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GENERAL NOTICES • ALGEMENE KENNISGEWINGS

NOTICE 73 OF 2020

STEVE TSHWETE AMENDMENT SCHEME 829

NOTICE OF APPLICATION FOR THE AMENDMENT OF THE STEVE TSHWETE TOWN PLANNING SCHEME, 2004, IN TERMS OF SECTION 62(1), AND 94(1)(a), & (2)(a) OF THE STEVE TSHWETE SPATIAL PLANNING AND LAND USE MANAGEMENT BYLAW, 2016

I, Johannes Petrus Coetzee (ID 750723 5047 088) of Urban Dynamics Mpumalanga (PTY) LTD being the authorised agent of the registered owner of Erven 11785 & 11786, Middelburg Extension 36 hereby gives notice in terms of Section 94(1)(a) and (2)(a) Chapter 6 of the Steve Tshwete Spatial Planning and Land Use Management Bylaw, 2016, that we have applied to the Steve Tshwete Local Municipality for the amendment of the town planning scheme known as the Steve Tshwete Town Planning Scheme, 2004, for the consolidation, subdivision and rezoning of the abovementioned property situated in Middelburg Extension 36 by rezoning the property from "Residential 3" to "Residential 1" and "New road and widening". Any objection/s or comments including the grounds for such objection/s or comments with full contact details, shall be made in writing to the Municipal Manager, PO Box 14, Middelburg 1050 within 30 days from **6 November 2020** in the manner as described in Section 99 of the Steve Tshwete Spatial Planning and Land Use Management Bylaw, 2016. Full particulars and plans may be inspected during normal office hours at the office of the Municipal Manager, Steve Tshwete Local Municipality, Cnr. Walter Sisulu and Wanderers Avenue, Middelburg, 1050, Tel: 013 249 7000, for a period of 30 days from **6 November 2020**. Inquiries can be addressed to Mr Meshack Mahamba, Head of Town Planning and Human Settlements at telephone number 013 – 249 7000. Any person who cannot read or write may consult with any staff member of the office of the Senior Manager: Town Planning and Human Settlement during office hours and assistance will be given to transcribe that person's objections or comments.

Address of the Applicant: 7 Dolerite Crescent, Aerorand, 1070, Postal address P.O. Box 11677, Aerorand, Middelburg, 1070, Telephone no. 013 244 1598, Fax no: 013 244 1560, email: mail@urbanmbg.co.za.

6–13

KENNISGEWING 73 VAN 2020

STEVE TSHWETE WYSIGINGSKEMA 829

KENNISGEWING VAN DIE AANSOEK OM DIE WYSIGING VAN DIE STEVE TSHWETE DORPSBEPLANNINGSKEMA 2004, INGEVOLGE ARTIKEL 62(1) EN 94(1)(a) & 2(a) VAN DIE STEVE TSHWETE RUIMTELIKE BEPLANNING EN GRONDGEBRUIKSBESTUUR BYWET, 2016

Ek, Johannes Petrus Coetzee (ID 750723 5047 088) van Urban Dynamics Mpumalanga (PTY) LTD, synde die gemagtigde agent van die geregistreerde eienaar van Erve 11785 & 11786, Middelburg Uitbreiding 36 gee hiermee ingevolge artikel 94(1)(a) en (2)(a) Hoofstuk 6 van die Steve Tshwete Ruimtelike Beplanning en Grondgebruikbestuur bywet, 2016 kennis dat ons by die Steve Tshwete Plaaslike Munisipaliteit aansoek gedoen het om die wysiging van die Steve Tshwete Dorpsbeplanningskema, 2004, vir die konsolidasie, onderverdeling en hersonering van bogenoemde eiendom geleë te Middelburg Uitbreiding 36 deur die eiendom te hersoneer vanaf "Residensieel 3" na "Residensieel 1" en "Nuwe pad en verbredings". Geskrewe kommentaar of besware ten opsigte van die aansoek en die gronde van die besware of verhoë met volledige kontakbesonderhede moet skriftelik ingedien word by die Munisipale Bestuurder, Posbus 14, Middelburg, 1050 binne 30 dae vanaf **6 November 2020** soos uiteengesit in Artikel 99 van die Steve Tshwete Ruimtelike Beplanning en Grondgebruikbestuur bywet, 2016. Besonderhede van die aansoek lê ter insae gedurende gewone kantoorure by die kantoor van die Munisipale Bestuurder, Steve Tshwete Plaaslike Munisipaliteit, Munisipale Gebou, Hoek van Wandererslaan, Middelburg, 1050, Tel: 013 249 7000, vir 'n tydperk van 30 dae vanaf **6 November 2020**. Navrae kan gerig word aan Mnr Meshack Mahamba, Hoof van Stadsbeplanning en Menslike Nedersettings by telefoonnommer 013 – 249 7000. Enige persoon wat nie kan lees of skryf nie mag enige personeellid van die kantoor van die Senior Bestuurder: Stadsbeplanning en Menslike Nedersettings gedurende kantoor ure raadpleeg en bystand sal aan sodanige persoon verleen word om die beswaar of kommentaar saam te stel.

Adres van Applicant: 7 Doleriet Singel, Aerorand, 1070, Posbus 11677, Aerorand, Middelburg, 1070, Tel: 013-244 1598, Faks: 013 244 1560, email: mail@urbanmbg.co.za

6–13

NOTICE 74 OF 2020**STEVE TSHWETE AMENDMENT SCHEME 833****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 SPATIAL PLANNING AND LAND USE MANAGEMENT BYLAW, 2016.**

We Elizone (PTY) LTD being the authorized agent of the registered owner of Portion 31 of Erf 2396, Mhluzi, hereby give notice in terms of Section 94(1)(a) 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 known as the Steve Tshwete Town Planning Scheme, 2004, for the rezoning of the abovementioned property situated on Lekoko Street, by rezoning the properties from Residential 1 to Residential 3 subject to certain conditions.

Any objection/s or comments including the grounds for such objection/s or comments with full contact details, shall be made in writing to the Municipal Manager, PO Box 14, Middelburg 1050 within 30 days from the 6th of November 2020.

Full particulars and plans may be inspected during normal office hours at the office of the Municipal Manager, Steve Tshwete Local Municipality, Cnr. Walter Sisulu and Wanderers Avenue, Middelburg, 1050, Tel: 013 2497000, for a period of 30 days from 6th November 2020.

Address of the Applicant: 6B Klaserie Street, Aerorand, Middelburg, 1055

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KENNISGEWING 74 VAN 2020**STEVE TSHWETE WYSIGINGSKEMA 833****KENNISGEWING VAN DIE AANSOEK OM DIE WYSIGING VAN DIE STEVE TSHWETE DORPSBEPLANNINGSKEMA, 2004, INGEVOLGE****ARTIKEL 62(1) EN 94(1) (A) VAN DIE STEDELIKE BEPLANNING EN GRONDGEBRUIK BESTUUR VERORDENINGE, 2016**

Ek, Elizone (PTY) LTD, synde die gemagtigde agent van die geregistreeerde eienaar van Gedeelte 31 van 2396 Mhluzi, gee hiermee ingevolge Artikel 62(1) en 94(1)(a), van die Stedelike Beplanning en Grondgebruik Bestuur Verordeninge, 2016, kennis dat ons by Steve Tshwete Plaaslike Munisipaliteit aansoek gedoen het om die wysiging van Steve Tshwete Dorpsbeplanningskema, 2004, deur die hersonering van die bogenoemde eiendom geleë te Lekoko Straat, vanaf Residensiele 1 na Residensiele 3, onderworpe aan sekere voorwaardes.

Besonderhede van die aansoek lê ter insae gedurende gewone kantoorure by die kantoor van die munisipale bestuurder, Steve Tshwete Plaaslike munisipaliteit, munisipale gebou, Wandererslaan, Middelburg, 1050, vir 'n tydperk van 30 dae vanaf 6 November 2020.

Besware of verhoë ten opsigte van die aansoek moet binne 'n tydperk van 30 dae vanaf 6 November 2020, skriftelik by of tot die munisipale bestuurder by bovermelde adres of by Posbus 14, Middelburg, 1050, ingedien of gerig word.

Adres Van Applikant: KlaserieStraat 6B, Aerorand, Middelburg, 1055

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NOTICE 75 OF 2020

MPUMALANGA GAMBLING ACT, 1995 (ACT 5 OF 1995) AS AMENDED

APPLICATION FOR REMOVAL OF LICENCE TO OTHER PREMISES AND AMENDMENT TO LICENCE CONDITIONS.

Notice is hereby given that Goldrush Bingo Bushbuckridge (PTY) LTD intends submitting an application to the Mpumalanga Economic Regulator for removal of a Bingo Operator Licence from Ridgview Mall, Bushbuckridge, remainder of portion 5 of the farm Maviljan to Shop no 23A, Dwarsloop Mall, R40, Dwarsloop-A, Mpumalanga and for the Amendment of its Bingo Operator licence to reduce the number of gambling positions and amend the mix of formats of Bingo it proposes to offer.

The applications will be open for public inspection at the offices of the Mpumalanga Economic regulator at First Avenue, White River, South Africa 1240 from the 17th November 2020 Attention is directed to the provisions of section 26 of the Mpumalanga Gambling Act, 1995 (Act no 5 of 1995) as amended which makes provision for the lodging of written objections in respect of the applications. Such objections should be lodged with the Chief Executive Officer, Mpumalanga Economic Regulator, First Avenue, Private Bag X9908, White River, South Africa 1240 within 30 days from the 17th November 2020 Any person lodging written representations should indicate whether or not they wish to make oral representations when the application is heard.

NOTICE 80 OF 2020**COMPILATION OF AN ALL-INCLUSIVE LAND USE MANAGEMENT SCHEME (LUMS) FOR THE DIPALESENG MUNICIPALITY**

Dipaleseng Local Municipality hereby gives notice, that in terms of Chapter 4 Section 20 of the Spatial Planning and Land use Management Act of 2013 (SPLUMA) read in conjunction with Section 21 of the Dipaleseng LM Spatial Planning and Land use Management By-Law of 2016 that the Draft Land Use Management Scheme for Dipaleseng Local Municipality will be available for public inspection, from the 13th of November 2020, on the following link due to the Covid 19 Virus Pandemic that prevent any public gatherings: <http://www.dipaleseng.gov.za/>

The purpose of the Land Use Management Scheme is to regulate, handle and standardise general land uses and associated applications for the total municipal area. Comments, objections or representations, if any, regarding the draft LUMS document must be submitted in writing before or on the 11th of January 2021 to the Dipaleseng Municipal Main office. Further details regarding the draft LUMS document may be obtained from the Dipaleseng Municipality, Ms Inga Mlonyeni, 087 527 0539 / 073 947 4878, during normal office hours.

The Municipal Manager
Dipaleseng Local Municipality
Private Bag X1005
Balfour
2410

KENNISGEWING 80 VAN 2020**SAMESTELLING VAN 'N ALLE INKLUSIEWE GRONDGEBRUIKSBESTUURSKEMA (LUMS) VIR DIE
DIPALESENG MUNISIPALITEIT**

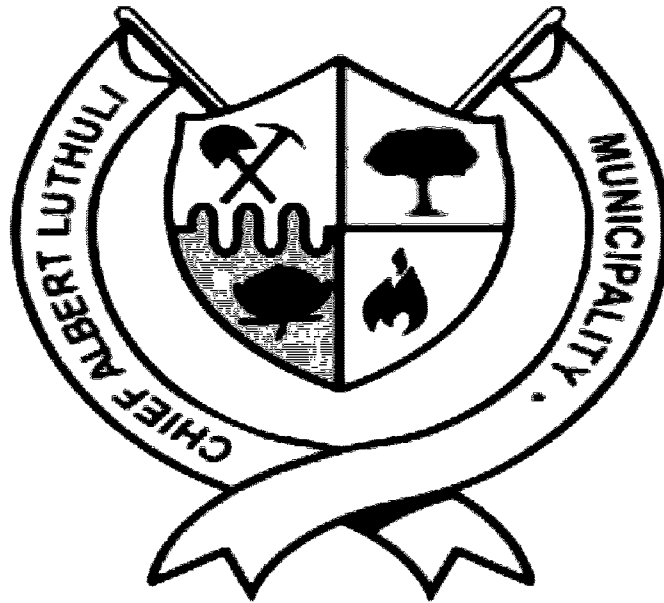
Dipaleseng Plaaslike Munisipaliteit gee hiermee kennis dat ingevolge Hoofstuk 4, artikel 20 van die Wet op Ruimtelike Beplanning en Grondgebruikbestuur van 2013 (SPLUMA) saamgelees met Artikel 21 van die Dipaleseng LM Ruimtelike Beplanning en Grondgebruikbestuur By- Wet van 2016 dat die Konsep Grondgebruikbestuurskema vir die Dipaleseng Plaaslike Munisipaliteit vanaf 13de November 2020, op die volgende skakel as gevolg van die Covid 19 Virus Epidemie wat verhoed dat enige publieke sametrekings kan plaasvind: <http://www.dipaleseng.gov.za/>

Die doel van die Grondgebruikbestuurskema is om algemene grondgebruike en gepaardgaande toepassings vir die totale munisipale gebied te reguleer, te hanteer en te standaardiseer. Kommentaar, besware of verhoë, indien enige, rakende die ontwerp van die LUMS-dokument moet skriftelik voor of op 11 Januarie 2021 by die Dipaleseng Munisipale Hoofkantoor ingedien word. Verdere besonderhede van die proses kan by mev. Inga Mlonyeni, 087 527 0539 / 073 947 4878, van die Dipaleseng Munisipaliteit, gedurende normale kantoorure verkry word.

Die Munisipale Bestuurder
Dipaleseng Plaaslike Munisipaliteit
Posbus X 1005
Balfour
2410

NOTICE 81 OF 2020

**CHIEF ALBERT LUTHULI LOCAL
MUNICIPALITY**



**PREVENTION OF LAND INVASION AND
MANAGEMENT AND CONTROL OF INFORMAL
SETTLEMENTS BY-LAW 2020**

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CHIEF ALBERT LUTHULI MUNICIPALITY: PREVENTION OF LAND INVASION AND MANAGEMENT AND CONTROL OF INFORMAL SETTLEMENTS BY-LAW

1 PREAMBLE

The Chief Albert Local Municipality recognises the right of its residents to life and to be treated with dignity. The Municipality acknowledges its residents right to housing as contained in Clause 25 of the Bill of Rights of the Constitution of the Republic of South Africa, and further admit that such right may be limited as provided for in Clause 36 of the same Bill of Rights. The Municipality will in its efforts and endeavours (together with Department of Human Settlement) of housing and settling its residents in need of housing and accommodation take into cognisance the provision and the spirit of all legislations relevant to housing and land settlements control. The Municipality realizes that, there exists a great need for accommodation amongst its low income group or less fortunate residents, and that land for township development is scare within its area of jurisdiction. The Municipality will do all in its power to ensure orderly development. This By-Law is underpinned and based on the provision of the Prevention of Illegal Eviction and Unlawful Occupation of Land Act (Act 19 of 1998) and Extension of Tenure Security Act (Act 62 of 1997).

2 DEFINITIONS

In this By-Law, unless the context indicates otherwise;

“Authorized informal settlement” means any informal settlement which is recognized by the Municipality as an authorized informal settlement and which is regarded as a transit camp to house landless people who will be ultimately relocated to a formally established township;

“Building” without in any way limiting its ordinary meaning, includes—

- (a) a roofed structure;
- (b) an external stair, step or landing of a building and a gallery, canopy, balcony, stoep, veranda, terrace, porch or similar feature of a building;
- (c) a wall or railing enclosing any feature referred to in paragraph (b); and
- (d) any other portion of a building; and a retaining wall or infilling higher than 0,5 metres;

“competent authority”, in relation to land use, means the authority that is empowered to grant or approve a right to use of land for a specified purpose.

“Consent” means the express or tacit consent, whether in writing or otherwise, of the owner or person in charge to the occupier of the land in question;

“Court” means any division of the High Court or the magistrate’s court in whose area of jurisdiction the land in question is situated;

“Eviction” means the permanent removal, in accordance with the provision of a court order, of a person and his or her property from the land on which the illegal structure is constructed, and includes a demolition and removal of any building materials used to construct the structure and “evict” has a corresponding meaning;

“Head of the household” means—

- a) Person in charge of the household;
- b) A single parent, where the household has only one parent with dependants living permanently with him or her in the household; and any person in the household who has legal capacity to act and is recognized by the majority of the other persons in the household as the person responsible for the maintenance of the welfare and discipline within the household;

“Land” means any land within the area of jurisdiction of the Municipality, irrespective of whether such land belongs to the National Government, the Provincial Government (including land under Traditional Authority), the Municipality or a private individual, company or other legal entity;

“Land invasion” means the illegal occupation of land or any settlement without the express or tacit consent of the owner of the land or the person in charge of the land, and without acquiring the necessary rights to settle on or occupy such land from the competent authority;

“Land Invasion Reaction Unit” means a group of officers or workers consisting of any combination of one or more of the following components—

- a) members of the South African Police Services;
- b) members of the staff of the bailiff, sheriff or messenger of the court with jurisdiction in the area;
- c) members of a private security company contractually engaged by the Municipality to perform certain duties on its behalf; and
- d) any combination of employees of the Municipality, which group is designated by the Municipality to assist the Authorized Official in the execution of his/her duties and to execute any eviction order contemplated by section 10.3 to terminate an unauthorized informal settlement;

“Municipality” means Chief Albert Luthuli Municipality established in terms of Section 12 of the Municipal Structures Act, 117 of 1998;

“Municipal Council” means a municipal council referred to in section 157 (1) of the Constitution;

“Municipal Manager” means a person appointed on terms of section 54A.

“Owner” means the registered owner of land, irrespective of whether such owner is the National Government, the Provincial Government, the Municipal or Private individual, company or other legal entity;

“Person in charge” in relation to land, means a person who has the legal authority to give permission to another person to enter or reside on that land;

“Shack” means any temporary shelter, building, hut, tent, dwelling or similar structure which does not comply with the provisions of the National Building Regulations and Building Standards Act, Act 103 of 1977

“**Structure**” without in any way limiting its ordinary meaning, includes any building, shelter, wall, fence, pillar, tower, pergola, steps, landing, terrace, sign, ornamental architectural feature, swimming pool, fuel pump or underground tank, any building ancillary to service infrastructure provision, and any portion of a structure;

National Housing Needs Register (NHNR) is a central database that offers households the opportunity to register their need for adequate shelter by providing information about their current living conditions, household composition & to indicate the type of housing assistance they require from government

“**Unauthorized informal settlement**” means any settlement which is not recognized by the Municipality as an authorized informal settlement which will be demolished and removed in terms of these By-laws.

3 SCOPE/APPLICATION OF BY-LAW

This By-law shall apply to all land and informal settlements within the area of jurisdiction of the s Chief Albert Luthuli Local Municipality.

4 OBJECTIVES

To assist the Municipality to manage unlawful occupation and invasion of land and buildings in Chief Albert Luthuli Municipality

To assist municipality to control and manage open spaces, and

To prevent future unlawful occupation of land and formation of informal settlements.

5 BACKGROUND

Land invaders are often found in areas that are not habitable or that pose severe health and safety risks to occupants of the land and the natural environment. This includes Eskom servitude areas, flood risk areas and open spaces that have not been habilitated.

Section 26 of the Constitution guarantees everyone the right to have access to adequate housing opportunities. This requires government to take reasonable legislative and other measures within the available resources to realize this right. Therefore, the Municipality has a legal and moral obligation to provide land for the development of residential areas to accommodate its residents in an orderly and proper manner as far as possible and within its financial constraints.

6 STATUS QUO

The Municipality accepts that there are various informal settlements within its area of jurisdiction which have established prior to its existence and that effort have been made to provide rudimentary services to their respective residents.

The provision of services and the numbering of existing shacks and buildings built in bricks and mortar does not in itself mean that the residents thereof reside there permanently.

Such numbering does not itself in any manner whatsoever mean that the yard fenced in or on which a shack or building has been erected and so numbered is a legitimate stand.

The occupant of a shack or building in these areas has no right to the land and cannot claim ownership of the land on whatever basis including the period of occupation of such land. This includes cases where money has been exchanged with whatever under the pretext that land acquisition is being effected by such transaction.

7 LEGAL PROVISIONS

- (1) Chief Albert Luthuli Municipality acknowledges that it must ensure that all areas under its jurisdiction to develop according to its Integrated Development Plan, Spatial Development Framework and Land Use Scheme.
- (2) The Municipality acknowledges that it has legal and moral obligation to provide alternative accommodation to residents of the informal settlements who have been so residing for more than six (6) months if so required to relocate as provided for by Act 19 of 1998.
- (3) No person has a right to allow, encourage, motivate, organise and/or instigate the occupation of land of whatever nature without an expressed and written consent of Council.
- (4) Where such is concurrent as mentioned above happen, the Municipality reserves the right to take any appropriate legal action to rectify the situation.

8 APPOINTMENT OF AUTHORISED OFFICIAL

The Municipality may appoint or assign one of its officials from the Human Settlements Unit to manage and control all informal settlements in accordance with the provisions of this By-law. Where no official is appointed or assigned, the duties contained in this By-law are to be executed by the Office of the Municipal Manager or to whoever is delegated this function.

8.1 Duties of the Authorised Official

In respect to informal settlements, the Authorised Official must -

- (1) Conduct regular surveys to determine the location, origin and extent of and the conditions prevailing in each informal settlement;
- (2) Monitor and control all informal settlements and take the necessary steps to prevent land invasion within the area of jurisdiction of the Municipality;
- (3) Undertake and promote liaison and communication with local communities with a view to obtaining their understanding and cooperation regarding the prevention of land invasion in the area of jurisdiction of the municipality;
- (4) Keep a register of all the residents who are entitled to reside in each authorized informal settlement, and in such register the following details must be entered in respect of each structure in each authorized informal settlement—
 - (a) the number allocated to the stand or site on which the structure is constructed;

- (b) the names, and identity number of the head of the household who is entitled to occupy the structure;
 - (c) the names, identity numbers and relationships to the head of the household of each and every other person occupying the structure as a member of the household
 - (d) the reference number of the municipal file that contains a copy of the contractual agreement in respect of the structure;
 - (e) the number of the structure 's rental account;
 - (f) the number of the structure 's municipal services account;
 - (g) the previous address of the household that is entitled to occupy the structure; and
 - (h) the names, addresses and telephone numbers, if any, of at least two family members of the head of the household who do not live at the same address as the household that is entitled to occupy the structure;
- (5) Ensure that all residents living in an authorized informal settlement are registered in the Municipality's Housing Demand Data Base;
- (6) Submit written report on the control and management of any informal settlement, or the conditions prevailing in the informal settlement, if and when required to do so by the municipality;
- (7) For the purpose of informing residents of informal settlements and all other persons visiting informal settlements, ensure that—
- (a) The contents of these By-laws are communicated to all residents of every informal settlement; and
 - (b) A copy of these By-laws is posted and maintained in every informal settlement in a prominent place at the venue where the residents' committee contemplated in section 6 usually holds its meeting;
- (8) Allocate to each site or stand in an authorized informal settlement an individual number as the temporary address of the site or stand and must ensure that such number is legibly painted or inscribed in a prominent place on the site or stand;
- (9) Perform any other duty or function which may be necessary to ensure the proper management and control of an informal settlement.
- (10) The Authorised Official must adopt the necessary preventative measures in order to curb informal settlement.

9 DUTIES OF WARD COUNCILLORS AND WARD COMMITTEE MEMBERS

- (1) Ward Councillors and Ward Committee Members together with the Authorized Official, must meet on a regular monthly basis, on all matters relating to the authorized informal settlement. After such meetings, it is the sole responsibility of the Ward Councillor and Ward Committee Member to inform the individual residents of matters discussed at the meetings.
- (2) Ward councillors and ward committee members must report all cases of illegal occupation of land within their wards whether it is municipal property or not, to the authorised official.

10 ENFORCEMENT AND CONTROL MEASURES

10.1. Prohibited Conduct

- (1) No person may; individually or as part of a group-
 - a. clear any land of any vegetation without prior written consent of the owner
 - b. invade or occupy any land to which he or she does not have lawful title
 - c. erect a structure on any land to which he or she does not have lawful title
 - d. continue with the construction of an incomplete structure after a written warning to stop construction was issued by the municipality;
 - e. demarcate or continue to demarcate any piece of land with any form of material, including, but not restricted to string, rope, pegs, stones, pebbles, wire, wood or any other material after a written warning to stop any form of demarcation was issued by the municipality;
 - f. move or remove any demarcation or surveying pegs affixed in terms of any law;
 - g. without the written consent of the municipality allow, encourage, motivate, organise or instigate the occupation of any land;
 - h. move furniture into an informal structure in order to defeat the provisions of any law;
 - i. without the written consent of the municipality allow a shack or structure to be unoccupied for more than 3 months;
 - j. erect any additional shack or structure on a site in any existing informal settlement or reception area;
 - k. lease any additional shack or structure on a site in any existing informal settlement or reception area;
 - l. access any land for the purposes of grazing and the keeping of farm animals
 - m. access land in contravention of a sign prohibiting such access;
 - n. occupy a structure on any land to which he or she does not have lawful title;
 - o. sell any land or structure on any land to which he or she does not have lawful title; or
 - p. Interfere with or obstruct an authorised officer in the execution of his or her duties in terms of this by-law.

10.2. Prohibition of receipt or solicitation of consideration in respect of unlawful occupation of land

- (1) No person may directly or indirectly receive or solicit payment of any money or other consideration as a fee or charge for arranging or organizing or permitting a person to occupy land without the consent of the owner or person in charge of that land and without the consent of the competent authority.
- (2) Any person who contravenes the provisions of subsection (1) is guilty of an offence and liable on conviction to a fine of not less than R20 000 or to imprisonment for a period not exceeding two years, or to both such fine and such imprisonment.
- (3) The court that convicts any person of a contravention of this section must order any money or other consideration which was received by that person and which has been seized to be forfeited, and the money and the proceeds of the consideration may be paid to the persons from whom the money or consideration was received, and where such person or persons cannot be positively identified, such money or proceeds of the consideration must be paid into the Municipality's Revenue Account.
- (4) If any money or other consideration has been received in contravention of subsection (1), but has not been seized or made available for purposes of confiscation, the court that convicts a person of a contravention of this section may order the amount proved to the satisfaction of the court to have been received by such person to be paid to the person or persons from whom the money or consideration was received, and where such person or persons cannot be positively identified, the money or proceeds of the consideration must be paid into the Municipality's Revenue Account. Such order has the effect of a civil judgment and may be executed against such person who received the money or consideration as if it were a civil judgment in favour of the person or persons from whom the money or other consideration was received or in favour of the Municipality.

10.3. Incidents of Land Invasion

- (1) The Authorised Official must, within a period of 24 hours after he or she becomes aware of an incident of land invasion or the existence of a newly established informal settlement, irrespective of whether such informal settlement was established as a consequence of an incident of land invasion or not—
 - (a) Make a determination of the status of the informal settlement as an authorized or an unauthorized informal settlement; and
 - (b) Inform the residents of the informal settlement of the status of the informal settlement in accordance with section 5 or section 7, whichever is applicable in the circumstances.
- (2) In the event of the status of an informal settlement completed in subsection (1) being determined as an authorized informal settlement, the Authorised Official must deal with the matter in accordance with the provisions of section 10.4 of this By-law

- (3) In the event of the status of an unauthorized informal settlement, the Authorised Official must deal with the matter in accordance with the provisions of section 10.5 of this By-law.

10.4. Management and control of Authorised Informal Settlements

- (1) As soon as a determination of the status of an authorized informal settlement has been made and within the period contemplated in section 10.3 (1), the Authorised Official, personally or through any other Council official designated by the Municipal Manager to assist him or her for that purpose, visit the informal settlement and notify the residents of the status of the authorized informal settlement in the manner contemplated in section 9 (1) or by means of a letter delivered in the circumstances.
- (2) The Authorised Official must compile a comprehensive register of all the residents who are entitled to reside in the authorized informal settlement contemplated in subsection (1), and the following details must be entered in respect of each structure in the authorized informal settlement—
 - (a) the number allocated to the stand or site on which the structure is constructed;
 - (b) the name and identity number of the head of the household who is entitled to occupy the structure;
 - (c) the names, identity numbers and relationship to the head of the household of each and every other person occupying the structure as a member of the household;
 - (d) the reference number of the file of the Authorised Official that contains a copy of the contractual agreement in respect of the structure;
 - (e) the number of the structure 's rental account;
 - (f) the number of the structure 's municipal services account;
 - (g) the previous address of the household that is entitled to occupy the structure; and
 - (h) the names, address and telephone numbers, if any, of at least two family members of the head of the household that is entitled to occupy the structure
- (3) The Authorised Official must ensure that the names, addresses and other relevant details of all residents living in an authorized informal settlement contemplated in subsection (1) are registered in the Municipality's Housing Demand Data Base.
- (4) The Authorised Official must allocate to each site or stand in an authorized informal settlement contemplated in subsection (1) a unique number as the temporary address of the site or stand and must ensure that the number is legibly painted or inscribed in a prominent place on the site or stand.
- (5) The Authorised Official must ensure that no new unauthorized structures are constructed in the authorized informal settlement contemplated in subsection (1) and that no new unauthorized residents take up residence in the authorized informal settlement by implementing appropriate measure to manage, monitor and control the occupancy of residents in the authorized informal settlement in general.

- (6) Any unauthorized occupancy in an authorized informal settlement contemplated in subsection (1) must be dealt with in accordance with the provisions of section (9.5)
- (7) In respect of an authorized informal settlement contemplated in subsection (1), the Authorised Official must ensure that—
 - (a) the Municipality's Finance Department institutes, operates and maintains an appropriate account for services rendered by the Municipality to each registered structure in the authorized informal settlement and for any charges levied for the right of occupation of a particular site or stand in the authorized informal settlement; and
 - (b) Such an account is supplied to the head of the household of each registered structure in the authorized informal settlement.

10.5. Termination of Unauthorised Informal Settlements

- (1) As soon as a determination of the status of an unauthorized informal settlement has been made and within the period contemplated in section 9.3 (1), the Authorised Official must, personally or through any official designated—
 - (a) Inform residents of a structure in the unauthorized informal settlement that their occupation of the structure and the site or stand on which it is situated is illegal; and
 - (b) Visit the informal settlement and notify the residents of the status of the unauthorized settlement by means of a written notice hand-delivered to each structure in the informal settlement.
- (2) The written notice contemplated in subsection (1) must notify the residents of the structure to vacate the structure and remove any building materials and other personal property from the unauthorized informal settlement within a period of 24 hours after receipt of the written notice.
- (3) If the residents notified in terms of subsection (1) cooperate and vacate their structures and remove their building materials and other personal property from the site or stand in the unauthorized informal settlement, the Authorised Official or designated official must take such steps as he or she may deem appropriate to prevent a recurrence of any incident of land invasion or illegal land occupation on that site, stand or unauthorized informal settlement and must regularly monitor the situation to ensure the non- recurrence of such land invasion or illegal land occupation.
- (4) If the residents notified in terms of subsection (1) fail to cooperate and vacate their structures and remove their building materials and other personal property from the site or stand in the unauthorized informal settlement, the Authorised Official must immediately institute the necessary legal procedures to obtain an eviction order contemplated in subsection (5).
- (5) Within a period of 24 hours after the expiry of the period stipulated in the written notice contemplated in subsection (1), the Authorised Official or designated official must lodge an application in a competent court to obtain an Eviction Order contemplated in section 4, 5 or 6 of the Prevention of Illegal Ejection from and Unlawful Occupation of

Land Act, 1998 (Act No. 19 of 1998), against any person or persons jointly or severally, occupying or residing in a structure or on a site or stand in the unauthorized informal settlement.

- (6) The Authorised Official, within a period of 24 hours after obtaining the eviction order referred to in subsection (5), deploy the Land Invasion Reaction Unit to execute the eviction order and to terminate the unauthorized informal settlement.
 - (a) Evicting the residents of the unauthorised informal settlement;
 - (b) Demolishing and removing all shacks and removing all building materials and other personal property from the unauthorised informal settlement
 - (c) Disposing of the building materials and other personal property in accordance with the provisions of this by-law,
- (7) Any costs incurred by the Authorised Official for the purposes of executing the provision of these By-laws must be borne by the Municipality in accordance with its approved budget.

10.6. Disposal of building materials and personal property

- (1) In the execution of the provisions of section 10.5(6), any building materials and other personal property belonging to a resident or occupier of a structure in a unauthorized informal settlement must be removed and stored in a safe place by the Authorised Official.
- (2) If the building materials and other personal property contemplated in subsection (1) are not claimed by their owner within a period of three months after the date of the removal and storage, the building materials and personal property must be sold to the best advantage by the Authorised Official, or a person designated by the Municipal Manager who must after deducting the amount of any charges due or any expenses incurred, deposit the net proceeds into the Municipality's Revenue Account, provided that—
 - (a) Subject to the laws governing the administration and distribution of estate, nothing in this subsection contained may deprive the heir of any deceased person of his or her right to the balance of the proceeds of the property; and
 - (b) Any building materials or other personal property which is, in the opinion of the Authorized Official, valueless and unable to realize any meaningful amount may be destroyed, abandoned, dumped or otherwise disposed of by the Authorized Official.
- (3) The Authorized Official must compile and maintain a register which records—
 - (a) Particulars of all buildings material or other personal property removed and stored in terms of these By-laws;
 - (b) The date of the removal and storage of building materials or other personal property in terms of subsection (1) and the name and site or stand number of the owner of the building materials or personal property; and

- (c) the signature or right thumb print of the person who is claiming ownership and to whom delivery of building materials or other personal property has been made; or full details of the amount realized on the sale of the building materials or other personal property in terms of subsection (2) and the date of the sale; and
 - (d) If building materials or other personal property has been destroyed, abandoned, dumped or otherwise disposed of in terms of subsection (2), a certificate by the Authorized Official to the effect that the building materials or personal property was valueless.
- (4) Neither the Municipality nor any of its officials acting within the reasonable scope of their authority are liable for any loss of or damage to property or injury to any resident or occupier of a structure in an unauthorized informal settlement or any other person for any reason whatsoever.

11 ALLOCATION OF LAND UNDER TRADITIONAL AUTHORITY

- (1) Before a Traditional Council allows or permits the occupation of land within its area of jurisdiction it must notify the Municipality of such proposed occupation of land.
- (2) The Traditional Council shall formally direct all such notifications as referred to in subsection (1) to the Office of the Municipal Manager.
- (3) Where such is not concurrent as mentioned in subsection (1) and (2) the Municipality shall not recognize such occupation of land and will commence with the necessary legal procedures to rectify the situation.

12 ILLEGAL OCCUPATION OF PRIVATE LAND

- (1) Where a private land owner allows or permit the occupation of land for habitation purposes by a group of people who are in his/her employ or not, the Municipality shall insist that its Building Health and Security Regulations be adhered to by the land owner.
- (2) In an instance where a private landowner does not act against illegal occupier of his/her land, the Municipality may act in terms of Section 6 of Act 19 of 1998 to obtain an order for eviction at the cost of the said landowner.

13 CONTRAVENTION AND NON-COMPLIANCE

- (1) Contravention Notices have to be issued by the Municipal Manager or delegated official. Authority for prosecution or legal action rests with the administration arm of the Municipality, unless delegated authority is given.
- (2) Where Notice has been issued but not obeyed, this is non-compliance and is a contravention. Authority for prosecution or legal action rests with the administration arm of the Municipality, unless delegalized authority is given

14 SHORT TITLE

This by-law shall be known as the Chief Albert Luthuli Municipality Prevention of Land Invasion and Management and Control of Informal Settlements By-law, 2020.

15 DATE OF COMMENCEMENT

This By-law will take effect on the day of publication.

PROCLAMATION • PROKLAMASIE

PROCLAMATION 63 OF 2020**EMALAHLENI LOCAL MUNICIPALITY**
NOTICE OF REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS -
ERF 334, EMALAHLENI (WITBANK) EXTENSION 1

The Local Municipality of Emalahleni declares hereby in terms of the provisions of Section 67(1) of the Emalahleni Spatial Planning and Land Use Management By-Law, 2016, read with the provisions of the Spatial Planning and Land Use Management Act, that it has approved an application for the removal of restrictive title conditions (a) to (b) of Title Deed T13681/2017, pertaining to Erf 334, eMalahleni (Witbank) Extension 1 under resolution S.LDO.013/20 dated 31 January 2020.

HS MAYISELA
MUNICIPAL MANAGER

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

Publication date: Provincial Gazette of Mpumalanga: 13 November 2020

PROCLAMATION 64 OF 2020**EMALAHLENI LOCAL MUNICIPALITY**
NOTICE OF APPROVAL OF EMALAHLENI AMENDMENT SCHEME 1954

The Local Municipality of Emalahleni declares hereby in terms of the provisions of Section 66 (5) of Emalahleni Spatial Planning and Land Use Management By-Law, 2016, has approved an amendment scheme, being amendments of the Emalahleni Land Use Management Scheme, 2010, by the rezoning of Erf 269, Ga-Nala (Kriel) Extension 1 from "Residential 1" to "Business 4".

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 1954 and shall come into operation on date of publication of this notice.

HS MAYISELA
MUNICIPAL MANAGER

Civic Centre, Mandela Street, eMALAHLENI, 1035

P.O. Box 3 eMALAHLENI, 1035

Publication date: Provincial Gazette of Mpumalanga: 13 November 2020

PROCLAMATION 65 OF 2020**EMALAHLENI LOCAL MUNICIPALITY**
NOTICE OF REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS -
ERF 334, EMALAHLENI (WITBANK) EXTENSION 1

The Local Municipality of Emalahleni declares hereby in terms of the provisions of Section 67(1) of the Emalahleni Spatial Planning and Land Use Management By-Law, 2016, read with the provisions of the Spatial Planning and Land Use Management Act, that it has approved an application for the removal of restrictive title conditions (a) to (b) of Title Deed T13681/2017, pertaining to Erf 334, eMalahleni (Witbank) Extension 1 under resolution S.LDO.013/20 dated 31 January 2020.

HS MAYISELA
MUNICIPAL MANAGER

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

Publication date: Provincial Gazette of Mpumalanga: 13 November 2020

PROVINCIAL NOTICES • PROVINSIALE KENNISGEWINGS

PROVINCIAL NOTICE 118 OF 2020**STEVE TSHWETE AMENDMENT SCHEME 827, ANNEXURE A686****NOTICE OF APPLICATION FOR THE AMENDMENT OF THE STEVE TSHWETE TOWN PLANNING SCHEME, 2004, IN TERMS OF SECTIONS 62(1) AND 94(1)(A) OF THE STEVE TSHWETE SPATIAL PLANNING AND LAND USE MANAGEMENT BYLAW, 2016.**

I, Jaco Peter le Roux, of Afriplan CC being the authorized agent of the owner of the **Remaining Extent of Erf 447, Middelburg** hereby give notice in terms of Section 94(1)(a) of the Steve Tshwete Spatial Planning and Use Management Bylaw, 2016, that I have applied to the Steve Tshwete Local Municipality for the amendment of the town planning scheme known as the Steve Tshwete Town Planning Scheme, 2004, for the rezoning of the Remaining Extent of Erf 447, Middelburg situated at 4A Park Street, from "**Residential 1**" to "**Residential 3**".

Full particulars and plans may be inspected during normal office hours at the office of the Municipal Manager, Steve Tshwete Local Municipality, Cnr. Walter Sisulu and Wanderers Avenue, Middelburg, 1050, Tel: 013 2497000, for a period of 30 days from **6 November 2020** (last day for comments being 7 December 2020). Any person who cannot write may during office hours attend the Office of the Municipal Manager, where an official will assist that person to lodge comment.

Any objection/s or comments including the grounds for such objection/s or comments with full contact details, shall be made in writing to the Municipal Manager, PO Box 14, Middelburg 1050 within 30 days from **6 November 2020**.

Details of agent: Afriplan CC, 14 John Magagula Street, Middelburg 1050. Tel: 013 282 8035 Fax: 013 243 1706. E-mail: jaco@afriplan.com/vicky@afriplan.com

6-13

PROVINSIALE KENNISGEWING 118 VAN 2020**STEVE TSHWETE WYSIGINGSKEMA 827, BYLAAG A686****KENNISGEWING VAN DIE AANSOEK OM DIE WYSIGING VAN DIE STEVE TSHWETE DORPSBEPLANNINGSKEMA, 2004, INGEVOLGE ARTIKELS 62(1) EN 94(1)(A) VAN DIE STEVE TSHWETE RUIMTELIKE BEPLANNING EN GRONDGEBRUIKSBESTUURSVERORDENING, 2016**

Ek, Jaco Peter le Roux, van Afriplan CC synde die gemagtigde agent van die eienaar van die **Resterende Gedeelte van Erf 447, Middelburg** gee hiermee ingevolge Artikel 94(1)(a) van die Steve Tshwete Ruimtelike Beplanning en Grondgebruiksbestuursverordening, 2016, kennis dat ons by Steve Tshwete Plaaslike Munisipaliteit aansoek gedoen het vir die wysiging van die Steve Tshwete Dorpsbeplanningskema, 2004, deur die hersonering van die Resterende Gedeelte van Erf 447, Middelburg, geleë te Parkstraat 4A vanaf "**Residensiëel 1**" na "**Residensiëel 3**".

Besonderhede van die aansoek lê ter insae gedurende gewone kantoorure by die kantoor van die Munisipale Bestuurder, Steve Tshwete Plaaslike Munisipaliteit, Munisipale gebou, Wandererslaan, Middelburg, 1050, vir 'n tydperk van 30 dae vanaf **6 November 2020** (laaste datum vir kommentare 7 Desember 2020). Enige persoon wat nie kan skryf nie sal tydens kantoor-ure deur 'n amptenaar by die Kantoor van die Munisipale Bestuurder bygestaan word om kommentaar in te dien.

Besware of verhoë ten opsigte van die aansoek moet binne 'n tydperk van 30 dae vanaf **6 November 2020**, skriftelik by of tot die Munisipale Bestuurder by bovermelde adres of by Posbus 14, Middelburg, 1050, ingedien of gerig word.

Besonderhede van die agent: Afriplan CC, John Magagulastraat 14, Middelburg 1050. Tel: 013 282 8035 Faks: 013 243 1706. E-pos: : jaco@afriplan.com/vicky@afriplan.com

6-13

PROVINCIAL NOTICE 119 OF 2020

STEVE TSHWETE AMENDMENT SCHEME 814, ANNEXURE A674

NOTICE OF APPLICATION FOR THE AMENDMENT OF THE STEVE TSHWETE TOWN PLANNING SCHEME, 2004, IN TERMS OF SECTIONS 62(1) AND 94(1)(A) OF THE STEVE TSHWETE SPATIAL PLANNING AND LAND USE MANAGEMENT BYLAW, 2016.

I, Jaco Peter le Roux, of Afriplan CC being the authorized agent of the owner of the **Portion 1 of Erf 78, Middelburg** hereby give notice in terms of Section 94(1)(a) of the Steve Tshwete Spatial Planning and and Use Management Bylaw, 2016, that I have applied to the Steve Tshwete Local Municipality for the amendment of the town planning scheme known as the Steve Tshwete Town Planning Scheme, 2004, for the rezoning of Portion 1 of Erf 78, Middelburg situated at 145 Cowen Ntuli Street, from "**Residential 3**" to "**Business 1**".

Full particulars and plans may be inspected during normal office hours at the office of the Municipal Manager, Steve Tshwete Local Municipality, Cnr. Walter Sisulu and Wanderers Avenue, Middelburg, 1050, Tel: 013 249 7000, for a period of 30 days from **6 November 2020** (last day for comments being 7 December 2020). Any person who cannot write may during office hours attend the Office of the Municipal Manager, where an official will assist that person to lodge comment.

Any objection/s or comments including the grounds for such objection/s or comments with full contact details, shall be made in writing to the Municipal Manager, PO Box 14, Middelburg 1050 within 30 days from **6 November 2020**.

Details of agent: Afriplan CC, 14 John Magagula Street, Middelburg 1050. Tel: 013 282 8035 Fax: 013 243 1706. E-mail: jaco@afriplan.com/vicky@afriplan.com

6-13

PROVINSIALE KENNISGEWING 119 VAN 2020

STEVE TSHWETE WYSIGINGSKEMA 814, BYLAAG A674

KENNISGEWING VAN DIE AANSOEK OM DIE WYSIGING VAN DIE STEVE TSHWETE DORPSBEPLANNINGSKEMA, 2004, INGEVOLGE ARTIKELS 62(1) EN 94(1)(A) VAN DIE STEVE TSHWETE RUIMTELIKE BEPLANNING EN GRONDGEBRUIKSBESTUURSVERORDENING, 2016

Ek, Jaco Peter le Roux, van Afriplan CC synde die gemagtigde agent van die eienaar van die **Gedeelte 1 van Erf 78, Middelburg** gee hiermee ingevolge Artikel 94(1)(a)) van die Steve Tshwete Ruimtelike Beplanning en Grondgebruiksbestuursverordening, 2016, kennis dat ons by Steve Tshwete Plaaslike Munisipaliteit aansoek gedoen het vir die wysiging van die Steve Tshwete Dorpsbeplanningskema, 2004, deur die hersonering van Gedeelte 1 van Erf 78, Middelburg, geleë te Cowen Ntulistraat 145 vanaf "**Residensiëel 1**" na "**Besigheid 1**".

Besonderhede van die aansoek lê ter insae gedurende gewone kantoorure by die kantoor van die Munisipale Bestuurder, Steve Tshwete Plaaslike Munisipaliteit, Munisipale gebou, Wandererslaan, Middelburg, 1050, vir 'n tydperk van 30 dae vanaf **6 November 2020** (laaste datum vir kommentare 7 Desember 2020). Enige persoon wat nie kan skryf nie sal tydens kantoor-ure deur 'n amptenaar by die Kantoor van die Munisipale Bestuurder bygestaan word om kommentaar in te dien.

Besware of verhoë ten opsigte van die aansoek moet binne 'n tydperk van 30 dae vanaf **6 November 2020**, skriftelik by of tot die Munisipale Bestuurder by bovermelde adres of by Posbus 14, Middelburg, 1050, ingedien of gerig word.

Besonderhede van die agent: Afriplan CC, John Magagulastraat 14, Middelburg 1050. Tel: 013 282 8035 Faks: 013 243 1706. E-pos: : jaco@afriplan.com/vicky@afriplan.com

6-13

LOCAL AUTHORITY NOTICES • PLAASLIKE OWERHEIDS KENNISGEWINGS

LOCAL AUTHORITY NOTICE 101 OF 2020**Amendment to the Standing Rules of Order of the City of Mbombela, to include virtual meetings**

The Council of the City of Mbombela has, in terms of Council resolution A(10) of 30 July 2020, resolved that its Standing Rules of Order, which have been promulgated in Provincial Gazette no 2903, under Local Authority Notice no 15 dated 2 March 2018, be amended to include virtual meetings.

The amendment is to be made by adding, under section 7, being **Precincts of Council**, section 7(3), to read as follows:

- “(3) Virtual Council and Council related meetings will be allowed, for instance in cases where the normal gathering of people (Councillors and officials) are limited or prohibited in terms of regulations promulgated due to health risks, security risks or any other reason deemed necessary by the Speaker.”