Co-operative Governance and Traditional Affairs, in the Mpumalanga Province, hereby publish, in accordance with Rule 150(1)(a) of the Rules and Orders of the Mpumalanga Provincial Legislature, the Mpumalanga Town Planning and Townships Ordinance Repeal Bill, 2013, for public comment.

Interested persons and institutions are invited to submit written representations on the said Bill to reach the Office of the Member of Executive Council, by no later than 07 February 2014.

All submissions must be addressed to:

Mr. L.P. Zwane  
Senior Legal Administration Officer  
Department Co-operative Governance and Traditional Affairs  
Private Bag x `11304  
Nelspruit  
1200

You can contact Mr. Zwane at:

Fax: (013) 766 8252  
Tel: (013) 766 6972  
E-mail: [ZwaneLP@mpg.gov.za](mailto:ZwaneLP@mpg.gov.za)

Given under my hand at Nelspruit, on \_\_\_\_ December 2013.

**MR SPD SKHOSANA**  
**MEC: DEPARTMENT OF CO-OPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS**  
**MPUMALANGA**

**MPUMALANGA TOWN PLANNING AND TOWNSHIPS ORDINANCE REPEAL BILL, 2013**

To provide for the repeal of the Town Planning and Townships Ordinance, 1986; and to provide for matters connected therewith.

**WHEREAS** the Transvaal Town Planning and Townships Ordinance, 1986 (Ordinance No. 15 of 1986) of the then Transvaal Province, was duly assigned by the President to the Province by means of Proclamation No. R. 161 of 31 October 1994, and thereby becoming Provincial legislation of the Province;

**AND WHEREAS** the President has, on 5 August 2013, assented to the Spatial Planning and Land Use Management Act, 2013 (Act No. 16 of 2013);

**AND WHEREAS** the Province is in the process of drafting of the Mpumalanga Spatial Planning and Land Use Management Bill, 2013, which Bill will introduce a new planning regime within the Province and will also serve as the framework within which the various Municipalities in the Province should develop their own Planning By-Laws in terms of section 156(2) of the Constitution, 1996;

**AND WHEREAS** section 156(3) of the Constitution, 1996, provides that a By-Law that conflicts with National or Provincial legislation is invalid, thereby necessitating the repeal of the Town Planning and Townships Ordinance, 1986, in a coordinated and phased manner in terms of section 4(2) of this Act, in order to ensure a smooth transition from the current planning dispensation applicable in the Province to the new planning dispensation;

**NOW THEREFORE BE IT ENACTED** by the Mpumalanga Provincial Legislature as follows:

**1. Definitions.** In this Act, unless the context otherwise indicates “**Province**” means the Province of Mpumalanga established in terms of section 103 of the Constitution of the Republic of South Africa, 1996;

**2. Repeal of law.** The Town Planning and Townships Ordinance, 1986 (Ordinance No. 15 of 1986), is hereby repealed.

**3. Savings.** The repeal of the law mentioned in section 2 shall not –

- (a) revive anything not in force or existing in the Province at the time at which the repeal takes effect;
- (b) affect the previous operation of the law so repealed or anything duly done or suffered under the law so repealed;
- (c) affect any right, privilege, obligation or liability acquired, accrued or incurred under the law so repealed; and
- (d) affect any penalty, forfeiture or punishment incurred in respect of any offence committed against the law so repealed.

**4. Short title and commencement.** (1) This Act shall be called the Mpumalanga Town Planning and Townships Ordinance Repeal Act, 2013 and shall come into operation on a date fixed by the Premier by Notice in the *Provincial Gazette*.

(2) Different dates may be so determined in respect of different provisions of this Act.