



NORTH WEST NOORDWES

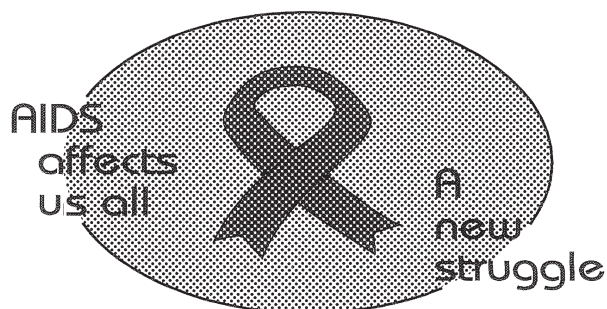
PROVINCIAL GAZETTE PROVINSIALE KOERANT

Vol. 260

MAHIKENG
24 JANUARY 2017
24 JANUARIE 2017

No. 7727

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Government Printing Works
REPUBLIC OF SOUTH AFRICA

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Tel : (012) 748-6066

Fax : (012) 323-9574

E-mail : Maureen.Toka@gpw.gov.za

20 October 2016

Dear Value Customers

The 27th of December 2016 has been declared as a public holiday by the State President Mr Jacob Zuma.

For this reason, the closing date of all gazettes during that week will be a day before scheduled dates as published in the gazette or on the website.

Sincerely,

Maureen Toka
Acting Assistant Director: Publications
(Tel): 012 748-6066

IMPORTANT NOTICE:

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

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Closing times for **ORDINARY WEEKLY** **2017** **NORTHWEST PROVINCIAL GAZETTE**

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

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

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

GOVERNMENT PRINTING WORKS - BUSINESS RULES**NOTICE SUBMISSION PROCESS**

3. Download the latest *Adobe* form, for the relevant notice to be placed, from the **Government Printing Works** website www.gpwonline.co.za.
4. 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.
5. 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.
6. Each notice submission should be sent as a single email. The email should contain **all documentation relating to a particular notice submission**, each as a separate attachment:
 - 6.1. Electronically completed *Adobe* form, specific to the type of notice that is to be placed.
 - 6.1.1. For *National Government Gazette* or *Provincial Gazette* notices, the notices must be accompanied by an electronic Z95 or Z95Prov *Adobe* form
 - 6.1.2. The notice content (body copy) **MUST** be a separate attachment.
 - 6.2. 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
 - 6.3. Where separate notice content is applicable (Z95, Z95 Prov and TForm 3, it should also be attached as a separate attachment. (See specifications below, point 11).
 - 6.4. Any additional notice information if applicable.
7. 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.
8. To avoid duplicated publication of the same notice and double billing, Please submit your notice **ONLY ONCE**.
9. 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.
10. 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**COPY (SEPARATE NOTICE CONTENT DOCUMENT)**

11. Where the copy is part of a separate attachment document for Z95, Z95Prov and TForm03
 - 11.1. 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).
 - 11.2. 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

12. 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.
13. 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

14. 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

15. 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:
 - 15.1. Incorrectly completed forms and notices submitted in the wrong format, will be rejected.
 - 15.2. Any notice submissions not on the correct *Adobe* electronic form, will be rejected.
 - 15.3. Any notice submissions not accompanied by the proof of payment / purchase order will be rejected and the notice will not be processed.
 - 15.4. 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**

16. 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.
17. 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

18. The Government Printer will assume no liability in respect of—
 - 18.1. any delay in the publication of a notice or publication of such notice on any date other than that stipulated by the advertiser;
 - 18.2. 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;
 - 18.3. any editing, revision, omission, typographical errors or errors resulting from faint or indistinct copy.

LIABILITY OF ADVERTISER

19. 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.

20. Requests for information, quotations and inquiries must be sent to the Contact Centre **ONLY**.
21. 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

22. 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.
23. 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.
24. 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.
25. 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.
26. 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**.
27. 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

28. 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.
29. 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 6 OF 2017**NOTICE OF APPLICATION****FOR AMENDMENT OF A TOWN PLANNING SCHEME IN TERMS OF SECTION 5b (i) OF THE TOWN PLANNING AND TOWNSHIP ORDINANCES 15 OF 1986 (ORDINANCE 16 OF 1986) READ TOGETHER WITH THE SPATIAL PLANNING AND LAND USE MANAGEMENT ACT (ACT NO 16 OF 2013) KLERKSDORP LAND USE MANAGEMENT SCHEME 2005 AMENDMENT SCHEME NO: 1010**

Loago Development Solutions cc (2009/10673/23) being the Authorised Agent of the owner of Erf 11268 Jouberton Ext 6 hereby gives notice in terms of Section 56 (1)(b)(1) of the Township Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), read together with the Spatial Planning and Land Use Management Act (ACT NO 16 OF 2013) that we have applied to the City of Matlosana for the amendment of the Town Planning Scheme known as Klerksdorp Land Use Management Scheme, 2005 as amended, for the rezoning of Erf NO: 11268 Jouberton Extension 6 situated at the corner of Litsibaba and Umdubus Street from "Residential 1" to "Residential 2" to permit 5 dwelling Units. Particulars of the application will lie for inspection during normal office hours, at the record section, Basement floor Braam Fisher, Klerksdorp Civic Center for a period of 28 days from 16 January 2017. Objections to or representations in respect of the application must be lodged with or made in writing to the Municipal Manager, City of Matlosana at the above address or be posted to P. O. BOX. 99 Klerksdorp 2570, within a period of 28 days from 16 January 2017 Address of the Authorised Agent: Loago Development Solutions cc (Reg no: 2009/10673/23) NO 6 Sasu Villas Hendrik Potgiter Street Klerksdorp 2571 Cell NO: 0823945933

NOTICE 7 OF 2017**NOTICE OF APPLICATION FOR AMENDMENT OF TOWN PLANNING SCHEME IN TERMS OF SECTION 56(1)(b)(i) OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986), READ TOGETHER WITH SPLUMA, 2013 (ACT 16 OF 2013) SCHWEIZER RENEKE TOWN PLANNING SCHEME, 2000 - AMENDMENT SCHEME 34**

Maxim Planning Solutions (Pty) Ltd (2002/017393/07) being the authorised agent of the owner of Erf 66, Schweizer Reneke, hereby gives notice in terms of Section 56(1)(b)(i) of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), read together with SPLUMA, 2013 (Act 16 of 2013), that we have applied to the Mamusa Local Municipality for the amendment of the Town Planning Scheme known as Schweizer-Reneke Town Planning Scheme, 2000, as amended, by the rezoning of Erf 66, Schweizer Reneke, situated at 4 Schweizer Street, Schweizer Reneke from "Residential 1" to "Special", for the purposes of an accommodation enterprise.

Particulars of the application will lie for inspection during normal office hours at the office of the Municipal Manager, Mamusa Local Municipality, 28 Schweizer Street, Schweizer Reneke, for the period of 28 days from 17 January 2017.

Objections to or representations in respect of the application must be lodged with or made in writing, or verbally if the objector is unable to read or write, to the Municipal Manager at the above address or posted to P.O. Box 5, Schweizer Reneke, 2780 within a period of 28 days from 17 January 2017.

ADDRESS OF AUTHORISED AGENT: MAXIM PLANNING SOLUTIONS (PTY) LTD (2002/017393/07), UNIT 35 CORPUS NOVEM OFFICE PARK, 35 DR. YUSUF DADOO AVENUE, WILKOPPIES, KLERKSDORP, 2571, P.O. BOX 6848, FLAMWOOD, 2572, TEL: 018-468 6366 (2/1719)

17-24

KENNISGEWING 7 VAN 2017**KENNISGEWING VAN AANSOEK OM WYSIGING VAN DORPSBEPLANNINGSKEMA INGEVOLGE ARTIKEL 56(1)(b)(i) VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986 (ORDONNANSIE 15 VAN 1986), SAAMGELEES MET SPLUMA, 2013 (WET 16 VAN 2013)
SCHWEIZER RENEKE DORPSBEPLANNINGSKEMA, 2000 - WYSIGINGSKEMA 34**

Maxim Planning Solutions (Edms) Bpk (2002/017393/07) synde die gemagtigde agent van die eienaar van Erf 66, Schweizer Reneke, gee hiermee ingevolge Artikel 56(1)(b)(i) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986), saamgelees met SPLUMA, 2013 (Wet 16 van 2013), kennis dat ons by die Mamusa Plaaslike Munisipaliteit aansoek gedoen het om die wysiging van die Schweizer-Reneke Dorpsbeplanningskema, 2000, soos gewysig, deur die hersonering van Erf 66, Schweizer Reneke, geleë te Schweizerstraat 4, Schweizer Reneke, vanaf "Residensieel 1" na "Spesiaal" vir die doeleindes van 'n verblyfonderneming.

Besonderhede van die aansoek lê ter insae gedurende gewone kantoorure by die kantoor van die Munisipale Bestuurder, Mamusa Plaaslike Munisipaliteit, Schweizerstraat 28, Schweizer Reneke, vir 'n tydperk van 28 dae vanaf 17 Januarie 2017.

Besware teen of verhoë ten opsigte van die aansoek moet binne 'n tydperk van 28 dae vanaf 17 Januarie 2017 skriftelik, of mondelings indien die beswaarmaker nie kan lees of skryf nie, by of tot die Munisipale Bestuurder by bovermelde adres of by Posbus 5, Schweizer Reneke, 2780 ingedien of gerig word.

ADRES VAN GEMAGTIGDE AGENT: MAXIM PLANNING SOLUTIONS (EDMS) BPK (2002/017393/07), EENHEID 35 CORPUS NOVEM KANTOOR PARK, DR. YUSUF DADOOLAAN 35, WILKOPPIES, KLERKSDORP, 2571, POSBUS 6848, FLAMWOOD, 2572, TEL: (018) 468-6366 (2/1719)

17-24

NOTICE 8 OF 2017**NOTICE OF APPLICATION FOR AMENDMENT OF
TOWN PLANNING SCHEME IN TERMS OF
SECTION 56 (1) (b) (ii) OF THE TOWN PLANNING AND
TOWNSHIPS ORDINANCE, 1986
(ORDINANCE 15 OF 1986)****HARTBEESPOORT AMENDMENT SCHEME 490**

I, Jeff de Klerk, being the authorised agent of the owners of Portion 3 of Erf 829, Schoemansville, hereby give notice in terms of Section 56 (1) (b) (ii) of the Town Planning and Townships Ordinance, 1986, read with the Spatial Planning and Land Use Management Act, No 16 of 2013, that I have applied to the Madibeng Local Municipality for the amendment of the Town Planning Scheme known as **Hartbeespoort Town Planning Scheme, 1993**, by the rezoning of the property described above, situated at 7 Harrington Street, Schoemansville, from "Residential 1" to "Special" for Offices, Places of Refreshment and Exclusive Business (art gallery, hairdresser, beauty salon) with a coverage of 60%, height of 3 storeys and FAR of 0,8.

Particulars of the application will lie for inspection during normal office hours at the Municipal Offices, Van Velden Street, Brits for a period of 30 days from 17 January 2017.

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 106, Brits, 0250, within a period of 30 days from 17 January 2017.

Address of authorised agent: P O Box 105, Ifafi, 0260, Tel (012) 259 1688 / 082 229 1151

17-24

KENNISGEWING 8 VAN 2017**KENNISGEWING VAN AANSOEK OM WYSIGING VAN
DORPSBEPLANNINGSKEMA INGEVOLGE
ARTIKEL 56 (1) (b) (ii) VAN DIE ORDONNANSIE
OP DORPSBEPLANNING EN DORPE 1986
(ORDONNANSIE 15 VAN 1986)****HARTBEESPOORT WYSIGINGSKEMA 490**

Ek, Jeff de Klerk, synde die gemagtigde agent van die eienaars van Gedeelte 3 van Erf 829, Schoemansville, gee hiermee ingevolge Artikel 56 (1) (b) (ii) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986, saamgelees met die Wet Op Ruimtelike Beplanning en Grondgebruiksbestuur, No 16 van 2013, kennis dat ek by die Madibeng Plaaslike Munisipaliteit aansoek gedoen het om die wysiging van die dorpsbeplanningskema bekend as **Hartbeespoort Dorpsbeplanningskema, 1993**, deur die hersonering van die eiendom hierbo beskryf, geleë te Harringtonstraat 7, Schoemansville, vanaf "Residensieel 1" na "Spesiaal" vir Kantore, Verversingsplekke en Eksklusiewe Besigheid (kunsgallery, haarkapster, skoonheidsalon) met 'n dekking van 60%, hoogte van 3 verdiepings en VRV van 0,8.

Besonderhede van die aansoek lê ter insae gedurende gewone kantoorure by die Munisipale Kantore, Van Veldenstraat, Brits, vir 'n tydperk van 30 dae vanaf 17 Januarie 2017.

Besware of vertoë ten opsigte van die aansoek moet binne 'n tydperk van 30 dae vanaf 17 Januarie 2017 skriftelik by of tot die Munisipale Bestuurder by bovermelde adres of by Posbus 106, Brits, 0250, ingedien word.

Adres van gemagtigde agent: Posbus 105, Ifafi, 0260, Tel (012) 259 1688 / 082 229 1151

17-24

NOTICE 11 OF 2017

NOTICE OF APPLICATION FOR THE DIVISION OF LAND (ORDINANCE 20 OF 1986)

AND

NOTICE FOR SPECIAL CONSENT: HARTBEESPOORT TOWN-PLANNING SCHEME, 1993

The Madibeng Local Municipality hereby gives notice in terms of section 6(8)(a) of the Division of Land Ordinance, 1986 (Ordinance 20 of 1986)((read together with the relevant provisions of the Spatial Planning and Land-use Management Act, 2013 (Act 16 of 2013)(SPLUMA)) that an application to divide Holding 10 Melodie A/H, Hartbeespoort, approximately 4.4061ha in extent, has been received from Platinum Town and Regional Planners (CK 2008/161136/23) on behalf of Magalies Biosphere 10 (PTY) Ltd (2016/275127/07). The proposed divisions are Portion 1 (approximately 0.8568ha in extent), Portion 2 (approximately 0.8580ha in extent), Portion 3 (approximately 0.8582ha in extent) and the Remainder (approximately 1.8331ha in extent).

Notice is simultaneously hereby given that Platinum Town and Regional Planners (CK 2008/161136/23) also applied on behalf of Magalies Biosphere 10 (PTY) Ltd (2016/275127/07) to the Madibeng Local Municipality for special consent to operate "*a place of amusement, including a restaurant*" on Holding 10 Melodie A/H, in terms of Clauses 13 and 22 of the Hartbeespoort Town-Planning Scheme, 1993 ((read together with the relevant provisions of the Spatial Planning and Land-use Management Act, 2013 (Act 16 of 2013)(SPLUMA)).

The current zoning of Holding 10 Helodie A/H is "*agriculture*".

Particulars of both the applications will lie for inspection during normal office hours at the office of the Municipal Manager, Civic Centre, 53 Van Velden Street, Brits for a period of 30 days from 24 January 2017. Objections to or representations in respect of both the applications must be lodged with or made in writing and in duplicate to the Municipal Manager at the above address, or at P O Box 106, Brits, 0250 within a period of 30 days from 24 January 2017. These objections or representations must clearly state why the writer is an affected party. The contact details (e.g. email address and telephone / cell phone number) of the writer must also be clearly indicated.

Location of the Holding: From the T-junction between the Hartbeespoort Cable Way Road and Beethoven Street (R511), follow the route for approximately 700m in a western direction on the Hartbeespoort Cable Way Road. The entrance to Holding 10 Melodie A/H is to the north of the Hartbeespoort Cable Way Road.

Address of authorized agent: Platinum Town and Regional Planners, P O Box 1194, Hartbeespoort, 0216. Telephone numbers: 072 184 9621 or 083 226 1316. Email: amund@vodamail.co.za

Dates on which notice will be published: 24 and 31 January 2017 (North-west Provincial Gazette), 26 January and 2 February 2017 (Kormorant)

Closing date for objections to or representations: 23 February 2017, at 15h00.

24-31

KENNISGEWING 11 VAN 2017**KENNISGEWING VAN AANSOEK VIR DIE VERDELING VAN GROND (ORDONNANSIE 20 VAN 1986)****EN****KENNISGEWING VIR SPESIALE TOESTEMMING: HARTBEESPOORT DORPSBEPLANNINGSKEMA, 1993**

Die Madibeng Plaaslike Munisipaliteit gee hiermee ingevolge artikel 6(8)(a) van die Verdeling van Grond, 1986 (Ordonnansie 20 van 1986)((saamgelees met die toepaslike bepalings van die Wet op Ruimtelike Beplanning en Grondgebruikbestuur, 2013 (Wet 16 van 2013)(SPLUMA)) kennis dat 'n aansoek om Hoewe 10 Melodie L/H, Hartbeespoort, ongeveer 4.4061ha groot, te verdeel vanaf Platinum Stads- en Streekbeplanners (CK 2008/161136/23) namens Magalies Biosfeer 10 (Pty) Ltd (2016/275127/07), ontvang is. Die voorgestelde onderverdelings is Gedeelte 1 (ongeveer 0.8568ha groot), Gedeelte 2 (ongeveer 0.8580ha groot), Gedeelte 3 (ongeveer 0.8582ha groot) en die Restant (ongeveer 1.8331ha groot).

Kennis geskied gelyktydig hiermee dat Platinum Stads- en Streekbeplanners (CK 2008/161136/23) ook namens Magalies Biosfeer 10 (Edms) Bpk (2016/275127/07) by die Madibeng Plaaslike Munisipaliteit aansoek gedoen het vir spesiale toestemming om “*n plek van vermaak, insluitende 'n restaurant*” op Hoewe 10 Melodie L/H, in terme van Klousules 13 en 22 van die Hartbeespoort Dorpsbeplanningskema, 1993 ((saamgelees met die toepaslike bepalings van die Wet op Ruimtelike Beplanning en Grondgebruikbestuur, 2013 (Wet 16 van 2013)(SPLUMA)), te bedryf.

Die huidige sonering van Hoewe 10 Helodie A / H is “*landbou*”.

Besonderhede van beide die aansoek lê ter insae gedurende gewone kantoorure by die Kantoor van die Munisipale Bestuurder, Burgersentrum, Van Veldenstraat 53, Brits vir 'n tydperk van 30 dae vanaf 24 Januarie 2017. Besware teen of verhoë ten opsigte van beide die aansoeke moet ingedien word by of skriftelik en in tweevoud by die Munisipale Bestuurder by bovermelde adres, of by Posbus 106, Brits, 0250 binne 'n tydperk van 30 dae vanaf 24 Januarie 2017. Hierdie besware of verhoë moet dit duidelik stel waarom die skrywer 'n party is wat geraak word. Die kontakbesonderhede (bv e-pos adres en telefoonnommer / selfoonnommer) van die skrywer moet ook duidelik aangedui word.

Ligging van die Hoewe: Vanaf die T-aansluiting tussen die Hartbeespoort Kabelspoorpad en Beethoven Straat (R511), volg die roete vir ongeveer 700m in 'n westelike rigting op die Hartbeespoort Kabelspoorpad. Die ingang na Hoewe 10 Melodie L/H is aan die noordekant van die Hartbeespoort Kabelspoorpad.

Adres van gemagtigde agent: Platinum Stads- en Streekbeplanners, Posbus 1194, Hartbeespoort, 0216. Telefoonnommers 072 184 9621 of 083 226 1316. E-pos amund@vodamail.co.za

Datums waarop kennisgewing gepubliseer moet word: 24 en 31 Januarie 2017 (Noordwes Provinsiale Koerant), 26 Januarie en 2 Februarie 2017 (Kormorant).

Die sluitingsdatum vir besware teen of verhoë: 23 Februarie 2017, om 15h00.

24-31

NOTICE 12 OF 2017**NOTICE OF APPLICATION FOR AMENDMENT OF TOWN-PLANNING SCHEME IN TERMS OF SECTION 56(1)(b)(i) OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986)****NOTICE: PERI URBAN AREAS SCHEME – AMENDMENT SCHEME NO. 2209**

We, Lombard Du Preez Professionele Landmeters (Pty) Ltd, being the authorized agent of the owner of PORTION 91 OF THE FARM REMHOOGTE NO.476-JQ hereby gives notice in terms of section 56(1)(b)(i) of the Town-Planning and Townships Ordinance 1986, read with the relevant provisions of the Spatial Planning and Land Use Management Act 2013 (Act16/2013), that we have applied at the Local Municipality of Madibeng, for the amendment of the town-planning scheme known as Peri Urban Areas Town-Planning Scheme 1975, by the rezoning of the property mentioned above, situated approximately 800m north-west of the T-junction made by road P123/1 with road D1219, from “Undetermined” to “Special for Private resort” with a maximum coverage of 10% , a maximum Floor Area Ratio of 0,1 and a maximum height of 2 storeys. Particulars of the application will lie for inspection during normal office hours at the office of the Municipal Manager, 52 Van Velden Street, Brits, for a period of 28 days from 24 January 2017. Objections in respect of the application must be lodged with or made in writing to the Municipal Manager, at the above address or at P.O. Box 106, Brits, 0250, within a period of 28 days from 24 January 2017. Address of agent: **LOMBARD DU PREEZ** Professionele Landmeters (Edms) Bpk, P.O. Box 798, Brits, 0250 (30 Van Veldenstreet) Tel. (012) 252 5959.

24–31

KENNISGEWING 12 VAN 2017**KENNISGEWING VAN AANSOEK OM WYSIGING VAN DORPSBEPLANNINGSKEMA INGEVOLGE ARTIKEL 56(1)(b)(i) VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986 (ORDONNANSIE 15 VAN 1986)****KENNISGEWING: BUITESTEDELIKE GEBIEDE SKEMA – WYSIGINGSKEMA NO. 2209**

Ons, Lombard Du Preez Professionele Landmeters (Edms) Bpk, synde die gemagtigde agent van die eienaar van GEDEELTE 91 VAN DIE PLAAS REMHOOGTE NO.476-JQ, gee hiermee ingevolge artikel 56(1)(b)(i) van die Ordonnansie op Dorpsbeplanning en Dorpe 1986, saamgelees met die relevante bepalings van die Ruimtelike Beplanning en Grondgebruik Bestuur Wet, 2013 (Wet16/2013), kennis dat ons by die Plaaslike Munisipaliteit van Madibeng, aansoek gedoen het om die wysiging van die Dorpsbeplanningskema bekend as die Buitestedelike Gebiede Dorpsbeplanningskema, 1975, deur die hersonering van die eiendom hierbo beskryf, geleë ongeveer 800m Noord Wes van die T-aansluiting van pad D1219 met pad P123/1, van “Onbepaald” na “Spesiaal vir Privaat oord”, met 'n maksimum dekking van 10%, 'n maksimum vloeroppervlakverhouding van 0,1 en 'n maksimum hoogte van 2 verdiepings . Besonderhede van die aansoek lê ter insae gedurende gewone kantoorure by die kantoor van die Munisipale Bestuurder, te Van Veldenstraat 52, Brits, vir 'n tydperk van 28 dae vanaf 24 Januarie 2017. Besware teen of verhoë ten opsigte van die aansoek moet binne 'n tydperk van 28 dae vanaf 24 Januarie 2017 skriftelik by die Munisipale Bestuurder, by bovermelde adres of by Posbus 106, Brits, 0250, ingedien of gerig word. Adres van agent: **LOMBARD DU PREEZ** Professionele Landmeters (Edms) Bpk, Posbus 798, Brits, 0250 (Van Veldenstraat 30). Tel. (012) 252 5959.

24–31

NOTICE 13 OF 2017**NOTICE IN TERMS OF SECTION 66 OF THE MOSES KOTANE LOCAL MUNICIPALITY SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2016, READ TOGETHER WITH SPLUMA, 2013 (ACT 16 OF 2013), FOR A CHANGE OF LAND USE RIGHTS, KNOWN AS A REZONING. MOSES KOTANE AMENDMENT SCHEME 10020**

I, Dawid Jacobus Bos (ID No: 571216 5113 08 0), of the firm Maxim Planning Solutions (Pty) Ltd (2002/017393/07), being the authorised agent of the owner of Portion 2 of Erf 923, Mogwase Unit 2, Registration Division J.Q., North West Province hereby gives notice in terms of Section 66 of the Moses Kotane Local Municipality Spatial Planning and Land Use Management By-Law, 2016, read together with SPLUMA, 2013 (Act 16 of 2013), that I have applied to the Moses Kotane Local Municipality for the change of land use rights also known as rezoning, with the following proposals: A) The rezoning of Portion 2 of Erf 923, Mogwase Unit 2, Registration Division J.Q., North West Province, situated adjacent to and to the north of President Avenue, Mogwase, North of Mogwase Unit 4 and North-East of Sun City, from "Residential 6" to "Special" for the purposes of a guesthouse. B) All properties situated adjacent to Portion 2 of Erf 923, Mogwase Unit 2, Registration Division J.Q., North West Province, could thereby be affected by the rezoning application. C) The rezoning entails that the newly erected structures be utilised for the purposes of a guesthouse.

Particulars of the application will lie for inspection during normal office hours at the office of the Municipal Manager, Station Road, Mogwase, 0314 for the period of 30 days from **24 January 2017**. Objections to or representations in respect of the application must be lodged with or made in writing, or verbally if the objector is unable to write and where such objector is to be assisted by a staff member of the Local Municipality to transcribe that person's objections or comments, to the Municipal Manager at the above address or at Private Bag X 1011, Mogwase, 0314 within a period of 30 days from **24 January 2017**.

Address of authorised agent: Maxim Planning Solutions (Pty) Ltd (2002/017393/07), @ Office Building, 67 Brink Street, Rustenburg, P.O. Box 21114, Proteapark, 0305, Tel: (014) 592-9489. (2/1673/R/L)

24-31

KENNISGEWING 13 VAN 2017**KENNISGEWING INGEVOLGE ARTIKEL 66 VAN DIE MOSES KOTANE PLAASLIKE MUNISIPALITEIT RUIMTELIKE BEPLANNING EN GRONDGEBRUIKBESTUUR VERORDENING, 2016, SAAMGELEES MET SPLUMA, 2013 (WET 16 VAN 2013), VIR 'N VERANDERING VAN DIE GRONDGEBRUIKSREGTE, BEKEND AS 'N HERSONERING. MOSES KOTANE WYSIGINGSKEMA 10020**

Ek, Dawid Jacobus Bos (ID Nr: 571216 5113 08 0), van die firma Maxim Planning Solutions (Edms) Bpk (2002/017393/07), synde die gemagtigde agent van die eienaar van Gedeelte 2 van die Erf 923, Mogwase Eenheid 2, Registrasie Afdeling J.Q., Noordwes Provinsie gee hiermee ingevolge Artikel 66 van die Moses Kotane Plaaslike Munisipaliteit Ruimtelike Beplanning en Grondgebruikbestuur Verordening, 2016, saamgelees met SPLUMA, 2013 (Wet 16 van 2013), kennis dat ek by die Moses Kotane Plaaslike Munisipaliteit aansoek gedoen het vir die verandering van grondgebruiksregte ook bekend as hersonering, met die volgende voorstelle: A) Die hersonering van Gedeelte 2 van die Erf 923, Mogwase Eenheid 2, Registrasie Afdeling J.Q., Noordwes Provinsie, geleë aanliggend tot en Noord van Presidentlaan, Mogwase, Noord van Mogwase Eenheid 4 en Noord-Oos van Sun City, vanaf "Residensieel 6" na "Spesiaal" vir die doeleindes van 'n gastehuis. B) Alle eiendomme geleë aanliggend tot Gedeelte 2 van die Erf 923, Mogwase Eenheid 2, Registrasie Afdeling J.Q., Noordwes Provinsie, kan moontlik deur die hersonering geraak word. C) Die hersonering behels dat die nuut geboude strukture gebruik sal word vir die doeleindes van 'n gastehuis.

Besonderhede van die aansoek lê ter insae gedurende gewone kantoorure by die kantoor van die Munisipale Bestuurder, Stasiepad, Mogwase, 0314 vir 'n tydperk van 30 dae vanaf **24 Januarie 2017**. Besware teen of verhoë ten opsigte van die aansoek moet skriftelik, of mondelings indien die beswaarmaker nie kan skryf nie en waar sodanige beswaarmaker ge-assisteer word deur 'n werknemer van die Plaaslike Munisipaliteit om sodanige persoon se besware of kommentaar neer te skryf, binne 'n tydperk van 30 dae vanaf **24 Januarie 2017** skriftelik by of tot die Munisipale Bestuurder by bovermelde adres of by Privaatsak X 1011, Mogwase, 0314 ingedien of gerig word.

Adres van gemagtigde agent: Maxim Planning Solutions (Edms) Bpk (2002/017393/07), @ Office Gebou, Brinkstraat 67, Rustenburg, Posbus 21114, Proteapark, 0305, Tel: (014) 592-9489. (2/1673/R/L)

24-31

NOTICE 14 OF 2017**NOTICE IN TERMS OF SECTION 18(1) OF THE RUSTENBURG LOCAL MUNICIPALITY SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2015 FOR A CHANGE OF LAND USE RIGHTS, KNOWN AS A REZONING. RUSTENBURG AMENDMENT SCHEME 1662**

I, Dawid Jacobus Bos (ID NO: 571216 5113 08 0), of the firm Maxim Planning Solutions (Pty) Ltd (2002/017393/07), being the authorised agent of the owner of Portion 2 of Erf 11, Rustenburg, Registration Division J.Q., North West Province hereby gives notice in terms of Section 18(1)(d) of the Rustenburg Local Municipality Spatial Planning and Land Use Management By-Law, 2015, that I have applied to the Rustenburg Local Municipality for the change of land use rights also known as rezoning with the following proposals: A) The rezoning of the property described above, situated at 93 Church Street, Rustenburg, from "Residential 2" to "Business 1" including a workshop, as defined in Annexure 1966 to the Scheme. B) All properties situated adjacent to Portion 2 of Erf 11, Rustenburg, Registration Division J.Q., North West Province, could thereby be affected by the rezoning application. C) The rezoning entails that new structures be erected on the property for workshop purposes as defined in Annexure 1966, with a maximum height of three (3) storeys, a maximum F.A.R of 0.45 and a maximum coverage of 65%.

Particulars of the application will lie for inspection during normal office hours at the office of the Municipal Manager, Room 319, Missionary Mpheni House, corner of Nelson Mandela- and Beyers Naude Drive, Rustenburg for the period of 30 days from **24 January 2017**. 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 P.O. Box 16, Rustenburg, 0300 within a period of 30 days from **24 January 2017**.

Address of authorised agent: Maxim Planning Solutions (Pty) Ltd (2002/017393/07), @ Office Building, 67 Brink Street, Rustenburg, P.O. Box 21114, Proteapark, 0305, Tel: (014) 592-9489. (2/1716/R/L)

24-31

KENNISGEWING 14 VAN 2017**KENNISGEWING INGEVOLGE ARTIKEL 18(1) VAN DIE RUSTENBURG PLAASLIKE MUNISIPALITEIT RUIMTELIKE BEPLANNING EN GRONDGEBRUIKBESTUUR VERORDENING, 2015 VIR 'N VERANDERING VAN DIE GRONDGEBRUIKSREGTE, BEKEND AS 'N HERSONERING. RUSTENBURG WYSIGINGSKEMA 1662**

Ek, Dawid Jacobus Bos (ID NR: 571216 5113 08 0), van die firma Maxim Planning Solutions (Edms) Bpk (2002/017393/07), synde die gemagtigde agent van die eienaar van Gedeelte 2 van Erf 11, Rustenburg, Registrasie Afdeling J.Q., Noordwes Provinsie gee hiermee ingevolge Artikel 18(1)(d) van die Rustenburg Plaaslike Munisipaliteit Ruimtelike Beplanning en Grondgebruikbestuur Verordening, 2015 kennis dat ek by die Rustenburg Plaaslike Munisipaliteit aansoek gedoen het vir die verandering van grondgebruiksregte ook bekend as hersonering met die volgende voorstelle: A) Die hersonering van die eiendom hierbo beskryf, geleë te Kerkstraat 93, Rustenburg, vanaf "Residensieel 2" na "Besigheid 1" insluitende 'n werkwinkel, soos omskryf in Bylae 1966 tot die Skema. B) Alle eiendomme geleë aanliggend tot Gedeelte 2 van Erf 11, Rustenburg, Registrasie Afdeling J.Q., Noordwes Provinsie, kan moontlik deur die hersonering geraak word. C) Die hersonering behels dat nuwe strukture op die eiendom opgerig word vir die doeleindes van werkwinkels, soos omskryf in Bylae 1966, met 'n maksimum hoogte beperking van drie (3) verdiepings, 'n maksimum V.O.V van 0.45 en 'n maksimum dekking van 65%.

Besonderhede van die aansoek lê ter insae gedurende gewone kantoorure by die kantoor van die Munisipale Bestuurder, Kamer 319, Missionary Mpheni House, hoek van Nelson Mandela- en Beyers Naude Rylaan, Rustenburg vir 'n tydperk van 30 dae vanaf **24 Januarie 2017**. Besware teen of verhoë ten opsigte van die aansoek moet binne 'n tydperk van 30 dae vanaf **24 Januarie 2017** skriftelik by of tot die Munisipale Bestuurder by bovermelde adres of by Posbus 16, Rustenburg, 0300 ingedien of gerig word.

Adres van gemagtigde agent: Maxim Planning Solutions (Edms) Bpk (2002/017393/07), @ Office Gebou, Brinkstraat 67, Rustenburg, Posbus 21114, Proteapark, 0305, Tel: (014) 592-9489. (2/1716/R/L)

24-31

PROVINCIAL NOTICES • PROVINSIALE KENNISGEWINGS

PROVINCIAL NOTICE 7 OF 2017

NOTICE IN TERMS OF SECTION 18(1) OF THE RUSTENBURG LOCAL MUNICIPALITY SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2015 FOR A CHANGE OF LAND USE RIGHTS KNOWN AS A REZONING. RUSTENBURG AMENDMENT SCHEME 1659

The firm NE Town Planning CC (Reg Nr: 2008/2492644/23), being the authorised agent of the owner of the **Remaining Extent of Portion 20 (portion of portion 8) of the Farm Boschhoek 103, Registration Division J.Q., North West Province** hereby give notice in terms of Section 18(1)(d) of the Rustenburg Local Municipality Spatial Planning and Land Use Management By-Law, 2015 that we have applied to the Rustenburg Local Municipality for a change of land use rights also known as rezoning of the property described above, situated approximately 2 km from the Lindleyspoort/Sun City split on the R565 towards Sun City, from "Agricultural" to "Special" for Commercial Use including the Crushing and Screening of Stone/Slag or plants for the preparation of road surfacing material as defined in Annexure 1963 to the Scheme. This application contains the following proposals: A) That only a portion of the property of less than 1 hectare will be used for the purposes mentioned above. B) The adjacent properties as well as properties in the area, could thereby be affected. C) The rezoning from "Agricultural" to "Special" for Commercial Use including the Crushing and Screening of Stone/Slag or plants for the preparation of road surfacing material entails that the existing buildings including additional buildings to be erected will be utilised for the purposes mentioned above with the following development parameters: Max Height: 2 Storeys, Max Coverage: 0.036%, FAR: 0.0036. Any objection or comments, with the grounds therefore and contact details, shall be lodged within a period of 30 days from the first date on which the notice appeared, with or made in writing to: Municipality at: **Room 319, Missionary Mpheni House, cnr. Nelson Mandela and Beyers Naude Drives, Rustenburg, or to PO Box 16, Rustenburg 0300.** Full particulars and plans (if any) may be inspected during normal office hours at the above-mentioned offices, for a period of 30 days from the date of first publication of the advertisement in the Provincial Gazette, Beeld and Citizen and/or Site Notice. Closing date for any objections : **16 February 2017.** Address of applicant NE Town Planning CC, **155 Kock Street, Suite 204, De Dak, Rustenburg 0299 or P.O. Box 5717, RUSTENBURG, 0300;** Telephone No: 014 592 2777. Dates on which notice will be published: **17 and 24 January 2017.**

17-24

PROVINSIALE KENNISGEWING 7 VAN 2017

KENNISGEWING INGEVOLGE ARTIKEL 18 (1) VAN DIE RUSTENBURG PLAASLIKE MUNISIPALITEIT RUIMTELIKE BEPLANNING EN GRONDGEBRUIKBESTUURS VERORDENING, 2015 VIR 'N VERANDERING VAN DIE GRONDGEBRUIKSREGTE BEKEND AS 'N HERSONERING. RUSTENBURG WYSIGINGSKEMA 1659.

Die firma, NE Town Planning BK (Reg Nr: 2008/2492644/23), synde die gemagtigde agent van die eienaar van **die Resterende Gedeelte van Gedeelte 20 (gedeelte van gedeelte 8) van die Plaas Boschhoek 103, Registrasie Afdeling J.Q., Noord-Wes Provinsie,** gee hiermee ingevolge, Artikel 18(1)(d) van die Rustenburg Plaaslike Munisipaliteit Ruimtelike Beplanning en Grondgebruikbestuur Verordening, 2015 kennis dat ek by Rustenburg Plaaslike Munisipaliteit aansoek gedoen het vir die verandering van die grondgebruikregte, ook bekend as die hersonering van die eiendom hierbo beskryf, geleë ongeveer 2km vanaf die Lindleyspoort/Sun City vork op die R565 in die rigting van Sun City, vanaf "Landbou" na "Spesiaal" vir Kommersiële Gebruik insluitend die Breking en Sortering van Klip/Slak of plante vir die voorbereiding van padbou materiaal soos omskryf in Bylae 1963 tot die Skema. Hierdie aansoek behels A) dat slegs 'n gedeelte van die eiendom van minder as 1 hektaar gebruik sal word vir gebruike soos hierbo genoem. B) die aangrensende eiendomme asook eiendomme in die omgewing kan moontlik hierdeur geraak word. C) Die hersonering van "Landbou" na "Spesiaal" vir Kommersiële Gebruik insluitend die Breking en Sortering van Klip/Slak of plante vir die voorbereiding van padbou materiaal behels dat die bestaande geboue asook nuwe geboue opgerig en gebruik sal word vir die doeleindes soos hierbo genoem en bevat die volgende ontwikkelingsparameters: Maks Hoogte: 2 verdiepings, Max dekking: 0.036%, VOV: 0.0036. Enige besware of kommentaar, met gronde daarvoor asook kontakbesonderhede, kan gebring word binne 'n tydperk van 30 vanaf die eerste datum waarop die kennisgewing verskyn het na die **Munisipaliteit: Kamer 319, Missionary Mpheni House, h.v. Nelson Mandela en Beyers Naude Rylane, Rustenburg, of na Posbus 16, Rustenburg 0300.** Besonderhede en planne (indien enige) is beskikbaar vir inspeksie gedurende gewone kantoorure by die bovermelde kantore, vir 'n tydperk van 30 dae van die datum van eerste publikasie van die kennisgewing in die Provinsiale Gazette, Beeld en Citizen en/of terrein kennisgewing. Sluitingsdatum vir enige besware: **16 February 2017.** Adres van applikant: **155 Kockstraat, Suite 204, De Dak, Rustenburg 0299 of NE Stadsbeplanners BK, Posbus 5717, RUSTENBURG, 0300;** Telefoon nr: 014 592 2777. Datums waarop kennisgewings gepubliseer word: **17 and 24 January 2016.**

17-24

PROVINCIAL NOTICE 8 OF 2017**NOTICE IN TERMS OF SECTION 18(1) OF THE RUSTENBURG LOCAL MUNICIPALITY SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2015 FOR A CHANGE OF LAND USE RIGHTS KNOWN AS A REZONING. RUSTENBURG AMENDMENT SCHEME 1637**

The firm NE Town Planning CC (Reg. Nr. 2008/249644/23), being the authorised agent of the owner of **the Remaining Extent of Erf 1793, Rustenburg Extension 5, Registration Division J.Q., North West Province** hereby give notice in terms of Section 18(1)(d) of the Rustenburg Local Municipality Spatial Planning and Land Use Management By-Law, 2015 that we have applied to the Rustenburg Local Municipality for a change of land use rights also known as rezoning of the property described above, situated at 1 Christie de Witt Street, Rustenburg Extension 5, from "Residential 1" to "Residential 1" including a Service Enterprise (95.29m²) as defined in Annexure 1942 to the Scheme. This application contains the following proposals: A) That the property will still be used mainly for residential purposes, but with the addition of a service enterprise (95.29m²). B) The adjacent properties as well as properties in the area, could thereby be affected. C) The rezoning from "Residential 1" to "Residential 1" including a service enterprise (95.29m²) entails that the existing building will be utilised for the purposes mentioned above with the following development parameters: Max Height: 2 Storeys, Max Coverage: Single Storey: 50%, Double Storey: 40%.

Any objection or comments, with the grounds therefore and contact details, shall be lodged within a period of 30 days from the first date on which the notice appeared, with or made in writing to: Municipality at: **Room 319, Missionary Mpheni House, cnr. Nelson Mandela and Beyers Naude Drives, Rustenburg, or to PO Box 16, Rustenburg 0300.**

Full particulars and plans (if any) may be inspected during normal office hours at the above-mentioned offices, for a period of 30 days from the date of first publication of the advertisement in the Provincial Gazette, Beeld and Citizen and/or Site Notice.

Closing date for any objections : **16 February 2017.**

Address of applicant : NE Town Planning CC, **155 Kock Street, Suite 204, De Dak, Rustenburg 0299 or P.O. Box 5717, RUSTENBURG, 0300;** Telephone No: 014 592 2777. Dates on which notice will be published: **17 and 24 January 2017.**

17-24

PROVINSIALE KENNISGEWING 8 VAN 2017

KENNISGEWING INGEVOLGE ARTIKEL 18 (1) VAN DIE RUSTENBURG PLAASLIKE MUNISIPALITEIT RUIMTELIKE BEPLANNING EN GRONDGEBRUIKBESTUURS VERORDENING, 2015 VIR 'N VERANDERING VAN DIE GRONDGEBRUIKSREGTE BEKEND AS 'N HERSONERING. RUSTENBURG WYSIGINGSKEMA 1637.

Die firma NE Town Planning BK (Reg. Nr. 2008/249644/23), synde die gemagtigde agent van die eienaar van die **Resterende Gedeelte van Erf 1793, Rustenburg Uitbreiding 5, Registrasie Afdeling J.Q., Noord-Wes Provinsie**, gee hiermee ingevolge, Artikel 18(1)(d) van die Rustenburg Plaaslike Munisipaliteit Ruimtelike Beplanning en Grondgebruikbestuur Verordening, 2015 kennis dat ons by Rustenburg Plaaslike Munisipaliteit aansoek gedoen het vir die verandering van die grondgebruikregte, ook bekend as die hersonering van die eiendom hierbo beskryf, geleë te Christie de Wittstraat 1, Rustenburg uitbreiding 5, vanaf "Residensieël 1" na "Residensieël 1" insluitend 'n Diensonderneming (95.29m²) soos omskryf in Bylae 1942 tot die Skema. Hierdie aansoek behels A) dat die eiendom steeds hoofsaaklik gebruik sal word as 'n wooneenheid, met die toevoeging van 'n diensonderneming (95.29m²) B) die aangrensende eiendomme asook eiendomme in die omgewing kan kan moontlik hierdeur geraak word. C) Die hersonering van "Residensieël 1" na "Residensieël 1" insluitend 'n diensonderneming (95.29m²) behels dat die bestaande gebou gebruik sal word vir die doeleindes soos hierbo genoem en bevat die volgende ontwikkelingsparameters: Maks Hoogte: 2 verdiepings, Max dekking: Enkelverdieping: 50%, Dubbelverdieping: 40%.

Enige besware of kommentaar, met gronde daarvoor asook kontakbesonderhede, kan gebring word binne 'n tydperk van 30 vanaf die eerste datum waarop die kennisgewing verskyn het na die **Munisipaliteit: Kamer 319, Missionary Mpheni House, h.v. Nelson Mandela en Beyers Naude Rylane, Rustenburg, of na Posbus 16, Rustenburg 0300.**

Besonderhede en planne (indien enige) is beskikbaar vir inspeksie gedurende gewone kantoorure by die bovermelde kantore, vir 'n tydperk van 30 dae van die datum van eerste publikasie van die kennisgewing in die Provinsiale Gazette, Beeld en Citizen en/of terrein kennisgewing.

Sluitingsdatum vir enige besware: **16 Februarie 2017.**

Adres van applikant: **155 Kockstraat, Suite 204, De Dak, Rustenburg 0299 of NE Stadsbeplanners BK, Posbus 5717, RUSTENBURG, 0300; Telefoon nr: 014 592 2777.** Datums waarop kennisgewings gepubliseer word: **17 en 24 Januarie**

17-24

PROVINCIAL NOTICE 10 OF 2017

NOTICE IN TERMS OF SECTION 18(1) OF THE RUSTENBURG LOCAL MUNICIPALITY SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2015 FOR A CHANGE OF LAND USE RIGHTS KNOWN AS A REZONING. RUSTENBURG AMENDMENT SCHEME 1658

The firm NE Town Planning CC (Reg. Nr. 2008/249644/23), being the authorised agent of the owner of **the Remaining Extent of Erf 1311, Rustenburg, Registration Division J.Q., North West Province** hereby give notice in terms of Section 18(1)(d) of the Rustenburg Local Municipality Spatial Planning and Land Use Management By-Law, 2015 that we have applied to the Rustenburg Local Municipality for a change of land use rights also known as rezoning of the property described above, situated at 215 Leyds Street, Rustenburg, from "Residential 1" to "Residential 1" including a Place of Instruction (Training Centre) as defined in Annexure 1962 to the Scheme. This application contains the following proposals: A) That the property will still be used mainly for residential purposes, but with the addition of a Place of Instruction (training facility). B) The adjacent properties as well as properties in the area, could thereby be affected. C) The rezoning from "Residential 1" to "Residential 1" including a Place of Instruction (Training Centre) entails that the existing buildings will be utilised for the purposes mentioned above with the following development parameters: Max Height: 2 Storeys, Max Coverage: 65%, F.A.R: 0.52. Any objection or comments, with the grounds therefore and contact details, shall be lodged within a period of 30 days from the first date on which the notice appeared, with or made in writing to: Municipality at: **Room 319, Missionary Mpheni House, cnr. Nelson Mandela and Beyers Naude Drives, Rustenburg, or to PO Box 16, Rustenburg 0300.** Full particulars and plans (if any) may be inspected during normal office hours at the above-mentioned offices, for a period of 30 days from the date of first publication of the advertisement in the Provincial Gazette, Beeld and Citizen and/or Site Notice.

Closing date for any objections: **23 February 2017.**

Address of applicant NE Town Planning CC, **155 Kock Street, Suite 204, De Dak, Rustenburg 0299 or P.O. Box 5717, RUSTENBURG, 0300;** Telephone No: 014 592 2777. Dates on which notice will be published: **24 and 31 January 2017.**

24-31

PROVINSIALE KENNISGEWING 10 VAN 2017

KENNISGEWING INGEVOLGE ARTIKEL 18 (1) VAN DIE RUSTENBURG PLAASLIKE MUNISIPALITEIT RUIMTELIKE BEPLANNING EN GRONDGEBRUIKBESTUURS VERORDENING, 2015 VIR 'N VERANDERING VAN DIE GRONDGEBRUIKSREGTE BEKEND AS 'N HERSONERING. RUSTENBURG WYSIGINGSKEMA 1658.

Die firma NE Town Planning BK (Reg. Nr. 2008/249644/23), synde die gemagtigde agent van die eienaar van die **Resterende Gedeelte van Erf 1311, Rustenburg, Registrasie Afdeling J.Q., Noord-Wes Provinsie**, gee hiermee ingevolge, Artikel 18(1)(d) van die Rustenburg Plaaslike Munisipaliteit Ruimtelike Beplanning en Grondgebruikbestuur Verordening, 2015 kennis dat ons by Rustenburg Plaaslike Munisipaliteit aansoek gedoen het vir die verandering van die grondgebruikregte, ook bekend as die hersonering van die eiendom hierbo beskryf, geleë te Leydsstraat 215, Rustenburg, vanaf "Residensieël 1" na "Residensieël 1" insluitend 'n Onderrigplek (Opleidingsentrum) soos omskryf in Bylae 1962 tot die Skema. Hierdie aansoek behels A) dat die eiendom steeds hoofsaaklik gebruik sal word as 'n wooneenheid, met die toevoeging van 'n onderrigplek (opleidingsentrum) B) die aangrensende eiendomme asook eiendomme in die omgewing kan moontlik hierdeur geraak word. C) Die hersonering van "Residensieël 1" na "Residensieël 1" insluitend 'n onderrigplek (opleidingsentrum) behels dat die bestaande geboue gebruik sal word vir die doeleindes soos hierbo genoem en bevat die volgende ontwikkelingsparameters: Maks Hoogte: 2 verdiepings, Max dekking: 65%, V.O.V: 0.52. Enige besware of kommentaar, met gronde daarvoor asook kontakbesonderhede, kan gebring word binne 'n tydperk van 30 vanaf die eerste datum waarop die kennisgewing verskyn het na die **Munisipaliteit: Kamer 319, Missionary Mpheni House, h.v. Nelson Mandela en Beyers Naude Rylane, Rustenburg, of na Posbus 16, Rustenburg 0300**. Besonderhede en planne (indien enige) is beskikbaar vir inspeksie gedurende gewone kantoorure by die bovermelde kantore, vir 'n tydperk van 30 dae van die datum van eerste publikasie van die kennisgewing in die Provinsiale Gazette, Beeld en Citizen en/of terrein kennisgewing.

Sluitingsdatum vir enige besware: **23 Februarie 2017**.

Adres van applikant: **155 Kockstraat, Suite 204, De Dak, Rustenburg 0299 of NE Stadsbeplanners BK, Posbus 5717, RUSTENBURG, 0300; Telefoon nr: 014 592 2777**. Datums waarop kennisgewings gepubliseer word: **24 en 31 Januarie**

24-31

PROVINCIAL NOTICE 11 OF 2017

APPLICATION IN TERMS OF ARTICLE 56 OF THE TLOKWE SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2015, READ WITH THE ACT ON SPATIAL PLANNING AND LAND USE MANAGEMENT, 2013 (ACT 16 OF 2013), FOR TOWNSHIP ESTABLISHMENT WHICH WILL BE KNOWN AS BAILLIE PARK EXTENSION 56: SITUATED ON PORTION 1016 OF THE FARM VYFHOEK 428, REGISTRATION DIVISION I.Q., PROVINCE NORTH WEST

AND

SIMULTANEOUS APPLICATION IN TERMS OF ARTICLE 63 OF THE TLOKWE SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2015, READ WITH THE ACT ON SPATIAL PLANNING AND LAND USE MANAGEMENT, 2013 (ACT 16 OF 2013), FOR THE REMOVAL OF RESTRICTIVE TITLE CONDITIONS IN TITEL DEED T74650/2016 RELEVANT TO PORTION 1016 OF THE FARM VYFHOEK 428, REGISTRATION DIVISION I.Q., PROVINCE NORTH WEST

Notice is hereby given in terms of Article 92 of the Tlokwe Spatial Planning and Land Use Management By-law, 2015 that the under-mentioned application has been received by the Tlokwe City Council and is open for inspection during normal office hours at the Office of the Department Human Settlements and Planning, Tlokwe City Council, Office 210, Second floor, Dan Tloome Complex, Corner of Wolmarans Street and Sol Plaatje Avenue, Potchefstroom.

Any objections/representations must be lodged with or made in writing, or verbally if unable to write, to the Municipal Manager, at the above-mentioned address or posted to PO Box 113, Potchefstroom, 2520 on or before the closing date for the submission of objections/representations, quoting the above-mentioned heading, the objector's interest in the matter, the ground(s) of the objection/representation, the objector's erf and phone numbers and address.

1ST PUBLICATION: 24 JANUARY 2017

2ND PUBLICATION: 31 JANUARY 2017

CLOSING DATE FOR SUBMISSION OF OBJECTIONS/REPRESENTATIONS: 23 FEBRUARY 2017

NATURE OF APPLICATION:

I, N.J. Blignaut (I.D. 681211 5030 08 4) of Welwyn Town and Regional Planning CC, 1998/005829/23, being the authorised agent of the owner, hereby apply to Tlokwe City Council in terms of:

Article 56 of the Tlokwe Spatial Planning and Land Use Management By-law, 2015, read with the Act on Spatial Planning and Land Use Management, 2013 (Act 16 of 2013), for the township establishment of Baillie Park Extension 56 on Portion 1016 of the farm Vyfhoek 428, Registration Division I.Q., Province North West, consisting of:

- 1x "Residential 2" erf with annexure for 17 units per hectare
- 1x "Private Road";

Also in terms of Article 63 of the Tlokwe Spatial Planning and Land Use Management By-law, 2015, read with the Act on Spatial Planning and Land Use Management, 2013 (Act 16 of 2013), for the simultaneous Removal of Restrictive Title Conditions, **A (1) to A (5); B (1)(2)(2.1 to 2.3) and C**, as pertained in Title Deed T74650/2016.

The proposed township is situated adjacent Wynne Street and direct south of the Wynne- and Aalwyn Street connection, Baillie Park in Potchefstroom.

OWNER : Izandra Trading 22 (Pty) Ltd (Reg Nr 2005/023832/07)
APPLICANT : N.J. Blignaut (I.D. 681211 5030 08 4) of Welwyn Town and Regional Planners (Reg Nr. 1998/005829/23)
ADDRESS : 39 Holtzhauzen Avenue, Baillie Park, 2531 and/or P.O. Box 20508, Noordbrug, 2522
TEL. NO. : (018) 290 5611 / 082 562 5590
MUNICIPAL MANAGER: Dr. B. Mokgethi

Notice Number: 4/2017
24-31

PROVINSIALE KENNISGEWING 11 VAN 2017

AANSOEK IN TERME VAN ARTIKEL 56 VAN DIE TLOKWE RUIMTELIKE BEPLANNING EN GRONDGEBRUIKSBESTUUR VERORDENING, 2015, SAAMGELEES MET DIE WET OP RUIMTELIKE BEPLANNING EN GRONDGEBRUIKSBESTUUR, 2013 (WET 16 VAN 2013), OM DORPSTIGTING WAT BEKEND SAL STAAN AS BAILLIE PARK UITBREIDING 56: GELEE OP GEDEELTE 1016 VAN DIE PLAAS VYFHOEK 428, REGISTRASIE AFDELING I.Q., PROVINSIE NOORD WES

EN

GELYKTYDIGE AANSOEK IN TERME VAN ARTIKEL 63 VAN DIE TLOKWE RUIMTELIKE BEPLANNING EN GRONDGEBRUIKSBESTUUR VERORDENING, 2015, SAAMGELEES MET DIE WET OP RUIMTELIKE BEPLANNING EN GRONDGEBRUIKSBESTUUR, 2013 (WET 16 VAN 2013), VIR DIE OPHEFFING VAN BEPERKENDE TITEL VOORWAARDES IN TITEL AKTE T74650/2016 RELEVANT TOT GEDEELTE 1016 VAN DIE PLAAS VYFHOEK 428, REGISTRASIE AFDELING I.Q., PROVINSIE NOORD WES

Kennis geskied hiermee in terme van Artikel 92 van die Tlokwe Ruimtelike Beplanning en Grondgebruiksbestuur Verordening, 2015 dat ondergemelde aansoek deur die Tlokwe Stadsraad ontvang is en ter insae beskikbaar is gedurende gewone kantoorure te die kantoor van die Departement Menslike Nedersettings en Beplanning, Tlokwe Stadsraad, Kantoor 210, Tweede Vloer, Dan Tloome Kompleks, op die hoek van Wolmaransstraat en Sol Plaatjelaan, Potchefstroom.

Enige beswaar/vertoë moet skriftelik, of mondelings, indien nie kan skryf nie, by of tot die Munisipale Bestuurder voor die sluitingsdatum vir die indiening van besware/vertoë by bovermelde adres of na Posbus 113, Potchefstroom, 2520 ingedien of gerig word, met vermelding van bogenoemde opskrif, die beswaarmaker se belang in die saak, die grond(e) van die beswaar/vertoë, die beswaarmaker se erf en telefoonnommers en adres.

1^{STE} PUBLIKASIE: 24 JANUARIE 2017

2^{DE} PUBLIKASIE: 31 JANUARIE 2017

SLUITINGSDATUM VIR DIE INDIENING VAN BESWARE/VERTOË: 23 FEBRUARIE 2017

AARD VAN AANSOEK:

Ek, N.J. Blignaut (I.D. 681211 5030 08 4) van Welwyn Stads- en Streekbeplanning BK, 1998/005829/23, synde die gemagtigde agent van die eienaar, doen aansoek by die Tlokwe Stadsraad in terme van:

Artikel 56 van die Tlokwe Ruimtelike Beplanning en Grondgebruiksbestuur Verordening, 2015, saamgelees met die Wet op Ruimtelike Beplanning en Grondgebruiksbestuur, 2013 (Wet 16 van 2013), vir die Dorpstigting van Baillie Park Uitbreiding 56 op Gedeelte 1016 van die plaas Vyfhoek 428, Registrasie Afdeling I.Q., Provinsie Noord Wes, wat bestaan uit:

1x "Residensieel 2" erf met bylaag vir 17 eenhede per hektaar

1x "Privaat Pad";

Asook in terme van Artikel 63 van die Tlokwe Ruimtelike Beplanning en Grondgebruiksbestuur Verordening, 2015, saamgelees met die wet op Ruimtelike Beplanning en Grondgebruiksbestuur, 2013 (Wet 16 van 2013), vir die gelyktydige Opheffing van Beperkende Titel Voorwaardes, **A (1) tot A (5); B (1)(2)(2.1 tot 2.3) en C**, soos vervat in Titel Akte T74650/2016.

Die voorgestelde dorp is geleë aangrensend Wynnestraat en direk suid van die Wynne- en Aalwynstraat aansluiting, Baillie Park in Potchefstroom.

EIENAAR : Izandra Trading 22 (Edms) Bpk (Reg Nr 2005/023832/07)

APPLIKANT : N.J. Blignaut (I.D. 681211 5030 08 4) van Welwyn Stads- en Streekbeplanning BK (Reg. No 1998/005829/23)

ADRES : Holtzhausenlaan 39, Baillie Park, 2531 en/of Posbus 20508, Noordbrug, 2522

TEL. NO. : (018) 290 5611 / 082 562 5590

MUNISIPALE BESTUURDER : Dr. B. Mokgethi

Kennisgewingnummer: 4/2017
24-31

LOCAL AUTHORITY NOTICES • PLAASLIKE OWERHEIDS KENNISGEWINGS

LOCAL AUTHORITY NOTICE 2 OF 2017

RULES OF ORDER**ADOPTED BY COUNCIL ON 29 AUGUST 2016 [SLC 23/2016]**

The Municipal Manager hereby publishes, in terms of Section 13 of the Local Government Municipal Systems Act, 2000 [Act 32 of 2000] read with Section 162 of the Constitution of the Republic of South Africa Act 1996 [Act 108 of 1996] the By-Laws Relating to the Rules and Procedures of the Council and its Committee and for matters incidental thereto which by-laws shall come into operation on the date of publication thereof.

APPLICATION OF RULES

The rules of order contained herein apply to all meetings of the municipal council and any committee of the municipal council as well as any other committee of councillors established within the municipality, unless the terms of reference for a specific structure explicitly excludes the application of the rules for such structure. The rules are aimed at allowing free, open and constructive debate during meetings. The rules are encouraged and promote freedom of expression in such a manner that orderly debate is ensured within the time constraints of time allocated to meetings. The rules endeavour to create the opportunity for councillors serving in council structures to air their view on any matter of public importance. The rules of order are applicable to: All councillors, Any municipal official of the municipality; and any member of the public while present in the council chamber and precinct.

PREAMBLE

AND WHEREAS the Constitution establishes local government as a distinctive sphere of government;

AND WHEREAS section 160[6] of the said Constitution authorises a Municipal Council to adopt policies and make by-laws which prescribe Rules and Procedures for:

- [a] Its internal arrangements
- [b] Its business and proceedings; and
- [c] The establishment, composition, procedures, powers and functions of its Committees;

AND WHEREAS the Municipal Structures Act, the Municipal Systems Act, as well as other legislation provides for certain matters which may be included in the Rules and Procedures of a Municipality and be incorporated in the by-laws of a Municipality.

[1] Definitions

In these Rules and Procedures, unless the context otherwise indicates -

" Accredited Organisation" means a community organisation, excluding political parties, which in the opinion of the Council, has substantial support in the community, has a constitution, and is accredited by the Council;

"Advisory Committee" means a Committee established in terms of Section 17[4] of the Systems Act;

"Code of Conduct for Councillors" means the Code of Conduct for Councillors contained in Schedule 1 of the Systems Act

"Chairperson" means the Chairperson of a Standing or any other Committee established by the Council.

"Chief Whip" means the Whip of the ruling party in the Council who must, together with other Whips ensure the smooth functioning of the Council, or the member so designated by the political parties in the Council who do not enjoy an outright majority.

"Committee" means a Committee established in terms of sections 79 or 80 of the Structures Act;

"Community" means that body of persons comprising the residents, the ratepayers, any civic organisation, non-governmental, private sector or labour organisation or body which is involved in local affairs within the municipality;

"Constitution" means the Constitution of the Republic of South Africa, Act 108 of 1996, as amended;

"Council" means the Municipal Council of the Municipality, as referred to in section 157 of the Constitution;

"Delegation", in relation to a duty, includes an instruction to perform the duty, and "delegate" has a corresponding meaning;

"MEC for local government" means the member of the Executive Council responsible for local government in the Eastern Cape Province;

"Member" means a member of the Council of the Municipality;

"Municipal Manager" means a person appointed by the Council in terms of section 82 of the Municipal Structures Act as Municipal Manager and includes any person acting in this post;

"Municipal Systems Act" means the Local Government: Municipal Systems Act, No 32 of 2000 as amended, herein referred to as the "Systems Act";

"Municipal Structures Act" means the Local Government: Municipal Structures Act, No. 117 of 1998, as amended, herein referred to as the "Structures Act";

"Municipality" means the Municipality of MAQUASSI HILLS

"Party" means a party registered in terms of the Electoral Commission Act, 1996 [Act No 51 of 1996]

"Promotion of Access to Information Act" means Act 2 of 2000 as amended;

"Promotion of Administrative Justice Act" means Act 3 of 2000 as amended;

"Promotion of Equality and Prevention of Unfair Discrimination Act" means Act 4 of 2000;

"Ratepayer" means a person who is liable to the Municipality for the payment of rates on property in the Municipality, any other tax, duty or levy imposed by the Municipality or fees for services provided either by the Municipality or in terms of a services delivery agreement concluded with the Municipality;

"Resident" means a person who is ordinarily resident in the Municipality;

"Speaker" means a member elected in terms of section 36 of the Structures Act to be the Speaker of the Municipal Council and the Acting Speaker where applicable;

"Structure", means the Council of the Municipality or any Committee or other collective structures of the Municipality;

"Ward" means a Ward mentioned in item 2 of Schedule 1 of the Structures Act;

“Whip” means a member of a party in the Council appointed by that party as Whip to ensure, together with the Chief Whip, the smooth functioning of the proceedings of the Council in terms of these By-Laws.

ORDER OF BUSINESS AND RELATED MATTERS

COUNCIL MEETINGS

Part 1: Order of business

[2] Commencement of meeting of Council

At each meeting of the Council, the chair shall be taken precisely at the time for which the meeting is convened as stated in the notice of the meeting and the business of the meeting shall be proceeded with immediately.

[3] Order of business

The business at ordinary meetings of the Council shall be disposed of in the following order:

- [a]** Opening and Welcoming;
- [b]** Election of Speaker if necessary;
- [c]** Consideration of applications for leave of absence from Council meetings received from members;
- [d]** Confirmation of minutes of previous Council meeting[s];
- [e]** Statements or Communications by the Speaker;
- [f]** Interviews with deputations;
- [g]** Statutory business;
- [h]** Consideration of reports by Committees, delegates, deputations and officials of the Council;
- [i]** Consideration of reports, communications, petitions and applications dealing with matters of urgency submitted by the Municipal Manager;
- [j]** Consideration of notices of motion and notices of questions which shall appear on the agenda in order in which they have been received by the Municipal Manager; and
- [k]** Consideration of motions of exigency;

- [I] Closure provided that the Chief Whip, may, at any time during the proceedings, move as a motion of course that any item appearing on the agenda shall have precedence and may briefly state the reasons for such motion. If such motion is seconded, it shall be put to the vote forthwith without discussion, and if carried, such item shall have precedence accordingly.

[4] Election of Speaker

The Speaker is the Chairperson of all Council meetings. If the Speaker is absent or not available to perform his/her functions, or during a vacancy, the Council must elect another member to act as Speaker.

[5] Statements and communications by Speaker

The Speaker may, without notice, make any statement or read any communication at any meeting.

[6] Attendance at meetings

- [1] Every member present at a meeting of the Council shall sign his/ her name in the attendance register which shall be in bound book form and made available by the Municipal Manager for this purpose.

- [2] The names of all members present at any Council meeting and of all members to whom leave of absence from any such meeting has been granted shall be recorded in the minutes of such meeting.

- [3] All applications for leave of absence from Council meetings must be submitted in writing to the SPEAKER or his/her nominee [preferably the Municipal Manger], prior to the commencement of the relevant meeting and must be considered by Council.

- [4] If a member is absent from a Council meeting without the permission of the Council or if he/she fails to remain in attendance at such a meeting, the following fines may, subject to the provisions of subsection [6] be imposed and will automatically be deducted from the member's monthly allowance:

First meeting: R200 fine.

Second meeting: R500 fine.

- [5] A member who is absent from three or more consecutive meetings of the Council will, subject to compliance with the provisions of subsection [7] and the approval of the MEC for local government, be removed from office as a member.

- [6] Before imposing a fine in terms of subsection [4] above, the Speaker must

:

- [6.1] inform the relevant member in writing of such member's absence from a specified meeting or of his/her failure to remain in attendance at such meeting;
- [6.2] afford the relevant member the opportunity to submit, within 10 working days from date of such letter, written reasons for his/her failure to attend the meeting in question or remain in attendance thereat and why he/she could not apply for leave of absence, as stipulated in subsection [3], above.
- [6.3] If no response is received from the member within the prescribed period, the fine referred to in subsection [4] will be imposed and will automatically be deducted from the member's allowance.
- [6.4] In the event of a written response being received from the member, such response must be presented to the Speaker who shall decide on good grounds whether or not the fine should be imposed.
- [6.5] In the event of the relevant member not being in agreement with the decision of the Speaker aforesaid, he/she may appeal, within 21 days of being informed of the decision of the Speaker, to the Council which shall make a final and binding decision on the matter.
- [7] Before the Council removes a member in terms of subsection [5] above, the Speaker must inform the relevant member in writing of such member's alleged breach of subsection [5] and of his/her intention to move that the member be removed from office.
- [7.1] The relevant member must be afforded 10 working days from date of the letter to comment in writing to the Speaker on his/her alleged breach of subsection [5].
- [7.2] The Speaker shall submit a written report on the alleged breach of subsection [5] by the member concerned together with the response, if any, from such member, to the next meeting of the Council or to a Special meeting of the Council which may be called to deal specifically with this matter.
- [7.3] The Council shall, thereafter, deal with the matter in accordance with the rules and procedures pertaining to the enforcement of the Code of Conduct for Councillors.

[7] Agendas and Minutes

- [1] All matters submitted for the consideration of the Council shall be contained in a written agenda signed by the Municipal Manager which agenda shall be circulated to all members by the Municipal Manager WITHIN 5 CALENDAR days before a meeting. Matters to be considered by the Council in open session shall be contained in an agenda separate to those matters to be considered by the Council in Committee.
- [2] Minutes of the proceedings of every meeting of the Council shall be in writing and shall be submitted for confirmation at the next ordinary meeting of the Council.

- [3] The minutes shall be taken as read for the purpose of confirmation if a copy thereof was sent to each member at least forty-eight hours prior to the meeting.
- [4] Except as to accuracy, no motion or discussion on the minutes shall be permitted.
- [5] A motion of course to correct the minutes shall be permissible and, if carried, the minutes shall be corrected accordingly.
- [6] If there is a dispute about the contents and accuracy of the minutes:
 - [a] the relevant debate, if it had been recorded, must be transcribed; or
 - [b] if the debate had not been recorded, the Municipal Manager must submit a report to the Council setting out his or her recollection of the debate; and
 - [c] after considering the transcription of the relevant minutes or the report by the Municipal Manager as the case may be, the Council may, by vote, decide on the minutes with only those members who were present at the time of the disputed debate being entitled to vote in the event that the disputed debate was not recorded.
- [7] Except in respect of confidential minutes, copies of all minutes of the Council must be made available to the public, subject to payment of the prescribed fee for reproduction thereof, if any.
- [8] The minutes of all meetings of the Council shall be compiled in book form with the pages numbered consecutively and, after confirmation thereof, they shall be signed by the Speaker on the last page and each other page shall be initialed by the Speaker.
- [9] The Municipal Manager shall be responsible for the safekeeping of all the minutes of the Council.
- [8] **Deputations**
 - [1] A deputation wishing to interview the Council shall give the Council at least seven days' notice of its intention to do so and shall send a memorandum to the Municipal Manager setting out briefly the representations to be made and the source of the deputation.
 - [2] The Municipal Manager shall submit the memorandum to the Speaker and, if the Speaker is of the opinion that it should be brought before the Council, the Municipal Manager shall notify the deputation to attend the Council meeting at a specified time. Should the request be refused by the Speaker, reasons for such refusal must be given by the Speaker and conveyed to the deputation by the Municipal Manager.
 - [3] The Speaker may allow any deputation to address the Council without written notice having been given if, in his/ her opinion, the matter to be presented is of an urgent nature.

[4] A deputation shall not consist of more than ten members.

[5] Except with the consent of the Speaker or in reply to questions from members, only two members of a deputation shall address the Council.

[6] Except with the consent of the Speaker, a member of a deputation shall not address the Council for more than ten minutes.

[9] Notices of motion and notices of questions

[1] The Speaker shall not accept any motion except a motion of exigency or a motion of course, unless notice thereof has been given in terms of subsection [3].

[2] The Speaker shall not allow any question to be put except one put in terms of section 15 unless notice thereof has been given in terms of subsection [3].

[3] Every notice of intention to introduce a motion or put a question shall be in writing, signed and dated by the member submitting the same and specifying in full the motion or question, and shall be delivered to the Municipal Manager at least seven working days before the date of the meeting at which it is intended to be introduced or put.

[10] Absence of mover or questioner

In the event of the mover or questioner not being in attendance at the meeting of the Council when called upon by the Speaker to introduce a motion or put a question standing in his/her name on the agenda, any other member may introduce such motion or put such question in his/her own name, unless the original mover or questioner has notified the Municipal Manager in writing of a substitute member to introduce the relevant motion or put the relevant question.

[11] Motions and questions on matters dealt with by a Committee

[1] A member shall not give notice of a motion in regard to any matter assigned to a Committee, unless such motion has previously been submitted to such Committee or unless it is in the form of a reference to such Committee for consideration and report.

[2] The Chairperson of a Committee may, if he/she is of the opinion that the matter is one of urgency, give notice of his/her intention to introduce a motion or put a question on a matter assigned to such Committee, notwithstanding the fact that such motion or question has not been considered previously by such Committee.

[12] Rescission of resolution

[1] If a member wishes to give notice of his/her intention to move the rescission or alteration of a resolution, or part thereof, of the Council, he/she shall give such notice by delivery to the Municipal Manager of a notice of motion in writing, which notice of motion shall be signed and dated by such member and shall state at which meeting of the Council it will be introduced, and it shall be in the hands of the Municipal

Manager at least seven working days before the said meeting. Such notice of motion shall further state that the mover will move that the resolution, which shall be mentioned, be rescinded or altered, as the case may be, and stating, in the case of an alteration, the exact alteration desired.

- [2] If a Committee has resolved to recommend to the Council that a resolution, or part thereof, of the Council be rescinded or altered, notice of intention to move such rescission or alteration shall be given by the inclusion of such recommendation in a report of the Committee to the Council, and the Municipal Manager shall send a copy of such report as well as information concerning the meeting at which it will be considered to each member, at the address which each member is required to furnish to the Municipal Manager for the purpose of the delivery of official communications, to reach him/her as least twenty four hours before the meeting at which the recommendation will be considered.
- [3] Except upon the recommendation of a Committee, a resolution, or part thereof, shall not be reviewed at any meeting of the Council unless the permission of the majority of the members present at such meeting has been obtained.

[13] Recommendation of Committee

- [1] The adoption of a recommendation contained in a report which is submitted to the Council by a Committee shall be deemed to have been moved pro forma by the Chairperson of such Committee or, in his/her absence or when he/she opposes such recommendation, by a member of such Committee deputed by him/her to act at the time when the Speaker of the meeting intimates that such recommendation is open for discussion, and such pro forma motion need not be seconded, nor shall it preclude the Chairperson of such Committee from exercising his/her right to speak thereon.
- [2] Any matter submitted for decision in terms of subsection [1] may be amended prior to a decision being taken thereon.
- [3] The proposal to amend must be seconded.
- [4] The Council must decide a proposal to amend first, and only thereafter take a decision on the substantive matter before it.
- [5] An amendment may not amount to a negation of the matter submitted for a decision.

[14] Questions

- [1] After any motion or amendment has been moved and seconded, or at the conclusion of every speech thereon, a member may put any question relevant to such motion or amendment.
- [2] No supplementary questions shall be put except by the member who put the original question, and then only in respect of matters arising from the reply to such original question.

- [3] The Speaker shall not disallow any such question; provided that the member to whom such question is directed may either reply thereto forthwith or require that notice thereof be given in terms of section 9.

[15] Motions of exigency

- [1] A member may direct the attention of the Council to any matter which does not appear on the agenda and of which no previous notice has been given, by stating briefly the subject and without comment thereon moving "that the question to which attention has been directed be considered forthwith as a matter of exigency".
- [2] For the purposes of these by-laws, such motion shall be referred to as a motion of exigency.
- [3] If such motion is seconded and carried by a two-thirds majority of the members present at the meeting, the mover shall be permitted, without notice, to have the matter considered by means of a motion or question; provided that no motion of exigency shall be in order while any other question is being considered.
- [4] No motions of exigency shall be put to any Committee.

Part 2: Related Matters

[16] Motions of course

In addition to the motions provided for elsewhere, the following shall be regarded as motions of course:

- [a] That the consideration of any particular item appearing on the agenda shall have precedence;
- [b] That any report referred to in the agenda be received, adopted, acted upon or referred back;
- [c] That any document before the Council be acted upon in the manner specified in the motion;
- [d] That action be taken in regard to any matter submitted for consideration in the manner specified in the motion;
- [e] That the Council do now resolve itself into Committee;
- [f] That certain persons proposed for appointment be eliminated as provided in section 43 and;
- [g] A motion referred to in section 28.

[17] Recording a protest

- [1]** A member may, when he/she is in the minority on a question which has been decided, forthwith request that his/her dissent or protest be entered in the minutes of the meeting in which the decision of the Council is recorded, and such dissent or protest shall be entered accordingly.
- [2]** Dissent or protest which casts an improper reflection on or imputes any improper motive to the Council or any member or employee of the Council shall be entered verbatim in the minutes to enable the accused member or employee to respond thereto and, in the event of the accused member or employee being in a position to respond to such accusation at the meeting, such response shall also be included verbatim in the minutes.
- [3]** In the event of the accused member or employee not being available at the meeting referred to in subsection [2], the Municipal Manager shall forward a copy of the said verbatim minutes to the accused member or employee for comment and such comment shall be submitted to the next meeting of the Council for consideration.
- [4]** The Council shall decide whether or not the allegation is substantiated and, in the event of such substantiation, action shall be taken against the accused member or employee in terms of the Code of Conduct for Councillors or the employee disciplinary code of the Council as the case may be.
- [5]** In the event of the Council deciding that the allegation is not or cannot be substantiated, the member making such allegation shall be called upon to apologise to the accused member or employee and such apology shall be entered in the minutes.
- [6]** In the event of the member making the accusation refusing to apologise aforesaid, the Council shall take disciplinary action against such member in terms of the Code of Conduct for Councillors on the grounds that such member has brought the Council in disrepute.
- [7]** Nothing contained in this section shall prohibit a member or employee from taking legal action on the basis of the infringement of a personal right against the member making the relevant accusation.
- [8]** This section shall not be interpreted in a manner which negates any privileges and immunities which members may enjoy in terms of Section 28 of the Structures Act or Section 72 of these by-laws.

[18] Motion or question reintroduced or put again

No motion which has been rejected by the Council or a Committee of the Council and no question put in accordance with the provisions of section 9 and replied to at any meeting of the Council or a Committee of the Council shall again be moved or put within a period of three months of such meeting, except with the consent of the majority of the whole Council.

[19] Member to address Speaker

A member speaking at a meeting of the Council or any person addressing the Council shall address the chair.

[20] Length of speeches

[1] Except with the consent of the Speaker, a member shall not speak for more than five minutes on any subject.

[2] The mover of an original motion or of any amendment may, however, speak for ten minutes on such motion or amendment, or for such extended period as the Speaker may permit.

[21] Order of precedence

If two or more members rise to speak at the same time, the Speaker shall determine who shall have precedence.

[22] Precedence of Speaker

Whenever the Speaker wishes to speak during a debate, any member then speaking or offering to speak shall keep quiet and all members shall be silent so that the Speaker can be heard without any interruption.

[23] Relevance

A member who speaks shall confine his/her speech strictly to the motion or question under discussion or to an explanation or a point of order.

[24] Member may speak once only except mover or original motion

[1] A member shall not address the Council more than once on any motion or amendment unless with the consent of the majority of members present at the meeting.

[2] The mover of an original motion may, however, speak to the motion and reply to the debate, but in so replying, he/she shall confine him / herself strictly to replying to the questions of previous speakers and shall not introduce any new points of discussion into the debate.

[3] The right of reply to a debate shall not extend to the mover of an amendment which, having been carried, has become the substantive motion.

[25] Point of order and personal explanation

A member or the Municipal Manager may seek the permission of the Speaker to address the meeting -

[a] On a point of order with a view to calling attention to any departure from these by-laws; or

- [b]** In personal explanation, in order to explain some material part of his/her former speech which may have been misunderstood, and any person so asking shall be heard forthwith, unless the Speaker rules the point of order or explanation to be inadmissible.

[26] Speaker's ruling on point of order

- [1]** The ruling of the Speaker on a point of order or on the admissibility of a personal explanation shall be final and shall not be open to discussion.
- [2]** The ruling of the Speaker upon any point of order raised as to the interpretation of these by-laws shall be entered in the minutes.

[27] Withdrawal of motion, amendment or question

- [1]** A motion, amendment or question may, without discussion and with the permission of the seconder, be withdrawn by the mover.
- [2]** A member shall not speak upon such motion or amendment after the mover has indicated its withdrawal.

Part 3: Order of debate: Motions

[28] Order of debate

When a motion is under discussion at any meeting of the Council no further motion shall be received except the following:

- [a]** That the motion be amended;
- [b]** That consideration of the question be postponed;
- [c]** That the Council do now adjourn;
- [d]** That the Council do now adjourn for a caucus meeting;
- [e]** That the debate now be adjourned;
- [f]** That the question now be put, and;
- [g]** That the Council proceed to the next business.

[29] That the motion be amended

- [1]** Every amendment shall be relevant to the motion on which it is moved.
- [2]** An amendment shall be put in writing, signed by the mover, handed to the Speaker or Municipal Manager and be read out before being moved.

- [3] An amendment shall not be discussed or put to the Council until it has been seconded.
- [4] If there are any amendments to a motion, the amendment last proposed shall be put to the vote first, and if carried, the question shall be resolved accordingly.
- [5] If the amendment last proposed is not carried, the amendment proposed immediately prior to such amendment shall be put to the vote.
- [6] No further amendment shall be moved to a motion or amendment after the Speaker has commenced to take a vote on such motion or amendment.

[30] That consideration of the question be postponed

- [1] A member may at the conclusion of a speech, move that consideration of the question be postponed to a fixed date.
- [2] Such motion shall be seconded but need not be put in writing.
- [3] The mover of such motion may speak for not more than ten minutes, but the seconder shall not be permitted to speak beyond formally seconding it.
- [4] Upon such motion being moved, the mover of the question under discussion may, without prejudice to his/her ultimate right to reply to the debate if the motion that the question be postponed is not carried, be heard in reply for five minutes, after which the motion shall be put without further discussion.
- [5] If postponement to a fixed date is agreed to, the question shall be placed first on the list of points of discussion for the day on which the postponed motion shall be considered.

[31] That the Council do now adjourn

- [1] A member may, except during the course of a speech by another member or while a vote is being taken, may move "that the Council or the Committee do now adjourn".
- [2] Such motion shall be seconded but need not be put in writing.
- [3] The mover may speak to the motion for five minutes, but the seconder shall not speak beyond formally seconding the motion.
- [4] If the motion is carried, the Council shall forthwith adjourn; provided that the Speaker may direct that the meeting proceed first to dispose of unopposed business.
- [5] If a motion that the Council do now adjourn is not carried, the Speaker shall not accept another such motion until a period of half an hour has elapsed.
- [6] A specific member shall not, on the same day, during the course of any one meeting of the Council move or second more than one motion to adjourn.

- [7] Save as provided in subsection [3], no discussion on a motion to adjourn shall be permitted, except that the member who first rises for that purpose may speak against such motion for not more than five minutes.
- [8] No amendment to such motion shall be moved except in relation to the period of adjournment.
- [9] If a motion to adjourn a meeting of the Council has been carried during a debate and prior to the closure thereof, then upon consideration of the subject of such debate at the adjourned meeting, the member who moved the adjournment shall be entitled to speak first.
- [10] No business shall be transacted at an adjourned meeting except such as is set out on the agenda for the meeting.
- [11] The Speaker has the right to adjourn a meeting at any time after every two hours for a maximum of 10 minutes, but not during the taking of a vote.
- [32] That the Council now adjourn for a caucus meeting**
- [1] A party whip may, at any time, except while a vote is being taken, move "that the Council now adjourn for a caucus meeting".
- [2] Such motion shall be seconded but need not be put in writing.
- [3] The mover may speak to the motion for five minutes, but the seconder shall not speak beyond formally seconding the motion.
- [4] The Speaker shall decide whether or not to allow the request for a caucus meeting. If the request is refused by the Speaker, he/she shall give reasons for refusing such request, which reasons shall be entered into the minutes. The ruling of the Speaker on the request will be final and not be open for discussion. If the request for a caucus meeting is approved by the Speaker, the Council shall forthwith adjourn, provided that the Speaker may direct that the meeting proceed first to dispose of other business.
- [5] The Speaker shall impose a time limit for the proposed caucus meeting.
- [6] The caucus requesting the adjournment, shall gather at another venue.
- [7] If the caucus members have not taken their seats at the time when the Council is required to reconvene, the Council shall proceed with its normal business, provided a quorum of members is present.
- [8] If a quorum of members is not present, the meeting will adjourn for 10 minutes. If the caucus members do not return within 10 minutes, the meeting will be closed by the Speaker and the reasons for such closure will be stated in the minutes.

[33] That the debate now be adjourned

- [1]** After 30 minutes of debate on a specific matter or matters a member may, at the conclusion of any speech, move that the debate be adjourned.
- [2]** Such motion shall be seconded but need not be put in writing.
- [3]** The mover of such motion may speak to it for five minutes, but the seconder shall not speak beyond formally seconding it.
- [4]** Save as provided in subsection [3] no discussion on such motion shall be permitted except in relation to the period of adjournment, and the member who first rises for that purpose may speak against it for five minutes.
- [5]** If such motion is carried, the meeting shall proceed to the next business on the agenda, and the discussion of the adjourned debate, unless otherwise resolved, shall be resumed at the next ordinary meeting.
- [6]** On the resumption of the adjourned debate, the member who moved the adjournment shall be entitled to speak first.
- [7]** If a motion that a debate be adjourned is not carried, the Speaker shall not accept another such motion until half an hour has elapsed.
- [8]** A specific member shall not, during the course of any one debate, move or second more than one motion to adjourn the debate.

[34] That the question now be put

- [1]** After 30 minutes of debate on a specific matter, a member may at the conclusion of a speech, move, without discussion, that the question now be put, and the motion, if seconded, shall be put forthwith. If the motion is carried, the motion or amendment under discussion shall be put forthwith.
- [2]** A second motion that the question now be put shall not be moved within fifteen minutes.

[35] That the Council proceed to the next business

- [1]** After 30 minutes of debate on a specific matter, a member may at the conclusion of a speech on any question move, without discussion, that the Council proceed to the next business, and the motion, if seconded, shall be put forthwith.
- [2]** When a motion is carried that the Council proceed to the next business, the question under discussion shall be deemed to have lapsed.
- [3]** During a debate on the same question, a second motion that the Council proceed to the next business shall not be moved within fifteen minutes of such first motion.

Part 4: Council in Committee

[36] Application of these by-laws in the case of special meetings and meetings of the Council in Committee

These by-laws [excluding the provision that a member may only speak once] shall, insofar as the conduct of meetings is concerned, apply to Special Council meetings and meetings of the Council in Committee.

[37] Committee of the whole Council

[1] A member may at any time after the confirmation of the minutes during a meeting of the Council move "that Council/Committee do now resolve itself into Committee", and may briefly state the reasons for such motion. If such motion is seconded, it shall be put to the vote forthwith without discussion.

[2] If such motion is carried, the place of meeting shall be cleared of all members of the public and the press.

[3] A member may during the course of the discussion in Committee move "that the Council / Committee do now resume" and may briefly state the reasons for such motion. If such motion is seconded, it shall be put to the vote forthwith without discussion.

[4] If the Council resumes without the question in Committee having been disposed of, the debate shall resume at the point at which the Council resolved itself into Committee.

Part 5: Unopposed Business

[38] Unopposed business

[1] When a meeting of the Council has been in progress for not less than two hours, the Speaker may interrupt the proceedings and direct that the Council proceed forthwith to dispose of unopposed business.

[2] After the disposal of such business, the proceedings shall resume at the point at which they were interrupted, unless all other remaining business has been adjourned until a future meeting.

[3] For the purposes of these by-laws, an item on the agenda shall be deemed to be opposed business if a member signifies his/her intention to discuss such item immediately after the Speaker has intimated to the meeting that such item is open for discussion; provided that no item shall be deemed to be opposed by reason only of questions being put in connection therewith.

Part 6: Quorum

[39] Quorum

[1] A majority of members allocated to the Municipality must be present at a meeting of the Council before a vote may be taken on any matter.

- [2] All questions concerning matters mentioned in section 160[2] of the Constitution are determined by a decision taken by a Municipal Council with a supporting vote of a majority of the members.
- [3] A resolution to dissolve the Council in terms of Section 34[1] of the Structures Act must be taken by a supporting vote of at least two thirds of the members allocated to the Municipality.
- [4] All other questions before a Council are decided by a majority of the votes cast.
- [5] Whenever during a meeting of the Council there is no quorum, the Speaker shall adjourn the meeting temporarily and, if, within ten minutes thereafter, there is still no quorum, the names of the members present shall be entered in the minutes by the Municipal Manager and the Speaker shall declare the meeting to be closed.

Part 7: Decisions and voting

[40] Decisions by Council

- [1] If, on any question at a Council meeting, except those mentioned in sections 39 [2] and [3] of these by-laws, there is an equality of votes, the Speaker must exercise a casting vote in addition to his/her deliberative vote as a member.
- [2] Before the Council takes a decision on any of the under-mentioned matters, it must first require the responsible Committee or a Special Committee established by the Council for such purposes, to submit to it a report and recommendation on the matter -
 - [a] Any matter mentioned in section 160[2] of the Constitution;
 - [b] The approval of an integrated development plan for the Municipality and any amendment to an approved plan; and
 - [c] The appointment of and conditions of service of the Municipal Manager and a head of a department of the Municipality.

[41] Voting by show of hands

- [1] Except as otherwise provided in any law or resolved by the Council, the decision of the Council on any question before it shall be determined by a show of hands.

[42] Voting by division

- [1]** Immediately after a question has been put to a meeting of the Council for the purpose of being voted upon, put to the vote, or immediately after the decision upon a show of hands has been declared by the Speaker, any two members may demand a division, and the Speaker shall, thereupon, request those members who desire to support such demand to rise in their places.
- [2]** Upon a division being about to be taken, the Speaker shall request all members who wish to participate in such a voting to remain in the venue of the meeting and those who do not wish to participate in such a voting to leave the venue of the meeting within two minutes, and thereafter, no member shall enter or leave such venue of the meeting.
- [3]** Whenever a division is taken, the Municipal Manager shall call out the names of all members in alphabetical order and shall record the vote of every member present as "for" or "against" and shall record the names of absentee members.
- [4]** The Speaker shall, from such record, declare the decision of the Council and the number of members who voted for or against the question.
- [5]** All divisions shall be entered in the minutes.

[43] Procedure in conducting a ballot

- [1]** Where a question, other than the appointment or election of a person or persons, is to be decided by ballot, a ballot paper containing the question to be decided shall be handed to each member who shall signify his/her vote by means of a cross in the appropriate column according to whether he/she is in favour of or against the proposal.
- [2]** Where the appointment or election of one or more persons from among a number of persons proposed is to be decided, each member shall be handed a ballot paper and he or she shall signify his or her vote or votes, as the case may be -
 - [a]** In the case where the names of the persons proposed appear on such ballot paper, by means of a cross opposite the name or names of the person or persons whom he or she favours according to the number of vacancies to be filled, or
 - [b]** In the case where the names of the persons proposed do not appear on such ballot paper, by writing the name or names of the person or persons whom he/she favours on the ballot paper according to the number of vacancies to be filled.
- [3]** After the ballot papers have been marked as provided in subsection [1] or [2], they shall be folded and placed in a ballot box provided by the Municipal Manager.
- [4]** The Municipal Manager and two members appointed by the Speaker for this purpose shall act as counters under direction of the Speaker and shall count the votes on a

written and signed statement, and the Speaker shall thereafter announce such result.

- [5]** Where any ballot is taken in terms of subsection [1], the Speaker shall declare the majority vote to be the decision of the Council on the question in respect of which such ballot has been taken; provided that, in the case of an equality of votes, the question in respect of which the ballot has been taken shall be determined by lot in accordance with the applicable regulations.
- [6]** Where a ballot is taken in terms of subsection [2] and more than one vacancy is to be filled from among a number of persons proposed, the Speaker shall declare those persons appointed or elected to the vacancies, as the case may be, who have received the greatest number of votes; provided that -
- [a]** If all the persons in respect of whom the ballot has been taken have received an equal number of votes, the question shall be determined by lot in the manner prescribed by the applicable regulations, or
- [b]** If, owing to an equality of votes, all the vacancies have not been filled, the process of balloting shall continue in respect of those persons who remain unappointed or unelected, and if, after any balloting as aforesaid, only one vacancy still requires to be filled, such vacancy shall be filled in accordance with the provisions of subsection [7].
- [7]** Where a ballot is taken in terms of subsection [2] for the filling of one vacancy only and -
- [a]** There are only two persons to fill the vacancy, the person who receives the votes of the majority of the members present shall be declared by the Speaker to have been duly appointed or elected, as the case may be; provided that in the case of an equality of votes, the question shall be determined by lot in the manner prescribed by the applicable regulations, or
- [b]** There are more than two persons to fill such vacancy, the person who receives the votes of the majority of the members present shall be declared by the Speaker to have been duly appointed or elected, as the case may be; provided that -
- [i]** If no person receives the votes of the majority of the members present, the person who has received the smallest number of votes shall be eliminated and a fresh ballot shall be taken in respect of the remaining persons, unless the Council has by resolution determined that the names of all persons but the person who has received the largest number of votes be eliminated and, in such event, such person shall be declared by the Speaker to have been duly appointed or elected, as the case may be;
- [ii]** Unless the Council has in terms of paragraph [i] of this proviso determined by resolution to eliminate all but the person who received the largest number of votes, the process of elimination as provided therein shall be repeated as often as is necessary until only two

persons remain to fill the vacancy, and in such event the vacancy shall be filled in accordance with the provisions of sub-section [7][a];

- [iii]** If, as a result of a ballot taken in respect of those persons who have not been eliminated in accordance with paragraphs [i] and [ii] of this proviso, two or more persons receiving the smallest number of votes in such ballot have received an equal number of votes, a separate ballot shall be taken in respect of such persons, and the person or persons, as the Council may decide, receiving the smallest number of votes in such separate ballot shall be eliminated and thereafter the process of balloting as hereinbefore provided shall, if necessary, be proceeded with, or
- [iv]** Notwithstanding the provisions of paragraphs [i], [ii] and [iii] of this proviso, if all the persons in respect of whom any ballot is taken in terms of subsection [7][b] have received an equal number of votes in such ballot, the question shall be determined by lot in the manner prescribed by the applicable regulations.

- [8]** If any ballot paper contains votes in favour of a larger number of persons than the number of vacancies to be filled, such ballot paper shall be rejected, and the votes appearing thereon shall not be counted.
- [9]** A member may register one vote only in favour of a person, and if any ballot paper contains more than one vote in favour of any person, only one of such votes shall be counted.
- [10]** All ballot papers issued to members shall be of equal size and of the same colour, and any ballot paper placed in the ballot box, not being a ballot paper handed to a member as hereinbefore provided, shall be rejected, and the votes appearing thereon shall not be counted.

CHAPTER 2

DELEGATIONS

[44] Delegation to Committees and other functionaries

- [1]** The Council must develop a system of delegation that will maximize administrative and operational efficiency and provide for adequate checks and balances, and, in according with that system may -

 - [a]** delegate appropriate powers, excluding a power mentioned in section 160[2] of the Constitution, the power to set tariffs, the power to enter into a service delivery agreement in terms of Section 76[b] of the Systems Act, and the power to approve or amend its integrated development plan which powers are herein referred to as reserved powers to its:

Standing Committees

Other Committees or elected office bearers; and

Municipal Manager or, with the consent of the Municipal Manager, any of its other officials;

[b] instruct any such Committee or functionary to perform any of the Council's duties except in respect of reserved powers; and

[c] withdraw any delegation or instruction.

[2] A delegation or instruction in terms of subsection [1] -

[a] must be in accordance with the Constitution; the Structures Act and the Systems Act;

[b] must be in writing;

[c] is subject to any limitations, conditions and directions the Municipal Council may impose;

[d] may include the power to sub-delegate a delegated power;

[e] does not divest the Council of the responsibility concerning the exercise of the power or the performance of the duty; and

[3] The Council -

[a] Must –

[i] at the request in writing of at least one quarter of the members; or

[ii] at the request in writing of the Chairperson of a Committee; or

[iii] at the request in writing of the Municipal Manager on the grounds that a decision of the Council was administratively unfair, ultra vires, or has adversely affected the rights of the public; or

[iv] at the request in writing of a Whip; or

[v] at the request in writing of at least 300 ratepayers on the grounds that their rights have been adversely affected; or

[vi] when an appeal in terms of section 62 of the Systems Act is received in writing from a person, stating that his/her rights or legitimate expectations has been materially and adversely affected by a decision taken by a political structure, political office bearer or member in terms of a delegated authority –

review any decision taken by such political structure, political office bearer or member in consequence of a delegation or instruction, and either confirm, vary or revoke same without prejudice to any vested rights which will or have accrued to a person or persons in whose favour such decision was made or who will benefit from such decision.

[45] Duty to report to delegating authorities

- [45.1]** A political structure, political office bearer, member or official of a Municipality to whom a delegating authority has delegated or sub-delegated a power or duty, must report to the delegating authority at such intervals as the delegating authority may require, on decisions taken in terms of that delegated or sub-delegated power or duty. If no such intervals are specifically determined by the delegating authority, such reports shall be made at least bi-annually.
- [45.2]** The Municipal Manager shall report to the Council on any power delegated to him/her and which he sub-delegates to another official of the Council.

[46] Review of delegations

- [1]** On the election of a new Council, the delegations of the Municipality must be reviewed in terms of Section 59[2][f] of the Systems Act; and to this end-
- [2]** The Municipal Manager must submit a report to the Council on existing delegations issued by the Council and other delegating authorities and recommendations on any changes thereto.

CHAPTER 3**INTERNAL STRUCTURES AND COMMITTEES****Part 1: Criteria for establishment of Committees****[47] Criteria for establishment of Committees**

The Municipality may establish Committees in terms of the Structures Act if the establishment of such Committees are necessary, taking into account:

- [a]** The extent of the functions and powers of the Municipality;
- [b]** The need for the delegation of those functions and powers in order to ensure efficiency and effectiveness in their performance;
- [c]** The financial and administrative resources of the Municipality available to support the proposed Committees;
- [d]** The need to develop a culture of Municipal governance that compliments formal representative government with a system of participatory government; and
- [e]** The right of communities to participate in the decision making process of the Municipality.

Part 2: Ward Committees

If the municipality is a type that must have Ward Committees, then the following rules and procedures will apply to such Committees:

[48] Object of Ward Committees

The object of a Ward Committee is to enhance participatory democracy at local level.

[49] Establishment of Ward Committees

- [1]** The Council must establish Ward Committee for each of its Wards;
- [2]** A Ward Committee consists of the member representing a Ward in the Council who shall be Chairperson of the Committee and not more than 10 persons;
- [3]** The Council must make rules regulating the procedure to elect the 10 members of a Ward Committee taking into account the need for women to be equitably represented thereon and for the Committee to reflect a diversity of interests in each Ward;
- [4]** The Council must, further, make rules regulating the circumstances under which members of Ward Committees vacate office and the frequency of Ward Committee meetings.
- [5]** The Council must make administrative arrangements to enable Ward Committees to perform their functions and exercise their powers effectively and, to this end, shall make adequate provision in its operating budget for such expenditure;

[50] Functions and powers of Ward Committees

- [1]** A Ward Committee may make recommendations on any matter affecting its Ward to the Ward member or through the Ward member to the Council as the case may be;
- [2]** The Council shall determine the method of communication between Ward Committees and the Council itself;

[51] Term of office of members

Members of Ward Committees, excepting the Chairperson, are elected for a term of office determined by the Council.

[52] Vacancies

If a vacancy occurs among the members of a Ward Committee, the vacancy must be filled in accordance with a procedure determined by the Council.

[53] Remuneration of members

[1] With the exception of the Chairperson of a Ward Committee who is a member of the municipality, no remuneration is payable to members of Ward Committees;

[2] Subject to national legislation, the Council may pay to members of Ward Committees excepting its Chairperson out of revenue reasonable out-of-pocket expenses associated with their duties as members of Ward Committees.

[54] Dissolution of Ward Committees

The Council may dissolve a Ward Committee if the Committee fails to fulfill its object.

Part 3: Other Committees**[55] Establishment of other Committees**

[1] The Council may -

- [a]** establish one or more Committees necessary for the effective and efficient performance of any of its functions or the exercise of any of its powers;
- [b]** appoint the members of such a Committee from among its members; and
- [c]** dissolve a Committee at any time.

[2] The Council -

- [a]** must determine the functions of a Committee;
- [b]** may delegate duties and powers to a Committee;
- [c]** must appoint the Chairperson of a Committee;
- [d]** may authorize a Committee to co-opt advisory members who are not members of the Council within the limits determined by the Council;
- [e]** may remove a member of a Committee at any time; and

- [f] may determine a Committee's procedures provided that, unless where specifically otherwise indicated, the rules and procedures pertaining to Council meetings as set out in these by-laws shall, with the necessary adjustments apply to meetings of committees of the Council and any reference to the Speaker must be read as being a reference to the Chairperson of a Committee.

Part 4: Advisory Committees

[56] Establishment of advisory Committees

The Council may establish one or more advisory Committees consisting of persons who are not members to advise Council on any matter within the Council's competence.

Part 5: Incidental Matters

[57] Incidental matters: Committees

- [1] The members of a Standing Committee shall hold office until their successors have been appointed or until such Committee is dissolved, except as hereinafter provided.
- [2] The Council may at any time withdraw, extend or modify any reference to a Committee but any proposal to do so shall first be referred to that Committee for consideration and report.
- [3] A Committee may at any meeting grant leave of absence to any member; provided that leave of absence shall not be granted in respect of a period prior to such meeting, and
- [a] A member who, without leave of absence, fails to attend three consecutive meetings of such Committee shall cease to be a member thereof provided that the provisions of section [7] of these by-laws shall, with the necessary adjustments, be applied prior to the removal of a member of a committee in terms of this subsection.
- [b] Such a leave of absence must be in writing and submitted to the Municipal Manager before the commencement of the relevant meeting.
- [4] A member of a Committee may resign from such Committee by notice in writing, signed by him/ her and submitted to the Municipal Manager and such resignation shall take effect upon receipt thereof in the office of the Municipal Manager.
- [5] The Municipal Manager shall notify Council of a vacancy on a Committee at the first ordinary meeting of the Council after it has arisen and such vacancy shall, unless otherwise decided, be filled by the Council.
- [6] During the absence on leave granted to any member by the Council, any other member may be appointed to act in his/her place on any Committee of which he/ she is a member.

- [7] Except in the case of any emergency, members of a Committee shall be given notice of every meeting of such Committee by the Municipal Manager who shall send an agenda to each member so that the same may in the ordinary course of events be delivered at his/her address at least twenty-four hours before the hour of the meeting.
- [8] Failure to give notice of a Committee meeting shall not affect the validity of such meeting.
- [9] A member may attend any Committee meeting, and the Speaker may with the consent of such Committee permit such member to address such Committee.
- [10] The Chairperson of a Committee shall have a casting vote in addition to his/her deliberative vote.
- [11] The majority vote of the members of a Committee present and voting by show of hands shall constitute a decision of the Committee; provided that any two members present and voting may require the names of the persons voting and the votes cast to be minuted.
- [12] Every Committee shall submit a report or reports of its proceedings to the Council for consideration or noting, as the case may be.
- [13] The reports of a Committee shall be drawn up in consecutively numbered sections and shall contain the recommendations or decisions, as the case may be, on the matters reported upon by a Committee.

CHAPTER 4

OFFICE BEARERS

Speaker

[58] Election of Speaker

- [1] At its first sitting after its election, or when necessary to fill a vacancy, the Municipal Council must elect its Speaker from among the members.
- [2] The Municipal Manager of the Municipality or, if the Municipal Manager is not available, a person designated by the MEC for local government presides over the election of a Speaker.
- [3] The election of the Speaker shall take place in accordance with the procedures contained in Schedule 3 of the Structures Act
- [4] A member must hold office as Speaker and Mayor at the same time.

[59] Functions of Speaker

The Speaker -

- [a]** presides at meetings of the Council;
- [b]** performs the duties and exercises the powers delegated to the Speaker in terms of section 32 of the Structures Act;
- [c]** must ensure that the Council meets at least quarterly;
- [d]** must maintain order during meetings;
- [e]** must ensure compliance in the Council and Council Committees with the Code of Conduct for Councillors.
- [f]** Must ensure that Council meetings are conducted in accordance with these By-Laws and any other relevant rules and procedures which the Council, by resolution, may adopt.

[60] Term of office of Speakers

The Speaker is elected for a term ending, subject to section 39 of the Structures Act, when the next Council is declared elected.

[61] Vacation of office

The Speaker vacates office during a term if that person -

- [a]** resigns as Speaker;
- [b]** is removed from office; or
- [c]** ceases to be a Member.

[62] Removal from office

[62.1] The Municipal Council by resolution may remove its Speaker from office.

[62.2] Prior notice of an intention to remove the Speaker shall be contained in a notice of motion to this effect signed by a majority of the members of the Council and be lodged with the Municipal Manager at least 21 days before the meeting at which it will be introduced.

[62.3] The aforesaid notice of motion shall contain the grounds on which it is intended to remove the Speaker from office.

[62.4] Upon receipt of the notice of motion referred to in subsection [62.2] the Municipal Manager shall forward a copy thereof to the Speaker and request the Speaker to comment on the contents thereof and advance written reasons with the Municipal Manager within a period of 7 days from the date of receipt of the said notice of motion by him/her, as to why he/she should not be removed from office

- [62.5]** The notice of motion together with the comments of the Speaker shall be tabled at the meeting referred to in subsection [62.2].
- [62.6]** Prior to the adoption of a resolution to remove the Speaker, the Council shall afford the Speaker if he/she so desires an opportunity to be heard on the matter and to make verbal representations on his/her submission submitted in terms of subsection [62.4].
- [62.7]** At the same meeting that the Council resolves to remove its Speaker, it shall appoint a new Speaker or an acting Speaker provided that a new Speaker shall be elected at a Special Council meeting called specifically for this purpose no later than 30 days from the date the Speaker is removed from office in terms of this section.

[63] Acting Speakers

If the Speaker of a Municipal Council is absent or not available to perform the functions of Speaker the Council must elect another member to act as Speaker.

CHAPTER 5

COUNCIL AND COMMITTEE MEETINGS

[64] Maintenance of order at Council and Committee meetings

- [1]** Any person other than a member who behaves in a disorderly or unseemly manner or interrupts the proceedings at any meeting shall, if the Speaker or Chairperson so directs, be removed from the place where the meeting is held.
- [2]** If a member behaves in a disorderly or an unseemly manner, or obstructs the business of any meeting of the Council or any Committee thereof, or challenges the ruling of the Speaker or Chairperson on any point of order, or declines to withdraw any expression when required to do so by the Speaker or Chairperson, or indulges in tedious repetition or unbecoming language, or contravenes any provision of these by-laws the Speaker or Chairperson shall direct such member to behave properly, and, if speaking, to discontinue his/her speech and resume his seat.
- [3]** In the event of a persistent disregard of the directions of the Speaker or Chairperson, the Speaker or Chairperson shall direct such member to retire from the place of meeting for the remainder of the meeting and may, if necessary, cause him/ her to be ejected therefrom.
- [4]** Any such person or member who -
- [a]** refuses or fails to comply with a direction of the Speaker or Chairperson given in terms of these by-laws;
 - [b]** returns to the place of meeting prior to the conclusion of the meeting from which he/she was directed to retire, or

- [c]** offers resistance whilst being ejected from the place of meeting:
shall be guilty of an offence.

CHAPTER 6

MISCELLANEOUS MATTERS

[65] Frequency of meetings of Council and Committees

- [1]** The Council must meet at least quarterly
- [2]** Other Committees and Advisory Committees must meet regularly, depending on the matters to be considered.

[66] Speaker to call Council meetings

- [1]** The Speaker of the Council decides when and where the Council meets, subject to the provision that a Council must at least meet once per quarter, but if a majority of the members requests the Speaker in writing to convene a meeting, the Speaker shall convene such meeting at a time set out in the request.
- [2]** The Speaker of the Council who fails or refuses to call a meeting at the request of the members in terms of subsection [1] shall be guilty of an offence;
- [3]** The Municipal Manager or, in the absence of a Municipal Manager, a person designated by the Provincial Minister, must call the first meeting of Council within 14 days after the Council has been declared elected.
- [4]** Notwithstanding the provisions of subsection [1], the Municipal Manager may, in a case of an emergency, having obtained the consent of the Speaker, call a special meeting of Council. No business other than specified in the notice shall be transacted at such a special meeting and such a meeting may from time to time be adjourned; provided that if the total number of serving members is present at a special Council meeting and no objections are raised, an urgent matter not specified in such notice may be dealt with after disposal of the business of which notice has been given. The Municipal Manager shall give notice in writing to every member of the day and hour of every special or adjourned Council meeting, unless adjourned to any time on the same day, not less than 12 hours, or in an urgent case such short shorter period as may be agreed to by the Speaker. The notice shall specify the business to be transacted at the meeting.
- [4]** The Municipal Manager may, in a case of an emergency, having obtained the consent of the relevant Chairperson, or in his/her absence, the consent of the majority of the relevant Committee, call a special meeting of a Standing Committee. No business other than specified in the notice shall be transacted at such a special meeting. The Municipal Manager shall give notice in writing to every member of the respective Standing Committee of the day and hour of every such special Committee meeting not being less than 12 hours, or such shorter period as may be agreed to by the Chairperson of the said Committee. The notice shall specify the business to be transacted at such meeting.

[67] Admission of public to meetings

- [1]** Subject to subsection [2], members of the public have the right to attend all Council meetings and Committee meetings.
- [2]** Subject to the provisions of section 20 [2] of the Systems Act, the Speaker, in the case of the Council or the Chairperson, in the case of any other Committee, may close a meeting or part of the proceedings of a meeting of the relevant body to the public if, in the opinion of the Speaker or Chairperson, as the case may be:
- [a]** sensitive and personal staff matters are to be discussed at a meeting;
 - [b]** sensitive land matters are to be discussed at a meeting the disclosure of which would be prejudicial to the interests of the Council;
 - [c]** there might otherwise be unreasonable disclosure to the public of personal information regarding any person;
 - [d]** trade secrets of any person might otherwise be disclosed;
 - [e]** financial, commercial, scientific or technical information, other than trade secrets, of any person might otherwise be disclosed, and such disclosure would be likely to cause harm to the commercial or financial interests of such person;
 - [f]** information which had been supplied in confidence by any person might be disclosed, and such disclosure could reasonably be expected to put such person at a disadvantage in contractual or other negotiations or to prejudice such person in commercial competition;
 - [g]** information might be disclosed and such disclosure would give rise to an action for breach of a duty of confidence owed to any person in terms of an agreement;
 - [h]** information might be disclosed and such disclosure could reasonably be expected to endanger the life or physical safety of any person, or would be likely to prejudice or impair the security of a building, structure or system, means of transport or any other property;
 - [i]** information might be disclosed which is privileged from production in legal proceedings;
 - [j]** information might be disclosed which contains trade secrets of the Municipality or financial, commercial, scientific or technical information, other than trade secrets, the disclosure of which would be likely to cause harm to the commercial or financial interests of the Municipality; or the disclosure of which could reasonably be expected to put the Municipality at a disadvantage in contractual and other negotiations or to prejudice it in commercial competition; or

- [k] information might be disclosed about research being or to be carried out by or on behalf of any person or the Municipality and the disclosure of such information would be likely to expose any person or the Municipality or the subject-matter of the research to serious disadvantage.

[68] Public notice of meetings

The Municipal Manager must give public notice of the time, date and venue of every -

- [a] ordinary meeting of the Council;
- [b] standing Committee meeting of the Council; and
- [c] special or urgent meeting of the Council, except when time constraints make this impossible, by -
 - [i] annually publishing the program of Council and Standing Committee meetings for that year in the local press; and
 - [ii] publishing any amendments to the program referred to in subsection [i]
 - [ii] advertising special or urgent meetings on the official notice board[s] of the Municipality; and
 - [ii] if the Council so directs advertising such meetings in the press at least 7 days before a meeting is to be held.

[69] Attendance at Committee meetings

- [1] The Speaker and members have the right to attend meetings of any Committees of which they are not members.
- [2] Such persons may only address the Committee with the leave of the Chairperson and have no right to vote.

[70] Legislative procedure

- [1] Only a member or Committee of a Municipal Council may introduce a draft by-law in the Council.
- [2] A by-law must be made by a decision taken by the Council with a supporting vote of a majority of its members.
- [3] No by-law may be passed by the Council unless -
 - [a] all the members of the Council have been given reasonable notice t hereof;

[b] the intention of Council to draft a by-law dealing with a specific issue has been advertised and the public, Ward Committees and Accredited Organisations have been invited to make representations thereon, and Council has indeed considered such representations when drafting the draft by-law; and

[c] the draft by-law has been published for public comment in a manner that allows the public, Ward Committees and Accredited Organisations an opportunity to make representations with regard to the draft by-law.

[4] Subsections [1] to [3], with the exception of section 3[b], also apply when the Council incorporates by reference, as a by-law, the provisions of

[a] Legislation passed another legislative organ of state; or

[b] Standard draft by-laws made for local government by any organ of state, body or person.

[71] Procedurally fair administrative action

Any administrative action which is taken by Council or any of its structures including political office bearers and officials acting under delegated power, or any decision adopted by the aforementioned which results in administrative action which materially and adversely affects the rights or legitimate expectations of the public or any person, must be procedurally fair.

[72] Reasons for administrative action

Any person whose rights have been materially and adversely affected by administrative action and who has not been given reasons for such action, and who has applied in writing for such reasons, must be given adequate reasons for same, unless it is reasonable and justifiable in the circumstances not to give reasons. In such an instance, the applicant must be informed of such circumstances.

[73] Privileges and immunities

[1] Subject to the conditions as set out in subsection [2] and further subject to provincial legislation to be promulgated in terms of Section 28[1] of the Structures Act, members are not liable to civil or criminal proceedings, arrest or imprisonment or damages for -

[a] Anything that they have said in, produced before or submitted to the Council or any of its Committees; or

[b] Anything revealed as a result of anything that they have said in, produced before or submitted to the Council or any of its Committees, subject to the conditions set out in subsection [2];

[2] The above-mentioned privileges and immunities are subject to the following:

[a] anything that has been said in, produced before or submitted to the Council or any of its Committees by a member being the truth;

[b] adherence by members to the provisions of the Promotion of Access to Information Act, and particularly the provisions relating to the mandatory protection of -

- Privacy of a third party who is a natural person;
- Safety of individuals, and protection of property;
- Police dockets in bail proceedings, and protection of law enforcement and legal proceedings;
- The economic interests and the financial welfare of the Republic and commercial activities of public bodies;

[c] adherence by members to provisions of the Promotion of Equality and Prevention of Unfair Discrimination Act and particularly the requirement that no member may unfairly discriminate against any person on the grounds of -

- Race
- Gender
- Disability

[d] no member may propagate, advocate or communicate words against any person that could reasonably be construed to demonstrate a clear intention to -

- Be harmful;
- Incite harm;
- Promote or propagate hatred.

[e] no member may subject any person to harassment.

[f] adherence to the provisions of the Code of Conduct for Councillors.

[74] Use of Language at Council and Committee meetings

- [1]** Any member, official or member of the public may address Council in any of the languages determined by the Council in its language policy.

[75] Every Member to be in possession of a copy of these Rules and Procedures

- [1]** The Municipal Manager shall supply a copy of these by-laws to every member upon election to the Council.
- [2]** A member shall acknowledge receipt of these by-laws in writing and shall undertake to bind him/herself to the provisions contained therein, including the Code of Conduct for Councillors

[76] Penalties

Any person or member who contravenes a provision of these by-laws shall be guilty of an offence and be liable on conviction to a fine or imprisonment for a period of six months or to such imprisonment without the option of a fine or to both such fine and such imprisonment, and, in the event of such person being a member, the Council shall take disciplinary action against him/her for a contravention of the Code of Conduct for Councillors.

[77] Dress code

The Council may by resolution prescribe a dress code for councillors attending meetings. Notwithstanding the provisions of any resolution passed in accordance with this by-law, no councillor shall be allowed to wear any clothing or accessory containing partly political paraphernalia to any meeting.

[77] Repeal of By-Laws

Any by-laws relating to the rules and procedures of the Council and its Committees or any by-laws relating to the maintenance of order at meeting adopted by the municipality or any municipality now comprising an administrative unit of the municipality is repealed from the date of promulgation of these by-laws.



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