



THE PROVINCE OF MPUMALANGA
DIE PROVINSIE MPUMALANGA

Provincial Gazette Provinsiale Koerant

(Registered as a newspaper) • (As 'n nuusblad geregistreer)

Vol. 25

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9 MARCH 2018
9 MAART 2018

No. 2906

We all have the power to prevent AIDS



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DEPARTMENT OF HEALTH

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CONTENTS

Gazette *Page*
No. *No.*

GENERAL NOTICES • ALGEMENE KENNISGEWINGS

20	Mineral and Petroleum Resources Development Act (28/2002): Proposed Opencast Coal Mining on a Portion of Portions 11 and 19 of the Farm Onspoed 500-JR, Tshwane Metropolitan Municipality, Gauteng....	2906	11
21	Local Government Municipal Systems Act (32/2000), as amended: Public notice on Municipal By-laws: For comments	2906	12
22	Local Government: Municipal Property Rate Act (6/2004): Calling for inspection of the General Valuation Roll and lodging of objections.....	2906	13
23	Constitution of the Republic of South Africa (108/1996): By-law on Funeral Parlours, Cemeteries and Crematoria.....	2906	14

PROCLAMATION • PROKLAMASIE

7	Town-Planning and Townships Ordinance, 1986: Various Erven	2906	53
8	Road Ordinance (22/1957): Declaration of Provincial Road D2220	2906	54
9	Town-planning and Townships Ordinance, 1986: Rezoning of Erf 1172, Duvhapark Extension 2	2906	56
10	Town-Planning and Townships Ordinance, 1986: Erf 786, eMalahleni (was Witbank) Extension 5	2906	56

PROVINCIAL NOTICES • PROVINSIALE KENNISGEWINGS

17	Victor Khanye Local Municipality Spatial Planning And Land Use By-Law, 2015: Erf 1022, Delmas Extension 04.....	2906	57
17	Victor Khanye Plaaslike Munisipaliteit Ruimtelike Beplanning en Grondgebruiksbestuur by-wet, 2015: Erf 1022, Delmas-uitbreiding 04.....	2906	58
19	Bushbuckridge Land Use By-Law, 2014: Remaining Extent of the Farm Maviljan 252 KU.....	2906	59
20	Mpumalanga Gambling Act, 1995: Application for consent to hold an interest contemplated in Section 36 of the Act	2906	60
21	Steve Tshwete Spatial Planning and Land use Management Bylaw, 2016: Portion 46, of the farm Goedeheop 315 JS.....	2906	60
21	Steve Tshwete Ruimtelike Beplanning en Grondgebruiksbestuursverordening, 2016: Gedeelte 46, van die plaas Goedeheop 315 JS	2906	60
22	The Govan Mbeki Spatial Planning and Land Use Management By-Law, 2016: Remainder of Erf 8720 and Erf 3913, Secunda Extension 8	2906	61

LOCAL AUTHORITY NOTICES • PLAASLIKE OWERHEIDS KENNISGEWINGS

16	Local Government: Municipal Property Rates Act (6/2004): Public notice calling for inspection of the Valuation Roll and lodging of objections.....	2906	62
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Closing times for **ORDINARY WEEKLY** 2018

MPUMALANGA PROVINCIAL GAZETTE

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

- **28 December 2017**, Thursday for the issue of Friday **05 January 2018**
- **05 January**, Friday for the issue of Friday **12 January 2018**
- **12 January**, Friday for the issue of Friday **19 January 2018**
- **19 January**, Friday for the issue of Friday **26 January 2018**
- **26 January**, Friday for the issue of Friday **02 February 2018**
- **02 February**, Friday for the issue of Friday **09 February 2018**
- **09 February**, Friday for the issue of Friday **16 February 2018**
- **16 February**, Friday for the issue of Friday **23 February 2018**
- **23 February**, Friday for the issue of Friday **02 March 2018**
- **02 March**, Friday for the issue of Friday **09 March 2018**
- **09 March**, Friday for the issue of Friday **16 March 2018**
- **15 March**, Thursday for the issue of Friday **23 March 2018**
- **23 March**, Friday for the issue of Friday **30 March 2018**
- **28 March**, Wednesday for the issue of Friday **06 April 2018**
- **06 April**, Friday for the issue of Friday **13 April 2018**
- **13 April**, Friday for the issue of Friday **20 April 2018**
- **20 April**, Friday for the issue of Friday **27 April 2018**
- **25 April**, Wednesday for the issue of Friday **04 May 2018**
- **04 May**, Friday for the issue of Friday **11 May 2018**
- **11 May**, Friday for the issue of Friday **18 May 2018**
- **18 May**, Friday for the issue of Friday **25 May 2018**
- **25 May**, Friday for the issue of Friday **01 June 2018**
- **01 June**, Friday for the issue of Friday **08 June 2018**
- **08 June**, Friday for the issue of Friday **15 June 2018**
- **15 June**, Thursday for the issue of Friday **22 June 2018**
- **22 June**, Friday for the issue of Friday **29 June 2018**
- **29 June**, Friday for the issue of Friday **06 July 2018**
- **06 July**, Friday for the issue of Friday **13 July 2018**
- **13 July**, Friday for the issue of Friday **20 July 2018**
- **20 July**, Friday for the issue of Friday **27 July 2018**
- **27 July**, Friday for the issue of Friday **03 August 2018**
- **02 August**, Thursday, for the issue of Friday **10 August 2018**
- **10 August**, Friday for the issue of Friday **17 August 2018**
- **17 August**, Friday for the issue of Friday **24 August 2018**
- **24 August**, Friday for the issue of Friday **31 August 2018**
- **31 August**, Friday for the issue of Friday **07 September 2018**
- **07 September**, Friday for the issue of Friday **14 September 2018**
- **14 September**, Friday for the issue of Friday **21 September 2018**
- **20 September**, Thursday for the issue of Friday **28 September 2018**
- **28 September**, Friday for the issue of Friday **05 October 2018**
- **05 October**, Friday for the issue of Friday **12 October 2018**
- **12 October**, Friday for the issue of Friday **19 October 2018**
- **19 October**, Friday for the issue of Friday **26 October 2018**
- **26 October**, Friday for the issue of Friday **02 November 2018**
- **02 November**, Friday for the issue of Friday **09 November 2018**
- **09 November**, Friday for the issue of Friday **16 November 2018**
- **16 November**, Friday for the issue of Friday **23 November 2018**
- **23 November**, Friday for the issue of Friday **30 November 2018**
- **30 November**, Friday for the issue of Friday **07 December 2018**
- **07 December**, Friday for the issue of Friday **14 December 2018**
- **13 December**, Thursday, for the issue of Friday **21 December 2018**
- **19 December**, Wednesday for the issue of Friday **28 December 2018**

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

The **Government Printing Works (GPW)** 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.

CLOSING TIMES FOR ACCEPTANCE OF NOTICES

1. The *Government Gazette* and *Government Tender Bulletin* are weekly publications that are published on Fridays and the closing time for the acceptance of notices is strictly applied according to the scheduled time for each gazette.
2. Please refer to the Submission Notice Deadline schedule in the table below. This schedule is also published online on the Government Printing works website www.gpwonline.co.za

All re-submissions will be subject to the standard cut-off times.

All notices received after the closing time will be rejected.

Government Gazette Type	Publication Frequency	Publication Date	Submission Deadline	Cancellations Deadline
National Gazette	Weekly	Friday	Friday 15h00 for next Friday	Tuesday, 15h00 - 3 days prior to publication
Regulation Gazette	Weekly	Friday	Friday 15h00, to be published the following Friday	Tuesday, 15h00 - 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
State of Budget (National Treasury)	Monthly	Any	7 days prior to publication	3 days prior to publication
Legal Gazettes A, B and C	Weekly	Friday	One week before publication	Tuesday, 15h00 - 3 days prior to publication
Tender Bulletin	Weekly	Friday	Friday 15h00 for next Friday	Tuesday, 15h00 - 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 - BUSINESS RULES

EXTRAORDINARY GAZETTES

3. *Extraordinary Gazettes* can have only one publication date. If multiple publications of an *Extraordinary Gazette* are required, a separate Z95/Z95Prov *Adobe* Forms for each publication date must be submitted.

NOTICE SUBMISSION PROCESS

4. Download the latest *Adobe* form, for the relevant notice to be placed, from the **Government Printing Works** website www.gpwonline.co.za.
5. The *Adobe* form needs to be completed electronically using *Adobe Acrobat / Acrobat Reader*. Only electronically completed *Adobe* forms will be accepted. No printed, handwritten and/or scanned *Adobe* forms will be accepted.
6. The completed electronic *Adobe* form has to be submitted via email to submit.egazette@gpw.gov.za. The form needs to be submitted in its original electronic *Adobe* format to enable the system to extract the completed information from the form for placement in the publication.
7. Every notice submitted **must** be accompanied by an official **GPW** quotation. This must be obtained from the *eGazette* Contact Centre.
8. Each notice submission should be sent as a single email. The email **must** contain **all documentation relating to a particular notice submission**.
 - 8.1. Each of the following documents must be attached to the email as a separate attachment:
 - 8.1.1. An electronically completed *Adobe* form, specific to the type of notice that is to be placed.
 - 8.1.1.1. For *National Government Gazette* or *Provincial Gazette* notices, the notices must be accompanied by an electronic Z95 or Z95Prov *Adobe* form
 - 8.1.1.2. The notice content (body copy) **MUST** be a separate attachment.
 - 8.1.2. A copy of the official **Government Printing Works** quotation you received for your notice .
(Please see *Quotation* section below for further details)
 - 8.1.3. A valid and legible Proof of Payment / Purchase Order: **Government Printing Works** account customer must include a copy of their Purchase Order. **Non-Government Printing Works** account customer needs to submit the proof of payment for the notice
 - 8.1.4. Where separate notice content is applicable (Z95, Z95 Prov and TForm 3, it should **also** be attached as a separate attachment. (Please see the *Copy Section* below, for the specifications).
 - 8.1.5. Any additional notice information if applicable.
9. 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. The information submitted on the electronic *Adobe* form will be published as-is.
10. To avoid duplicated publication of the same notice and double billing, Please submit your notice **ONLY ONCE**.
11. Notices brought to **GPW** by "walk-in" customers on electronic media can only be submitted in *Adobe* electronic form format. 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.
12. Should a customer submit a bulk submission 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.

GOVERNMENT PRINTING WORKS - BUSINESS RULES**QUOTATIONS**

13. Quotations are valid until the next tariff change.
 - 13.1. **Take note:** GPW's annual tariff increase takes place on **1 April** therefore any quotations issued, accepted and submitted for publication up to **31 March** will keep the old tariff. For notices to be published from 1 April, a quotation must be obtained from **GPW** with the new tariffs. Where a tariff increase is implemented during the year, **GPW** endeavours to provide customers with 30 days' notice of such changes.
14. Each quotation has a unique number.
15. Form Content notices must be emailed to the *eGazette* Contact Centre for a quotation.
 - 15.1. The *Adobe* form supplied is uploaded by the Contact Centre Agent and the system automatically calculates the cost of your notice based on the layout/format of the content supplied.
 - 15.2. It is critical that these *Adobe* Forms are completed correctly and adhere to the guidelines as stipulated by **GPW**.
16. **APPLICABLE ONLY TO GPW ACCOUNT HOLDERS:**
 - 16.1. **GPW** Account Customers must provide a valid **GPW** account number to obtain a quotation.
 - 16.2. Accounts for **GPW** account customers **must** be active with sufficient credit to transact with **GPW** to submit notices.
 - 16.2.1. If you are unsure about or need to resolve the status of your account, please contact the **GPW** Finance Department prior to submitting your notices. (If the account status is not resolved prior to submission of your notice, the notice will be failed during the process).
17. **APPLICABLE ONLY TO CASH CUSTOMERS:**
 - 17.1. Cash customers doing **bulk payments** must use a **single email address** in order to use the **same proof of payment** for submitting multiple notices.
18. The responsibility lies with you, the customer, to ensure that the payment made for your notice(s) to be published is sufficient to cover the cost of the notice(s).
19. Each quotation will be associated with one proof of payment / purchase order / cash receipt.
 - 19.1. This means that **the quotation number can only be used once to make a payment.**

GOVERNMENT PRINTING WORKS - BUSINESS RULES**COPY (SEPARATE NOTICE CONTENT DOCUMENT)**

20. Where the copy is part of a separate attachment document for Z95, Z95Prov and TForm03

- 20.1. 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).

- 20.2. 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;

CANCELLATIONS

21. Cancellation of notice submissions are accepted by **GPW** according to the deadlines stated in the table above in point 2. 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.
22. 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

23. With effect from 01 October 2015, **GPW** will not longer accept amendments to notices. The cancellation process will need to be followed according to the deadline and a new notice submitted thereafter for the next available publication date.

REJECTIONS

24. All notices not meeting the submission rules 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). Reasons for rejections include the following:
- 24.1. Incorrectly completed forms and notices submitted in the wrong format, will be rejected.
- 24.2. Any notice submissions not on the correct *Adobe* electronic form, will be rejected.
- 24.3. Any notice submissions not accompanied by the proof of payment / purchase order will be rejected and the notice will not be processed.
- 24.4. Any submissions or re-submissions that miss the submission cut-off times will be rejected to the customer. The Notice needs to be re-submitted with a new publication date.

GOVERNMENT PRINTING WORKS - BUSINESS RULES**APPROVAL OF NOTICES**

25. 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.
26. No amendments will be accepted in respect to separate notice content that was sent with a Z95 or Z95Prov notice submissions. The copy of notice in layout format (previously known as proof-out) is only provided where requested, for Advertiser to see the notice in final Gazette layout. Should they find that the information submitted was incorrect, they should request for a notice cancellation and resubmit the corrected notice, subject to standard submission deadlines. The cancellation is also subject to the stages in the publishing process, i.e. If cancellation is received when production (printing process) has commenced, then the notice cannot be cancelled.

GOVERNMENT PRINTER INDEMNIFIED AGAINST LIABILITY

27. The Government Printer will assume no liability in respect of—
 - 27.1. any delay in the publication of a notice or publication of such notice on any date other than that stipulated by the advertiser;
 - 27.2. 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;
 - 27.3. any editing, revision, omission, typographical errors or errors resulting from faint or indistinct copy.

LIABILITY OF ADVERTISER

28. 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.

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.

29. Requests for information, quotations and inquiries must be sent to the Contact Centre **ONLY**.
30. Requests for Quotations (RFQs) should be received by the Contact Centre at least **2 working days** before the submission deadline for that specific publication.

GOVERNMENT PRINTING WORKS - BUSINESS RULES

PAYMENT OF COST

31. 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.
32. 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.
33. Every proof of payment must have a valid **GPW** quotation number as a reference on the proof of payment document.
34. 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**, Private Bag X85, Pretoria, 0001 email: info.egazette@gpw.gov.za before publication.
35. 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.
36. 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**.
37. The **Government Printing Works** 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

38. Copies of any of the *Government Gazette* or *Provincial Gazette* can be downloaded from the **Government Printing Works** website www.gpwonline.co.za free of charge, should a proof of publication be required.
39. Printed copies may be ordered from the Publications department at the ruling price. The **Government Printing Works** will assume no liability for any failure to post or for any delay in despatching of such *Government Gazette(s)*.

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:

For queries and quotations, contact: Gazette Contact Centre:

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

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

GENERAL NOTICES • ALGEMENE KENNISGEWINGS

NOTICE 20 OF 2018

PUBLIC PARTICIPATION PROCESS **ENVIRONMENTAL IMPACT ASSESSMENT**

PROJECT NAME: ARZIKI HOLDINGS [REG NO:2017/503575/07]

PROPOSED OPENCAST COAL MINING ON A PORTION OF PORTIONS 11 AND 19 OF THE FARM ONSPOED 500-JR, TSHWANE METROPOLITAN MUNICIPALITY, GAUTENG.

1. **Project proposal:** Arziki Mining (Pty) Ltd ("the applicant") intends to establish an opencast coal mine on a portion of portions 11 and 19 of the farm Onspoed 500JR **TSHWANE METROPOLITAN MUNICIPALITY, GAUTENG** (hereinafter "the property").
2. **Location and mining area size:** The mining permit area will be approximately 5 hectares. It is situated on the Eastern boundary of the Tshwane Metropolitan Municipality directly adjacent to the Emalahleni municipality. The mining permit area is situated in Region 7 of Tshwane and 20 kilometers east from the city center of Bronkhorstpruit..
3. **Application for environmental authorization to undertake the following activities:** Activity 21 of the Environmental Impact Assessment Regulations Listing Notice 1 of 2014 (as amended by GN 327 in government Gazette 40772 of 7 April 2017), i.e a mining permit in terms of section 27 of the Mineral and Petroleum Resources Development Act, Act 28 of 2002.
4. **The Competent authority:** The Department of Mineral Resources- reference number: **GP30/5/1/3/2/1/10284MP.**
5. **Environmental assessment practitioner (EAP):** Mr Kenneth Singo. Address details: Office No 10 Khayalami Estate, Tasbet Park, Ext 11, Witbank. Tel: (078) 272 7839 // (072) 081 6682 and fax: (086) 661 7975. Email: kenneth@singoconsulting.co.za
6. **Registration as an Interested and Affected Party (I&AP):** Any person who wish to register as a I&AP must notify the EAP accordingly in writing as per the contact details in paragraph 5 above. I&AP are required to indicate whether he/she has any direct business, financial, personal or other interest in the application and if so furnish details regarding such an interest.
7. **Invitation to participate and comment:** A draft BAR and draft Environmental Management Program Report will be available for review for a 30 days calendar period from **6 March to 9 April 2018** at the office of the Applicant at PLOT 445, MOOIPLAATS, PRETORIA, GAUTENG, 0036 BOSCHKOP ROAD (R631) (GPS COORDINATES -25.823738, 28.420696). The draft reports will also be distributed to all I&AP's and will also be published on the following website: www.greeffvanwyk.co.za . The public and I&AP's are invited to submit their comments on the aforesaid draft documents at the EAP on or before **9 April 2018.**
8. **Additional information:** Additional information regarding the proposed project can be obtained from the representative of the applicant, i.e. Mr Paul Jordaan. Mr Paul Jordaan can be reached via email at paul@coalventures.com or telephonically at number (076) 034 2559.

NOTICE 21 OF 2018

**PUBLIC NOTICE ON MUNICIPAL BYLAWS**

Notice is hereby given in terms of section 12 (3)(b) & section 13 of the Local Government Municipal Systems Act (Act 32 of 2000), as amended, read with sections 156 & 162 of the Constitution of the Republic of South Africa Act, 1996 (Act No 108 of 1996) that requires the Municipality to publicise their bylaws and invite the local community for comments:

- Community Halls and Municipal Facilities
- Funeral parlors and Cemeteries
- Integrated Waste Management

The proposed bylaws are publicized for public comment and copies may be scrutinized at the following places for public inspection from:

- Municipal headquarters, A2601/3 Bongimfundo Street, Siyabuswa
- Municipal satellite offices; Nokaneng, Libangeni, Technical Services
- Libraries; Siyabuswa, Maphotla, Marapyane and Masobe
- Municipal website www.moroka.gov.za

Written comments are therefore invited on the aforementioned by-laws, until 12 March 2018. Any person who cannot read and write will be assisted during working office hours (08:00-16:00). For enquiries, please contact Ms M R Mphahlele on 013 932 1101.



MUNICIPAL MANAGER
MR MVENSELWA J MAHLANGU

NOTICE 22 OF 2018

**PUBLIC NOTICE****CALLING FOR INSPECTION OF THE GENERAL VALUATION ROLL AND LODGING OF OBJECTIONS**

Notice is hereby given in terms of section 49, 1 (a) (i) of the Local Government: Municipal Property Rate Act, 2004 (Act No.6 of 2004), hereinafter referred to as the "Act", that the **third** General Valuation Roll for the Financial Years 1st July 2018 to 30th June 2023 is open for public inspection at the Municipal Offices listed below on Mondays to Fridays, during office hours 08:30 to 15h30 from 7th February 2018 until the 31st March 2018. The following offices can be visited to inspect the General Valuation Roll or alternatively the municipal website:

- Dr JS Moroka Municipal Head Quarters
- Mbibane Satellite Office
- Mathanjana Satellite Office

An invitation is hereby made in terms of section 49 (1) (a) (ii) of the Act that any owner of property or other person who so desires should lodge an objection with the municipal manager in respect of any matter reflected in , or omitted from the valuation roll within the above mentioned period.

Attention is specifically drawn to the fact that in terms of section 50 (2) of the Act, an objection must be in relation to a specific individual property and not against the valuation roll as a whole. The forms for lodging of objections are obtainable from the listed Municipal Offices or website www.moroka.gov.za.

The completed objection forms must be returned by hand to the Municipal Office where account is held or mailed to **The Municipal Manager, Private Bag X 4012, Siyabuswa,0472**. *No form of electronic submission will be accepted.*

CLOSING DATE FOR OBJECTIONS IS 15:30 ON FRIDAY 6 APRIL 2018.

For enquiries please phone 013 973 1101 ext. 194 or fax to 013 973 0973



MR. MVENSELWA J MAHLANGU
MUNICIPAL MANAGER

NOTICE 23 OF 2018

By-law on funeral parlours, cemeteries and crematoria



Dr JS Moroka Local Municipality

DR JS MOROKA MUNICIPALITY FUNERAL PARLOURS, CEMETERIES AND CREMATORIA BY – LAWS

**UNDER THE PROVISIONS OF SECTION 156 OF THE CONSTITUTION OF
THE REPUBLIC OF SOUTH AFRICA, 1996 (ACT 108 OF 1996), THE DR JS
MOROKA MUNICIPALITY, ENACTS AS FOLLOWS:-**

Table of content

1. Definitions.....	Page 7
2. Principles and objectives.....	Page 9
3. Application of By-laws.....	Page 10
4. Legislation specifically referred to.....	Page 10
5. Establishing Cemeteries.....	Page 10

CHAPTER 1: FUNERAL UNDERTAKERS' PREMISES

6. Applicable legislation.....	Page 11
7. Enforcement of Chapter 1.....	Page 11

CHAPTER 2: GENERAL PROVISIONS RELATING TO CEMETERIES AND CREMATORIA

8. Appointment of caretaker.....	Page 11
9. Hours of admission for public.....	Page 11
10. Children.....	Page 12
11. Keeping to path.....	Page 12

12. Prohibited conduct within cemetery and crematorium.....Page 12

13. Right of interest in ground.....Page 14

CHAPTER 3: GENERAL PROVISIONS RELATING TO INTERMENT AND CREMATION

14. Disposal of a body.....Page 14

15. Consent required for interment and cremation.....Page 14

16. Interment and cremation times.....Page 16

17. Register.....Page 17

18. Indigent and destitute persons.....Page 17

19. Number of bodys in one coffin.....Page 17

20. Use of Body Bags.....Page 18

CHAPTER 4: INTERMENT

21. Dimensions of graves and apertures.....Page 18

22. Depth of grate.....Page 19

23. Reservations of grave.....Page 19

24. Transfer of rights in Cemetery.....Page 20

25. Child's coffin too large.....Page 20

26. Construction material of coffin.....Page 20

27. Number of bodies in one grave.....Page 20

28. Coffin to be covered with earth.....	Page 20
29. Religious ceremony.....	Page 21
30. Hearse and vehicle at cemetery.....	Page 21
31. Instruction of caretaker.....	Page 21
32. Music inside cemetery.....	Page 21
33. Interment attended by more than fifty people.....	Page 21
34. Occupation of chapel or shelter.....	Page 21
35. Number on grave.....	Page 22

CHAPTER 5: EXHUMATION OF BODY AND RE-OPENING OF GRAVE

36. Disturbance of mortal remains.....	Page 22
37. Time of exhumation.....	Page 22
38. Re – opening of grave.....	Page 22

CHAPTER 6: CARE OF GRAVES

39. Shrubs and flowers.....	Page 23
40. Care of grave.....	Page 23

CHAPTER 7: CREMATION

41. Receptacles and ashes.....	Page 24
42. Burial and exhumation of ashes.....	Page 24
43. Cremation certificate.....	Page 25

CHAPTER 8: ERECTION AND MAINTENANCE OF MEMORIAL WORK

44. Consent of Council.....	Page 25
45. Requirements for erection of memorial work.....	Page 26
46. Position, movement and removal of memorial work.....	Page 27
47. Repairs to memorial work.....	Page 27
48. Supervision of work.....	Page 27
49. Damaging of memorial work.....	Page 27
50. Conveying of memorial work.....	Page 27
51. Vehicle and tools.....	Page 28
52. Complying with Council's directions.....	Page 28
53. Times for bringing in material and doing work.....	Page 28
54. Inclement weather.....	Page 28
55. Production of written permission.....	Page 28
56. Memorial work in crematorium.....	Page 28

CHAPTER 9: SECTIONS IN CEMETERY

57. Council may establish sections.....	Page 29
58. Monumental section.....	Page 29
59. Garden of remembrance.....	Page 29

60. Heroes acre.....	Page 29
61. Aesthetic section.....	Page 30
62. Panoramic section.....	Page 31

CHAPTER 10: PRIVATE CEMETERIES

63. By-laws apply.....	Page 31
64. Establishment and continued use of cemeteries.....	Page 31
65. Duties of Proprietors.....	Page 33

CHAPTER 11: MISCELLANEOUS

66. Authentication and service of order, notice or other document.....	Page 34
67. Complaint.....	Page 35
68. Notice of compliance and representations.....	Page 35
69. Costs.....	Page 37
70. Appeal.....	Page 37
71. Charges.....	Page 38
72. Penalties.....	Page 38
73. Limitation of liability.....	Page 38
74. Revocation of By-Laws.....	Page 38
75. Short title and commencement.....	Page 38

1. Definitions

In these By Law, unless the context otherwise indicates –

"Adult" (where the word is used to define a body) means a deceased person whose coffin will fit into the grave opening prescribed for adult in Section 18 of this By - Law;

"Aesthetic section" means a cemetery or section of a cemetery which has been set aside by the Council wherein a headstone may only be erected and strips of garden will be provided by the Council;

"Berm" means a concrete base laid by the Council at the head of a grave' in the aesthetic section;

"Body" means the remains of a deceased person and includes a still-born child;

"Burial" means burial in earth or any other form of sepulture and includes the cremation or any other mode of disposal of a body;

"Burial order" means an order issued in terms of the Births and Deaths Registration Act, 1992 (No. 51 of 1992) ("**the BDRA**");

"Caretaker" means the official whom the Council appoints from time to time in a supervisory capacity with regard to the cemetery;

"Cemetery" means a land or part thereof within the municipality duly set aside by the Council as cemetery;

"Child" (where the word is used to define a body) means a deceased person whose coffin will fit into the grave opening prescribed for children in section 18;

"Columbarium" means a structure containing rows of niches for the purpose of placing receptacles containing the ashes of cremated bodes therein;

"Contractor" means:

a) the person who has paid or caused any of the charges prescribed in the tariff to be paid or who has obtained any of the right set out in these by-laws or who has obtained the right to have a memorial work erected or constructed or who has obtained any other rights or interests referred to or mentioned in these by-laws.

b) a structure or person exercising a delegated power or carrying out an instruction, where any power in these by-laws has been delegated or sub-delegated, or an instruction given, as contemplated in Section 59 of the local Government: municipal systems act, 2000 (Act 32 of 2000); or

c) a service provider fulfilling a responsibility under these by-laws assigned to it in terms of Section 81(2) of the Local Government: Municipal Systems Act ("**MSA**"), or any other law, as the case may be;

"Cremation" means the process whereby a body is disposed of by fire;

"Crematorium" means a crematorium as defined in Section 1 of the Ordinance and includes the buildings in which a ceremony is conducted and the cremation carried out;

"Cremated remains" means all recoverable ashes after the cremation;

"Exhumation" means the removal of a body from its grave;

"Funeral undertaker's premises" has the meaning assigned to it in Regulation 1 of the Regulations to the BDRA (as published by the Minister of Home Affairs in Government Gazette Notice No. 37373 on 26 February 2014, No. R. 128) ("**the BDRA Regulations**");

"Garden of remembrance" means a section of a cemetery or crematorium set aside for the erection of memorial work or a wall of remembrance;

"Grave" means a piece of land, within a cemetery or heritage site, excavated for the burial of a body and includes the headstone, number or marker of and a structure on or associated with the grave;

"Heroes acre" means an area of land set aside for the burial of a hero;

"Medical officer of health" means the officer appointed by Council or any other person acting in the capacity of the medical officer of health;

"Memorial section" means a section of a cemetery set aside for the erection of memorials;

"Memorial work" means any headstone, monument, plaque, other work or object, erected or intended to be erected in a cemetery or crematorium to commemorate a deceased person, and includes a kerb demarcating a grave, and a slab covering a grave;

"Niche" means a compartment in a columbarium or wall of remembrance for the placing of ashes;

"Ordinance" means the crematorium ordinance, 1965 (Ordinance No. 18 of 1965);

"Panoramic section" means a section in a cemetery set aside by the Council where memorial work is restricted to a plaque or memorial slab;

"Prescribed" means prescribed by the Council;

"Prescribed fee" means a fee determined by the Council by resolution in terms of section 10G(7)(a)(ii) of the Local Government Transition Act, 1993 (Act 209 of 1993), or any other applicable legislation;

"Regulations" means the funeral undertakers' premises, made under Sections 33 and 39 of the Health Act, 1977 (Act 63 of 1977) (published as Government Notice No. 237 of 8 February 1985);

"Tomb" means an above ground burial vault;

"Wall of remembrance" means a structure (in a cemetery) which contains niches in which urns containing ashes can be stored.

(2) if any provision in these by-laws vests or imposes any power, function or duty of the Council in or on an employee of the Council and such power, function or duty has in terms of Section 81(2) of the MSA, or any other law been assigned to a service provider, the reference to such employee must be read as a reference to the service provider or, where applicable, an employee of the service provider authorized by it.

"Tariff" means the prescribed charge determined by the Municipality in terms of any applicable legislation for any service rendered by the Municipality in terms of these By-Laws;

2. Principles and objectives

The Council, acting under the power granted to it by national and provincial legislation and the regulations made under Sections 33 and 39 of the Health Act, 1977 (Act 63 of 1977), and aware of the dignity of its residents and the need to preserve that dignity, and aware that a body is to be granted respect, and that all its residents have the right and the duty to inter a body in a cemetery or to cremate a body in a crematorium, hereby adopts these by-laws to control funeral undertaker's premises, to make provision for the allocation of and for the purposes of the burial of human remains, to develop and maintain existing cemeteries, to permit its residents to dispose of a body by cremation and to provide space allowing the preservation of the remains of a cremation in a dignified manner.

3. Application of By-laws

These By-laws, which are informed by the Municipality's adopted policy on funeral parlours, cemeteries and crematoria 2017 – 2018, apply to all funeral undertakers' premises and to cemeteries, crematoria and other places of interment as determined by the Council, within the Dr JS Moroka municipality area, and to persons making use of such funeral undertakers, cemeteries, crematoria and other place of interment.

4. Legislation specifically referred to

These By-laws refer specifically to, are regulated by and are informed by the:-

- (1) Inquest Act, 1959 (Act 58 of 1959);
- (2) Health Act, 1977 (Act 63 of 1977); as amended ("**the Health Act**")
- (3) National Building Regulations and Building Standards Act, 1977 (Act 103 of 1977);
- (4) Human Tissue Act, 1983 (Act 65 of 1983);
- (5) Births and Deaths Registration Act, 1992 (Act 51 of 1992) ("**the BDRA**"); as amended
- (6) Local Government Transition Act, 1993 (Act 209 of 1993); and
- (7) Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) ("**the MSA**").
- (8) The Cemeteries, Crematoria and Exhumation of Bodies Act 2005 (Mpumalanga Provincial Gazette No. 1397, 27 December 2006) ("**the CCEBA**").
- (9) The Cemeteries, Crematoria and Funeral Undertakers By – Laws (Provincial Gazette, No. 2800 43, 7 April 2017, Local Authority Notice 34 of 2017) ("**the Provincial Cemeteries By – Laws**")

5. Establishing Cemeteries

- (1) The Council may set aside land within its jurisdictional area for the purposes of establishing cemeteries and/or crematoria in accordance with the provisions of the CCEBA and Provincial Cemeteries By – Laws

CHAPTER 1: FUNERAL UNDERTAKERS' PREMISES**6. Applicable legislation**

The regulations and the National Building Regulations and Building Standards Act, 1977, CCEBA and Provincial Cemeteries By – Laws apply in respect of funeral undertaker's premises and as such, shall not be extrapolated upon in this By - Law

7. Enforcement of Chapter 1

- (1) The Council, in order to reduce a public health hazard or eliminate a public health hazard, may issue such order or notice or undertake such remedial work as the Council may deem necessary as per Sections 33 and 34 of the Health Act, the applicable regulations thereto and further applicable national and provincial legislation.
- (2) The medical officer of health and such other person as the Council may or must appoint in accordance with, or who is empowered to act by any other law, are the officials responsible for the implementation of this chapter, and have such power as granted in such law, and the Council may furthermore grant other power to an official as the Council may deem necessary from time to time.

CHAPTER 2: GENERAL PROVISIONS RELATING TO CEMETERIES AND CREMATORIA**8. Appointment of caretaker**

- (1) The Council must appoint a caretaker for each cemetery or crematorium to control and administer the cemetery or crematorium.
- (2) The caretaker must take into account the customs of the deceased person and the people responsible for the burial or cremation and must accommodate these to the extent legally permissible and reasonably possible, within the framework of these By-laws.

9. Hours of admission for public

- (1) Every cemetery is open to the public during the following hours: 08h00 and 16h00, however, if it is in the interest of the public, the Council may close to

the public a cemetery or crematorium or part thereof for such periods as the Council deem necessary.

(2) No person, excluding workers or persons with permission may be in or remain in a cemetery or crematorium or part thereof before or after the hours mentioned in sub-section (a) or during a period when it is closed to the public.

(3) A person who contravenes subsection (b) commits an offence.

10. Children

(1) No child under 12 years of age may enter a cemetery or crematorium unless he or she is under the care of a responsible person.

(2) A person who allows a child to enter a cemetery or crematorium in contravention of subsection (a), commits an offence.

11. Keeping to path

Except for purposes permitted by these By-laws, a person may only use a path provided in the cemetery, and failure to do so constitutes an offence.

12. Prohibited conduct within cemetery and crematorium

(1) No person may:-

(a) Commit or cause a nuisance within a cemetery or crematorium;

(b) Ride an animal or cycle within a cemetery or crematorium;

(c) Bring or allow an animal to wander inside a cemetery or crematorium;

(d) Plant, cut, pick or remove a tree, plant, shrub or flower without the permission of the caretaker;

(e) Hold or take part in a demonstration in a cemetery or crematorium;

(f) Interrupt during the performance of his or her duties, an official, workman or laborer employed by the Council in a cemetery or crematorium;

- (g) Obstruct, resist or oppose the caretaker in the course of his or her duty or refuse to comply with an order or request which the caretaker is entitled under these By-laws to make;
 - (h) Use a cemetery or crematorium for an immoral purpose;
 - (i) Mark, draw, scribble, erect an advertisement or object on a wall, building, fence, gate, memorial work or other erection within a cemetery or crematorium;
 - (j) Use water for any form of gardening without the permission of the caretaker;
 - (k) Plant trees, flowers or shrubs on or between graves;
 - (l) Leave any rubbish, soil, stone, debris or litter within the cemetery or crematorium;
 - (m) In any way damage or deface any part of a cemetery or crematorium or anything therein contained within the cemetery;
 - (n) Enter or leave a cemetery or crematorium, except by an entrance provided for the purpose of same;
 - (o) Solicit any business, order or exhibit, or distribute or leave a tract, business card or advertisement within a cemetery or crematorium;
 - (p) Treat a grave or memorial work with disrespect, such as climbing or sitting on a grave or memorial work;
 - (q) Enter an office, building or fenced place in a cemetery or crematorium, except in connection with lawful business;
 - (r) With the exception of a blind person, bring an animal into a cemetery or crematorium; and
 - (s) Expose a body or a part thereof in a cemetery or crematorium.
- (2) Any animal found in a cemetery or crematorium in circumstances other than as deemed to be permissible in terms of these By – Laws, may, at the reasonable discretion of the Council and/or of the officials delegated with the authority to exercise such discretion, be caused to be impounded in

accordance with the applicable provisions of the Animal Protection Act (No. 71 of 1962), without paying any compensation to the owner/s thereof.

- (3) To the extent that any such animal is impounded and/or injured and/or euthanized and/or comes to any harm whatsoever whilst in a cemetery or crematorium, the Council and Municipality are exempt from any liability and obligation to compensate the owner/s thereof.
- (4) A person who contravenes a provision of subsection (a) commits an offence.

13. Right of interest in ground

- (1) No person shall acquire any right to or interest in any ground or grave in a cemetery, other than such rights or interests as may be obtainable under these By-laws.
- (2) The Council may on payment of the fee prescribed by Municipal Council, which schedule refers, sell to a person the use of a grave in a section of a cemetery for a period not exceeding 20 years.
 - (a) The Council may set aside different areas in a cemetery for exclusive use by different religious or cultural groups, taking into consideration the customs or religious conventions of such groups.
 - (b) The Council may launch an awareness campaign regarding the use of land for burial purposes, whereby the environmental advantages of cremation as an alternative to burial is stressed.
 - (c) The Council may, if compelled to do so by environmental considerations, such as shortage of land for burial, and subject to the provisions of any other law regarding the rights of a person, request that a body be cremated instead of interred.

CHAPTER 3: GENERAL PROVISIONS RELATING TO BURIAL AND CREMATION

14. Disposal of a body

- (1) A body may only be disposed of within the jurisdiction of the Council by way of either burial within a cemetery or by way of cremation in a crematorium which is recognized by the Council, unless otherwise authorized by any other law which is not in conflict with this By – Law and the legislations, ordinances and regulations regulating same.

15. Consent required for interment and cremation

- (1) No person may dispose of a body in any other manner than by interring it in a cemetery or having it cremated in a crematorium, and a person who wished to dispose of a body must obtain the written consent of the caretaker before he or she disposes of the body.
- (2) A person who wishes to obtain the consent as contemplated in subsection (1) must submit to the caretaker at the applicable offices where the intended burial and/or cremation is to take place, an application in writing a form similar to the form in schedule 1 together with –
 - (a) The fee prescribed in the Schedule 2;
 - (b) A death certificate;
 - (c) A burial order issued in terms of the BDRA; and
 - (d) A proposed time and date for the burial and/or cremation,And the caretaker may not approve the application unless all of the above requirements are met.
- (3) Insofar as the date and time of the proposed burial and/or cremation, same must be arranged and consented to by the caretaker, which such consent may not be unreasonably withheld.
- (4) An application must be submitted to the caretaker, in respect of –
 - (a) An interment where the Council is responsible for the digging of the graves, not later than 15:00 on the day before the intended interment or, where the grave exceed the standard size, not later than 15:00 two days before the intended interment; and
 - (b) A cremation, not later than 15:00 on the day before the intended cremation.
- (5) In the event that a burial and/or cremation is required to take place in accordance with Muslim and/or Jewish and/or similar religious rites, such application must be submitted on the first working day after the internment of the body.
- (6) Should any alteration be made in the day or hour previously fixed for an interment or cremation, or an interment or cremation be cancelled, in the

instance where the Council is responsible for the digging of the grave, notice of the alteration must be given to the caretaker at the cemetery at least six hours before the fixed for the interment or cremation, and no refund will be made on monies paid in respect of the opening of an existing grave.

- (7) In the event of an emergency burial where the body must be interred a day after the submission of the written application for burial, such application shall be submitted at least one working day before said internment.
- (8) All applications for the enlargement of a grave, unless in exceptional circumstances, must be submitted to the offices of the caretaker at least two working days prior to burial. Such applications must be made timeously and the Council shall not accept any liability whatsoever for any loss and/or damages caused as a result of failure to do so.
- (9) All postponements and/or cancellations for burials shall be given at least () hours before said burial, failing which, the applicant shall be liable to pay an additional fee as prescribed by Schedule 2.
- (10) The application contemplated in subsection (2) must be signed by the nearest surviving relative of the deceased person whose body will be buried in the grave or cremated or such other person as the nearest surviving relative may authorize to sign the application on his or her behalf, however, if the caretaker is satisfied that the signature of the nearest surviving relative cannot be obtained timorously, or for any other valid reason, he or she may in his or her discretion grant an application signed by any interested person.
- (11) In the instance where a person –
 - a. Who at the time of his or her death was suffering from a communicable disease, this must be indicated in the application; or
 - b. In whom was inserted radioactive material or a pacemaker, it must be indicated in the application if the said material or pacemaker was removed from the body.
- (12) A person who contravenes subsection (10) or subsection (11) commits an offence.

16. Burial and cremation times

- (1) An interment and cremation may take place between 09:00 and 16:00 on week days and between 09:00 and 12:00 on Saturday.

(2) Despite the provision of the subsection (1), the caretaker to whom an application is made may, if the case is one of emergency, permit interment or cremation outside the times contemplated in subsection (1) in which case an addition fee as prescribed in Schedule 2 is payable.

(3) A person who interments or cremates a body in contravention of the provision of subsection (1) or (2) commits an offence

17. Register

The caretaker must keep a record of all interments, and the records must contain:

- a) The particulars of the person who requested the interment or cremation;
- b) The particulars of the deceased person whose body is to be interred or cremated, such as the name, address, and identification number;
- c) The date of the interment or cremation; and
- d) In the instance of a burial, the number of the grave in which the body is buried.

18. Indigent and destitute persons

(1) A person may apply to the Council for the burial or cremation of the body of the indigent person and must provide proof that deceased was granted the status as indigent person in terms of the indigent policy.

(2) Subject to the provision of Section 48 of the Health Act, and Section 10 of the Human Tissue Act, 1993, the body of a destitute person or an unclaimed body may be buried or cremated according to conditions determined by the Council.

(3) Where a body contemplated in subsection (1) or (2) is cremated, the caretaker of the crematorium where the body was cremated must retain the ashes, and should the ashes not be claimed, bury the ashes in a grave.

19. Number of body's in one coffin

(1) Subject to the provisions of subsection (2), only one body may be contained in a coffin.

- (2) A person who contravenes a provision of subsection (1) or who fails to obtain the contemplated in subsection (2) commits an offence.

20. Use of Body Bags

- (1) A body which is to be buried and/or cremated must be sealed in a body bag and contained in a coffin which is in compliance with this By – Law, except to the extent that same conflicts with the religious, traditional and/or other beliefs of the deceased, the applicant and/or their immediate family.

CHAPTER 4: BURIAL

21. Dimensions of graves and aperture

- (1) The standard dimensions of a grave are as follows:-

(a) Adult:

(i) Single grave: Length: 2200 mm; Width: 900 mm.

(ii) Double grave: Length: 2200 mm; Width: 2700 mm.

(b) Child:-

(i) Single grave: Length: 1500 mm; Width 700 mm.

- (2) Any person requiring an aperture for an interment in an adult's grave of a size larger than the standard dimensions must, when submitting an application in terms of Section 13 of this By - Law, specify the measurements of the coffin, and pay the charges fee prescribed by the Municipal Council for enlarging the aperture.

- (3) A person, other than an employee of the Council, who digs a grave in contravention of the dimensions stipulated in subsection (1), he or she commits an offence.

22. Depth of grate

- (1) An adult's grave is 1900 mm in depth and that of a child 1500 mm in depth.
- (2) The lid of the coffin, or where one coffin has been buried on top of another coffin, the lid of the top coffin, may not be less than 1200 mm from the surface.

- (3) A person, other than an employee of the Council, who digs a grave in contravention of the dimensions stipulated in subsection (1) or who interrs a coffin in contravention of the provisions of subsection (2) commits an offence.

23. Reservations of grave

- (1) A person desiring to reserve the use of a grave must apply therefore to the caretaker and must pay the fee prescribed by Municipal Council.
- (2) Graves and additional graves may not be purchased for future use and the reservation thereof shall only confer the right to bury a body therein, said right being exclusive of the right to ownership thereof.
- (3) A restriction is placed on the reservation of graves, and reservations shall only be accepted for adult graves in the monumental section as stated in subsection (4).
- (4) In the event of an interment of a husband or wife in the monumental section, only one additional adjoining grave may be reserved for the survivor.
- (5) In the event of a burial of a husband or wife in the aesthetic section, an additional adjoining grave may not be reserved for the survivor; however, subject to the provisions of Section 23 of this By - Law, the interment of the survivor may be permitted in the same grave.
- (6) A third burial may only be permitted in such circumstances where:
- (a) the grave has been deepened;
 - (b) written application has been made to the caretaker and permission thereof has been granted; and
 - (c) the fee in Municipal tariff has been paid.
- (7) Where another person, other than the applicant, has mistakenly used a grave, the caretaker must allocate another grave within the cemetery to the applicant.

24. Transfer of rights in Cemetery

- (1) No transfer of rights in respect of existing reserved graves shall be permissible.

- (2) Notwithstanding the above, the Council may purchase rights from applicants in respect of existing reserved graves at a rate determined by the interment fee payable in the grass section at the time of said transfer.

25. Child's coffin too large

Should a child's coffin be too large for the dimensions of a child's grave, it must be placed in an adult grave and the prescribed fee for an adult's interment must be paid by the person submitting an application in terms of Section 13 of this By - Law, and in the instance where a child is interred in a section intended for adults the fee applicable to adults applies.

26. Construction material of coffin

- (1) A coffin interred in a grave must be constructed of wood or biodegradable material.
- (2) A person who interrs a coffin in contravention of subsection (1) commits an offence.

27. Number of bodies in one grave

- (1) Subject to the provisions of Section 19(2) and 34 of this By - Law, no more than one body may be interred in a single grave.

28. Coffin to be covered with earth

The person contemplated in Section 13(1) of this By – Law must ensure that a coffin, upon being placed in a grave, is covered without delay with at least 300 mm of earth, and failure to do so constitutes an offence.

29. Religious ceremony

The member of a religious denomination may conduct, during the interment and at the grave, a religious ceremony in connection with an interment or memorial service.

30. Hearse and vehicle at cemetery

- (1) No hearse or other vehicle may enter a cemetery without the prior permission of the caretaker first having been obtained.
- (2) No hearse or other vehicle may use any other route to enter a cemetery than the route set aside for that purpose.

(3) A person who contravenes subsection (1) or (2) commits an offence.

31. Instruction of caretaker

A person taking part in a funeral procession or ceremony in a cemetery must follow instructions by the caretaker, and failure to do so constitutes an offence.

32. Music inside cemetery

(1) Only sacred singing is allowed in a cemetery, except in the case of a police or military funeral, in which case the prior permission of the caretaker must be obtained.

(2) A person who contravenes subsection (1) commits an offence.

33. Interment attended by more than fifty people

In any instance where it is probable that more than 50 people will be present at an interment, the person submitting an application in terms of section 13, must notify the fact to the caretaker the day before the funeral.

34. Occupation of chapel or shelter

(1) No person may for the purpose of a funeral occupy a chapel or shelter in a cemetery for more than 45 minutes.

(2) A person who contravenes subsection (1) commits an offence.

35. Number on grave

(1) No person may inter a body in a grave on which a peg marked with the number of the grave has not been fixed.

(2) A person who contravenes subsection (1) commits an offence.

CHAPTER 5: EXHUMATION OF BODY AND RE-OPENING OF GRAVE

36. Disturbance of mortal remains

- (1) Subject to the provisions of an exhumation order given in terms of section 3(4) of the Inquests Act, 1959 any other provision of any Act relating to the exhumation of body's:-
- (a) No body or mortal remains or ground surrounding it in a cemetery may be disturbed;
 - (b) No grave may be re-opened; and
 - (c) No body may be removed from a grave, without the written consent of the Council and the medical officer of health.
- (2) The fees for exhumation prescribed by the Municipal Council must be paid to the caretaker at least two days before the date fixed for the exhumation or removal of the body.
- (3) A person who contravenes subsections (1) commits an offence.

37. Time of exhumation

- (1) No person may exhume or cause a body to be exhumed during such time as the cemetery is open to the public.
- (2) A person who contravenes subsection (1) commits an offence.

38. Re – opening of grave

- (1) No person may re-open a grave for the purpose of interring a second body in the same grave unless:-
- (a) The grave was initially made deeper for this purpose;
 - (b) If not made deeper, then only after 10 years have passed since the interment of the first body;
 - (c) For purposes of burial of a receptacle containing ashes, the depth does not exceed 300 mm;
 - (d) The consent contemplated in section 32(1) has been obtained; and
 - (e) The fee prescribed by Municipal Council has been paid.
- (2) A person who contravenes a provision of subsection (1) commits an offence.

- (3) Council has the right to re-open a grave for the purpose of establishing, by reading the inscription on the coffin, the identity of the body.

CHAPTER 6: CARE OF GRAVES

39. Shrubs and flowers

The Council may at any time prune, cut down, dig up or remove any shrub, plant, flower, foliage, wreath or adornment if it becomes unsightly, is damaged or wilted.

40. Care of grave

- (1) The maintenance of a grave is the responsibility of the person contemplated in Section 13 of this By - Law.
- (2) The Council may, on application by a person contemplated in subsection (1) and upon payment of the fee prescribed by the Municipal Council, undertake to keep any grave in order for any period.
- (3) The Council may at its discretion undertake to keep, at its own expense, any grave in order for any period.

CHAPTER 7: CREMATION

41. Receptacles and ashes

- (1) Unless the ashes are to be buried by the Council, the person contemplated in section 13(1) of this By – Law must provide a receptacle, on which the full name of the deceased person is indicated, for receiving the ashes.
- (2) The quantity of ashes to be kept, as indicated on the application form by the person contemplated in subsection (1) must, after the cremation, be collected by him or her, and should he or she fail to collect the ashes, the ashes will be dealt with in terms of Section 41 of this By - Law.
- (3) Where a receptacle is intended to be placed in a niche in the columbarium:-
- (a) It must:-
- (i) Be made of wood or stone; and

- (ii) Be of a size and design as to fit into the niche; and
- (b) If the niche is not meant to be sealed, have affixed to it a plate on which the full name of the deceased person is inscribed.

42. Burial and exhumation of ashes

- (1) In the absence of an arrangement between the caretaker and the person contemplated in section 13 regarding the ashes, the caretaker may bury or scatter the ashes in a garden of remembrance.
- (2) A person may deposit ashes in a:-
 - (a) Grave; or
 - (b) Niche in a:-
 - (i) Columbarium;
 - (ii) Wall of remembrance; or
 - (iii) Memorial work.
- (3) A person must obtain the consent of the caretaker if he or she wishes to :-
 - (a) Bury ashes in a grave;
 - (b) Exhume ashes from a grave; or
 - (c) Scatter ashes, and the caretaker must, on receiving payment of the fee prescribed by the Municipal Council:-
 - (i) Give written consent to the applicant to bury, exhume or scatter the ashes; and
 - (ii) In the instance of burial or exhumation, prepare the grave for burial or exhumation.
- (4) A grave for the burial of ashes or a niche in a columbarium must measure 610mm in length, 610mm in width, and 610mm in depth.

43. Cremation certificate

- (1) On completion of a cremation; the caretaker must supply a cremation certificate to the person contemplated in Section 13 of this By - Law.
- (2) The caretaker must, on application and after receipt of the fee prescribed by the Municipal Council, issue a duplicate cremation certificate to a person.

CHAPTER 8: ERECTION AND MAINTENANCE OF MEMORIAL WORK**44. Consent of Council**

- (1) No person may bring into a cemetery, erect, alter, paint, clean, renovate, decorate, remove or otherwise interfere with any memorial work or cut any inscription thereon in a cemetery without the written consent of the Council.
- (2) When erecting a memorial work, the following must be submitted:-
 - (a) A plan which given an indication of the measurements and the position;
 - (b) Specification of the material of which the memorial work is to be constructed; and
 - (c) The wording of the epitaph.
- (3) The plan must be submitted 30 days before the erection commences, and must be accompanied by the fee prescribed by Municipal Council, and the Council, when granting consent, may impose such conditions as it deems necessary.
- (4) No person may bring into the cemetery any material for the purpose of constructing therewith any memorial work on any grave unless and until:-
 - (a) The provisions of subsection(1) to (3) have been complied with; and
 - (b) All charges due in respect such grave have been duly paid.
- (5) The Council's consent of the proposed work is valid for six months only, and in the event of the memorial work not being erected within the prescribed time a new application must be submitted.
- (6) The grave number must be indicated, in a workmanlike manner, in figures 30 mm in size, and failure to do so constitutes an offence.

- (7) A person who contravenes a provision of subsection (1) or (4) (a) commits an offence.

45. Requirements for erection of memorial work

- (1) A person erecting a memorial work must comply with the following.

- (a) He or she must be in possession of a plan approved by the Council;
- (b) All work must be effected according to the conditions contemplated in Section 40(3) of this By - Law;
- (c) Proceedings must be of such a nature that no damage be caused to any structure or offence given;
- (d) Where a memorial has a pedestal on ground level or on the berm, the pedestal may not be more than 900mm in length, 250mm in width and 250mm in height for a single grave, and not more than 2700mm in length, 250mm in width, and 250mm in height for a double grave;
- (e) With the contractor's permission, the name of the maker can be displayed on a memorial work, but no address or any other particulars may be added thereto, and the space utilized for it may not be larger than 40 x 100mm; and
- (f) Tiles in the garden of Remembrance must be 240mm x 300mm large and must be manufactured out of non-corrosive metal.

- (2) A person who does not comply with a provision in subsection (1) commits an offence.

46. Position, movement and removal of memorial work

- (1) No person may erect a memorial work on a grave before the position in which such memorial work is to be placed has been indicated by the Council.
- (2) Should the condition of subsection (1) not be complied with the Council has the right to alter the position of the memorial work and to recover the costs of the alteration from the person who erected the memorial work.

- (3) In the instance where a memorial work has originally been placed in a certain position with the express consent of the Council or its employee, any alteration of the position in terms of the provisions of this section is executed at the expense of the Council.
- (4) A memorial work placed, erected, constructed, built, altered, decorated, painted or otherwise dealt with in a cemetery in such manner that any provisions of these By-Laws are contravened thereby, may be removed, after due notice, by the Council at the cost of the person who erected the memorial work, without payment of any compensation.

47. Repairs to memorial work

Should the person who erected a memorial work allow such memorial work to fall into such a state of disrepair that it may cause danger or deface the cemetery; the Council may cause a Notice of Compliance, as contemplated in section 64, to be served on such person.

48. Supervision of work

A person engaged upon any work in a cemetery must effect the work under the supervision of the caretaker, and failure to do so constitutes an offence.

49. Damaging of memorial work

The Council under no circumstances accepts responsibility for any damage which may at any time occur to a memorial work, and which is not due to the negligence of the Council's employees.

50. Conveying of memorial work

- (1) No person may convey any stone, brick or memorial work or a portion thereof within a cemetery upon a vehicle or truck which may cause damage to the paths or grounds or structures of the cemetery.
- (2) A person who contravenes subsection (1) commits an offence.

51. Vehicle and tools

Every person engaged with work upon a grave or plot must ensure that the vehicles, tools or appliances are of such a kind as not to contravene these By-Laws and by no means block any road or roads, and failure to do so constitutes an offence.

52. Complying with Council's directions

A person carrying on work within a cemetery must in all respects comply with the directions of the Council, and failure to do so constitutes an offence.

Chance

53. Times for bringing in material and doing work

- (1) No person may bring memorial work or material into or do any work, other than the dismantling of memorial work for burial purposes, within a cemetery except during the following hours: Monday to Friday between the hours of 7:00 and 18:00.
- (2) No person may engage in work which may be disturbing when a funeral takes place and for the duration of the funeral.
- (3) A person who contravenes subsection (1) or (2) commits an offence.

54. Inclement weather

- (1) No person may fix or place any memorial work during inclement weather or while the soil is in an unsuitable condition.
- (2) A person who contravenes subsection (1) commits an offence.

55. Production of written permission

A person charged with a work or on his or her way to or from work within the cemetery must, upon demand from the Council or its authorized official, produce the written consent issued to him or her in terms of section 40, and failure to do so constitute an offence.

56. Memorial work in crematorium

- (1) Unless a body was cremated in the crematorium, or a cremation certificate issued by another crematorium is submitted, no person may, without the consent of the caretaker first having been obtained, erect a memorial work in a crematorium.
- (2) A memorial work:-
 - (a) If erected in a garden of remembrance:-
 - (i) Must be made of marble or granite; and

- (ii) May not exceed a size of 250mm in width, 305mm in length, and 25mm in thickness;
 - (b) In intended to seal a niche, must conform in size and material to the memorial work next to it and may have a photograph of the deceased person affixed to it; or
 - (c) Erected on a grave, may not exceed 1,2m in height, 610mm in length, and 610mm in width.
- (3) A person who erects a memorial work in contravention of subsection (1) or who contravenes a provision of subsection (2) commits an offence.

CHAPTER 9: SECTIONS IN CEMETERY

57. Council may establish sections

- (1) The Council may establish one or more of the following sections in a cemetery:-
- (a) Monumental section;
 - (b) Garden of remembrance;
 - (c) Heroes acre;
 - (d) Aesthetic section; or
 - (e) Panoramic section.

58. Monumental section

- (1) Memorial work may be erected upon the whole surface of the grave subject thereto that the provisions of section 41 must be complied with and that the following measurements may not be exceeded:-
- (a) Height: 2000mm.
 - (b) Width: 900mm in case of a single grave, and 700mm in case of a double grave.
 - (c) Thickness: 250mm.

- (2) The Council may in the course of time level all grave and plant grass thereon.
- (3) Flowers, foliage, wreaths or any adornment may be placed upon the berm only of graves, except in the case of graves which have not yet been leveled.
- (4) A person commits an offence of he or she:-
 - (a) Exceeds the measurements stipulated in subsection (1); or
 - (b) Contravenes section(3)

59. Garden of remembrance

- (1) This section contains the wall of remembrance with niches, and a garden area in which plaques can be erected.
- (2) A container intended to be placed in a niche may not exceed 300mm x 150mm x 150mm in size.
- (3) Flowers and wreaths may be placed on the places provided therefore only.

60. Heroes acre

- (1) A heroes' acre consists of a structure erected for the purpose and contains no body but is only a memorial.
- (2) No person may erect such memorial without the written approval of the Council and the Council decides upon the merits of such matters.
- (3) The size of the memorial work must be 500mm x 300mm and must be manufactured from a non-corrodible metal or masonry upon which inter alia, the contribution made by the person in question is mentioned.
- (4) A person who interments a body in contravention of subsection (1) or contravenes subsection (2) or who fails to comply with the requirements of subsection (3) commits an offence.

61. Aesthetic section

Is the section in a cemetery which has been set aside by the Council where in a headstone may only be erected and strips of garden will be provided by the Council. No person may erect such headstone without written approval of the Council.

62. Panoramic section

This is the section at cemetery which is set aside by the Council where a memorial work is restricted by a plaque or memorial slab. No person may erect such a memorial work or memorial slab without the approval of the Council or Council decide upon the mounts of such matter

CHAPTER 10: PRIVATE CEMETERIES**63. By-laws apply**

The provisions of these By-laws apply mutatis mutandis to private cemeteries.

64. Establishment and continued use of cemeteries

- (1) No person may, without the Council's consent first having been obtained, establish a private cemetery, and no proprietor of a private cemetery already in existence may, if the use of the cemetery was not previously authorized by the Council, continue to use the existing cemetery for burial purposes.
- (2) A person who wishes to apply for the Council's consent to establish a cemetery or use as cemetery as contemplated in subsection (1), must submit to the municipal manager an application in a form similar to the form in Schedule 3, which Schedule refers, in writing together with:-
 - (a) A locality plan to a scale of not less than 1:10 000 which shows
 - (i) The position of the proposed cemetery or existing cemetery in relation to the boundaries of the land on which it is proposed to establish it or upon which it is situated as the case may be;
 - (ii) The registered description of the site;
 - (iii) All streets, public places and privately-owned property within a distance of 100 meters of the site;
 - (b) A "block" plan to a scale of not less than 1:500 showing the position of external boundaries, internal roads and paths, subdivisions, grave sites, drainage and any buildings existing or proposed to be erected;
 - (c) A plan and sections to a scale of not less than 1:100 of any building existing or proposed to be erected, and which must in this case conform with the National Building Regulations

- (d) A list of registers or records kept or proposed to be kept with reference to:-
 - (i) Identification of graves;
 - (ii) Sale of grave sites transfer of grave sites, and
 - (iii) Interments; or estimates
 - (iv) Total number of grave to be accommodated at cemetery
 - (e) The full name and address of the proprietor;
 - (f) Particulars regarding the nature of the title under which the proprietor will hold or holds the land on which the cemetery is to be established or which is being used as a cemetery and whether such land is subject to any mortgage or trust, and
 - (g) A Schedule of the burial fees proposed to be charged or actually in force.
- (3) On receipt of an application the municipal manager must cause to be inserted in one or more newspapers circulating in the municipal area a notice stating the nature of the application and specifying the date being not less than 14 days after the date of publication of such notice by which objections to the granting of an application may be lodged with the Council.
- (4) The Council may, upon receipt of the payment by the applicant of the fee prescribed by Municipal Council and if satisfied after consideration of the application and any objections which may have been lodged that no interference with any public amenity, or nuisance or danger to the public health is likely to take place or arise as a result, in writing grant consent for the establishment of the proposed private cemetery or the continued use of the private cemetery as the case may be, referred to in the application, in accordance with the plans submitted and to any variation or amendment which it may require and to any conditions which it may prescribe.
- (5) No departure from the plans as approved are permitted without the prior approval of the Council.
- (6) A person who contravenes a provision of subsection (1) or (5) commits an offence.

65. Duties of Proprietors

- (1) The proprietor of a private cemetery for which the consent of the Council has been obtained must:-
- (a) Comply with:-
 - (i) Any special conditions prescribed by the Council; and
 - (ii) The relevant provisions of these By-laws and any other applicable law;
 - (b) Keep a record which shows:-
 - (i) The number of each grave site and the ownership of the site; and
 - (ii) The number of interments in each grave site and the name, age, sex, race, last known address, date and cause of death of the deceased;
 - (c) Maintain the grounds, fences, gates, roads, paths and drains in good order and condition and clear of weeds and overgrowth;
 - (d) Provide for the identification of grave sites by subdividing the cemetery into blocks each containing a number of graves or grave sites, and:-
 - (i) Each block must be demarcated by means of signs showing the number and situation of each block;
 - (ii) The graves or grave sites in each block must be separately numbered by means of durable number plates; and
 - (iii) All signs and number plates must be maintained in a neat and legible condition;
 - (e) Allow an official to enter or inspect the cemetery and all records kept in connection therewith;
 - (f) Render a monthly return to the municipal manager on or before the 7th day in each month of all burials, which sets out the:-
 - (i) Name, last known address, age, sex, race, date and cause of death of each deceased person interred in the cemetery;

- (ii) Name of the medical practitioner who issued the death certificate;
 - (iii) Authority who issued the burial order;
 - (iv) Block and grave site number;
 - (v) Date of burial; and
 - (vi) Particulars of a change in the identity of the caretaker or of a person newly appointment;
- (g) Render an annual return to the municipal manager on or before the 31st day of March each year which contains a detailed list of the names and address of all trustees, committee member or person controlling the cemetery; and
- (h) Appoint a caretaker to manage the cemetery and to keep the records.
- (2) A person who contravenes a provision of subsection (1) commits an offence.

CHAPTER 11: MISCELLANEOUS

66. Authentication and service of order, notice or other document

- (1) An order, notice or other document requiring authentication by the Council must be sufficiently signed by the municipal manager or by a duly authorized officer of the Council, such authority being conferred by resolution of the Council or by a by-law or regulation, and when issued by the Council in terms of these by-laws shall be deemed to be duly issued if it is signed by an officer authorized by the Council.
- (2) Any notice or other document that is served on a person in terms of these by-laws, is regarded as having been served:-
- (a) When it has been delivered to that person personally;
 - (b) When it has been left at that person's place of residence or business in the republic with a person apparently over the age of sixteen years;
 - (c) When it has been posted by registered or certified mail to that person's last known residential or business address in the republic and

acknowledgment of the posting thereof from the postal service is obtained;

- (d) If that person's address in the republic is unknown, when it has been served on that person's agent or representative in the republic in the manner provided by paragraphs (a), (b) or (c);
- (e) If that person's address and agent or representative in the republic is known, when it has been posted in a conspicuous place on the property or premises, if any, to which it relates; or
- (f) In the event of a body corporate, when it has been delivered at the registered office of the business premises of such body corporate.

(3) Service of a copy shall be deemed to be service of the original.

(4) Any legal process is effectively and sufficiently served on the municipality when it is delivered to the municipal manager or a person in attendance at the municipal manager's office.

67. Complaint

A person wishing to lodge a complaint must lodge the complaint, in writing, with the municipal manager.

68. Notice of compliance and representations

- (1) A notice of compliance served in terms of Section 43 of this By – Law must state:-
 - (a) The name and residential and postal address, if either or both of these be known, of the person;
 - (b) The nature of the state of disrepair;
 - (c) In sufficient detail to enable compliance with the notice, the measures required to remedy the memorial work;
 - (d) That the person must within a specified time period take the measures to comply with the notice, to diligently continue with the measures, and to complete the measures before a specific date;
 - (e) That failure to comply with the requirements of the notice within the period contemplated in paragraph (d) is an offence;

- (f) That written representation, as contemplated in subsection (3) may, within the time period stipulated under paragraph (d) above, be made to Council at a specified place.
- (2) Council, when considering any measure or time period envisaged in subsections (1)(d) and (e), must have regard to:-
 - (a) The principles and objectives of these By-laws;
 - (b) The state of disrepair;
 - (c) Any measures proposed by the person on whom measures are to be imposed; and
 - (d) Any other relevant factors.
- (3) A person may within the time period contemplated in paragraph (1) (f) make representations, in the form of a sworn statement or affirmation to Council at the place specified in the notice.
- (4) Representations not lodged within the time period will not be considered, except where the person has shown good cause and Council condones the late lodging of the representations.
- (5) Council must consider the representations and any response thereto by an authorized official or any other person, if there be such a response.
- (6) Council may, on its own volition, conduct any further investigations to verify the facts if necessary, and the results of the investigation must be made available to the person, who must be given an opportunity of making a further response if he or she so wishes, and Council must also consider the further response.
- (7) Council must, after consideration of the representations and response, if there be such a response, make an order in writing and serve a copy of it on the person.
- (8) The order must:-
 - (a) Set out the findings of Council;
 - (b) Confirm, alter or set aside in whole or in part, the notice of compliance; and

- (c) Specify a period within which the person must comply with the order made by Council.
- (9) If the notice of compliance is confirmed, in whole or in part, or is altered but not set aside, Council will inform the person that he or she:-
 - (a) Must discharge the obligations set out in the notice; or
 - (b) May elect to be tried in court.
- (10) If the person elects to be tried in court he or she must, within seven calendar days, notify Council of his or her intention to be so tried.
- (11) If the person does not elect to be tried in court, he or she must, within the Prescribed manner and time discharges his or her obligations under the Order.
- (12) Where there has been no compliance with the requirements of a notice, the Council may take such step as it deems necessary to repair the monumental Work and the cost thereof must be paid to the Council in accordance with Section.

69. Costs

Should a person fail to take the measures required of him or her by notice, Council may, subject to subsection (3) recover all costs incurred as a result of it acting in terms of paragraph 64 (12) from the person.

70. Appeal

- (1) A person, whose rights are affected by a decision of an official, may appeal against that decision by giving written notice of the appeal and reasons to the municipal manager within 21 days of the date of the notification of the decision.
- (2) The municipal manager must consider the appeal, and confirm, vary or revoke the decision, but no such variation or revocation of a decision may detract from any rights that may have accrued as a result of the decision.
- (3) The municipal manager must commence with an appeal within six weeks and decide the appeal within a reasonable time.

71. Charges

Should a person fail to pay a fee as prescribed in these By-Laws, Council may act in accordance with the provisions of section 15 of the customer care and revenue management By-Laws, 2004.

72. Penalties

A person who has committed an offence in terms of these by-laws is, on conviction, liable to a fine not exceeding R60 000, 00 or in default of payment, to imprisonment for a period not exceeding three years, or both a fine as well as imprisonment or such other fine or period of imprisonment which the Minister of Justice may from time to time determine in terms of the provisions of section 92 of the Magistrate Court Act 32 of 1944. The criminal Monetary Jurisdiction of the District Court for contravention is R120 000, 00.

73. Limitation of liability

The Council is not liable for any damage or loss caused by:-

- (a) The exercise of any power or the performance of any duty in good faith under these by-laws; or
- (b) The failure to exercise any power, or perform any function or duty in good faith under these by-laws.

74. Revocation of By-Laws

The Dr. JS Moroka Municipality cemetery, and crematorium by - laws of 2012 are hereby revoked.

75. Short title and commencement

These by-laws may be cited as the Dr. J.S. Moroka Local Municipality Funeral Parlors, Cemeteries and Crematoria By-Laws, 2012, and commence on a date as determined by the Council.

**SCHEDULE 1
(Section 13 (2))**

APPLICATION FORM FOR BURIAL / CREMATION

Name of applicant:

Address of applicant:

Name of diseased person to be interred:

Particulars of diseased person:

Contact Numbers:

Grave number:

PROCLAMATION • PROKLAMASIE

PROCLAMATION 7 OF 2018

EMALAHLENI LOCAL MUNICIPALITY

NOTICE OF APPROVAL OF EMALAHLENI AMENDMENT SCHEMES 1517, 1518, 1519, 1592 AND 2179

The Local Municipality of Emalahleni declares hereby in terms of the provisions of Section 57(1)(a) of the Town-Planning and Townships Ordinance, 1986, that it has approved the amendment schemes below, being an amendment of the Emalahleni Land Use Management Scheme, 2010, by the rezoning of the under mentioned properties from their present zonings to the new zoning as indicated below.

Amendment Scheme	Description of property	Present Zoning	New zoning
1517	Erf 432, Ga-Nala (was Kriel) Extension 1	Residential 1	Residential 1 with an annexure, Annexure 505 for a density of one dwelling unit per 500m ²
1518	Erf 3636, Ga-Nala (was Kriel) Extension 2	Residential 1	Residential 1 with an annexure, Annexure 506 for a density of one dwelling unit per 500m ²
1519	Erf 263, Ga-Nala (was Kriel) Extension 1	Residential 1	Residential 1 with an annexure, Annexure 507 for a density of one dwelling unit per 500m ²
1592	Portion 11 of Erf 3163, Ga-Nala (was Kriel) Extension 11	Residential 1	Residential 1 with an annexure, Annexure 505 for a density of one dwelling unit per 500m ²
2179	Erf 1831, eMalahleni (was Witbank) Extension 8	Special	Industrial 1 with an annexure, Annexure 777 for a place of reffreshment

Map 3 and the scheme clauses of the amendment schemes are filed with the Director, Department of Agriculture, Rural Development and Land Administration Mpumalanga Province, and the Municipal Manager, Emalahleni Local Municipality and are open for inspection at all reasonable times.

T JANSEN VAN VUUREN
MUNICIPAL MANAGER

Civic Centre
Mandela Street
eMALAHLENI
1035

P.O. Box 3
eMalahleni
1035

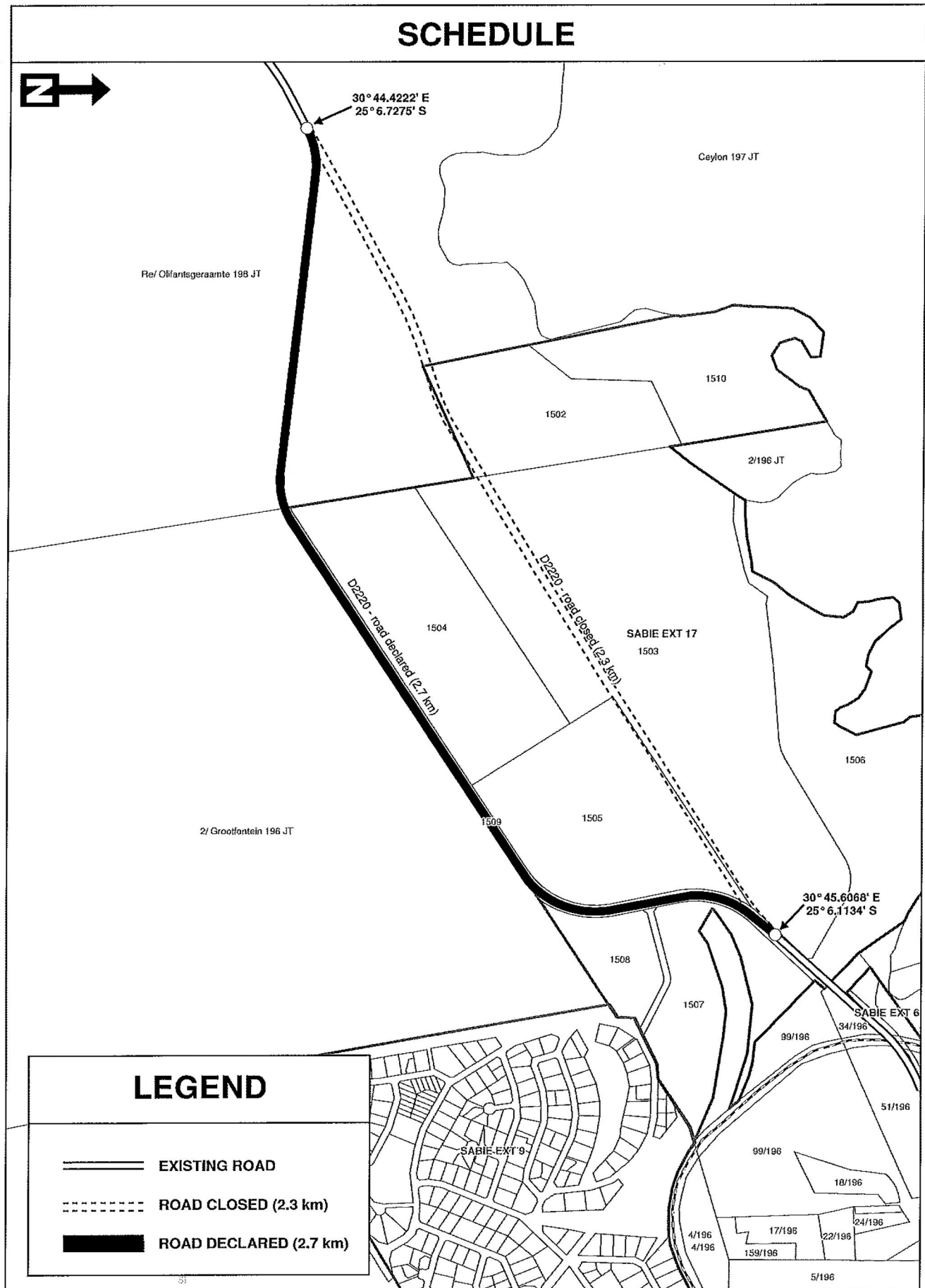
Publication date : Provincial Gazette of Mpumalanga: 2 March 2018

PROCLAMATION 8 OF 2018**MPUMALANGA PROVINCIAL GOVERNMENT****DEPARTMENT OF PUBLIC WORKS, ROADS AND TRANSPORT****ROADS ORDINANCE, 1957 (NO. 22 OF 1957)****DECLARATION OF PROVINCIAL ROAD D2220**

I, Sasekani Janet Manzini, in my capacity as Member of the Executive Council responsible for Public Works, Roads and Transport: Mpumalanga Provincial Government, hereby, in terms of Section 5 and Section 29 of the Road Ordinance, 1957 (Ordinance 22 of 1957) read with Section 4 of the Promotion of Administrative Justice Act, 2000 (Act No 3 of 2000) and Regulation 18 of the Regulations on Fair Administrative Procedures issued in terms of the Promotion of Administrative of Justice Act, declare a portion of Provincial Road D2220 and close a portion of Provincial Road D2220 as indicated in the Schedule.

This Notice shall come into effect on completion of the portion of Provincial Road D2220 indicated in the Schedule.


SJ MANZINI**Member of Executive Council****Department of Public Works, Roads and Transport**



PROCLAMATION 9 OF 2018**EMALAHLENI LOCAL MUNICIPALITY**
NOTICE OF APPROVAL OF AMENDMENT SCHEME 1772

The Local Municipality of Emalahleni declares hereby in terms of the provisions of Section 57(1)(a) of the Town-Planning and Townships Ordinance, 1986, that it has approved an amendment scheme, being an amendment of the Emalahleni Land Use Management Scheme, 2010, by the rezoning of Erf 1172, Duvhapark Extension 2 from "Community Facility" to "Residential 1".

Map 3 and the scheme clauses of the amendment scheme are filed with the Director, Department of Agriculture, Rural Development and Land Administration Mpumalanga Province, and the Municipal Manager, Emalahleni Local Municipality and are open for inspection at all reasonable times. This amendment is known as Emalahleni Amendment Scheme 1772 and shall come into operation on date of publication of this notice.

HS MAYISELA
ACTING MUNICIPAL MANAGER

Civic Centre	P.O. Box 3
Mandela Street	eMalahleni
eMALAHLENI	1035
1035	

Publication date : Provincial Gazette of Mpumalanga: 9 March 2018

PROCLAMATION 10 OF 2018**EMALAHLENI LOCAL MUNICIPALITY**
NOTICE OF APPROVAL OF AMENDMENT SCHEME 903

The Local Municipality of Emalahleni declares hereby in terms of the provisions of Section 57(1)(a) of the Town-Planning and Townships Ordinance, 1986, that it has approved an amendment scheme, being an amendment of the Emalahleni Land Use Management Scheme, 2010, by the rezoning of Erf 786, eMalahleni (was Witbank) Extension 5 from "Residential 1" to "Special" with an annexure, Annexure 792 for the purpose of a nursing school and offices.

Map 3 and the scheme clauses of the amendment scheme are filed with the Municipal Manager, Emalahleni Local Municipality and are open for inspection at all reasonable times. This amendment is known as Emalahleni Amendment Scheme 903 and shall come into operation on date of publication of this notice.

HS MAYISELA
ACTING MUNICIPAL MANAGER

Civic Centre	P.O. Box 3
Mandela Street	eMalahleni
eMALAHLENI	1035
1035	

Publication date : Provincial Gazette of Mpumalanga: 9 March 2018

PROVINCIAL NOTICES • PROVINSIALE KENNISGEWINGS

PROVINCIAL NOTICE 17 OF 2018**VICTOR KHANYE LOCAL MUNICIPALITY****NOTICE OF A REZONING APPLICATION IN TERMS OF SECTION 66, 68 AND 101 OF THE
VICTOR KHANYE LOCAL MUNICIPALITY SPATIAL PLANNING AND LAND USE BY-LAW 2015**

We, Teb Mod Consulting, being the authorised agent of Mr & Mrs Kote, hereby give notice in terms of Section 66, 68 And 101 of the Victor Khanye Local Municipality Spatial Planning And Land Use By-Law 2015 that we have applied to the Victor Khanye Local Municipality, for the Rezoning for purposes of "Guest House with 07 guestrooms and Ancillary uses". The property is situated at Erf 1022 Delmas Extension 04. The current zoning of the property is "Residential 01" and the intention of the applicant is to rezone from "Residential 01" to "Special Use" for a "Guest House with 07 guestrooms and Ancillary uses".

Any objection and/or comments including the grounds for such objection(s) and/or comments with full contact details, without which the Municipality cannot correspond with the person or body submitting the objection(s) and/or comments, shall be lodged with, or made in writing to: The, Municipal Manager, PO Box 06, Delmas, 2210 or to jans@victorkhanyelm.gov.za . Publication dates 02 March 2018 and 09 March 2018.

Full particulars and application may be inspected during normal office hours at the Municipal Offices as set out below, for a period of 30 days from the date of first publication of the notice in the Provincial Gazette. The physical address of Municipal offices: Victor Khanye Local Municipality, Room 02, c/o Samuel Road and Van Der Walt Street, Delmas, Mpumalanga.

Closing date for any objections and/or comments (03 April 2018). Address of authorized agent 161 Tuscan Village, Masada, Bronkhorstspuit, 1020. Cell: 072 641 3878
Email: Tebmodconseng@webmail.co.za

2-9

PROVINSIALE KENNISGEWING 17 VAN 2018

Stad van Victor Khanye Plaaslike Munisipaliteit: Kennisgewing van 'n hersonering aansoek in terme van artikel 66, 68 en 101 van Victor Khanye Plaaslike Munisipaliteit ruimtelike beplanning en grondgebruiksbestuur bywet, 2015

Hiermee gee ons kennis Teb Mod Konsultante, die gemagtigde agent van Meneer & Mev Kote, dat ons aansoek doen by die Stad van Victor Khanye Plaaslike Munisipaliteit vir 'n toestemming gebruik aansoek in terme van artikel 66, 68 en 101 van Victor Khanye Plaaslike Munisipaliteit ruimtelike beplanning en grondgebruiksbestuur bywet van 'n "Gastehuis met sewe (07) gastekamers en aanvullende gebruik". Die Erf is 1022 Delmas Uitbreiding 04. Die huidige sonering van die erf is "residensiële een" in terme van die Delmas Stadsbeplannings skema, 2007. Die doel van die applicant is om vergunnings reg te verkry om rede die erf te gebruik vir 'n "Gastehuis met sewe (07) gastekamers en aanvullende gebruik".

Besware en/of kommentare, indien enige, teen die voorstel moet skriftelik tesame met redes daarvoor by die: Die, Munisipale Bestuurder, Posbus 06, Delmas, 2210 or na jans@victorkhanyelm.gov.za . Publikasie datums 02 Maart 2018 and 09 Maart 2018.

Besonderhede aangaande hierdie aansoek is gedurende kantoor ure verkrygbaar by die Munisipale kantore vir 'n tydperk van 30 dae vanaf die datum van eerste publikasie van die kennisgewing in die provinsiale koerant). Adres van munisipale kantoor: Die, Munisipale Bestuurder, Posbus 06, Delmas, 2210.

Sluitingsdatum vir enige besware of kommentare (03 April 2018). Adres van die agent is 161 Tuscan Village, Masada, Bronkhorstspuit, 1020. Cell: 072 641 3878
Email: Tebmodconseng@webmail.co.za

2-9

PROVINCIAL NOTICE 19 OF 2018

**NOTICE IN TERMS OF SECTION 33(1) OF THE BUSHBUCKRIDGE LAND USE
BY-LAW 2014**

We, **TAS MOSOMO JV**, the authorised agents of the Bushbuckridge Local Municipality hereby give notice in terms of Section 33(1) of the **Bushbuckridge Land Use By-Law 2014** that We have applied to Bushbuckridge Local Municipality, for township establishment of Hospital View area on a portion of the Remaining Extent of the Farm Maviljan 252 KU.

Particulars of this application will be available for inspection during normal office hours at the office of the Chief Town Planner: Economic Development, Planning and Environment, First Floor, Old Bohlabela Building, Thulamahshe, for a period of 28 days from **2 March 2018**

Objections to or representations in respect of the application must be lodged with or made in writing to the Chief Town Planner: Economic Development, Planning and Environment at the above address or at Private Bag X 9308 Bushbuckridge, 1280 and the undersigned, in writing 28 days from **2 March 2018**

NAME AND ADDRESS OF AGENT:**Limpopo Office**

TAS Mosomo JV

P.O. Box 1093, TZANEEN, 0850

Tel : (015) 307 4435

Date of first publication: **2 March 2018**

PROVINCIAL NOTICE 20 OF 2018**MPUMALANGA GAMBLING ACT, 1995 APPLICATION FOR CONSENT TO HOLD AN INTEREST CONTEMPLATED IN SECTION 36 OF THE ACT**

Notice is hereby given that Grand Casino Investments (Pty) Ltd of 33 On Heerengracht Street, Foreshore, Cape Town, 8001, Republic of South Africa intends submitting an application to the Mpumalanga Gambling Board for consent to hold a financial interest as contemplated in section 36 of the Mpumalanga Gambling Act, 1995, as amended, in Sun Slots (RF) (Pty) Ltd and Grand Gaming Mpumalanga (RF) (Pty) Ltd. The application will be open to public inspection at the offices of the Board from 2 March 2018.

Attention is directed to the provisions of section 26 of the Mpumalanga Gambling Act, 1995 as amended, which makes provision for the lodging of written representations in respect of the application.

Such representations should be lodged with the Chief Executive Officer, Mpumalanga Gambling Board, Private Bag X9908, White River, Mpumalanga Province, South Africa 1240 not later than 30 days from 2 March 2018. Any person submitting representations should state in such representation whether or not they wish to make oral representations at the hearing of the application.

PROVINCIAL NOTICE 21 OF 2018**STEVE TSHWETE AMENDMENT SCHEME 733, ANNEXURE A616
NOTICE OF APPLICATION FOR THE AMENDMENT OF THE STEVE TSHWETE TOWN PLANNING SCHEME, 2004, IN
TERMS OF SECTION 62(1) AND 94(1)(A) OF THE STEVE TSHWETE TOWN PLANNING AND LAND USE MANAGEMENT
BYLAW, 2016.**

I, **Tendani Mashau** of the firm **Musuku Development (PTY) LTD**, being the authorized agent of the registered owner of **Portion 46 of the farm Goedeheop 315 JS**, hereby give notice in terms section 94(1)(a) and Chapter 6 of the Steve Tshwete Spatial Planning and Land use Management Bylaw, 2016, that I have applied to the Steve Tshwete local Municipality for the amendment of the Town Planning Scheme in operation known as the Steve Tshwete Town Planning Scheme, 2004, for the purpose of Rezoning the abovementioned property from "Agricultural" to "Special" for mining activities (coal processing).

Full particulars of the application will lie for inspection during normal office hours at the office of the Municipal Manager: Steve Tshwete Local Municipality, Cnr. Walter Sisulu and Wanderers Avenue, Middleburg, 1050, for a period of 30 days from 09 March 2018.

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 14, Middleburg, 1050, within a period of 30 days from 09 March 2018.

Address of authorised agent: Musuku Development (PTY LTD), Unit 63, Sagewood Villas, Saliehout Street, Annlin, 0082, Tel. (076) 286 2459; Fax. (086) 239 8342, email: musuku.dev@gmail.com.

9-16

PROVINSIALE KENNISGEWING 21 VAN 2018**STEVE TSHWETE WYSIGINGSKEMA 733, BYLAAG A616
KENNISGEWING VAN AANSOEK OM WYSIGING VAN DIE STEVE TSHWETE DORPSBEPLANNINGSKEMA, 2004,
INGEVOLGE ARTIKEL 62 (1) EN 94 (1) (A) VAN DIE STEVE TSHWETE RUIMTELIKE BEPLANNING EN
GRONDGEBRUIKBESTUURSVERGADERING, 2016.**

Ek, **Tendani Mashau** van die firma **Musuku Development (PTY) LTD**, synde die gemagtigde agent van die geregistreerde eienaar van **GEDEELTE 46 van die plaas Goedeheop 315 JS**, gee hiermee ingevolge artikel 94(1) (a) en Hoofstuk 6 van die Steve Tshwete Ruimtelike Beplanning en Grondgebruiksbestuursverordening, 2016, kennis dat ek by die Steve Tshwete Plaaslike Munisipaliteit aansoek gedoen het om die wysiging van die Dorpsbeplanningskema in werking bekend as die Steve Tshwete Dorpsbeplanningskema, 2004, ten einde die bogenoemde eiendom te hersoneer vanaf "Landbou" na "Spesiaal" vir mynaktiwiteite (steenkolverwerking).

Volledige besonderhede van die aansoek lê ter insae gedurende gewone kantoorure by die kantoor van die Munisipale Bestuurder: Steve Tshwete Plaaslike Munisipaliteit, h / v. Walter Sisulu en Wandererslaan, Middleburg, 1050, vir 'n tydperk van 30 dae vanaf 09 Maart 2018.

Besware teen of vertoe ten opsigte van die aansoek moet binne 'n tydperk van 30 dae vanaf 09 Maart 2018 skriftelik by of tot die Munisipale Bestuurder by bovermelde adres of by Posbus 14, Middleburg, 1050, ingedien of gerig word.

Adres van gemagtigde agent: Musuku Development (PTY) LTD, eenheid 63, Sagewood Villas, Saliehout Straat, Annlin, 0082, Tel. (076) 286 2459; Faks. (086) 239 8342, E-pos: musuku.dev@gmail.com

9-16

PROVINCIAL NOTICE 22 OF 2018

NOTICE OF AN APPLICATION IN TERMS OF THE GOVAN MBEKI SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2016 (*Amendment Scheme 130*)

I Viljoen du Plessis, Pr.Pl.n, of the firm Metroplan Town Planners and Urban Designers Pty Ltd (Reg no 1992/06580/07) ("Metroplan") hereby gives notice that I have applied to the Govan Mbeki Local Municipality for the amendment of the Govan Mbeki Land Use Scheme (rezoning), consolidation of the properties and the relaxation of the parking requirement.

Application/file reference number: 16/2/2/130

Property information: Remainder of Erf 8720 and Erf 3913 Secunda Extension 8, which properties are situated north-west of the intersection between Nelson Mandela Drive and Drakensberg Street and which properties form part of the Secunda Village Shopping Centre.

Owner information: Biprops 46 (Pty) Ltd

Reg Number: 1998/013778/07

Title Deed Numbers: T8796/2012 and T6031/2012

I, being the registered agent, hereby give notice in terms of Section 88 of the Govan Mbeki Spatial Planning and Land Use Management By-Law, of the application for the amendment of the Land Use Scheme known as the Govan Mbeki Land Use Scheme, 2010 by -

- the rezoning of the Remainder of Erf 8720 Secunda Extension 8 from "Business" subject to an FAR of 0.4 and coverage of 40% to "Business" (including a filling station) subject to an increased FAR of 0.45 and increased coverage of 50%;
- the rezoning of Erf 3913 Secunda Extension 8 from "Residential" to "Business" (including a filling station) subject to an FAR of 0.45 and coverage of 50%;
- the relaxation of the parking requirement applicable; and
- the consolidation of Erf 3913 ($\pm 117\text{m}^2$) and Remainder of Erf 8720 ($\pm 29\,904\text{m}^2$) Secunda Extension 8 into a consolidated property measuring some $\pm 31\,021\text{m}^2$.

Particulars of the application will lie open for inspection during normal office hours at the office of the Manager Town and Regional Planning (Application centre), Room 326, 3rd floor, South, Govan Mbeki Local Municipality, Municipal Buildings, and the offices of Metroplan for a period of 30 days from 9 March 2018. The 30 days will lapse on 8 April 2018.

Any objection(s) and/or comment(s), including the grounds for such objection(s) and/or comment(s) and the person(s) rights and how their interests are affected by the application with the full contact details of the person submitting the objection(s) and/or comment(s), without which the Municipality cannot correspond with the person or body submitting the objection(s) and/or comment(s), shall be lodged with, or made in writing to the Manager Town and Regional Planning at the above address or Private Bag X1017, Secunda, 2302 within a period of 30 days from 9 March 2018, being 8 April 2018.

Name and address of applicant: Metroplan Town Planners and Urban Designers Pty Ltd (Reg no 1992/06580/07) ("Metroplan"), P O Box 916 Groenkloof, 0027, Pretoria/ 96 Rauch Avenue, Georgeville, 0184, Pretoria/ Tel: 012 804 2522/ Fax: 012 804 2877/ E-mail: viljoen@metroplan.net/ harriet@metroplan.net

LOCAL AUTHORITY NOTICES • PLAASLIKE OWERHEIDS KENNISGEWINGS

LOCAL AUTHORITY NOTICE 16 OF 2018**NOTICE NO: NKO21/2018****PUBLIC NOTICE CALL FOR INSPECTION OF THE VALUATION ROLL AND LODGING OF
OBJECTIONS****MUNICIPAL NOTICE IN TERMS OF THE LOCAL GOVERNMENT: MUNICIPAL PROPERTY RATES
ACT 6 OF 2004**

Notice is hereby given in terms of Section 49 (1) (a) (i) read together with Section 78(2) of the Local Government: Municipal Property Rates Act 6 of 2004 (hereinafter referred to as the "Act") that the Valuation Roll for the financial year 2018/2022 open for public inspection at the municipal venue listed below, from 16 February 2018-16 March 2018, Mondays to Friday during working hours. In addition, the Valuation Roll will be available at the following website: www.nkomazi.co.za

An invitation is hereby made in terms of Section 49(1) (a)(ii) read together with Section 78(2) of the Act that any owner of property or other person who so desires, should lodge an objection with the Municipal Manager in respect of any matter reflected in, or omitted from, the Valuation Roll within the above mentioned period.

Attention is specifically drawn to the fact that in terms of Section 50(2) of the Act an objection must be in relation to a specific individual property and not against the Valuation Roll as such. Completed forms must be returned before 12h00 on 29 March 2018. To view the Valuation Roll or to download objection forms, visit: www.nkomazi.co.za

Inspect your property details and lodge your Objections at the following designated municipal venues:

MALELANE –KOMATIPOORT-MARLOTH PARK OFFICES

PLEASE NOTE: Objections will not be entertained by the Municipality, unless it is timeously lodged on the prescribed objection form and submitted at the above venue.

**Nkomazi Local Municipality
Private Bag x101
Malalane
1320**

**Municipal Manager
Mr. MD Ngwenya**

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Contact Centre Tel: 012-748 6200. eMail: info.egazette@gpw.gov.za
Publications: Tel: (012) 748 6053, 748 6061, 748 6065

Also available at the **Provincial Legislature: Mpumalanga**, Private Bag X11289, Room 114, Civic Centre Building,
Nel Street, Nelspruit, 1200. Tel. (01311) 5-2133.