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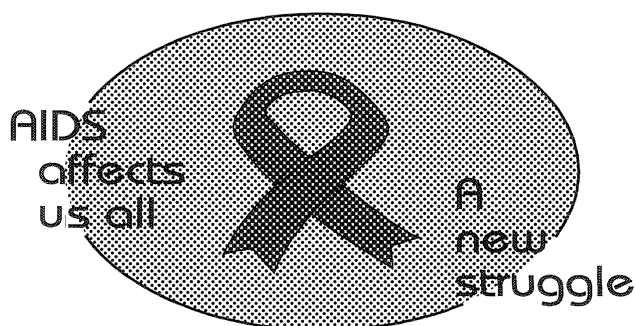
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JUNIE 2015

No. 2489

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**Prevention is the cure**

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DEPARTMENT OF HEALTH

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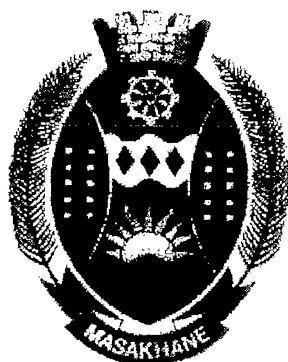
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**LOCAL AUTHORITY NOTICES**  
**PLAASLIKE BESTUURSKENNISGEWINGS**

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**LOCAL AUTHORITY NOTICE 67**



**STEVE TSHWETE LOCAL MUNICIPALITY**

**STREET TRADING BY-LAWS, 2014**

# STEVE TSHWETE LOCAL MUNICIPALITY

## GENERAL EXPLANATORY NOTE

- [ ] Words in bold type in square brackets indicate omissions from existing enactments.
- Words underline with a solid line indicate insertions in existing enactments.

## STREET TRADING BY-LAWS

Notice is hereby given in terms of Section 13 of the Local Government: Municipal Systems Act, 32 of 2000, as amended, read with Sections 156 and 162 of the Constitution of the Republic of South Africa Act, 108 of 1996, that Steve Tshwete Local Municipality resolved to adopt the following Street Trading By-laws, with effect from the date of publication.

### Interpretation / Definitions

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

- (i) "Act" means the Mpumalanga Businesses Act, 1996 (Act 2 of 1996);
- (ii) "authorised officials" means an official of the Council authorised to implement the provisions of these by-laws including Peace Officers, Traffic Officers and the South African Police Services.
- (iii) "Council" means the [Transitional Local Council for Middelburg] Steve Tshwete Local Municipality.
- (iv) "Demarcated Stand" means a demarcated stand as declared under Section 7(3)(b)(i) of the Act.
- (v) "garden or park" means a garden or park to which the public has a right of access;
- (vi) "goods" includes a living thing and any transferable interest;
- (vii) "intersection" means an intersection as defined in Section 1 of the Road Traffic Act, 1989 (Act 29 of 1989);
- (viii) "litter" includes any container or other matter which has been discarded, abandoned or left behind by a person trading or his customers;
- (ix) "national monument" means a building declared to be a national monument under the National Monuments Act, 1969 (Act 28 of 1969);

- (x) "Perishable foodstuffs" means foodstuffs as defined in terms of the Foodstuffs, Cosmetics and Disinfectant Act 1972 (Act 54 of 1972);
- (xi) "Person" includes a person carrying on any business referred to in Item 3(1) of Schedule 1 of the Act;
- (xii) "prohibited area" means any place declared under Section 7(2)(a) of the Act in which street trading is prohibited;
- (xiii) "property" in relation to a person carrying on the business of street trading, means any article, receptacle, vehicle or structure used or intended to be used in connection with such business, and includes goods in which he trades;
- (xiv) "public building" means a building belonging to or occupied solely by the State or the Council;
- (xv) "public place" means a public place as defined in Section 2 of the Local Government Ordinance, 1939 (Ordinance 17 of 1939);
- (xvi) "public road" means a public road as defined in Section 1 of the Road Traffic Act, 1989 (Act 29 of 1989);
- (xvii) "restricted area" means any place declared under Section 7(2)(a) of the Act in which street trading is restricted;
- (xviii) "roadway" means a roadway as defined in Section 1 of the Road Traffic Act, 1989;
- (xix) "sell" includes supply to and also
  - (a) exchange or hire;
  - (b) store, process, expose, offer or prepare for sale;
 and "sale" has a corresponding meaning;
- (xx) "services" includes any advantage or gain for consideration or reward offered in a restricted area;
- (xxi) "sidewalk" means a sidewalk as defined in Section 1 of the Road Traffic Act, 1989;
- (xxii) "Town Planning Scheme" means the Town Planning Scheme of **[Middelburg] Steve Tshwete Municipal area**.
- (xxiii) "trade" means to sell goods or services in a public road or public place, and "trading" has a corresponding meaning;

(xxiv) "verge" means a verge as defined in Section 1 of the Road Traffic Act, 1989, and any word or expression to which a meaning has been assigned in the Mpumalanga Business Act, 1996, shall have that meaning.

(xxv) Any reference to a gender includes the other gender.

- (2) For the purpose of these by-laws a single act of selling or offering services in a public road or public place shall constitute trading.

#### **Freedom to trade**

2. Subject to the provisions of Sections 3 and 4 and any other relevant law, street trading is freely permitted except in so far as such trading is restricted or prohibited by Section 5 to 12 inclusive and Sections 14 and 15 of these by-laws, with the provision that no persons other than person with permanent residence in South Africa or South African citizens may trade in accordance with these by-laws.

#### **General conduct**

3. A person trading shall-
- (a) not place his property on the roadway;
  - (b) ensure that his property does not cover an area of the sidewalk or public place which is greater in extent than 1m x 2m and which on any sidewalk does not leave a space less than 2m for pedestrian traffic measured over the width thereof, which space is subject to relaxation by Council.
  - (c) not place or stack his property in such a manner that it constitutes a danger to any person or is likely to injure any person;
  - (d) Not obstruct access to a fire hydrant;
  - (e) on concluding business for the day remove his property, except any temporary structure permitted by the Council to a place which is not part of a public road or public place;
  - (f) not display his goods or other property on a building or private property, without written consent of the owner, occupier or person in control of such building or property;
  - (g) on request by an employee or agent of the Council or any supplier of telecommunication or electricity or other services, move his property so as to permit the carrying out of any work in relation to a public road, public place or any such services;
  - (h) not attach any object by any means to any building, structure, pavement, tree, parking meter, lamp-pole, electricity pole, telephone

booth, post box, traffic sign, bench or any other street furniture in or on a public road or public place;

- (i) not make a fire at a place or in circumstances where it could harm any person or damage a building or vehicle or any street furniture referred to in paragraph (h) or any Council property;
- (j) not store his property in a manhole or stormwater drain;
- (k) not trade nearer than 5m from a Bank or an automated teller machine.

#### **Cleanliness**

**4. A person trading shall-**

- (a) keep the area or site occupied by him for the purpose of such business in a clean and sanitary condition;
- (b) keep his property in a clean and sanitary condition;
- (c) dispose of litter generated by his business in whatever receptacles provided by the Council for the public or at the Council's dumping sites;
- (d) not dispose of litter in a manhole, stormwater drain or other place not intended for the disposal of litter;
- (e) ensure that on completion of business for the day the area or site occupied by him for the purposes of trade is free of litter;
- (f) in case of a vendor of foodstuffs take such precautions as may be necessary to prevent the spilling onto a public road or public place of any fat, oil or grease in the course of conducting his business and to prevent any smoke, fumes or odours emanating from his activities from becoming a nuisance;
- (g) on request by an employee or agent of the Council, move his property so as to permit the cleansing of the surface of the area or site where he is trading;
- (h) ensure food preparation, handling and selling is in accordance with the Council's health by-laws and relevant Regulations.

#### **Obstruction of pedestrians**

**5. No person shall trade at a place where such trading substantially-**

- (a) obstructs access to or the use of street furniture such as a bus passenger bench or shelter or queuing line, a refuse disposal bin or other facility intended for the use of the general public;

- (b) obstructs the visibility of a display window in business premises, if the person carrying on business in the business premises concerned objects thereto;
- (c) obstructs access to an entrance to or exit from a premise or an automatic bank teller machine;
- (d) obstructs access to a pedestrian crossing, if in the middle of a block a clear radius distance of 3m on either side of the crossing must be obeyed;
- (e) obstructs access to any vehicle; or
- (f) in any other manner obstructs pedestrians in their use of a sidewalk.

#### **Obstruction of vehicular traffic**

6. No person shall trade at a place where such trading-
- (a) causes an obstruction on a roadway;
  - (b) limits vehicular access to parking or loading bays or other facilities;
  - (c) obscures any road traffic sign or any marking, notice or sign displayed or made in terms of these by-laws; or
  - (d) interferes in any way with any vehicle that may be parked alongside such place.

#### **Trading restricted to specified hours in certain places**

7. No person shall trade-
- (a) on a verge contiguous to any place of worship, national monument or public building; or
  - (b) in a restricted area which is specified by Council resolution outside the hours so specified in relation to each such verge or area.

#### **Trading restricted to specified goods or services in certain places**

8. No person shall trade-
- (a) on a verge contiguous to any place of worship, national monument or public building, financial institutions; or
  - (b) in a restricted area which is specified by Council resolution other than in the goods or services so specified in relation to each such verge or area.



- (c) As a barber of hair dressing salon in a public place.

**Trading restricted to demarcated stands or areas in certain places**

9. No person shall trade-

- (a) on a verge contiguous to any place of worship, national monument or public building; or
- (b) in a restricted area which is specified by Council resolution outside a stand or area set apart for trading purposes as contemplated in Section 7(3)(c) of the Act, no person may trade on such stand or in such area if he is not in possession of proof that he has hired such stand or area from the Council or that it has otherwise been allocated to him.

**No trading in stands or areas which have been let except by the lessee**

10. If the Council has let or otherwise allocated any stand or area set apart or otherwise established for street trading purposes, as contemplated in Section 7(3)(c) of the Act, no person may trade on such stand or in such area if he is not in possession of proof that he has hired such stand or area from the Council or that it has otherwise been allocated to him.

**No trading near certain public buildings, places of worship and national monuments**

11. No person shall trade on a verge contiguous to any place of worship, national monument or public building which is specified by Council resolution.

**No trading in prohibited area**

12. No person shall trade in any prohibited area.

**Signs indicating restrictions and areas**

13. The Council shall-

- (a) by resolution, prescribe signs, markings or other devices indicating-
  - (i) specific hours, places, goods or services in respect of which street trading is restricted;
  - (ii) the location or boundaries of a restricted area;
  - (iii) the boundaries of a stand or area set apart for the purposes of the carrying on of the business of street trading under Section 7(3)(b) of the Act;

- (iv) the fact that any such stand or area has been let or otherwise allocated;
  - (v) any restriction or prohibition against trading in terms of these by-laws; and
  - (vi) the location or boundaries of a prohibited area; and
- (b) display any such sign, marking or device in such a position and manner as will indicate the restrictions or the location or boundaries of the area or stand concerned.

#### **Trading near residential buildings**

14. No person shall, outside an area referred to in Section 7 to 12 inclusive, trade in that half of a public road contiguous to a building used for residential purposes within the demarcated areas of trading as specified in terms of these by-laws, if the owner, person in control or any occupier of any part of the building facing onto such road has objected thereto, provided that in a township or portion thereof mentioned in a resolution of the Council, this section shall not apply to a building used for residential purposes if such building is used for business purposes at ground level.

#### **Trading near certain business premises**

- 15.1 No person shall, outside an area referred to in Sections 7 to 12 inclusive, trade on a verge contiguous to that part of a building in which business is being carried on by any person who sells goods of the same nature as or of a similar nature to goods being sold by the first-mentioned person, other than a department store or supermarket without the consent of the second-mentioned person.
- 15.2 In the event of an extension of business by the trader onto the side walk, that part of the side walk that is occupied by the trader, shall be deemed as the business area of a hawker.

#### **Removal and impoundment**

- 16 (1) An authorised official may remove and impound any goods, article, receptacle, vehicle or structure-
- (a) which he reasonably suspects is being used or is intended to be used or has been used in or in connection with street trading; and
  - (b) which he finds at a place where street trading is restricted or prohibited in terms of Sections 14 and 15 and which, in his opinion, constitutes an infringement of any such section.
- (2)(a) The Council shall publish a notice in at least any two language newspapers circulating in the **[Middelburg Municipality]** Steve

Tshwete Municipal area, containing the following information relating to objects removed in terms of sub section (1):

- (i) a description of the object, the address where the object is stored and, if known, the name of the owner;
  - (ii) that such objects may be claimed by the owners thereof on production of proof of ownership to the satisfaction of the Council;
  - (iii) that any object which has not been claimed within a period of three months from the date of publication of such notice will be destroyed or sold by public auction and the proceeds of such auction retained by the Council to defray its costs;
  - (iv) impoundment of "perishable foodstuffs" will be handled and disposed of in terms of the Health Act;
  - (v) pound fees will be charged as laid down from time to time by the Council.
- (b) The Council may sell by public auction any object unclaimed from it more than three months after a notice contemplated in sub paragraph (a)(iii) has been published in respect of such object, and may retain the proceeds of such auction or may destroy such object.
- (c) The Council shall not be liable for compensation to any person for damages arising out of the damage to or the loss of any object removed in terms of subsection (1) or the sale thereof by public auction, and the owner of such object shall have no claim or right of redress against the Council.
- (d)(i) If any object is attached to any immovable property or a fixture contemplated in subsection (1), and such object is under the apparent control of a person present thereat, any authorised official of the Council may order such person to remove the object, and if such person refuses or fails to remove the object, he shall be guilty of an offence.
- (ii) When any person fails to comply with an order to remove an object referred to in subparagraph (i), any officer of the Council may take such steps as may be necessary to remove the object.

#### **Vending of newspapers and flowers**

- 17.(1) Notwithstanding any other provision of these by-laws, and unless an intersection is otherwise specified by Council resolution as a prohibited or restricted area contemplated in Section 8, 9 and 12, no person other than a person who sells newspapers and flowers may carry on business on any sidewalk within 5 metres from any intersection.
- (2) No person who sells newspapers shall deposit his wares upon the ground or surface of any public place for the purpose of sale otherwise than in an orderly

pile neatly stacked and not exceeding 1m in length measured parallel to the kerb, or roadway, 450mm in width and 500mm in height above the sidewalk level.

#### **Vending of ice-cream**

- 17A** Street vendors trading in ice-cream are permitted to trade from either a self-propelled motor vehicle, a bicycle, a tricycle or on foot in any street within residential areas and adjacent to school premises provided that the free-flow of traffic should not be interfered with.

#### **Offences**

18. Any person who contravenes a provision of these by-laws shall be guilty of an offence.

#### **Presumptions**

- 19.(1) In any prosecution for an offence under these by-laws, an allegation in the charge concerned that-
- (a) any goods with which a business was carried on were or were not of a particular kind, class, type or description or as it may be described by resolution of the Council;
  - (b) any goods or services were sold or offered for sale;
  - (c) any place was situate in a public road or public place or within a particular area;
  - (d) any person carried on the business of street trading and in a manner and place alleged, shall be presumed to be correct unless the contrary is proved.
- (2) In any criminal proceedings for a contravention of these bylaws, where it is shown that-
- (a) any goods were displayed in a public place, such goods shall be presumed to have been offered for sale;
  - (b) any property used in the provision of any service was available in a public road or public place, such services shall be deemed to have been offered for supply.

#### **Penalties**

20. Any person who is guilty of an offence in terms of these by-laws shall on conviction be liable to a fine, or to imprisonment for a period not exceeding three months.

### **Vicarious responsibility of persons carrying on business**

21. When an employee of a person conducting the business of street trading does or omits to do any act which would be an offence in terms of these by-laws for that person to do or omit to do, that person shall be deemed himself to have done or omitted to do the act, unless he satisfies the court that-
- (a) he neither connived at nor permitted the act or omission by the employee concerned;
  - (b) he took all reasonable steps to prevent the act or omission; and
  - (c) an act or omission, whether lawful or unlawful, of the nature charged on no condition or under no circumstances fell within the scope of the authority or employment of the employee concerned, and the fact that the said person issued instructions whereby an act or omission of the nature is prohibited shall not in itself be sufficient proof that he took all reasonable steps to prevent the act or omission.

### **Vicarious responsibility of employees**

22. When a person carrying on the business of street trading is by virtue of Section 20 liable for an act or omission by an employee of that person, that employee shall also be liable as if he were the person carrying on the business concerned.

## **SCHEDULE 1**

### **DECLARING AREAS: STREET TRADING - STEVE TSHWETE MUNICIPAL AREA**

The Steve Tshwete Local Municipality hereby gives notice in terms of Section 7(2)(f) of the Mpumalanga Business Act, 1996 (Act No.2 of 1996), that the Jurisdictional Area of Steve Tshwete Local Municipality is declared a prohibited area for street-trading with the exception of the areas as indicated below and subject to the conditions and stipulations of the above Act and the Steve Tshwete Local Municipality Street-Trading By-laws, with effect on date of this notice:

### **CENTRAL BUSINESS DISTRICT**

<b>Demarcated site number</b>	<b>Street</b>	<b>Location of hawking</b>	<b>Number of hawkers</b>
1	Wes	Dwars Parking Area	5
2	Wes	Van Calder Parking Area	5
3	Lang	Adjacent to Vasco da Gama along the solid wall	1
4	Lang	Adjacent to Metropolitan Life – between parking bays 3 and 4	1
5	Lang	Adjacent Super Cash Loans between parking bays 1 and 2	1
6	Lang	Adjacent Geen and Richards between parking bays 3 and 4	1

Demarcated site number	Street	Location of hawking	Number of hawkers
7	Market	A blind spot between Dagbreek Chemist and Geen and Richards – between parking bays 1 and 2	1
8	Market	Next to the flowerboxes at Edgars parking area	1
9	Market	A blind spot near Coenie Strydom Pharmacy – next to the building	1
10	Market	Near the Sanlam Building arcade on the street bank 2 metres away from the building	1
11	Lang	Adjacent Robb & Mc Clees Chemist between parking bays 1, 2, 3 and 4	2
12	Lang	Adjacent a take away café which is located next to Super Dry Cleaners next to the entrance to a small private parking area – next to the building	1
13	Lang	Blind spot next to Sales House along the solid wall	2
14	Snyman	Blind spot next to Pepstores – between parking bays	3
15	Snyman	Blind spot next to Jet Stores between parking bays 1, 2, 3 and 4	3
16	Coetzee	Middel Parking Area	5
17	Coetzee	Blind spot next to Checkers/Shoprite – along the solid wall	2
18	Lang	Blind spot next to Checkers/Shoprite – along the solid wall	5
19	Lang	Adjacent Diskom – between parking bay 4 and loading zone	1
20	Cambell	Cambell taxi rank	5
21	Lang	Adjacent Supreme Cash and Carry – between parking bay	1
22	Lang	Adjacent parking area to Liquor Warehouse – along the parking area of Liquor Warehouse	1
23	Lang	Mooi Parking Area – parking bays adjacent Lang Street	4
24	Lang	Blind spot of OK-building – along the solid wall	2
25	Coetzee	Blind spot of OK-building – within the open space away from the curb stones	5
26	Jan van Riebeek	Mooi Parking Area – western end of parking area adjacent to Camdons Estate Agencies	5
27	Jan van Riebeek	Adjacent to Sonne Vanck Flats, Erf 3/978 – next to fence of the property	1
28	Jan van Riebeek	In front of the Catholic Church along the solid wall	2
29	Jan van Riebeek	From Klip Street to River Street – north of Jan van Riebeeck Street – between parking bays (negotiated with shop owners)	5
30	Jan van Riebeek	From Rivier Street to Meyer Street, north of Jan van Riebeeck Street – between parking bays (negotiated with shop owners)	5
31	Jan van Riebeek	Adjacent to Twin City Building – between parking bays (negotiated with shop owners)	5
32	Fontein	Adjacent Autohaus – along the solid wall	2
33	Fontein	Adjacent to the business complex on the corner of Fontein and Kogel Streets	2

### CENTRAL BUSINESS DISTRICT

Demarcated site number	Street	Location of hawking	Number of hawkers
34	Meyer	Meyer Taxi Rank	5
35	Meyer	Station Taxi Rank	5
36	Weeber	Opposite the electrical substation on the northern side of Weeber Street	1
37	Jan van Riebeeck	Eastdene Shopping Complex parking area: South North	5 5
38	Wicht	Corner of Suid and Wicht Streets (north-eastern corner)	1
39	Wicht	Corner of Kogel and Wicht Streets (south-eastern corner)	1
40	Wicht	Corner of Vos and Wicht Streets (north-eastern corner)	1
41	Meter	Opposite Blue Ribbon in Park 3980	4
42	Liter	Open space opposite Tecc Oil Service	1
43	Liter	Open space opposite Van Wettens Brakedown Services	1
44	Gram	Corner of Celsius Street, opposite O'Grady's Paints	1
45	Celsius	Solid wall to Challeng Engineering	1
46	Newtown	Corner of Newtown and Joule Streets – adjacent to solid wall of Hazian Engineering	1
47	Newtown	Corner of Newtown – adjacent Khanya Laboratories next to a solid wall	1
48	Milli	Corner of Milli and Volt Streets – open space opposite Aeroquip Distributors	1
49	Milli	Corner of Milli and Meg Streets	1
50	Liter	Open space opposite Landini Industrial and Landbou Mega	1
51	Liter	Opposite Eastvaal Engineering Services – open space	1
52		Opposite Meatpark Bloumolder	1
53	Watt	Open space opposite Alpha Metals	1
54	Hendrina Road	Open space opposite Total Garage	4

### CBD

Demarcated site number	Street	Location of hawking	Number of hawkers
55	OK	Vicinity of Parking Area	4
56	Old Checkers	Vicinity of Parking Area	4
57	Pick 'a Pay	Vicinity of Parking Area	4
58	Boven	Parking Area	2
59	Afsaal	Parking Area	2
60	Van Calder	Alongside Lang Street	8

### NASARET

Demarcated site number	Street	Location of hawking	Number of hawkers
1	Adelaide	Corner of Adelaide and Fort Napier Street – open space Erf 336	3
2	Fort Napier	Corner of Fort Napier and Willowmore Street	3
3	Belville	Park Erf 346 Nasaret School entrance	3

**MHLUZI EXTENSION 5 AND 6**

Demarcated site number	Street	Location of hawking	Number of hawkers
1	Mandela	Corner of Mandela and P.D.M. Nhlapho Drive (south-western corner)	4
2	Mandela	Next to the entrance to Mvuso Primary School	3
3	Mandela	Taxi Rank	3
4	Mandela	Corner of Mandela and extension of President Kruger Street – Opposite Wat Nog Shop	4

**MHLUZI EXTENSION 4 AND 1**

Demarcated site number	Street	Location of hawking	Number of hawkers
5	Qhubekani	Next to Mthombeni School entrance	3
6	Tswelopele	Corner of Tswelopele and extension of President Kruger Street	2
7	Melato Avenue	Next to Sefunda Secondary School entrance	3
8	Tswelopelea	Corner of Tswelopele and P.D.M. Nhlapo Street (north-eastern side)	2
9	Tswelopele	Corner of Tswelopele and Ikageng (north-western side)	2

**MHLUZI EXTENSION 2 AND 4**

Demarcated site number	Street	Location of hawking	Number of hawkers
10	Zandile	Next to the new Sifunda Secondary School entrance	3
11	Chocolate	Next to the Zikhuphule School entrance	3

**MHLUZI EXTENSION PROPER AND EXTENSION 1**

Demarcated site number	Street	Location of hawking	Number of hawkers
12	Magagula	Next to Mpanama Secondary School entrance	3
13	Manase	Next to Sozama Secondary School entrance	3
14	Eight	Next to Elusindisweni School entrance	3
15	Fifth Avenue	Next to Mhluzi Primary and Ekwazini Secondary School entrance	5
16	Main	Next to Thushanang Primary School entrance	3
17	Reabota	Next to Makhathini Primary School entrance	3
18	Ngwako	Vicinity of the Municipal Offices	2
19	Ngwako	Municipal Parking Area: Tswenyane Primary School entrance	3
		Parking Bays	4
20	Baloyi	Next to Reatlegile School entrance	3
21	Phakathi	Corner of Phakathi and First Street next to Maseko Fruit and Vegetable Shop – open space	5
22	Matlapa	Next to Manyano School entrance	3

**MHLUZI MOUNTAIN VIEW/ROCKVILLE**

Demarcated site number	Street	Location of hawking	Number of hawkers
23	Ellen Nhlapo	Corner of Ellen Nhlapo and Church Streets between Rockville and Mountain View	5



## SCHEDULE 2

### DECLARING AREAS: STREET TRADING - STEVE TSHWETE MUNICIPAL AREA

Notice is hereby given in terms of Section 7(2)(h) of the Mpumalanga Business Act, Act 2 of 1996, that the Steve Tshwete Local Municipality resolved to amend Local Authority Notice 26, dated 05 February 1999, by adding the following:

#### HENDRINA NEWLY PROPOSED SITES FOR HAWKERS

Proposed	Total	Location of sites
10	10	Score Parking (Kerk Street) at an open space near the parking bays
5	5	Pep parking on the solid wall
10	10	Kerk Street near Pharmacy
2	2	Score parking
2	2	Inside the taxi rank
2	2	Beukes Street just after Standard Bank
3	3	Beukes next to Ellerines
5	5	Beukes next to Easy Pack and Egoli
3	3	Beukes outside taxi rank
1 Caravan	1	Kwazamokuhle taxi rank
10	10	10 hawking sites per all the schools around Kwazamokuhle

#### MIDDELBURG NEWLY PROPOSED SITES FOR HAWKERS

Proposed	Existing	Total No.	Location of sites
17	3	20	Ngwako Street at Municipal parking
3	0	3	Dr Beyers Naude and Totius Streets on open space next to the mountain
5	0	5	Tshwelopele and Melato Streets open space
20	0	20	Ikageng between Chocolate & Mandela Streets
10	0	10	Ikageng Street towards Phomolong from Mandela Street
20	0	20	Sixth Street
2		2	Makatane and Mandela
5	0	5	Tshwelopele between Mthunzini Street on the Park
4	6	10	Dr Beyers Naude and Mandela Street next to Wat nog
3	2	5	Mandela and Sixth Streets at the taxi rank
4	1	5	Ikageng and Mandela Streets
5	0	5	Chocolate and Ikageng Streets
7	3	10	Zikhuphule School
7	3	10	Mphanama School
3	0	3	Tswelopele and Church Streets
6	4	10	Tswelopele and Ikageng Streets
5	0	5	Ikageng Street towards Tokologo Streets
5	0	5	Avalon Circle (East)
15	0	15	Avalon Circle (West)
5	5	5	Phakati Street
5	5	10	Church and Ella Streets
8	0	8	Main and Mthombeni Streets
7	3	10	Sofunda School
7	3	10	Mvuzo School
7	3	10	Mphanama School

Proposed	Existing	Total No.	Location of sites
7	3	10	Elusindisweni School
5	5	10	Mhluzi Primary
7	3	10	Thushanang School
7	3	10	Makhathini School
17	3	20	Tshwenyane School / Municipal Offices at Ngwako Street
0	4	4	Tshwenyane School Parking Bays
7	3	10	Reatlegile School
7	3	10	Manyano School
0	5	5	Phakathi Street next to Maseko fruit shop
4	0	4	Hoog & Jeppe Streets
1	0	1	Brug Street next to Technical College
2	0	2	Tswelopele Street & Ampere crescent
1	0	1	Liter Street opposite Hi Speed
1	0	1	Cown Ntuli & Oos Streets
1	0	0	Verdoorn Street opposite cemeteries
4	0	4	Hendrina road opposite Hlalamnandi

**LOCAL AUTHORITY NOTICE 68**

**STEVE TSHWETE LOCAL MUNICIPALITY**

**PERMANENT CLOSURE OF A PORTION OF PARK  
ERF 10132 MHLUZI**

In terms of Section 67 of the Local Government Ordinance 17 of 1939 and Section 21(a) of the Municipal Systems Act 32 of 2000, notice is hereby given that the Steve Tshwete Local Municipality intends to permanently close a portion of Park Erf 10132 Mhluzi.

A plan indicating the said portion of the park to be closed, is available and may be inspected during office hours at Room B218, Legal and Administration Department, Steve Tshwete Local Municipality, for a period of 28 days from the date of publication of this notice.

Any person desirous of objecting to the proposed closure or wishing to make recommendations in this regard, should lodge such objection or recommendation, as the case may be, in writing to the Municipal Manager, Steve Tshwete Local Municipality, P.O. Box 14, Middelburg, 1050, to reach him, no later than 28 days from the date of publication of this notice.

**S.M. MNGUNI**  
Acting Municipal Manager

**PLAASLIKE BESTUURSKENNISGEWINGS 68**

**STEVE TSHWETE PLAASLIKE MUNISIPALITEIT**

**PERMANENTE SLUITING VAN 'N GEDEELTE VAN PARK  
ERF 10132 MHLUZI**

Kennis geskied hiermee ingevolge die bepalings van Artikel 67 van die Plaaslike Bestuurs Ordonnansie 17 van 1939 en Artikel 21(a) van die Wet op Munisipale Stelsels 32 van 2000, dat die Steve Tshwete Plaaslike Munisipaliteit van voorneme is om 'n gedeelte van park Erf 10132 Mhluzi, permanent te sluit.

Die plan wat die ligging van die gedeelte van die park wat gesluit staan te word, aandui, lê ter insae by Kantoor B218, Regs en Administrasie Departement, Steve Tshwete Plaaslike Munisipaliteit, gedurende kantoorure vir 'n tydperk van 28 dae vanaf datum van publikasie van hierdie kennisgewing.

Enige persoon wat beswaar wil aanteken teen die voorgestelde permanente sluiting of verhoë wil rig, moet sodanige besware of verhoë skriftelik rig aan die Munisipale Bestuurder, Steve Tshwete Plaaslike Munisipaliteit, Posbus 14, Middelburg, 1050, om hom te bereik nie later nie as 28 dae vanaf datum van publikasie van hierdie kennisgewing.

**S.M. MNGUNI**  
Waarnemende Munisipale Bestuurder

**LOCAL AUTHORITY NOTICE 69****STEVE TSHWETE AMENDMENT SCHEME 487  
NOTICE OF APPROVAL**

Notice is hereby given in terms of Section 57(1)(a) of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986, as amended) that the Steve Tshwete Local Municipality, has approved the amendment of the Steve Tshwete Town Planning Scheme, 2004 by the rezoning of Erf 93 Township of Somaphepha from "**Residential 1**" to "**Business 1**".

Map 3 and the scheme clauses of the amendment scheme will lie open for inspection at all reasonable times at the office of the Director-General, Mpumalanga, Provincial Administration, Department of Human Settlements, eMalahleni, as well as at the Municipal Manager, Municipal Buildings, Wanderers Avenue, Middelburg.

This amendment is known as Steve Tshwete Amendment Scheme **487** and shall come into operation on the date of publication of this notice.

**SM Mnguni**  
**Acting Municipal Manager**

Municipal Offices  
Wanderers Avenue  
P.O. Box 14  
**MIDDELBURG**  
1050

**DATE:** 17/04/2015

**REF:** 15/4/R

**LOCAL AUTHORITY NOTICE 70****STEVE TSHWETE AMENDMENT SCHEME 497  
NOTICE OF APPROVAL**

Notice is hereby given in terms of Section 57(1)(a) of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986, as amended) that the Steve Tshwete Local Municipality, has approved the amendment of the Steve Tshwete Town Planning Scheme, 2004 by the rezoning of Erf 42 Township of Rietkuil from "Residential 1" to "Residential 3".

Map 3 and the scheme clauses of the amendment scheme will lie open for inspection at all reasonable times at the office of the Director-General, Mpumalanga, Provincial Administration, Department of Human Settlements, eMalahleni, as well as at the Municipal Manager, Municipal Buildings, Wanderers Avenue, Middelburg.

This amendment is known as Steve Tshwete Amendment Scheme 497 and shall come into operation on the date of publication of this notice.

**SM Mnguni**  
**Acting Municipal Manager**

Municipal Offices  
Wanderers Avenue  
P.O. Box 14  
**MIDDELBURG**  
1050

**DATE:** 17/04/2015

**REF:** 15/4/R

**LOCAL AUTHORITY NOTICE 71****STEVE TSHWETE AMEUREMENT SCHEME 397  
NOTICE OF APPROVAL**

Notice is hereby given in terms of Section 57(1)(a) of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986, as amended) that the Steve Tshwete Local Municipality, has approved the amendment of the Steve Tshwete Town Planning Scheme, 2004 by the rezoning of **Portions 1-97 of Erf 7744 Township of Middelburg Extension 23** from "Undetermined" to "Industrial 1", "Industrial 2", "Business 2", "Residential 3", "Institutional", "Municipal", and "Public Open Space".

Map 3 and the scheme clauses of the amendment scheme will lie open for inspection at all reasonable times at the office of the Director-General, Mpumalanga, Provincial Administration, Department of Human Settlements, eMalahleni, as well as at the Municipal Manager, Municipal Buildings, Wanderers Avenue, Middelburg.

This amendment is known as Steve Tshwete Amendment Scheme **397** and shall come into operation on the date of publication of this notice.

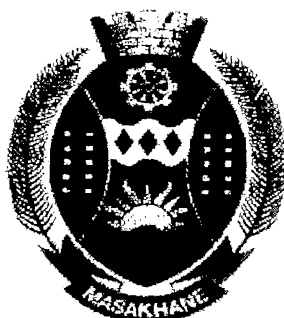
**SM Mnguni**  
**Acting Municipal Manager**

Municipal Offices  
Wanderers Avenue  
P.O. Box 14  
**MIDDELBURG**  
1050

**DATE:** 17/04/2015

**REF:** 15/4/R

## LOCAL AUTHORITY NOTICE 72



## STEVE TSHWETE LOCAL MUNICIPALITY NOTICE: PROVINCIAL GAZETTE

Notice is hereby given that in terms of Section 14 (2) of the Local Government: Municipal Property Rates Act No 6 of 2004 that Steve Tshwete Local Council has inter alia approved the amendment of the property rates per Council Resolution C38/05/2015 as set out hereunder:

Extract from the minutes of the Council meeting held on 28 May 2015

**C38/05/2015**

### **FINANCES: ANNUAL BUDGET FOR THE 2015/2016 TO 2017/2018 FINANCIAL YEARS**

3. THAT in terms of Section 75A of the Local Government Municipal Systems Act, 32 of 2000 and Section 24 of the Local Government municipal Property Rates Act, 6 of 2004, approves and adopts with effect from 1 July 2015 that property tax be levied on the market value of all rateable properties subject to the allowed rebates, exemptions and reductions as follows:

3.1	Category	Rate Applicable
3.1.1	Residential with the exclusion of the first R15 000 of assessed market value	0,0095 cent in the Rand
3.1.2	Government owned residential with the exclusion of the first R15 000 of assessed market value	0,0095 cent in the Rand
3.1.3	Residential - 2 <sup>nd</sup> dwelling	0,0095 cent in the Rand
3.1.4	Government residential - 2 <sup>nd</sup> dwelling	0,0095 cent in the Rand
3.1.5	Duets not subject to a sectional title scheme	0,0095 cent in the Rand
3.1.6	Government duets not subject to sectional title scheme	0,0095 cent in the Rand
3.1.7	Residential : home business	0,0095 cent in the Rand
3.1.8	Vacant land earmarked for residential	0,0143 cent in the Rand
3.1.9	Illegal usage	0,0333 cent in the Rand
3.1.10	Accommodation establishments	0,0119 cent in the Rand
3.1.11	Business and commercial including government owned	0,0285 cent in the Rand
3.1.12	Industrial	0,0238 cent in the Rand

3.1.13	Industrial special	0,0190	cent in the Rand
3.1.14	Farms including agricultural small holdings used for agricultural / residential purposes	0,0024	cent in the Rand
3.1.15	Farms including agricultural small holdings used for eco-tourism / trading in or hunting of game	0,0143	cent in the Rand
3.1.16	Farms including agricultural small holdings used for business / commercial / industrial purposes	0,0285	cent in the Rand
3.1.17	Farm including agricultural small holdings used for any other than the specified purposes	0,0024	cent in the Rand
3.1.18	Mining	0,0380	cent in the Rand
3.1.19	Public benefits organisations	0,0024	cent in the Rand
3.1.20	Schools including government owned / school hostels	0,0119	cent in the Rand
3.1.21	Multiple used premises according to major use:		
	Residential	0,0095	cent in the Rand
	Commercial	0,0285	cent in the Rand
	Industrial	0,0238	cent in the Rand
	Accommodation establishment	0,0119	cent in the Rand
	Mining	0,0380	cent in the Rand
3.1.22	Privately owned roads / parks / sport grounds, subject to the stipulations of Section 17(2)(b) of Act 6 of 2004, where applicable	0,0095	cent in the Rand
3.1.23	Privately owned towns	0,0024	cent in the Rand

### 3.2 Rebates in recognition of Section 15(2) of Act 6 of 2004

3.2.1 That for all indigent households enlisted under the Council's indigent support and free basic services scheme property rates be fully discounted and the expenditure be recovered from the proportional equitable share payment to the Council by the South African National Treasury.

3.2.2 The following rebates be allowed on properties owned by pensioners, disability grantees and/or medically boarded based on their monthly income and which are categorized as residential subject to the conditions as stipulated in the property rates policy:

Qualifying applicants:

R0	to R 2 860,00	100% rebate on applicable tariff
R2 860,01	to R 5 720,00	70% rebate on applicable tariff
R 5 720,01	to R 8 580,00	50% rebate on applicable tariff



R8 580,01 to R11 440,00 20% rebate on applicable  
tariff

3.2.3 That a rebate of 0,0081 cent in the Rand be allowed for all property where a single property becomes divided (through subdivision or township establishment) into ten (10) or more full title units and all services, inclusive of water, sewerage, electricity and roads are installed by the developer at his own cost for a period of two (2) years from the date of registration of the subdivision or the proclamation of the township or for a shorter period until the newly created units are sold off or improved before expiry of the two (2) years period.

3.3 A phasing-in discount granted in terms of Section 21 of Act 6 of 2004

3.3.1 That property rates on all newly rated property that had not previously been assessed and rated according to any valuation roll or supplementary valuation roll that applied to any area of the municipality in terms of previous legislation be phased in as follows:

- (i) in the first financial year a rebate of 75%;
- (ii) in the second financial year a rebate of 50% of the rate;
- (iii) in the third financial year a rebate of 25% of the rate; and
- (iv) in the fourth financial year the full property tax will be payable without any rebate.

3.4 Exemptions from payment of a rate levied

3.4.1 That in terms of Section 15(1)(a) of the MPRA, 6 of 2004 the following categories be exempted from payment of a rate levied on their property:

- 3.4.1.1 rateable property registered in the name of a welfare organization registered in terms of the National Welfare Act, 100 of 1978.
- 3.4.1.2 rateable property owned by public benefits organizations and used for any specific public benefit activity as listed in item 1,2 and 4 of part 1 of the ninth schedule to the Income Tax Act.
- 3.4.1.3 museums, art galleries, libraries and botanical gardens which are registered in the names of private persons and which are open to public, whether admission is charged or not as listed in Section 6(a) and (b) of the ninth schedule to the Income Tax Act.
- 3.4.1.4 national monuments including ancillary business activities at national monuments as listed in Section 6(a) and (b) of the ninth schedule to the Income Tax Act.

- 3.4.1.5 rateable property registered in the name of a trustee or trustees or any organization which is being maintained for the welfare of war veterans as defined in section 1 of the Social Aid Act (House of Assembly), 37 of 1989 and their families.
- 3.4.1.6 sport grounds used for the purposes of amateur sport and any social activities which are connected with such sport.
- 3.4.1.7 rateable property registered in the name of the Boy Scouts, Girl Guides, Sea Scouts, Voor-trekkers or any organization which is in the opinion of the municipality similar or any rateable property let by the municipality to any such organization.
- 3.4.1.8 rateable property registered in the name of a declared institution in terms of Cultural Institutions Act, 119 of 1998 as amended, promoting the cultural aims as defined in Section 6(a) and (b) of the ninth schedule of the Income Tax Act.
- 3.4.1.9 properties in the "*municipal*" category unless a lease or sale agreement for such a property, or part thereof, exist.
- 3.4.1.10 on mineral rights within the meaning of paragraph (b) under "*property*" as per section 1 of Act 6 of 2004.
- 3.4.1.11 on a property belonging to a land reform beneficiary or his or her heirs, provided that this exclusion lapses ten (10) years from the date on which such beneficiary's title was registered in the office of the Registrar of Deeds.
- 3.4.1.12 on the first R15 000,00 of the market value of the property assigned in the valuation roll of a municipality to a category determined by the municipality:
  - (i) for residential purposes including second dwellings and duets not subject to a sectional title scheme; or
  - (ii) for properties used for multiple purposes, provided one or more components of the property and which forms the major part of the property, are used for residential purposes.
- 3.4.1.13 on a property registered in the name of and used primarily as a place of public worship by a religious community, including an official residence registered in the name of that community which is occupied by an office-bearer of that community who officiates at services at that place of worship.

3.4.1.14 on the first 30% of the market value of public service infrastructure.

3.4.1.15 on those parts of a special nature reserve, national park or national reserve with meaning of Protected Areas Act, or a national botanical garden within the meaning of National Management Biodiversity Act, 2004 which are not developed or used for commercial business, or residential agricultural purposes.

3.5 That all property rates as per paragraphs 3.1.1 to 3.1.23 above be subjected to Value Added Tax at a zero rate.

CERTIFIED A TRUE EXTRACT

**S M MNGUNI**  
**ACTING MUNICIPAL MANAGER**

# IMPORTANT Information from Government Printing Works

Dear Valued Customers,

Government Printing Works has implemented rules for completing and submitting the electronic Adobe Forms when you, the customer, submits your notice request.

Please take note of these guidelines when completing your form.



## GPW Business Rules

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). This means that any notice submissions not on an Adobe electronic form that are submitted to this mailbox will be **rejected**. National or Provincial gazette notices, where the Z95 or Z95Prov must be an Adobe form but the notice content (body) will be an attachment.
3. Notices brought into GPW by "walk-in" customers on electronic media can only be submitted in Adobe electronic form format. This means that any notice submissions not on an Adobe electronic form that are submitted by the customer on electronic media will be **rejected**. National or Provincial gazette notices, where the Z95 or Z95Prov must be an Adobe form but the notice content (body) will be an attachment.
4. All customers who walk in to GPW that wish to submit a notice that is not on an electronic Adobe form will be routed to the Contact Centre where the customer will be taken through the completion of the form by a GPW representative. Where a customer walks into GPW with a stack of hard copy notices delivered by a messenger on behalf of a newspaper the messenger must be referred back to the sender as the submission does not adhere to the submission rules.
5. All notice submissions that do not comply with point 2 will be charged full price for the notice submission.
6. 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))
7. 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))
8. All re-submissions by customers will be subject to the above cut-off times.
9. All submissions and re-submissions that miss the cut-off will be rejected to the customer to be submitted with a new publication date.
10. Information on forms will be taken as the primary source of the notice to be published. Any instructions that are on the email body or covering letter that contradicts the notice form content will be ignored.

You are therefore advised that effective from **Monday, 18 May 2015** should you not comply with our new rules of engagement, all notice requests will be rejected by our new system.

Furthermore, the fax number **012- 748 6030** will also be **discontinued** from this date and customers will only be able to submit notice requests through the email address [submit.egazette@gpw.gov.za](mailto:submit.egazette@gpw.gov.za).



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Also available at the **Provincial Legislature: Mpumalanga**, Private Bag X11289, Room 114, Civic Centre Building, Nel Street, Nelspruit, 1200. Tel. (01311) 5-2133  
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Ook verkrygbaar by die **Provinsiale Wetgewer: Mpumalanga**, Privaat Sak X11289, Kamer 114, Burgersentrum, Nelstraat, Nelspruit, 1200. Tel. (01311) 5-2133