



# **NORTH WEST NOORDWES**

## **PROVINCIAL GAZETTE PROVINSIALE KOERANT**

**Vol. 260**

**MAHIKENG**  
5 SEPTEMBER 2017  
5 SEPTEMBER 2017

**No. 7804**

### **PART 1 OF 2**

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



**Prevention is the cure**

**AIDS  
HELPLINE**

**0800 012 322**

DEPARTMENT OF HEALTH

*N.B. The Government Printing Works will not be held responsible for the quality of "Hard Copies" or "Electronic Files" submitted for publication purposes*

ISSN 1682-4532



9 771682 453002

07804



## IMPORTANT NOTICE:

**THE GOVERNMENT PRINTING WORKS WILL NOT BE HELD RESPONSIBLE FOR ANY ERRORS THAT MIGHT OCCUR DUE TO THE SUBMISSION OF INCOMPLETE / INCORRECT / ILLEGIBLE COPY.**

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

### CONTENTS

	<i>Gazette No.</i>	<i>Page No.</i>
<b>GENERAL NOTICES • ALGEMENE KENNISGEWINGS</b>		
96 Madibeng Local Municipality Spatial Planning and Land Use Management By-Law, 2016: Remainder of Erf 51, Kosmos, North West Province.....	7804	12
96 Madibeng Plaaslike Munisipaliteit Ruimtelike Beplanning en Grondgebruikbestuurs Verordening, 2016: Restant van Erf 51, Kosmos, Noord-Wes Provinsie.....	7804	12
100 Rustenburg Local Municipality Spatial Planning and Land Use Management By-Law, 2015: Portion 120 (a portion of Portion 21) of the farm Oorzaak, No. 335 Registration Division J.Q., North West Province.....	7804	13
100 Rustenburg Plaaslike Munisipaliteit Ruimtelike Beplanning en Grondgebruikbestuur Verordening, 2015: Gedeelte 120 ('n gedeelte van Gedeelte 21) van die plaas Oorzaak, Nr 335 Registrasie Afdeling J.Q., Noordwes Provinsie.....	7804	13
<b>PROCLAMATION • PROKLAMASIE</b>		
34 Spatial Planning and Land Use Management Act (16/2013): Adoption of the Ramotshere Moiloa Land Use Scheme by the Council as per the Ramotshere Moiloa Municipal Council Resolution No 30/06/2017.....	7804	14
35 Constitution of the Republic of South Africa (108/1996): Approval to call written submissions and invite stakeholder bodies and members of the public to comment on it.....	7804	15
36 Town-planning and Townships Ordinance, 1986: Baillie Park Extension 24.....	7804	46
37 Town-planning and Township Ordinance (15/1986): Waterkloof East Extension 43.....	7804	51
37 Ordonnansie op Dorpsbeplanning en Dorpe (15/1986): Waterkloof East Uitbreiding 43.....	7804	54
38 Town-planning and Township Ordinance (15/1986): Portion 22 of the Farm Nooitgedacht 429 I.P., North West Province.....	7804	57
<b>PROVINCIAL NOTICES • PROVINSIALE KENNISGEWINGS</b>		
172 Spatial Planning and Land Use Management (16/2013): Remaining Portion of Erf 845, Zeerust Township, Registration Division J.P., North West Province.....	7804	63
172 Wet op Ruimtelike Beplanning en Grondgebruiksbestuur (16/2013): Resterende gedeelte van Erf 845, Zeerust Dorpsgebied, Registrasie Afdeling J.P., Noord Wes Provinsie.....	7804	63
176 SPLUMA (16/2013): Erf 406, Wilkopies Extension 4, Township Registration Division IP, North West Province, (the Property).....	7804	64
176 SPLUMA, 2013 (Wet 16 van 2013): Erf 406, Wilkopies Uitbreiding 4, Registrasie Afdeling I.P, Noord-Wes Provinsie, (die Eiendom).....	7804	64
178 Tlokwe Town-planning Scheme, 2015: Remaining Extent of Erf 374, situated in the Town of Potchefstroom..	7804	65
178 Tlokwe-dorpsbeplanningskema, 2015: Resterende Gedeelte van Erf 374, geleë in die dorp Potchefstroom....	7804	66
179 Madibeng Land Use Management By-law, 2016: Portions 44, 94 and 95, of Erf 337, Xanadu Extension 3.....	7804	67
179 Madibeng Land Use Management By-law, 2016: Gedeeltes 44, 94 en 95, van Erf 337, Xanadu Uitbreiding 3	7804	67
180 Town-planning and Townships Ordinance (15/1986): Erf 1731 (R2083), Klipgat-A.....	7804	68
181 North West Biodiversity Management Act (4/2016): Publication of the Draft North West Biodiversity Management Regulations, 2017.....	7804	69
182 Rustenburg Local Municipality Spatial Planning and Land Use Management By-Law, 2015: Erf 2437, Rustenburg.....	7804	176
182 Rustenburg Plaaslike Munisipaliteit Ruimtelike Beplanning en Grondgebruikbestuurs Verordening, 2015: Erf 2437, Rustenburg.....	7804	176
183 City of Matlosana Spatial Planning and Land Use Management By-law, 2016: Erf 9961, Jouberton Extension 1.....	7804	177
183 Stad van Matlosana Plaaslike Munisipaliteit se Ruimtelike Beplanning en Grondgebruikbestuurs Verordening, 2016: Erf 9961, Jouberton-uitbreiding 1.....	7804	178
184 Naledi Town-planning Scheme, 2004: Erf 4752, Huhudi.....	7804	179
184 Naledi-dorpsbeplanningskema, 2004: Erf 4752, Huhudi.....	7804	179
185 Naledi Spatial Planning and Land Use Management By-Law, 2015: Erf 4870, Huhudi.....	7804	180
185 Naledi Ruimtelike Beplanning en Grondgebruiksbeheer Verordening, 2015: Erf 4870, Huhudi.....	7804	180
186 Naledi Town Planning Scheme, 2004: Erf 1464, Huhudi.....	7804	181
186 Naledi Dorpsbeplanningskema, 2004: Erf 1464, Huhudi.....	7804	181
<b>LOCAL AUTHORITY NOTICES • PLAASLIKE OWERHEIDS KENNISGEWINGS</b>		
107 Rustenburg Local Municipality Spatial Planning and Land Use Management By-Law, 2015: Portion 4 of Erf 1448, Rustenburg.....	7804	182

107	Rustenburg Plaaslike Munisipaliteit Ruimtelike Beplanning en Grondgebruikbestuur Verordening, 2015: Gedeelte 4 van Erf 1448, Rustenburg .....	7804	183
108	Spatial Planning and Land Use Management Act (16/2013): Mamusa Local Municipality: Notice of approval of draft land use scheme .....	7804	184
108	Spatial Planning and Land Use Management Act (16/2013): Mamusa Plaaslike Munisipaliteit: Kennisgewing van goedkeuring van konsep grondgebruikskema .....	7804	185
109	Spatial Planning and Land Use Management Act (13/2013): Erf 119, Flamwood .....	7804	186
109	Wet op Ruimtelike Beplanning en Grondgebruikbestuur (16/2013): Erf 119, Flamwood .....	7804	187

# 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**
- **31 October**, Tuesday, for the issue of Tuesday **07 November 2017**
- **07 November**, Tuesday, for the issue of Tuesday **14 November 2017**
- **14 November**, Tuesday, for the issue of Tuesday **21 November 2017**
- **21 November**, Tuesday, for the issue of Tuesday **28 November 2017**
- **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](http://www.gpwonline.co.za)

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

**All notices received after the closing time will be rejected.**

Government Gazette Type	Publication Frequency	Publication Date	Submission Deadline	Cancellations Deadline
National Gazette	Weekly	Friday	Friday 15h00 for next Friday	Tuesday, 15h00 - 3 days prior to publication
Regulation Gazette	Weekly	Friday	Friday 15h00, to be published the following Friday	Tuesday, 15h00 - 3 days prior to publication
Petrol Price Gazette	As required	First Wednesday of the month	One week before publication	3 days prior to publication
Road Carrier Permits	Weekly	Friday	Thursday 15h00, to be published the following Friday	3 days prior to publication
Unclaimed Monies (justice, labour or lawyers)	January / As required 2 per year	Any	15 January / As required	3 days prior to publication
Parliament (acts, white paper, green paper)	As required	Any		3 days prior to publication
Manuals	As required	Any	None	None
State of Budget (National Treasury)	Monthly	Any	7 days prior to publication	3 days prior to publication
Legal Gazettes A, B and C	Weekly	Friday	One week before publication	Tuesday, 15h00 - 3 days prior to publication
Tender Bulletin	Weekly	Friday	Friday 15h00 for next Friday	Tuesday, 15h00 - 3 days prior to publication
Gauteng	Weekly	Wednesday	Two weeks before publication	3 days after submission deadline
Eastern Cape	Weekly	Monday	One week before publication	3 days prior to publication
Northern Cape	Weekly	Monday	One week before publication	3 days prior to publication
North West	Weekly	Tuesday	One week before publication	3 days prior to publication
KwaZulu-Natal	Weekly	Thursday	One week before publication	3 days prior to publication
Limpopo	Weekly	Friday	One week before publication	3 days prior to publication
Mpumalanga	Weekly	Friday	One week before publication	3 days prior to publication
Gauteng Liquor License Gazette	Monthly	Wednesday before the First Friday of the month	Two weeks before publication	3 days after submission deadline
Northern Cape Liquor License Gazette	Monthly	First Friday of the month	Two weeks before publication	3 days after submission deadline
National Liquor License Gazette	Monthly	First Friday of the month	Two weeks before publication	3 days after submission deadline
Mpumalanga Liquor License Gazette	2 per month	Second & Fourth Friday	One week before	3 days prior to publication

## GOVERNMENT PRINTING WORKS - BUSINESS RULES

### EXTRAORDINARY GAZETTES

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

### NOTICE SUBMISSION PROCESS

4. Download the latest *Adobe* form, for the relevant notice to be placed, from the **Government Printing Works** website [www.gpwonline.co.za](http://www.gpwonline.co.za).
5. The *Adobe* form needs to be completed electronically using *Adobe Acrobat / Acrobat Reader*. Only electronically completed *Adobe* forms will be accepted. No printed, handwritten and/or scanned *Adobe* forms will be accepted.
6. The completed electronic *Adobe* form has to be submitted via email to [submit.egazette@gpw.gov.za](mailto:submit.egazette@gpw.gov.za). The form needs to be submitted in its original electronic *Adobe* format to enable the system to extract the completed information from the form for placement in the publication.
7. Every notice submitted **must** be accompanied by an official **GPW** quotation. This must be obtained from the *eGazette* Contact Centre.
8. Each notice submission should be sent as a single email. The email **must** contain **all documentation relating to a particular notice submission**.
  - 8.1. Each of the following documents must be attached to the email as a separate attachment:
    - 8.1.1. An electronically completed *Adobe* form, specific to the type of notice that is to be placed.
      - 8.1.1.1. For *National Government Gazette* or *Provincial Gazette* notices, the notices must be accompanied by an electronic Z95 or Z95Prov *Adobe* form
      - 8.1.1.2. The notice content (body copy) **MUST** be a separate attachment.
    - 8.1.2. A copy of the official **Government Printing Works** quotation you received for your notice .  
(Please see *Quotation* section below for further details)
    - 8.1.3. A valid and legible Proof of Payment / Purchase Order: **Government Printing Works** account customer must include a copy of their Purchase Order. **Non-Government Printing Works** account customer needs to submit the proof of payment for the notice
    - 8.1.4. Where separate notice content is applicable (Z95, Z95 Prov and TForm 3, it should **also** be attached as a separate attachment. (Please see the *Copy Section* below, for the specifications).
    - 8.1.5. Any additional notice information if applicable.
9. The electronic *Adobe* form will be taken as the primary source for the notice information to be published. Instructions that are on the email body or covering letter that contradicts the notice form content will not be considered. The information submitted on the electronic *Adobe* form will be published as-is.
10. To avoid duplicated publication of the same notice and double billing, Please submit your notice **ONLY ONCE**.
11. Notices brought to **GPW** by "walk-in" customers on electronic media can only be submitted in *Adobe* electronic form format. All "walk-in" customers with notices that are not on electronic *Adobe* forms will be routed to the Contact Centre where they will be assisted to complete the forms in the required format.
12. Should a customer submit a bulk submission of hard copy notices delivered by a messenger on behalf of any organisation e.g. newspaper publisher, the messenger will be referred back to the sender as the submission does not adhere to the submission rules.



**GOVERNMENT PRINTING WORKS - BUSINESS RULES****QUOTATIONS**

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



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

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

- 20.1. Copy of notices must be supplied in a separate document and may not constitute part of any covering letter, purchase order, proof of payment or other attached documents.

The content document should contain only one notice. (You may include the different translations of the same notice in the same document).

- 20.2. The notice should be set on an A4 page, with margins and fonts set as follows:

Page size = A4 Portrait with page margins: Top = 40mm, LH/RH = 16mm, Bottom = 40mm;  
Use font size: Arial or Helvetica 10pt with 11pt line spacing;

Page size = A4 Landscape with page margins: Top = 16mm, LH/RH = 40mm, Bottom = 16mm;  
Use font size: Arial or Helvetica 10pt with 11pt line spacing;

**CANCELLATIONS**

21. Cancellation of notice submissions are accepted by **GPW** according to the deadlines stated in the table above in point 2. Non-compliance to these deadlines will result in your request being failed. Please pay special attention to the different deadlines for each gazette. Please note that any notices cancelled after the cancellation deadline will be published and charged at full cost.
22. Requests for cancellation must be sent by the original sender of the notice and must be accompanied by the relevant notice reference number (N-) in the email body.

**AMENDMENTS TO NOTICES**

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

**REJECTIONS**

24. All notices not meeting the submission rules will be rejected to the customer to be corrected and resubmitted. Assistance will be available through the Contact Centre should help be required when completing the forms. (012-748 6200 or email [info.egazette@gpw.gov.za](mailto:info.egazette@gpw.gov.za)). Reasons for rejections include the following:
- 24.1. Incorrectly completed forms and notices submitted in the wrong format, will be rejected.
- 24.2. Any notice submissions not on the correct *Adobe* electronic form, will be rejected.
- 24.3. Any notice submissions not accompanied by the proof of payment / purchase order will be rejected and the notice will not be processed.
- 24.4. Any submissions or re-submissions that miss the submission cut-off times will be rejected to the customer. The Notice needs to be re-submitted with a new publication date.

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

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

**GOVERNMENT PRINTER INDEMNIFIED AGAINST LIABILITY**

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

**LIABILITY OF ADVERTISER**

28. Advertisers will be held liable for any compensation and costs arising from any action which may be instituted against the Government Printer in consequence of the publication of any notice.

**CUSTOMER INQUIRIES**

Many of our customers request immediate feedback/confirmation of notice placement in the gazette from our Contact Centre once they have submitted their notice – While **GPW** deems it one of their highest priorities and responsibilities to provide customers with this requested feedback and the best service at all times, we are only able to do so once we have started processing your notice submission.

**GPW** has a 2-working day turnaround time for processing notices received according to the business rules and deadline submissions.

Please keep this in mind when making inquiries about your notice submission at the Contact Centre.

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

## GOVERNMENT PRINTING WORKS - BUSINESS RULES

### PAYMENT OF COST

31. The Request for Quotation for placement of the notice should be sent to the Gazette Contact Centre as indicated above, prior to submission of notice for advertising.
32. Payment should then be made, or Purchase Order prepared based on the received quotation, prior to the submission of the notice for advertising as these documents i.e. proof of payment or Purchase order will be required as part of the notice submission, as indicated earlier.
33. Every proof of payment must have a valid **GPW** quotation number as a reference on the proof of payment document.
34. Where there is any doubt about the cost of publication of a notice, and in the case of copy, an enquiry, accompanied by the relevant copy, should be addressed to the Gazette Contact Centre, **Government Printing Works**, Private Bag X85, Pretoria, 0001 email: [info.egazette@gpw.gov.za](mailto:info.egazette@gpw.gov.za) before publication.
35. Overpayment resulting from miscalculation on the part of the advertiser of the cost of publication of a notice will not be refunded, unless the advertiser furnishes adequate reasons why such miscalculation occurred. In the event of underpayments, the difference will be recovered from the advertiser, and future notice(s) will not be published until such time as the full cost of such publication has been duly paid in cash or electronic funds transfer into the **Government Printing Works** banking account.
36. In the event of a notice being cancelled, a refund will be made only if no cost regarding the placing of the notice has been incurred by the **Government Printing Works**.
37. The **Government Printing Works** reserves the right to levy an additional charge in cases where notices, the cost of which has been calculated in accordance with the List of Fixed Tariff Rates, are subsequently found to be excessively lengthy or to contain overmuch or complicated tabulation.

### PROOF OF PUBLICATION

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

## GOVERNMENT PRINTING WORKS CONTACT INFORMATION

#### Physical Address:

**Government Printing Works**  
149 Bosman Street  
Pretoria

#### Postal Address:

Private Bag X85  
Pretoria  
0001

#### GPW Banking Details:

**Bank:** ABSA Bosman Street  
**Account No.:** 405 7114 016  
**Branch Code:** 632-005

**For Gazette and Notice submissions:** Gazette Submissions:

**For queries and quotations, contact:** Gazette Contact Centre:

**E-mail:** [submit.egazette@gpw.gov.za](mailto:submit.egazette@gpw.gov.za)

**E-mail:** [info.egazette@gpw.gov.za](mailto:info.egazette@gpw.gov.za)

**Tel:** 012-748 6200

**Contact person for subscribers:** Mrs M. Toka:

**E-mail:** [subscriptions@gpw.gov.za](mailto:subscriptions@gpw.gov.za)

**Tel:** 012-748-6066 / 6060 / 6058

**Fax:** 012-323-9574

---

GENERAL NOTICES • ALGEMENE KENNISGEWINGS

---

## NOTICE 96 OF 2017

**NOTICE IN TERMS OF SECTION 86(2)(a) OF THE MADIBENG LOCAL MUNICIPALITY SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2016 FOR A CHANGE OF LAND USE RIGHTS KNOWN AS REZONING, AS PER KOSMOS TOWN PLANNING SCHEME, 1999 – AMENDMENT SCHEME NO. 2159**

We, Lombard Du Preez Professionele Landmeters (Pty) Ltd (Reg Nr: 96/01771/07), being the authorized agent of the owner of **the Remainder of Erf 51, Kosmos, North West Province** hereby give notice in terms of Section 86(2)(a) of Madibeng Local Municipality Spatial Planning and Land Use Management By-law, 2016 that I have applied to the Madibeng Local Municipality for a change of land use rights also known as rezoning of the property described above, situated between Simon Bekker Avenue and Agnes Avenue, from “Residential 1 with a density of 1 dwelling per erf” to “Residential 1 with a density of 1 dwelling per 500m<sup>2</sup>”. Any objection or comments, with the grounds therefore and contact details, shall be lodged or made in writing to the Municipal Manager within a period of 30 days from 29 August (2017) on which the notice appeared with or made in writing to the Municipality at: **Room 223, second floor, Madibeng Municipal Office, 52 Van Velden Street, Brits**. Full particulars and plans of the application will lie for inspection during normal office hours at the above offices, for a period of 30 days from the date of first publication of the advertisement in the Provincial Gazette and Local Newspaper. Closing date for any objections: **28 September (2017)**. Address of agent: LOMBARD DU PREEZ Professionele Landmeters (Edms) Bpk, **P. O. Box 798, Brits, 0250 (76 Van Velden Street) Tel. (012) 252 5959**. Dates on which notice will be published: 29 August (2017) 5 September (2017)

29-5

## KENNISGEWING 96 VAN 2017

**KENNIS INGEVOLGE ARTIKEL 86(2)(a) VAN MADIBENG PLAASLIKE MUNISIPALITEIT RUIMTELIKE BEPLANNING EN GRONDGEBRUIKBESTUURS VERORDERING, 2016 VIR 'N VERANDERING VAN DIE GRONDGEBRUIKSREGTE BEKEND AS 'N HERSONERING, KENNISGEWING: KOSMOS DORPSBEPLANNINGSKEMA, 1999 – WYSIGINGSKEMA NO. 2159**

Ons, Lombard Du Preez Professionele Landmeters (Edms) Bpk (Reg Nr: 96/01771/07), synde die gemagtigde agent van die eienaar van die **Restant van Erf 51, Kosmos, Noord-Wes Provinsie**, gee hiermee ingevolge artikel, 86(2)(a) van die Madibeng Plaaslike Munisipaliteit Ruimtelike Beplanning en Grondgebruiksbestuur Verordening, 2016, kennis dat ek by die Madibeng Plaaslike Munisipaliteit aansoek gedoen het vir die verandering van die grondgebruikregte, ook bekend as die hersonering van die eiendom hierbo beskryf, geleë tussen Simon Bekker Laan en Agnes Laan, vanaf “Residensieël 1 met 'n digtheid van 1 woonhuis per erf” na “Residensieël 1 met 'n digtheid van 1 wooneenheid per 500m<sup>2</sup>”. Enige besware of kommentaar, met gronde daarvoor, asook kontakbesonderhede, kan gebring word binne 'n tydperk van 30 dae vanaf 29 Augustus (2017) waarop die kennisgewing verskyn het na die **Munisipaliteit: Kamer 223, 52 Van Velden Straat, Brits**. Besonderhede en planne 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 30 dae vanaf eerste verskyning van kennisgewing in die Provinsiale Gazette en Plaaslike koerant. Sluitings datum vir enige besware: **28 September (2017)**. Adres van agent: **LOMBARD DU PREEZ Professionele Landmeters (Edms) Bpk, Posbus 798, Brits, 0250 (76 Van Veldenstraat 30). Tel. (012) 252 5959**. Datums waarop kennisgewings gepubliseer word: 29 Augustus 2017 en 5 September 2017.

29-5

**NOTICE 100 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 1693**

I, Dawid Jacobus Bos (ID No: 5712165113080), of the firm Maxim Planning Solutions (Pty) Ltd (2002/017393/07), being the authorised agent of the owner of Portion 120 (a portion of Portion 21) of the farm Oorzaak, No. 335 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 on the R104 road in the Oorzaak area, approximately 4.8km South-east of Kroondal from "Agricultural" to "Agricultural" to include a Function Venue, with a teagarden, children play area and swimming pool, as defined in Annexure 2033 to the Scheme. B) All properties situated adjacent to Portion 120 (a portion of Portion 21) of the farm Oorzaak, No. 335 Registration Division J.Q., North West Province could thereby be affected by the rezoning application. C) The rezoning entails the legalisation of the existing structures that are related to the function venue, as defined in Annexure 2033, with a maximum height of two (2) storeys, a Floor Area Ratio of 0.07 and a maximum coverage of 7%.

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 **05 September 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 **05 September 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. (2/1761/R/L)**

5-12

**KENNISGEWING 100 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 1693**

Ek, Dawid Jacobus Bos (ID Nr: 5712165113080), van die firma Maxim Planning Solutions (Edms) Bpk (2002/017393/07), synde die gemagtigde agent van die eienaar van Gedeelte 120 ('n gedeelte van Gedeelte 21) van die plaas Oorzaak, Nr 335 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 op die R104-pad in die Oorzaak area, ongeveer 4.8 km Suid-oos van Kroondal, vanaf "Landbou" na "Landbou" insluitend 'n Funksie Lokaal met 'n teetuin, kinderspeelplek en swembad, soos omskryf in Bylae 2033 tot die Skema. B) Alle eiendomme geleë aanliggend tot Gedeelte 120 ('n gedeelte van Gedeelte 21) van die plaas Oorzaak, Nr 335 Registrasie Afdeling J.Q., Noordwes Provinsie, kan moontlik deur die hersonering geraak word. C) Die hersonering behels dat die bestaande strukture, wat verwant is aan die funksie lokaal, gewettig word, soos omskryf in Bylae 2033, met 'n maksimum hoogte beperking van twee (2) verdiepings, 'n Vloerruimte Verhouding van 0.07 en 'n maksimum dekking van 7%.

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 **05 September 2017**. Besware teen of verhoë ten opsigte van die aansoek moet binne 'n tydperk van 30 dae vanaf **05 September 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. (2/1761/R/L)**

5-12

## PROCLAMATION • PROKLAMASIE

## PROCLAMATION 34 OF 2017

**RAMOTSHERE MOILOA LOCAL MUNICIPALITY****THE RAMOTSHERE MOILOA LAND USE SCHEME, 2017.**

The Acting Municipal Manager of the Ramotshere Moiloa Local Municipality, in accordance with the provisions of Section 24 (1), Chapter 5 of the Spatial Planning and Land Use Management Act, 2013, (Act No. 16 of 2013) hereby gives notice of the adoption of the Ramotshere Moiloa Land Use Scheme by the Council as per the Ramotshere Moiloa Municipal Council Resolution No 30/06/2017

The Ramotshere Moiloa Land Use Scheme, 2017, will come into operation on date of publication hereof in the Provincial Gazette.

-----  
MATLAKALA IRENE  
RAMOTSHERE MOILOA ACTING MUNICIPAL MANAGER

MATTHEWS

**PROCLAMATION 35 OF 2017**  
**OFFICE OF THE PREMIER**

**DRAFT NORTH WEST PROMOTION OF PROCUREMENT FOR, AND  
DEVELOPMENT OF VILLAGES, TOWNSHIPS AND SMALL DORPIES BILL, 2017**

**APPROVAL TO CALL FOR WRITTEN SUBMISSIONS FROM STAKEHOLDER  
BODIES AND MEMBERS OF THE PUBLIC ON THE DRAFT NORTH WEST  
PROMOTION OF PROCUREMENT FOR, AND DEVELOPMENT OF VILLAGES,  
TOWNSHIPS AND SMALL DORPIES BILL, 2017**

I, Supra Obakeng Ramoeletsi Mahumapelo, Premier of the North West Province in compliance with section 154(2) of the Constitution of the Republic of South Africa, 1996 (Act 108 of 1996) hereby publish the draft North West Promotion of Preferential Procurement for, and Development of Villages, Townships and Small Dorpies Bill, 2017 and invite stakeholder bodies and members of the public to comment on it.

**SUBMISSIONS**

Organised local government, municipalities and other interested parties are invited to submit comments on the proposed Bill in writing by no later than 30 days after the publication hereof.

**CLOSING DATE**

The closing date for the receipt of comments is set as 30 days after publication of this Notice.

**ADDRESS FOR SUBMISSIONS**

Please send or deliver your submissions to:

**The Office of the Premier:** Attention: Advocate BW Tihale  
3<sup>rd</sup> Floor Ga-Rona Building  
Private Bag X129, Mmabatho, 2735  
Fax: (018) 388 3052, Email [boitumelot@nwpg.gov.za](mailto:boitumelot@nwpg.gov.za)



---

**NORTH WEST  
PROMOTION OF PREFERENTIAL  
PROCUREMENT FOR, AND DEVELOPMENT  
OF VILLAGES, TOWNSHIPS AND SMALL  
DORPIES BILL, 2017**

---

*(As introduced in the Provincial Legislature)  
(The English text is the official text of the Bill)*

---

(PREMIER)

## BILL

**To provide for measures aimed at promotion of preferential procurement systems for the development initiatives in villages, townships and small dorpias in the Province; to promote and ensure good governance and co-operative government in the Province and, to that end –**

- (a) to further regulate intergovernmental relations involving the development of villages, townships and small dorpias in the Province;**
  - (b) to make provision for directive principles of provincial policy aimed at accelerating the development of villages, townships and small dorpias in the Province;**
  - (c) to provide and regulate funding for strategies aimed at improving the quality of life in villages, townships and small dorpias;**
  - (d) to provide for principles of consultative and participatory governance in matters relating to the development of villages, townships and small dorpias in the Province;**
  - (e) to provide for principles of monitoring and evaluation of provincial and local government performance in matters relating to the development of villages, townships and small dorpias in the Province;**
  - (f) to establish the legal basis and the legal authority for measures, programmes and structures in the Province to create an enabling environment –**
    - (i) for the improvement of the quality of life for people living villages, townships and small dorpias;**
    - (ii) for the support of entrepreneurship initiatives in villages, townships and small dorpias;**
    - (iii) for provision of efficient support systems for business incubation for people living in villages, townships and small dorpias;**
    - (iv) for the sourcing of funding through any lawful means to finance projects or initiatives aimed business development support services for the people in business, in villages, townships and small dorpias;**
    - (v) to monitor and solicit for interdepartmental entrepreneurship initiatives, in villages, townships and small dorpias.**
- and to provide for matters connected therewith.**

## PREAMBLE

RECOGNISING THAT –

- (a) preferential procurement for development initiatives in villages, townships and small dorpias in the Province is key to a sustainable improvement of the quality of life of citizens and the resident in the Province
- (b) the Rule of Law is fundamental to South African law;
- (c) the Rule of Law is a binding Founding Provision enshrined in the first chapter and first section of the Constitution;
- (d) section 1(c) of the Constitution provides for the "*supremacy of the Constitution and the Rule of Law*";
- (e) we live in a democracy based on principles of Constitutionalism and the Rule of Law;
- (f) we have gone some way towards the achievement of that ideal, but that great

challenges still lie ahead;

(g) the "Rule of Law" must be distinguished from the "rule of man" or the discretionary whims of man; and

(h) complying with the Rule of Law means that there must be a legal basis or authority for the exercise of every power and the performance of every duty or function of an executive or administrative functionary or official, in other words, that everyone's rights and duties must be based on law, must be readily apparent from the law and not subject, or subject only in exceptional circumstances, to discretionary power;

IN COMPLIANCE WITH these principles of Constitutionalism and Rule of Law, the North West Provincial Government is, with the passage of this Act, attempting to establish the legal basis and the legal authority for good governance measures, programmes and structures to promote preferential procurement for development initiatives in villages, townships and small dorpias in the Province aimed at creating an enabling environment –

(a) for the improvement of the quality of life for people living in villages, townships and small dorpias;

(b) for the support of entrepreneurship initiatives in villages, townships and small dorpias

(c) for the provision of efficient support systems for business incubation for people living in villages, townships and small dorpias;

(d) for the sourcing of funding through any lawful means to finance projects or initiatives aimed at business development support services for the people in business, in villages, townships and small dorpias;

(e) to monitor and solicit interdepartmental entrepreneurship initiatives for the benefit of villages, townships and small dorpias;

(f) to initiate any research aimed at entrepreneurial development in villages, townships and small dorpias;

(g) to initiate or participate in any policy development process aimed at entrepreneurial development in villages, townships and small dorpias;

(h) to monitor provincial and municipal impact on development of the quality of life in villages, townships and small dorpias;

(i) to mobilise resources and investment in development programmes and projects targeting people living in villages, townships and small dorpias;

(j) to mobilise resources for skills development, capacity building, support and mentorship programmes for people living in villages, townships and small dorpias;

(k) to mobilise resources for programmes aimed at accessing the local job or other markets for the for people living in villages, townships and small dorpias through strategic partnerships and direct government interventions;

(l) to solicit for technical and financial support for the people involved in small business

- initiatives in villages, townships and small dorpies;
- (m) to establish and administer an entrepreneurship data system and research programme for the benefit of villages, townships and small dorpies;
- (n) to liaise and interact with any organisation, structure or body that has an interest in any matter related to development initiatives in villages, townships and small dorpies;
- (o) to actively assist potential and existing stakeholders in villages, townships and small dorpies entrepreneurship programmes with relevant, accurate and reliable information and advice;
- (p) to administer funds appropriated from the Provincial Legislature in accordance with the Public Finance Management Act;
- (q) to foster strategic partnerships with public and private institutions focusing on entrepreneurship, mentorship and coaching programmes for the development of villages, townships and small dorpies;
- (r) to promote local arts and culture in villages, townships and small dorpies;
- (s) to promote local tourism in villages, townships and small dorpies, and
- (t) to mobilise resources for local agricultural development initiatives in villages, in the Province.

BE IT THEREFORE ENACTED by the Provincial Legislature of the Province of North West, as follows:-

## ARRANGEMENT OF SECTIONS

### *Section*

#### CHAPTER 1 DEFINITIONS

#### 1. Definitions

#### CHAPTER 2 OBJECTS OF ACT

#### 2. Objects of Act

#### CHAPTER 3 CO-OPERATIVE GOVERNMENT AND INTERGOVERNMENTAL RELATIONS

#### 3. Co-operative government

#### 4. Premier's intergovernmental relations forum

#### CHAPTER 4 OBLIGATIONS, FUNDING AND CO-ORDINATION

#### 5. Duty to achieve objects of Act

#### 6. Funding to achieve objects contemplated in sections 2 and 8

7. Responsibility for co-ordinating intergovernmental relations

CHAPTER 5

DIRECTIVE PRINCIPLES OF PROVINCIAL POLICY AND PROVINCIAL GROWTH AND  
DEVELOPMENT STRATEGIES

- 8. Directive principles of provincial policy
- 9. Status of directive principles of provincial policy
- 10. Provincial Development Strategy for villages, townships and small dorps
- 11. Publication of Provincial Development Strategy
- 12. Provincial Development Strategy must be given expression in departmental programmes and budgets
- 13. Status of Provincial Development Strategy

CHAPTER 6

CONSULTATIVE AND PARTICIPATORY GOVERNANCE

- 14. Principles of consultative and participatory governance

CHAPTER 7

ASSIGNMENT OF FUNCTIONS TO MUNICIPALITIES

- 15. Assignment or delegation of powers, duties or functions to municipalities by Premier
- 16. Assignment of functions to municipal council by Member of Executive Council

CHAPTER 8

GOOD GOVERNANCE AND CO-OPERATIVE GOVERNMENT  
IN TRADITIONAL LEADERSHIP AND INSTITUTIONS

- 17. Recognition of traditional leadership and institutions

CHAPTER 9

ESTABLISHMENT OF LOCAL ECONOMIC FORUMS

- 18. Establishment of Local Economic Forums

CHAPTER 10

GENERAL PROVISIONS

- 19. Regulations
- 20. Delegation by Premier
- 21. General offences
- 22. Penalties
- 23. Short title

CHAPTER 1

DEFINITIONS

**Definitions**

- 1. In this Act, unless the context indicates otherwise –

**"accounting authority"** means an **"accounting authority"** as defined in section 1 of the Public Finance Management Act, 1999 (Act No. 1 of 1999);

**"accounting officer"** means an **"accounting officer"** as defined in section 1 of the Public Finance Management Act, 1999 (Act No. 1 of 1999);

**"Constitution"** means the Constitution of the Republic of South Africa, 1996;

**"department"** means a provincial government department established in terms of section 7(2)(b) of the Public Service Act, 1994 (Proclamation No.103 of 1994), for the Province of North West and listed in Schedule 2 to the Public Service Act, 1994:

**"directive principles of provincial policy"** means the directive principles of provincial policy referred to in section 8;

**"dorp"** means a group of houses and other buildings, such as a church, a school and some shops, which is smaller than a town, usually in the countryside;

**"Executive Council"** means the Executive Council of the North West Province as contemplated in section 132 of the Constitution;

**"Gazette"** means the official *Provincial Gazette* of the North West Province;

**"head of department"** means the person appointed as Head of the relevant Department in terms of section 12 of the Public Service Act, 1994 (Proclamation No. 103 of 1994);

**"Local House of Traditional Leaders"** means a Local House of Traditional Leaders as defined in section 1(1) of the North West Traditional Leadership and Governance Act, 2005 ( Act No 2 of 2005),

**"local sphere"** means the local sphere of government referred to in section 40 of the Constitution;

**"municipal council"** or **"council"** means a municipal council referred to in section 157(1) of the Constitution;

**"municipality"** means a municipality referred to in section 155 of the Constitution, and

established by and under sections 11 and 12 of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998) and “**district municipality**” and “**metropolitan municipality**” have a corresponding meaning;

“**Preferential Procurement Policy Framework Act**” means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000),

“**Premier**” means the Premier of the North West Province referred to in section 125(1) of the Constitution;

“**prescribed**” means prescribed by regulation in terms of section 19(1), and “**prescribe**” has a corresponding meaning;

“**Province**” means the North West Province referred to in section 103 of the Constitution, and “**pprovincial**” has a corresponding meaning;

“**Provincial Government**” means the government of the North West Province, unless the context indicates otherwise, includes every Department in the Provincial Government;

“**Provincial House of Traditional Leaders**” means the Provincial House of Traditional Leaders as defined in section 1(1) of the North West Traditional Leadership and Governance Act, 2005 (Act No 2 of 2005),

“**Provincial Legislature**” means the Legislature of the Province of North West referred to in section 105 of the Constitution and having the legislative authority for the Province as contemplated in section 104(1) of the Constitution;

“**provincial sphere of government**” means the provincial sphere of government referred to in section 40 of the Constitution;

“**public entity**” means a “**provincial public entity**” –

- (a) as defined in section 1 of the Public Finance Management Act, 1999 (Act No. 1 of 1999);
- (b) established for the North West Province; and
- (c) listed in Part C and D of Schedule 3 to the Public Finance Management Act, 1991 (Act No. 1 of 1999);

“**regulations**” means regulations made in terms of section 19(1);



**"this Act"** includes the regulations;

**"township"** means an underdeveloped urban living area; and

**"village"** means a group of houses and associated buildings, larger than a hamlet and smaller than a town, situated in a rural area.

## CHAPTER 2 OBJECTS OF ACT

### Objects of Act

#### 2. The objects of this Act are to create an enabling environment –

- (a) to provide for measures and systems aimed at promoting preferential procurement to improve the quality of life for people living in villages, townships and small dorpias;
- (b) to provide for measures and systems aimed at promoting preferential procurement for the support of entrepreneurship initiatives in villages, townships and small dorpias
- (c) for the provision of efficient support systems for business incubation for people living in villages, townships and small dorpias;
- (d) for the sourcing of funding through any lawful means to finance projects or initiatives aimed at business development support services for the people in business, in villages, townships and small dorpias;
- (e) to monitor and solicit interdepartmental entrepreneurship initiatives for the benefit of villages, townships and small dorpias;
- (f) to initiate any research aimed at entrepreneurial development in villages, townships and small dorpias;
- (g) to initiate or participate in any policy development process aimed at entrepreneurial development in villages, townships and small dorpias;
- (h) to monitor provincial and municipal impact on development of the quality of life in villages, townships and small dorpias;
- (i) to provide for measures and systems aimed at promoting preferential procurement to mobilise resources and investment in development programmes and projects targeting people living in villages, townships and small dorpias;
- (j) to provide for measures and systems aimed at promoting preferential procurement to mobilise resources for skills development, capacity building, support and mentorship programmes for people living in villages, townships and small dorpias;
- (k) to provide for measures and systems aimed at promoting preferential procurement to mobilise resources for programmes aimed at accessing the local job or other markets for the for people living in villages, townships and small dorpias through strategic

- partnerships and direct government interventions;
- (l) to solicit for technical and financial support for the people involved in small business initiatives in villages, townships and small dorpiess;
- (m) to establish and administer an entrepreneurship data system and research programme for the benefit of villages, townships and small dorpiess;
- (n) to liaise and interact with any organisation, structure or body that has an interest in any matter related to development initiatives in villages, townships and small dorpiess;
- (o) to actively assist potential and existing stakeholders in villages, townships and small dorpiess entrepreneurship programmes with relevant, accurate and reliable information and advice;
- (p) to provide for measures and systems aimed at promoting preferential procurement in administering funds appropriated from the Provincial Legislature in accordance with the Public Finance Management Act;
- (q) to foster strategic partnerships with public and private institutions focusing on entrepreneurship, mentorship and coaching programmes for the development of villages, townships and small dorpiess;
- (r) to provide for measures and systems aimed at promoting preferential procurement to promote local arts and culture in villages, townships and small dorpiess;
- (s) to provide for measures and systems aimed at promoting preferential procurement to promote local tourism in villages, townships and small dorpiess, and
- (t) to provide for measures and systems aimed at promoting preferential procurement to promote local agricultural development initiatives in villages in the Province.

### CHAPTER 3 INTERGOVERNMENTAL RELATIONS

#### **Co-operative government**

**3.** As part of the provincial sphere of government of the Republic of South Africa, the Provincial

Government must –

- (a) act in accordance with the principles of co-operative government and intergovernmental relations set out in the Constitution in all its dealings with the national government, the other provincial governments and the municipalities in the Province;
- (b) participate in structures and institutions to promote and facilitate intergovernmental relations, established in terms of the Constitution; and
- (c) make use of mechanisms and procedures for the settlement of intergovernmental disputes, established in terms of the Constitution,

in pursuance of the achievement of the objects contemplated in sections 2 and 8.

**Premier's intergovernmental relations forum**

4.(1) In addition to the powers, duties and functions of the Premier's intergovernmental relations forum, established in terms of section 16 of the Intergovernmental Relations Framework Act, 2005 (Act No. 13 of 2005), to promote and facilitate intergovernmental relations between the Provincial Government and local government in the Province, the Premier may, in pursuance of the objects contemplated in sections 2 and 8 of this Act, by notice in the Gazette, publish directives aimed at ensuring effective monitoring and evaluation of measures and systems aimed at promoting preferential procurement, in line with the provisions of the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000), read with section 105 of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000)

(2) In line with sections 25, 26, 27 and 28 of the Intergovernmental Relations Framework Act, 2005 (Act No. 13 of 2005), which regulate the composition, role and meetings of the district intergovernmental relations forums, the Premier Members of the Executive Council and municipalities, must also ensure that the objects contemplated in sections 2 and 8, are prioritized.

(3) The Premier's intergovernmental forum contemplated in subsection (1) must ensure that the objects contemplated in section 2 find expression in the municipal integrated development plans (IDPs) referred to in applicable national legislation pertaining to municipal systems and development (especially Chapter 5 (sections 23 – 37) of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000));

#### CHAPTER 4 OBLIGATIONS, FUNDING AND CO-ORDINATION

**Duty to achieve objects of Act**

5.(1) The objects contemplated in sections 2 and 8, apply to all Members of the Executive Council in the Province.

(2) The objects contemplated in sections 2 and 8, apply to all departments, municipalities and public entities in the Province.

(3) In pursuance of the achievement of the objects contemplated in section 2 and chapter 5, the accounting officer of a department or a municipality must ensure that the objects contemplated in sections 2 and 8, find expression in the annual performance plan of such department or municipality.

(4) In pursuance of the achievement of the objects contemplated in sections 2 and 8, the accounting authority of a public entity must ensure that the objects contemplated in sections 2 and 8, find expression in the annual performance plan of such public entity.

(5) In pursuance of the achievement of the objects contemplated in sections 2 and 8, a municipality must ensure that the objects contemplated in section 2 find expression in the municipal integrated development plans (IDPs) referred to in applicable national legislation pertaining to municipal systems and development (especially Chapter 5 (sections 23 – 37) of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000));

### **Funding to achieve objects contemplated in sections 2 and 8**

6.(1) In ensuring effective achievements of the objects contemplated in sections 2 and 8, the Premier may make funds available for the attainment of such objectives.

(2) Where goods and services are needed in ensuring effective achievements of the objects contemplated in sections 2 and 8, such goods and services must be procured within a relevant village, township or small dorpie, for the benefit of, or economic development of such village, township or small dorpie.

(3) Where the funds contemplated in subsection (1) are utilized for economic development purposes, residents of a relevant village, township or small dorpie, must be given preference when employment opportunities arise as a result of any development initiative or project relating to the attainment of the objects contemplated in sections 2 and 8.

(4) The funds contemplated in subsection (1), consist of –

- (a) money appropriated by the Provincial Legislature; and
- (b) income lawfully derived from any other source.

(5) The provisions of subsections (1) to (3) apply with the necessary changes to respective and relevant Members of the Executive Council and must find expression in 70 percent of their departmental budgets.

### **Responsibility for co-ordinating intergovernmental relations**

7.(1) The Premier, in line with the assigned responsibility in terms of section 37 of the Intergovernmental Relations Framework Act, 2005 (Act No. 13 of 2005), must ensure effective co-ordination of intergovernmental relations within the Provincial Government with local

government in the Province, in accordance with the provisions of the Intergovernmental Relations Framework Act, 2005 (Act No. 13 of 2005) and section 105 of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000), put any measures in place, deemed necessary for effective monitoring, evaluation and capacity building within the local sphere of government, in the Province.

(2) The measures contemplated in subsection (1) may include infrastructural development within municipal areas and the provision of administrative and technical support to any municipality that cannot carry out its legislative mandate in terms of this Act.

(3) The Premier may also set up and deploy task teams comprising of both civil servants and members of the civil society to provide both administrative and technical support to any municipality that cannot carry out its legislative mandate in terms of this Act.

## CHAPTER 5 DIRECTIVE PRINCIPLES OF PROVINCIAL POLICY AND PROVINCIAL GROWTH AND DEVELOPMENT STRATEGIES

### **Directive principles of provincial policy**

8. In implementing measures and systems aimed at promoting preferential procurement to improve the quality of life for people living in villages, townships and small dorps, the Provincial Government may adopt and implement policies to actively promote an open and democratic society based on human dignity, equality and freedom, including policies aimed at achieving the following –

- (a) the stimulation and promotion of economic development in villages, townships and small dorps, within the Province;
- (b) the stimulation and promotion of industrial and rural development;
- (c) the creation of job opportunities and sustainable livelihoods of people living in villages, townships and small dorps, within the Province;
- (d) the promotion of a market-oriented economy aimed at improving the livelihood of people living in villages, townships and small dorps, within the Province;
- (e) realising the right of access to –
  - (i) adequate housing;
  - (ii) basic health care services;
  - (iii) water and sanitation;
  - (iv) basic education; and
  - (v) work opportunities and a sustainable livelihood;

- (f) agrarian reform, the development of rural communities and the promotion of the welfare of rural workers; and
- (g) the enhancement of the quality of life in villages, townships and small dorpias, within the Province.

### **Status of directive principles of provincial policy**

9. The directive principles of provincial policy contained in section 8 are, subject to the Constitution, not legally enforceable by citizens against the Provincial Government, but guide and inform the Provincial Government in –

- (a) determining policy;
- (b) planning, including sector specific planning;
- (c) making and applying laws; and
- (d) implementing its programmes and activities.

### **Provincial Development Strategy for villages, townships and small dorpias**

10.(1) in implementing measures and systems aimed at promoting preferential procurement to improve the quality of life for people living in villages, townships and small dorpias, the and ensuring effective capacity building, monitoring and evaluation role of the Provincial Government in respect of municipalities in the Province, assigned in terms of section 105 of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000); the Provincial Government may –

- (a) develop and adopt a sustainable Provincial Development Strategies for villages, townships and small dorpias; and
- (b) encourage, and create conditions for, public participation in the negotiation, development, implementation and review of the Provincial Development Strategy.

(2) The Provincial Development Strategy contemplated in subsection (1), must –

- (a) be guided and informed by –
  - (i) the directive principles of Provincial Policy;
  - (ii) the Provincial Plan; and
  - (iii) the various currently applicable municipal integrated development plans (IDPs) referred to in applicable national legislation pertaining to municipal systems and development (especially Chapter 5 (sections 23 – 37) of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000));
- (b) adequately address the relevant and applicable goals in the National Development Plan and provincial priorities; and

(c) contain an action plan with milestones and time-frames for the implementation of action items by departments in the Provincial Government.

### **Publication of Provincial Development Strategy**

11.(1) After the adoption of each Provincial Development Strategy by the Executive Council the Premier must, within a reasonable time, publish such Provincial Development Strategy by notice in the *Gazette* for general information.

(2) Each Provincial Development Strategy takes effect upon publication of the notice referred to in subsection (1).

(3) The Premier may, after approval by the Executive Council on behalf of the Provincial Government, by notice in the *Gazette* –

- (a) amend;
- (b) substitute; or
- (c) withdraw,

such Provincial Development Strategy.

### **Provincial Development Strategy must be given expression in departmental programmes and budgets**

12. in implementing measures and systems aimed at promoting preferential procurement to improve the quality of life for people living in villages, townships and small dorpiess, the Members of the Executive Council must ensure –

- (a) that each relevant Provincial Development Strategy generally, and specific action items referred to in section 10(2)(c), are given expression in departmental programmes, budgets and legislation; and
- (b) that the individual performance agreements of the respective heads of department contain the milestones and time-frames for the implementation of action items referred to in section 10(2)(c) by the relevant department in the Provincial Government as deliverables or key performance areas against which the performance of the relevant head of department must be assessed.

### **Status of Provincial Development Strategy**

13. Each Provincial Development Strategy is, subject to the Constitution, not legally enforceable by citizens against the Provincial Government, but guides and informs the Provincial Government in –

- (a) determining policy;



- (b) planning, including sector specific planning;
- (c) making and applying laws; and
- (d) implementing its programmes and activities.

## CHAPTER 6 CONSULTATIVE AND PARTICIPATORY GOVERNANCE

### **Principles of consultative and participatory governance**

**14.(1)** in implementing measures and systems aimed at promoting preferential procurement to improve the quality of life for people living in villages, townships and small dorpiess, the Provincial Government must, within its available resources –

- (a) develop a culture of governance that complements the executive branch of government with a system of open, consultative and participatory governance; and
  - (b) take appropriate steps to encourage and facilitate consultation with, and participation by –
    - (i) the general public; and
    - (ii) identified stakeholders or sectors including, but not limited to –
      - (aa) business;
      - (bb) agriculture;
      - (cc) non-governmental organisations;
      - (dd) community-based organisations;
      - (ee) faith-based organisations;
      - (ff) organs or formations of civil society;
      - (gg) civic organisations;
      - (hh) co-operatives;
    - (ii) sector specific associations or bodies; and
    - (jj) professional associations or other professional bodies,
- in the process of government in the Province.

**(2)** in implementing measures and systems aimed at promoting preferential procurement to improve the quality of life for people living in villages, townships and small dorpiess, the Provincial Government may –

- (a) consult with; and
- (b) receive comment, representations, input and proposals (orally, in writing or in printed or electronic format) from, the general public and any stakeholder or sector in respect of any matter related to –
  - (i) government strategy;
  - (ii) government policy;

- (iii) draft or existing legislation, where public, stakeholder or sector-specific consultation is not specifically required by law;
- (iii) integration of government services, programmes or functions;
- (iv) implementation of government services, programmes or functions;
- (v) evaluation of government services, programmes or functions; and
- (vi) evaluation of government performance.

(3) Where the Provincial Government invites written comment, representations, input or proposals on any matter, it must be stated in the invitation that any person who cannot write may come during office hours to a place where a member of staff attached to the Provincial Government named in the invitation, will assist with transcribing that person's comment, representation, input or proposal.

(4) The Provincial Government may convene and chair –

- (a) public meetings or hearings;
- (b) stakeholder or sector specific consultative sessions; and
- (c) report-back meetings or sessions.

(5)(a) The Provincial Government must give due notice of any public meeting or hearing through the media, including at least two local newspapers and at least one local radio broadcast.

(b) Any public meeting or hearing is open to the media.

(c) The Provincial Government must take reasonable steps to regulate public access to, and public conduct at, public meetings or hearings.

## CHAPTER 7 ASSIGNMENT OF FONCTIONS TO MUNICIPALITIES

### **Assignment or delegation of powers, duties or functions to municipalities by Premier**

**15.(1)** In pursuance of achieving the objects contemplated in sections 2 and 8, the Premier may –

- (a) by proclamation in the *Gazette*;
- (b) with the concurrence of a Member of the Executive Council responsible for any department in the Provincial Government; and
- (c) after consultation by the relevant Member of the Executive Council with –
  - (i) organised local government in the Province;
  - (ii) municipalities generally;
  - (iii) the specific municipality; or
  - (iv) the category or type of municipality,

as the case may be, assign or delegate any power, duty or function of that department, including

any power, duty or function of the head or any officer or employee of that department, to municipalities generally, a specific municipality or a category or type of municipality.

(2) An assignment or delegation in terms of subsection (1) must be accompanied by –

- (a) the transfer of assets, including funds; and
- (b) the transfer, secondment or making available of personnel, as the case may be, relevant to the exercise of the power or the performance of the relevant duty or function, from the department to the relevant municipality.

(3) A department in the Provincial Government referred to in subsection (1) must generally assist a municipality referred to in that subsection in building capacity to enable that municipality to exercise or perform an assignment or delegation referred to in this section.

(4) The Provincial Government, including any department within the Provincial Government or any officer or employee of any such department, may not exercise any assigned power or perform any assigned duty or function referred to in subsection (1) within the area of jurisdiction of the relevant municipality: Provided that this subsection does not apply to any officer or employee of the Provincial Government who has, in accordance with the applicable laws, been made available to, seconded to or transferred to and placed in the service of, a municipality.

(5) A delegation in terms of subsection (1) does not prevent the exercise of the relevant power or the performance of the relevant duty or function by the department or any duly authorised officer or employee of the department.

#### **Assignment of functions to municipal council by Member of Executive Council**

**16.(1)** In implementing measures and systems aimed at promoting preferential procurement to improve the quality of life for people living in villages, townships and small dorpiess, the, a Member of the Executive Council may assign any power or function that is to be exercised or performed by such Member of the Executive Council in terms of an Act of Parliament or an Act of the Provincial Legislature, to a municipal council.

(2) An assignment referred to in subsection (1) –

- (a) must be in terms of an agreement between the relevant Member of the Executive Council and the municipal council;
- (b) must be consistent with the Act in terms of which the relevant power or function is exercised or performed; and
- (c) takes effect upon proclamation by the Premier in the *Gazette*.

## CHAPTER 8 GOOD GOVERNANCE AND CO-OPERATIVE GOVERNMENT IN TRADITIONAL LEADERSHIP AND INSTITUTIONS

### **Recognition of traditional leadership and institutions**

**17.(1)** The institution, status and role of traditional leadership according to customary law is recognised, subject to –

- (a) the Constitution, and
- (b) applicable national framework legislation pertaining to traditional leadership and governance.

(2) In implementing measures and systems aimed at promoting preferential procurement to improve the quality of life for people living in villages, townships and small dorpiess, the all organs of state must, where necessary, consult with –

- (a) the recognition of traditional communities;
- (b) the traditional councils.

## CHAPTER 9 ESTABLISHMENT OF LOCAL ECONOMIC FORUMS

### **Establishment of Local Economic Forums**

**18.(1)** In pursuance of the objects contemplated in sections 2 and 8, the Premier may establish a local economic forum for each village, township and small dorpie.

(2) A local economic forum contemplated in subsection (1), must as far as possible create an enabling environment –

- (a) to boost the local economy in a municipal area;
- (b) for the improvement of the quality of life for people living in a local municipality;
- (c) for the support of entrepreneurship initiatives in villages, townships and small dorpiess;
- (d) to provision of efficient support systems for business incubation for people living in a local municipality;
- (e) for the sourcing of funding through any lawful means to finance projects or initiatives aimed business development support services for the people in business, in people living in a local municipality;
- (f) to monitor and solicit for interdepartmental entrepreneurship initiatives in a local municipality;
- (g) to initiate any research aimed at entrepreneurial development in a local municipality;
- (h) to initiate or participate in any policy development process aimed at entrepreneurial

development in a local municipality;

(i) to monitor provincial and municipal impact on development of quality of life in a local municipality;

(j) to mobilise resources and investment in development programmes and projects targeting people living in a local municipality;

(k) to mobilise resources for skills development, capacity building, support and mentorship programmes for people living in a local municipality;

(l) to mobilise resources for programmes aimed at accessing the job or other markets for the for people living in a local municipality through strategic partnerships and direct government interventions;

(m) to solicit for technical and financial support for the people involved in small business initiatives in a local municipality;

(n) to establish and administer an entrepreneurship data system and research programme for the benefit of in a local municipality;

(o) to liaise and interact with any organisation, structure or body that has an interest in any matter related to development initiatives in a local municipality;

(p) to actively assist potential and existing stakeholders in villages, townships and small dorpiés entrepreneurship programmes with relevant, accurate and reliable information and advice; and

(q) to foster strategic partnerships with public and private institutions focusing on entrepreneurship, mentorship and coaching programmes for the development of in a local municipality.

## CHAPTER 10 GENERAL PROVISIONS

### Regulations

**19.** The Premier may, by notice in the *Gazette*, make regulations regarding –

(a) any matter that may or must be prescribed in terms of this Act; or

(b) any administrative or procedural matter necessary to give effect to the provisions of this Act.

### Delegation by Premier

**20.(1)** The Premier may delegate to the Director-General –

(a) any power conferred on the Premier by this Act, except the power –

(i) to publish a notice; and

(ii) to make regulations; or

(b) any duty imposed on the Premier by this Act.

(2) Any power or duty delegated in terms of subsection (1), must be exercised or performed subject to such conditions as the Premier considers necessary.

(3) A delegation in terms of subsection (1) –

- (a) must be in writing;
- (b) does not prevent the Premier from exercising that power or performing that duty; and
- (c) may at any time be withdrawn or amended in writing by the Premier.

### **General offences**

**21.**(1) A member of staff, adviser, agent or any other person employed or acting on behalf of a department, a municipality or a public entity, commits an offence if he or she directly or indirectly accepts any bribe or receives any unauthorized fee or reward from any person in connection with anything done or offered by a department, a municipality or a public entity in pursuance of the objects of this Act.

(2) Any person commits an offence if he or she, in respect of or in connection with anything done or offered by a department, a municipality or a public entity, bribes or attempts to bribe or corruptly influence or attempts to corruptly influence a member of the Board, a member of staff, adviser, agent or any other person employed or acting on behalf of a department, a municipality or a public entity acting in pursuance of achieving the objects of this Act.

(3) Any person who falsely claims that he or she is authorized to charge or collect fees, donations or contributions on behalf of, or by direction of the department, a municipality or a public entity in pursuance of the objects of this Act, commits an offence.

(4) Any person who wilfully obstructs a local economic forum in pursuance of the objects of this Act, commits an offence.

### **Penalties**

**22.** Any person convicted of an offence in terms of this Act is liable to a fine not exceeding R5000-00 or to imprisonment for a period not exceeding five years.

### **Short title**

**23.** This Act is called the North West Promotion of Preferential Procurement for, and Development of Villages, Townships and Small Dorpies Act, 2017.

**MEMORANDUM ON THE OBJECTS OF THE NORTH WEST  
PROMOTION OF PROCUREMENT FOR, AND DEVELOPMENT OF  
VILLAGES, TOWNSHIPS AND SMALL DORPIES BILL, 2017**

## **1. BACKGROUND**

The Rule of Law is fundamental to South African law. It is enshrined in the first chapter and first section of the Constitution. It is a binding Founding Provision. Section 1(c) of the Constitution provides for the "*supremacy of the Constitution and the Rule of Law*".

We live in a democracy based on principles of Constitutionalism and the Rule of Law. We have gone some way towards the achievement of that ideal, but great challenges still lie ahead.

The "Rule of Law" must be distinguished from the "rule of man" or the discretionary whims of man. Complying with the Rule of Law means that there must be a *legal basis* or authority for the exercise of every power and the performance of every duty or function of an executive or administrative functionary or official. In other words, that everyone's rights and duties must be based on law, must be readily apparent from the law and not subject, or subject only in exceptional circumstances, to discretionary power.

In compliance with these principles of Constitutionalism and Rule of Law, the North West Provincial Government is, with the introduction of this Bill, attempting to establish the legal basis and the legal authority for good governance programmes and structures in the Province aimed at creating an enabling environment –

- (a) to provide for measures and systems aimed at promoting preferential procurement to improve the quality of life for people living in villages, townships and small dorpiers;
- (b) to provide for measures and systems aimed at promoting preferential procurement for the support of entrepreneurship initiatives in villages, townships and small dorpiers
- (c) for the provision of efficient support systems for business incubation for people living in villages, townships and small dorpiers;
- (d) for the sourcing of funding through any lawful means to finance projects or initiatives aimed at business development support services for the people in business, in villages, townships and small dorpiers;
- (e) to monitor and solicit interdepartmental entrepreneurship initiatives for the benefit of villages, townships and small dorpiers;
- (f) to initiate any research aimed at entrepreneurial development in villages, townships and small dorpiers;
- (g) to initiate or participate in any policy development process aimed at entrepreneurial development in villages, townships and small dorpiers;
- (h) to monitor provincial and municipal impact on development of the quality of life in villages, townships and small dorpiers;



- (i) to provide for measures and systems aimed at promoting preferential procurement to mobilise resources and investment in development programmes and projects targeting people living in villages, townships and small dorpias;
- (j) to provide for measures and systems aimed at promoting preferential procurement to mobilise resources for skills development, capacity building, support and mentorship programmes for people living in villages, townships and small dorpias;
- (k) to provide for measures and systems aimed at promoting preferential procurement to mobilise resources for programmes aimed at accessing the local job or other markets for the for people living in villages, townships and small dorpias through strategic partnerships and direct government interventions;
- (l) to solicit for technical and financial support for the people involved in small business initiatives in villages, townships and small dorpias;
- (m) to establish and administer an entrepreneurship data system and research programme for the benefit of villages, townships and small dorpias;
- (n) to liaise and interact with any organisation, structure or body that has an interest in any matter related to development initiatives in villages, townships and small dorpias;
- (o) to actively assist potential and existing stakeholders in villages, townships and small dorpias entrepreneurship programmes with relevant, accurate and reliable information and advice;
- (p) to provide for measures and systems aimed at promoting preferential procurement in administering funds appropriated from the Provincial Legislature in accordance with the Public Finance Management Act;
- (q) to foster strategic partnerships with public and private institutions focusing on entrepreneurship, mentorship and coaching programmes for the development of villages, townships and small dorpias;
- (r) to provide for measures and systems aimed at promoting preferential procurement to promote local arts and culture in villages, townships and small dorpias;
- (s) to provide for measures and systems aimed at promoting preferential procurement to promote local tourism in villages, townships and small dorpias, and
- (t) to provide for measures and systems aimed at promoting preferential procurement to promote local agricultural development initiatives in villages in the Province.

These sentiments are echoed in the Preamble to the Bill.

## **2. CLAUSE BY CLAUSE EXPLANATION**

In summary, the Bill provides as follows –

### **CHAPTER 1 (DEFINITIONS)**

**Clause 1:**

Clause 1 contains the definitions which are largely self-explanatory.

**CHAPTER 2 (OBJECTS OF ACT)****Clause 2:**

Clause 2 contains the objects of the Bill which, in broad terms, are to establish the legal basis and the legal authority for good governance measures, programmes and structures in the Province.

**CHAPTER 3 (INTERGOVERNMENTAL RELATIONS)****Clause 3:**

Clause 3 reaffirms the principle of co-operative government in the Constitution pertaining to the Provincial Government of North West as part of the provincial sphere of government in South Africa.

**Clause 4:**

Clause 4 reaffirms the establishment of the Premier's intergovernmental forum in terms of the national Intergovernmental Relations Framework Act, 2005 (Act No. 13 of 2005).

**CHAPTER 4 (C-OPERATIVE GOVERNMENT AND INTERGOVERNMENTAL RELATIONS)****Clause 5:**

Clause 5 places a on all Members of the Executive Council, all departments, municipalities and public entities in the Province to put measures in place to achieve the object sets out in sections 2 and 8 of this Act. It further places a duty on all accounting officers and accounting authorities to ensure that the objects contemplated in sections 2 and 8 of this Act, find expression in the annual performance plans.

**Clause 6:**

Clause 6 provides for funding ensuring effective achievement of the objects contemplated in chapters 3 and 4 and allows the Premier to make such funds available for such purpose. It further affirms that such funds consist of –

- (a) money appropriated by the Provincial Legislature; and
- (b) income lawfully derived from any other source.

**Clause 7:**

Clause 7 reaffirms that the Premier is, in terms of the national Intergovernmental Relations Framework Act, 2005 (Act No. 13 of 2005), responsible for ensuring the coordination of intergovernmental relations within the Provincial Government.

**CHAPTER 5 (DIRECTIVE PRINCIPLES OF PROVINCIAL POLICY, PROVINCIAL GROWTH AND DEVELOPMENT STRATEGIES)****Clause 8:**

Clause 8 sets out certain directive principles of provincial policy.

**Clause 9:**

Clause 9 determines the status of the directive principles of provincial policy.

**Clause 10:**

Clause 10 provides the legal basis for the Provincial Development Strategies for villages, townships and small dorpiess.

**Clause 11:**

Clause 11 provides for the publication of the Provincial Development Strategy for information purposes.

**Clause 12:**

Clause 12 envisages that the Provincial Development Strategy must be given expression in departmental programmes, budgets and legislation and provides that the performance of the heads of department in the Provincial Government must be assessed in relation to the implementation of the Provincial Development Strategy.

**Clause 13:**

Clause 13 determines the status of the Provincial Development Strategy.

**CHAPTER 6 (CONSULTATIVE AND PARTICIPATORY GOVERNANCE)****Clause 14:**

Clause 14 sets out certain principles of consultative and participatory governance.

**CHAPTER 7 (ASSIGNMENT OF FUNCTIONS TO MUNICIPALITIES)****Clause 15:**

Clause 15 authorises the Premier, by proclamation in the *Gazette*, to assign or delegate powers, duties or functions of provincial departments to municipalities.

The Constitution recognises that government is constituted as national, provincial and local spheres of government which are distinctive, interdependent and interrelated. There are elected local government structures covering every part of the Province.

These elected local government structures (generically termed "municipalities" in the

Constitution) are, in terms of the Constitution and national legislation, authorised to perform certain powers, duties and functions. The delivery of municipal services to persons resident within their areas of jurisdiction is the prime duty and function of municipalities.

Due to historical circumstances, many functions currently delivered by the Provincial Government through Provincial Departments should ideally be delivered at district and local level making use of the existing capacity and infrastructure of the elected municipalities.

It would be illogical and unnecessarily wasteful for a Provincial Department to create parallel structures at district (regional) or local level to deliver functions at those levels on behalf of the Provincial Department. If each Provincial Department embarked on such a course, a proliferation of structures at district and local level would result in lack of co-ordination, confusion at grassroots level and failure to successfully and expeditiously implement service delivery. Perceptions by the community that delivery is not forthcoming and not knowing what structure at district or local level to approach for assistance and being referred back and forth could have serious consequences for government at all levels in subsequent elections.

All levels of government, including municipalities in the local sphere, must be empowered effectively. The motivation for devolving additional powers, duties and functions to elected municipalities must be interpreted as forming part of a major drive in the Province to decentralise service delivery and the municipalities must, in addition to their primary local government service delivery role, also be seen in a broader context as the service delivery arm of the Provincial Government. It is the duty of government at all levels (spheres) to deliver to the people in the most efficient, effective, responsive, equitable and cost-effective manner. The aim of government should be to converge delivery in relation to certain functional areas at the appropriate sphere, tier or level of government, which, in many cases will be the level closest to the people (local government level).

This is not only an ideal, but also a constitutional imperative. Section 156(4) of the Constitution expressly states that the national government and provincial governments must assign to a municipality the administration of matters relating to the functional areas of national and provincial competence which necessarily relates to local government if that matter would most effectively be administered locally and if the municipality has the capacity to administer it.

This goal may be achieved –

- (a) by agreement;
- (b) if laws administered by Departments in the Province expressly assign or delegate

certain of the functions such Departments are responsible for delivering at district (regional) and local level to the appropriate elected municipalities instead of creating new structures for this purpose; or

(c) if the Provincial Legislature passes legislation (as envisaged in this clause of the Bill) providing for the delegation or assignment of powers, duties or functions by the Provincial Government to municipalities.

It should be understood that any such assignment or delegation to any municipality must, as far as is practicable, be accompanied by –

(a) the transfer of assets, including funds; and

(b) the transfer or secondment of personnel, as the case may be,

relevant to the exercise of the power or the performance of the duty or function concerned.

Where capacity, in the form of resources (assets and funds) and personnel, accompany any proposed delegation or assignment the positive spin-off of such a delegation or assignment is that the capacity to exercise the power or to perform the duty or function delegated or assigned, is simultaneously provided for. Implicit in the transfer or secondment of personnel is that such personnel must, if necessary, undergo training relevant to the exercise of the power or the performance of the function or duty thus delegated or assigned.

It is important to note that the Constitution places an express obligation on the national government and the provincial governments to support and strengthen the capacity of municipalities to manage their own affairs, to exercise their powers (which would include powers delegated or assigned) and to perform their functions (section 154 of the Constitution). No abdication of responsibility by the national or a provincial government in this regard would be allowed.

It is also important to note that the local sphere of government is not only entitled to an equitable share of revenue raised nationally (section 214 of the Constitution) but is furthermore authorised to raise its own revenue within the parameters of section 229 of the Constitution.

It should also be emphasised that Provincial Departments will not, in the case of a delegation of their powers, lose control of their powers as it could be expressly provided that any delegation shall not prevent the exercise of the power concerned or the performance of the duty or function concerned by the Department or any duly authorised officer or employee of the Department.

A distinction must be drawn between the concepts "delegation" and "assignment". Where a power, duty or function is *assigned*, the responsibility and accountability for the power, duty or function accompanies the power, duty or function concerned. Where, on the other hand, a power, duty or function is *delegated*, responsibility and accountability does not pass and control, monitoring, supervision, intervention and even withdrawing or redefining any particular delegation is possible at any time.

It must be emphasised that the idea is not to usurp any powers, duties and functions of other Departments but to ensure that delivery is enhanced at district (regional) and local levels, in accordance with the dictates of the Constitution, by ensuring that the structure or agent responsible for delivery at that level is well-integrated and co-ordinated whilst at the same time improving the accessibility of these structures or agents responsible for delivery to the people. The community must be able to approach one visible and identifiable district or local structure in relation to addressing any need or problem they might encounter. The elected municipalities at district and local level largely possess the required legitimacy and infrastructure and are ideally suited to fulfil such an additional role afforded to them by the Constitution.

Such an approach would also give effect to the principle or concept of "*subsidiarity*". This concept, developed and applied in the European Union and now reflected in our Constitution, argues that powers, duties and functions should be devolved to the "lowest" competent sphere or tier of government. The concept can be used flexibly and continuously reappraised so that powers, duties and functions are as close to the people as possible satisfying the demand for local democracy and empowerment and promoting capacity building and administrative and economic efficiency at the third sphere of government.

This all serves to strengthen the concept of co-operative government as reflected in Chapter 3 of the Constitution where all spheres of government are seen as distinctive yet interdependent and interrelated with express obligations of assisting and supporting one another and co-ordinating their actions.

**Clause 16:**

Clause 16 reaffirms the constitutional provision that a Member of the Executive Council may assign any of his or her powers or functions to a municipal council. Such an assignment takes effect upon proclamation by the Premier in the *Gazette*.

**CHAPTER 8 (GOOD GOVERNANCE AND CO-OPERATIVE GOVERNMENT IN TRADITIONAL LEADERSHIP AND INSTITUTIONS)**

**Clause 17:**

Clause 17 reaffirms the recognition of traditional leadership and institutions and sets out matters which must be addressed in provincial legislation.

**CHAPTER 9 (ESTABLISHMENT OF LOCAL ECONOMIC FORUMS)****Clause 18:**

Clause 18 provides for the establishment of local economic forums and further provides for their purpose and functions.

**CHAPTER 10 (GENERAL PROVISIONS)****Clause 19:**

Clause 19 empowers the Premier to make regulations relating to matters which may be necessary or expedient for the effective carrying out or furtherance of the provisions and objects of the Bill or to remove administrative problems which may be experienced in the application of the Bill.

**Clause 20:**

Clause 20 provides for delegation of powers and duties by the Premier to the Director-General, except the power to publish notices, the power to make proclamations and the power to make regulations.

**Clause 21:**

Clause 21 provides for general offences pertaining to the Fund.

**Clause 22:**

Clause 22 provides for penalties for noncompliance with the Act.

**Clause 23:**

Clause 23 contains the short title of the Act.

**3. ORGANISATIONAL AND PERSONNEL IMPLICATIONS FOR PROVINCIAL GOVERNMENT**

Organisational and personnel implications in respect of the implementation of this Act may only be as far the reprioritising of human capital is concerned.

**4. FINANCIAL IMPLICATIONS FOR PROVINCIAL GOVERNMENT**

There are financial implications in respect of the reprioritising of resources and budget to favour developmental initiatives in villages, townships and small dorpias are concerned.

## 5. DEPARTMENTS/ BODIES/ PERSONS CONSULTED

All departments and municipalities to be consulted

## 6. QUESTIONS ABOUT LEGAL COMPETENCE OF PROVINCIAL LEGISLATURE TO REPEAT, RESTATE OR REFER TO PROVISIONS IN THE CONSTITUTION AND OTHER NATIONAL LEGISLATION IN PROVINCIAL LEGISLATION

This question is open for discussion.

In this respect, the following extracts from the *Certification of the Constitution of the Western Cape, 1997* (Case **CCT 6/97** - 1997 (4) SA 795 CC) may be useful –

“[21] The ANC objected to the repetition in the WCC [Western Cape Constitution] of provisions in the NC [National Constitution] which relate to matters falling outside the competence of the provincial legislature ... the question still arises whether the provincial legislature has the power even to repeat such provisions in its own constitution ...

[23] In the WCC all of the provisions of the NC that are repeated relate to matters which directly affect governance within the province, that is, the provincial legislature and the members of the provincial executive or legislature ... It would indeed have been difficult for the WCC to be coherent and comprehensible without the repetition of those NC provisions which form the matrix for the related provisions of the WCC. We can find no fault with such provisions.

[25] The challenged clause merely mirrors ... the source of the power ... It is not an attempt at usurpation of power.”.

It is suggested that the same principles enunciated by the Constitutional Court in respect of a provincial constitution (as provincial legislation) could be extended to the Bill at hand to ensure that North West, with the enactment of this Bill, has a complete compendium or codification of the relevant good governance provisions (also those found in the Constitution) pertaining to the Province in one legislative instrument or document.

The repetition and restatement, in the Bill, of some provisions found in the Constitution merely “mirrors the source of the power” in an attempt to compile one comprehensive and coherent document without intending to usurp national legislative competence.



**7. CONTACT PERSONS**

Name: Adv Tumi Tlhale  
Position: Principal State Law Advisor  
Tel: (018) 388-4003  
Fax: (018) 388-3058  
Cellular: 081-899-4349  
e-mail: [boitumelot@nwpg.gov.za](mailto:boitumelot@nwpg.gov.za)

**PROCLAMATION 36 OF 2017****VENTERSDORP/TLOKWE LOCAL MUNICIPALITY (NW 405)****TLOKWE AMENDMENT SCHEME 2237**

It is hereby notified in terms of the provisions of Section 125(1) of the Town Planning and Townships Ordinance, 1986, that the Ventersdorp/Tlokwe Local Municipality (NW 405) has approved an amendment scheme with regard to the land in the Township Baillie Park Extension 24 being an amendment of the Tlokwe Town Planning Scheme, 2015.

Map 3 and the scheme clauses of the amendment scheme are filed with the Municipal Manager, Dan Tloome Complex, corner of Sol Plaatjie Avenue and Wolmarans Streets, P O Box 113, Potchefstroom, and are open for inspection during normal office hours.

This amendment is known as Potchefstroom Amendment Scheme 2237.

**DR NE BLAAI-MOKGETHI**  
**MUNICIPAL MANAGER**

Notice 109/2017

**VENTERSDORP/TLOKWE LOCAL MUNICIPALITY (NW 405)****DECLARATION THAT THE TOWNSHIP OF BAILLIE PARK EXTENSION 24, HAS BEEN ESTABLISHED**

In terms of the provisions of Section 103(1) of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), the Ventersdorp/Tlokwe Local Municipality (NW 405) hereby declares that the Township of Baillie Park Extension 24, situated on Portion 199 of the farm Vyfhoek 428, registration division IQ, by Johannes Petrus van Aswegen, Identity number 550606 5010 00 2 has been established, subject to the conditions as set out in the Schedule hereto.

**1. SCHEDULE****1.1 Name**

The name of the township shall be Baillie Park Extension 24.

**1.2 Lay-out / Design**

The township shall consist of erven and streets as indicated on GENERAL PLAN NO S.G. 11438/2006

**1.3 Access**

Access to the township will be from Malva Street.

## **2. CONDITIONS TO BE COMPLIED WITH PRIOR TO THE REGISTRATION OF THE ERVEN IN THE TOWNSHIP**

### **2.1 Provision and installation of external and internal services**

- 2.1.1 The township establisher must make the necessary arrangements with the Tlokwe City Council LOCAL MUNICIPALITY in relation to the provision and installation of water, electricity and sanitation services as well as the building of streets and storm water drainage in the town.
- 2.1.2 The township establisher shall install and provide internal engineering services in the township, as provided for in the services agreement.
- 2.1.3 The Tlokwe City Council LOCAL MUNICIPALITY shall install and provide external engineering services to the township, as provided for in the services agreement.

### **2.2 Liability regarding services and guarantees**

The township establisher must within such time period as that the Tlokwe City Council LOCAL MUNICIPALITY may determine, fulfil his obligations with regard to the provision of water, electricity and sanitation services as well as the construction of roads and storm water and the installation of systems therefore, as beforehand agreed between the township establisher and the Tlokwe City Council LOCAL MUNICIPALITY. No erven may be alienated or transferred in the name of the buyer before the Tlokwe City Council LOCAL MUNICIPALITY confirmed that sufficient guarantees/cash contributions is delivered by the township establisher to the Tlokwe City Council LOCAL MUNICIPALITY for the provision of services.

### **2.3 Engineering Services**

#### **2.3.1 Storm water drainage and street construction**

- 2.3.1.1 On request of Tlokwe City Council LOCAL MUNICIPALITY the township establisher shall submit a detailed scheme, complete with plans, sections and specifications, compiled by a registered professional civil engineer approved by Tlokwe City Council LOCAL MUNICIPALITY, for the storage and drainage of storm water through the town by proper disposal works and for the installation, tarmacking, curbing and canalisation of streets therein, together with the provision of such retaining walls as the Tlokwe City Council LOCAL MUNICIPALITY may deem necessary, for approval.
- 2.3.1.2 When required by the Tlokwe City Council LOCAL MUNICIPALITY, the township establisher shall, for his own account, carry out the approved scheme to the satisfaction of the Tlokwe City Council LOCAL MUNICIPALITY under supervision of a registered professional civil engineer, approved by the Tlokwe City Council LOCAL MUNICIPALITY.
- 2.3.1.3 The township establisher is responsible for the maintenance of the streets in the town to the satisfaction of the Tlokwe City Council LOCAL MUNICIPALITY, until such streets have been taken over by Tlokwe City Council LOCAL MUNICIPALITY, according to the services agreement.
- 2.3.1.4 Designs and specifications shall be done in accordance with the conditions of the Tlokwe City Council LOCAL MUNICIPALITY with the consideration of:
  - 2.3.1.4.1 "Guidelines for the provision of engineering services and facilities in residential township development (National Housing Council revised May 1995)", as amended from time to time,
  - 2.3.1.4.2 SABS 1200, Standardised Specifications for Civil Engineering Construction,
  - 2.3.1.4.3 Ordinance on Town Planning and Townships, 1986 (Ordinance 15 of 1986),
  - 2.3.1.4.4 According to the SABS 0400-1990: Regulations R1(3)(a), KK 15.1 and KK 15.2(f), and

- 2.3.1.4.5 Clause 12(1)(b) of the Tlokwe Town Planning Scheme 1980 where the latter reads as follows:

“Where, in the opinion of the Tlokwe City Council LOCAL MUNICIPALITY it is impracticable for storm water to be drained from higher lying erven direct to a public street or stream the owner of the lower lying erf shall be obliged to accept and/or permit the passage over the erf of such storm water: provided that the owners of any higher lying erven, the storm water from which is discharged over any lower lying erf, shall negotiate point of discharge and shall be liable to pay a proportionate share of the cost of any pipeline or drain which the owner of such lower lying erf may find necessary to lay or construct for the purpose of conducting the water so discharged over the erf.”

- 2.3.1.4.6 The Tlokwe City Council LOCAL MUNICIPALITY is entitled to do the work at the expense of the township establisher, if the township establisher neglects to comply with the stipulations of the above paragraphs 4.3.1.1 to 4.3.1.4.5.

### 2.3.2 *Water and sewerage*

- 2.3.2.1 The township establisher, through an approved professional engineer, is responsible for the design and construction of the water provision and sewerage systems in accordance with the requirements and specifications of the Tlokwe City Council LOCAL MUNICIPALITY, with the consideration of:

- 2.3.2.1.1 The Ordinance on Town Planning and Townships, 1986 (Ordinance 15 of 1986),

- 2.3.2.1.2 “Guidelines for the provision of engineering services and facilities in residential township development (National Housing Board, revised May 1995)”, as amended from time to time, and

- 2.3.2.1.3 SABS 1200, Standardised Specifications for Civil Engineering Construction.

- 2.3.2.2 The township establisher is responsible for the maintenance of the water and sewerage services in the town to the satisfaction of the Tlokwe City Council LOCAL MUNICIPALITY, until such services have been taken over by the Tlokwe City Council LOCAL MUNICIPALITY, according to the services agreement.

- 2.3.2.3 The Tlokwe City Council LOCAL MUNICIPALITY is entitled to do the work at the expense of the township establisher if the township establisher neglects to comply with the stipulations of the above paragraphs 4.3.2.1 to 4.3.2.2.

### 2.3.3 *Electricity*

- 2.3.3.1 If a private contractor perform the installation of electricity of the township, the township establisher shall appoint a professional engineer that will be responsible for the design and construction of the electricity distribution network and where medium tension installation forms part of the reticulation system. The network installation shall be done in accordance with the following:

- 2.3.3.1.1 The Ordinance on Town Planning and Townships, 1986 (Ordinance 15 of 1986),

- 2.3.3.1.2 “Guidelines for the provision of engineering services and facilities in residential township development (National Housing Board, revised May 1995)”, as amended from time to time, and

- 2.3.3.1.3 SABS Code 0142, as amended from time to time.

- 2.3.3.2 The township establisher is responsible for the maintenance of the electricity services in the town to the satisfaction of the Tlokwe City Council LOCAL MUNICIPALITY, until such services have been taken over by the Tlokwe City Council LOCAL MUNICIPALITY, according to the services agreement.

- 2.3.3.3 The Tlokwe City Council LOCAL MUNICIPALITY is entitled to do the work at the expense of the township establisher if the township establisher neglects to comply with the stipulations of the above paragraphs 4.3.3.1 to 4.3.3.2.

**2.3.4 Refuse removal**

- 2.3.4.1 The township establisher is responsible for the maintenance of the refuse removal services in the town to the satisfaction of the Tlokwe City Council LOCAL MUNICIPALITY, until such services have been taken over by the Tlokwe City Council LOCAL MUNICIPALITY, according to the services agreement

- 2.3.4.2 The Tlokwe City Council LOCAL MUNICIPALITY is entitled to do the work at the expense of the township establisher if the township establisher neglects to comply with the stipulations of the above paragraph 4.3.4.1.

**2.4 Demolishing of buildings and structures**

The township establisher must, at his own expense, demolish all existing buildings and structures that are located within building line reserves, side spaces or over mutual boundaries of proposed erven to the satisfaction of the Tlokwe City Council LOCAL MUNICIPALITY, when required by the Tlokwe City Council LOCAL MUNICIPALITY.

**2.5 Conditions of the North West Province: Department of Transport and Roads**

- 2.5.1 The township establisher shall comply with all conditions as laid down by the Department of Transport and Roads.
- 2.5.2 Should the application for township development not be approved within ten years from 16 October 2003 or the township development has not yet taken place, the application shall be referred back to the department for reconsideration.

**2.6 Conditions of the Department of Agriculture, Conservation, Environment and Tourism**

- 2.6.1 The township establisher shall comply with all the conditions as laid down by the Department of Agriculture, Conservation, Environment and Tourism as stated in the Record of Decision (ROD) dated 16 January 2005.

**2.7 Department Water Affairs and Forestry**

- 2.7.1 The township establisher shall comply with all conditions as laid down by the Department of Water Affairs and Forestry.

**2.8 Disposal of existing conditions**

All erven shall be subject to existing conditions of title and servitudes, if any, including the reservation of rights to minerals (if applicable) in accordance with and as proven by a surveyor's certificate.

**3. CONDITIONS OF TITLE**

**3.1 Conditions imposed by the Tlokwe City Council LOCAL MUNICIPALITY in terms of the conditions of the Town Planning and Townships Ordinance (Ordinance 15 of 1986)**

**3.2.1 All erven**

All erven with the exemption of roads are subject to the following conditions:

- 3.1.1.1 The erf is subject to a servitude, 2 metres wide, in favour of the Tlokwe City Council LOCAL MUNICIPALITY, for sewerage and other municipal purposes, along any one of the boundaries other than a street boundary and in the case of a panhandle erf, an additional servitude of 2 metres wide across the access portion of the erf, if and when required by the Tlokwe City Council LOCAL MUNICIPALITY, provided that the Tlokwe City Council LOCAL MUNICIPALITY may relax or grant exemption from the required servitudes.

- 3.1.1.2 No building or other structure shall be erected within the aforesaid servitude area and no large rooted trees shall be planted within the area of such servitude or within 2 meters thereof.
- 3.1.1.3 The Tlokwe City Council LOCAL MUNICIPALITY shall be entitled to deposit temporarily on the land adjoining the aforesaid servitude such material as may be excavated by it during the course of the construction, maintenance or removal of such sewerage mains and other works as it, in its discretion, may deem necessary and shall further be entitled to reasonable access to the said land for the aforesaid purpose, subject to any damage done during the process of the construction, maintenance or removal of such sewerage mains and other works being made good by the Tlokwe City Council LOCAL MUNICIPALITY.
- 3.1.1.4 Proposals to overcome unfavourable soil conditions shall be incorporated into all building plans submitted for approval. All buildings shall be constructed in accordance with such preventative measures. The owner of the erf accepts all liability for any damage and indemnifies the Tlokwe City Council LOCAL MUNICIPALITY against any claims which may result from possible weak soil conditions on the erf, for it is the responsibility of the owner to satisfy him or herself that the foundation solution as proposed is sufficient.

**4. CONDITIONS THAT IN ADDITION TO THE EXISTING STIPULATIONS OF THE TOWN PLANNING SCHEME IN OPERATION, IN RESPECT OF ARTICLE 125 OF ORDINANCE 15 OF 1986, NEED TO BE INCLUDED IN THE TOWN PLANNING SCHEME**

**4.1 Zonings**

The following zonings must be awarded to erven:

**4.1.1 Erven 1137 to 1138**

The use zone of the erven is "Residential 3".

**4.2 Building lines**

The following street building lines shall be applicable to the erven in the township:

Street building line: 3 m

The building line shall be measured from the proposed road widening where applicable.

**4.3 Soil Conditions**

- 4.3.1 In order to overcome the proven detrimental soil conditions on the erf, the foundation and other structural aspects of the building shall be designed by a competent professional engineer and the details of such design shall be shown on the building plans submitted to the Tlokwe City Council LOCAL MUNICIPALITY for approval unless it is proved to the Tlokwe City Council LOCAL MUNICIPALITY that such measures are unnecessary or that the same purpose can be achieved by other more effective means.
- 4.3.2 The following wording must be included on all building plans submitted to the Tlokwe City Council LOCAL MUNICIPALITY for approval:
- "a. The approval of this building plan by Tlokwe City Council LOCAL MUNICIPALITY does not imply that the design and precautions to prevent, to control or to combat the possible consequences of possible unfavourable soil conditions are necessarily sufficient.
- b. It remains the exclusive responsibility of the owner to ensure that the design and precautions are sufficient.
- c. The Tlokwe City Council LOCAL MUNICIPALITY accepts no liability for any claims whatsoever which may result from the unfavourable soil condition of this property."

**DR NE BLAAI-MOKGETHI  
MUNICIPAL MANAGER**

Notice 108/2017

**PROCLAMATION 37 OF 2017****RUSTENBURG LAND USE MANAGEMENT SCHEME, 2005****AMENDMENT SCHEME 1713**

The Rustenburg Local Municipality hereby in terms of the provisions of section 125 of the Town-planning and Township Ordinance, 1986 (Ordinance No.15 of 1986), declares that it has approved an amendment scheme being an amendment of the Rustenburg Land Use Management Scheme 2005, comprising the same land as included in the Township of Waterkloof East Extension 43.

Map 3 and the scheme clauses of the amendment scheme are filed with the Municipal Manager of the Rustenburg Local Municipality and are open to inspection during normal office hours. This amendment scheme is known as the Rustenburg Amendment Scheme 1713 with Annexure 2053.

Municipal Manager

Missionary Mpheni House , cnr. Beyers Naude and Nelson Mandela Drive, P.O. Box 16, Rustenburg, 0300

**RUSTENBURG LOCAL MUNICIPALITY: DECLARATION AS APPROVED TOWNSHIP**

In terms of section 103 of the Town-Planning and Townships Ordinance, 1986 (Ordinance No. 15 of 1986), the Local Municipality of Rustenburg hereby declare Waterkloof East Extension 43 to be an approved township, subject to the conditions set out in the Schedule hereto.

**SCHEDULE:**

CONDITIONS UNDER WHICH THE APPLICATION FOR TOWNSHIP ESTABLISHMENT IN TERMS OF THE PROVISIONS OF CHAPTER III OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986) ON PORTION 363 (A PORTION OF PORTION 96) OF THE FARM WATERKLOOF 305-JQ, NORTH WEST PROVINCE BY NEW SPACE DEVELOPMENT CC REGISTRATION NUMBER 2001/073297/23 (HEREINAFTER REFERRED TO AS THE TOWNSHIP APPLICANT) AND BEING THE REGISTERED OWNER OF THE LAND, HAS BEEN APPROVED.

**1. CONDITIONS OF ESTABLISHMENT****1.1 NAME**

The name of the township shall be Waterkloof East Extension 43.

**1.2 LAYOUT / DESIGN**

The township shall consist of erven and streets as indicated on General Plan SG. No. 4086/2016.

**1.3 SUBDIVISION OF ERF 2110**

The township applicant shall at his own expense cause Erf 2110 to be subdivided so as to free the Remaining Extent of Erf 2110 from the Notice of Expropriation of the South African National Roads Agency as depicted in diagram DP/R24/349/284/1A, due to locality.



#### 1.4 DISPOSAL OF EXISTING CONDITIONS OF TITLE

1.4.1 The following condition only affects Erven 2110 and 2111 and the streets in the township:  
Expropriation Notice 15 of 2016 by the South African National Roads Agency as depicted on diagram DP/R24/349/284/1A.

1.4.2 The following servitude (about to be registered) only affects Erf 2112 in the township:  
Servitude in favour of the Olifantsnek Irrigation Board as indicated on Servitude Diagram SG No. 4085/2016.

1.4.3 The following entitlements are in favour of the property and will not be transferred to the erven:

*Die eienaar van die eiendom wat hiermee getranspoteer word is geregtig tot 'n servituut van Reg van Weg oor Gedeelte 246 ('n gedeelte van Gedeelte 16 van Gedeelte A van Gedeelte) van die plaas WATERKLOOF 305 voormeld, groot 2,9921 hektaar, getranspoteer kragtens Transportakte T.12254/1947, gedateer die 1ste Mei 1947 soos ten volle aangedui deur die figure a b h g f op kaart L.G nr A.6522/1946 geheg aan voormelde Transportakte T.12254/1947."*

1.4.4 The following conditions will be transferred to all erven in the township:

1.4.4.1 *Subject and entitled to the terms of an order of the Water Court dated 28<sup>th</sup> January, 1921 as will more fully appear from K254/73S.*

1.4.4.2 *A. "GEDEELTE 16 van Gedeelte van Lot A (die Resterende Gedeelte waarvan hiermee getranspoteer word) is onderhewig aan 'n servituut van waterleiding ten gunste van die OLIFANTSNEK BESPROEINGS RAAD, soos blyk uit Order van die Waterhof, geregistreer in die Registrasiekantoor, Pretoria, onder nr 28/1928-S op die 24ste Januarie 1928 synde gemelde servituut van waterleiding vergroot van 7,87 meter to 11,65 meter soos meer volle sal blyk uit Notariële Akte nr 596/1937-S, geregistreer op die 17de Julie 1937."*

## 2 CONDITIONS TO BE COMPLIED WITH BEFORE THE ERVEN IN THE TOWNSHIP BECOME REGISTRABLE

### INSTALLATION AND PROVISION OF SERVICES

- a) The township applicant shall install and provide internal engineering services in the township, as provided for in the services agreement.
- b) The local authority shall install and provide external engineering services for the township, as provided for in the services agreement.

## 3 CONDITIONS OF TITLE

### 3.4 CONDITIONS IMPOSED IN TERMS OF THE PROVISIONS OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986)

a) ALL ERVEN

- i. The erf is subject to a servitude, 2 meters wide along any two boundaries in favour of the local authority for sewerage and other municipal purposes and, in the case of a



panhandle erf, and additional servitude for municipal purposes 2 meters wide across the access portion of the erf, if and when required by the local authority: Provided that the local authority may relax or grant exemption from the required servitudes.

- ii. No building or other structure shall be erected within the aforesaid servitude area and no large-rooted trees shall be planted within the area of such servitude or within 2 meters thereof.
- iii. The local authority shall be entitled to deposit temporarily on the land adjoining the aforesaid servitude such material as may be excavated by it during the course of the construction, maintenance or removal of such sewerage mains and other works as it, in its discretion, may deem necessary and shall further be entitled to reasonable access to the said land for the aforesaid purpose, subject to any damage done during the process of the construction, maintenance or removal of such sewerage mains and other works being made good by the local authority.

**PROKLAMASIE 37 VAN 2017****RUSTENBURG GRONDGEBRUIK BESTUURSSKEMA, 2005****WYSIGINGSKEMA 1713**

Die Rustenburg Plaaslike Munisipaliteit verklaar hierby ingevolge die bepalings van artikel 125 van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie No. 15 van 1986), dat dit 'n wysigingskema synde 'n wysiging van die Rustenburg Grondgebruikbestuursskema, 2005, wat uit dieselfde grond as die dorp Waterkloof East Uitbreiding 43 bestaan, aanvaar het.

Kaart 3 en die skemaklousules van die wysigingskema is beskikbaar op alle redelike tye by die kantore van die Munisipale Bestuurder van Rustenburg Plaaslike Munisipaliteit.

Hierdie wysiging staan bekend as Rustenburg Wysigingskema 1713 met Bylae 2053.

Munisipale Bestuurder

Missionary Mpheni House h/v Beyers Naude en Nelson Mandela Rylane, Posbus 16, Rustenburg, 0300.

---

**RUSTENBURG PLAASLIKE MUNISIPALITEIT****VERKLARING TOT GOEDGEKEURDE DORP**

Ingevolge artikel 103 van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie No. 15 van 1986), verklaar die Plaaslike Munisipaliteit van Rustenburg hierby die dorp Waterkloof East Uitbreiding 43 tot 'n goedgekeurde dorp, onderworpe aan die voorwaardes in die bygaande Bylae.

**BYLAE:**

VOORWAARDES WAARONDER DIE AANSOEK OM DORPSTIGTING INGEVOLGE DIE BEPALINGS VAN HOOFSTUK III VAN DIE DORPSBEPLANNING EN DORPE ORDONNANSIE, 1986 (ORDONNANSIE 15 VAN 1986) OP GEDEELTE 363 ('N GEDEELTE VAN GEDEELTE 96) VAN DIE PLAAS WATERKLOOF 305- J.Q, NOORDWES PROVINSIE DEUR NEW SPACE DEVELOPMENT BK, REGISTRASIE NO. 2001/073297/23 (HIERNA GENOEM DIE APPLIKANT) EN SYNDE DIE GEREgistreERDE EIENAAR VAN DIE GROND, GOEDGEKEUR IS.

**1. STINGTINGSVOORWAARDES****1.1 NAAM**

Die naam van die dorp sal wees Waterkloof East Uitbreiding 43

**1.2 ONTWERP**

Die dorp bestaan uit erwe en strate soos aangedui op Algemene Plan SG. No. 4086/2016

**1.3 ONDERVERDELING VAN ERF 2110**

Die dorps eienaar/applikant moet op eie onkoste Erf 2110 onderverdeel sodat die Resterende Gedeelte van Erf 2110 van die Kennisgewing van Onteining van die Suid-Afrikaanse Nasionale Padagentskap vrygestel word, soos aangedui op Diagram DP/R24/349/284/1A weens ligging.

#### 1.4 BESIKKING OOR BESTAANDE TITELVOORWAARDES

- 1.4.1 Die volgende voorwaardes affekteer slegs Erwe 2110 en 2111 asook die straat in die dorp:  
Onteieningskennisgewing 15 van 2016 van die Suid-Afrikaanse Nasionale Padagentskap soos aangedui op diagram DP/R24/349/284/1A
- 1.4.2 Die volgende serwituut (in die proses om gerigistreer te word) affekteer slegs Erf 2112 in die dorp:  
Serwituut ten gunste van die Olifantsnek Besproeiings Raad soos aangedui op die Serwituut Diagram SG. No. 4085/2016
- 1.4.3 Die volgende regte is ten gunste van die eiendom en sal nie oorgedra word na die erwe in die dorp:  
*Die eienaar van die eiendom wat hiermee getranspoteer word is geregtig tot 'n serwituut van Reg van Weg oor Gedeelte 246 ('n gedeelte van Gedeelte 16 van Gedeelte A van Gedeelte) van die plaas WATERKLOOF 305 voormeld, groot 2,9921 hektaar, getranspoteer kragtens Transportakte T.12254/1947, gedateer die 1ste Mei 1947 soos ten volle aangedui deur die figure a b h g f op kaart L.G nr A.6522/1946 geheg aan voormelde Transportakte T.12254/1947."*
- 1.4.4 Die volgende voorwaardes sal oorgedra word na al die erwe in die dorp:
- 1.4.4.1 *Onderwerp en geregtig op die bepalings van 'n bevel van die Waterhof gedateer 28<sup>ste</sup> Januarie, 1921 soos wat meer volledig sal verskyn op K254/73S*
- 1.4.4.2 *A. "GEDEELTE 16 van Gedeelte van Lot A(die Resterende Gedeelte waarvan hiermee getranspoteer word) is onderhewig aan 'n serwituut can waterleiding ten gunste van die OLIFANTSNEK BESPROEIINGS RAAD, soos blyk uit Order can die Waterhof, gerigistreer in die Registrasiekantoor, Pretoria, onder nr 28/1928-S op die 24ste Januarie 1928 synde gemelde serwituut van waterleiding vergroot van 7,87 meter to 11,65 meter soos meer volle sal blyk uit Notrariële Akte nr 596/1937-S. gerigistreer op die 17de Julie 1937."*

### 3. VOORWAAARDES WAARAAN VOLDOEN MOET WORD ALVORENS DIE ERWE IN DIE DORP REGISTEERBAAR WORD

#### INSTALLASIE EN VOORSIENING VAN DIENSTE

- a) Die dorpsapplikant moet alle interne ingenieursdienste in die dorp installer en voorsien ooreenkomstig die diensteoorekoms.
- b) Die plaaslike owerheid moet alle eksterne ingenieursdienste in die dorp installeer en voorsien ooreenkomstig die diensteoorekoms.

**4. TITELVOORWAARDES****4.1 DIE VOLGENDE ERWE SAL ONDERWORPE WEES AAN DIE VOORWAARDES SOOS AANGEDUI INGEVOLGE DIE BEPALINGS VAN DIE DORPSBEPLANNING EN DORPE ORDONNASIE, 1986 (ORDONNANSIE 15 VAN 1986).****a) ALLE ERWE:**

- i. Die erf is onderworpe aan 'n serwituut, 2 meter wyd langs engie twee grense ten gunste van die Plaaslike Owerheid vir riool- en ander munisipale doeleindes en, in die geval van 'n pypsteelerf, 'n addisionele serwituut van 2 meter wyd oor die toegangsdeel van die erf, indien en wanneer deur die plaaslike owerheid benodig: Met dien verstande dat die plaaslike owerheid hierdie vereiste serwituut mag verslap of vrystelling daarvan verleen
- ii. Geen gebou of ander struktuur mag opgerig word binne die bogenoemde serwituutgebied nie en geen grootwortelbome mag in die gebied van die sodanige serwituut of binne 2 meter daarvan geplant word nie.
- iii. Die plaaslike owerheid is daarop geregtig om tydelik op die grond aangrensend aan die voorgenoemde serwituutgebied, sodanige materiaal te stort as wat uitgegrawe mag word in die loop van die konstruksie, onderhoud of verwydering van sodanige hoof-rioolleidings of ander werk as wat hy na sy oordeel nodig as en is voort geregtig op redelike toegang tot genoemde grond vir bogenoemde doel, onderworpe daaraan dat hy engie skade aangerig tydens die proses van konstruksie, instandhouding of verwydering van sodanige hoof-rioolleidings en ander werk, goed te maak deur die plaaslike owerheid.

**PROCLAMATION 38 OF 2017**

CONDITIONS UNDER WHICH THE APPLICATION FOR TOWNSHIP ESTABLISHMENT IN TERMS OF THE PROVISIONS OF CHAPTER III (PART C) OF THE TOWN PLANNING AND TOWNSHIP ORDINANCE, 1986 (ORDINANCE 15 OF 1986) ON PORTION 22 OF THE FARM NOOITGEDACHT 429 I.P. NORTH WEST PROVINCE BY THE CITY COUNCIL OF MATLOSANA (HEREINAFTER REFERRED TO AS THE TOWNSHIP APPLICANT) AND BEING THE REGISTERED OWNER OF THE LAND, HAS BEEN APPROVED

**1. CONDITIONS TO BE COMPLIED WITH PRIOR TO THE TOWNSHIP BEING DECLARED AN APPROVED TOWNSHIP****1.1. INSTALLATION AND PROVISION OF SERVICES**

The township applicant shall enter into an agreement with the Local Authority regarding the provision and installation of essential services in or for the township area.

**1.2. REGISTRATION OF SERVITUDES**

The township applicant shall at its own expense registered any servitude across the township in favour of the Local Authority

**1.3 GENERAL**

1.3.1 The concerned Amendment Scheme must be published consecutively with the declaration of the township as an approved township.

1.3.2 The township applicant shall make the necessary arrangements to ensure that the consent has been obtained of the mineral rights holder/ -lease.

1.3.3 The township applicant shall comply with the provisions of sections 72 , 75 and 101 of the Town Planning and Townships Ordinance , 1986(Ordinance 15 of 1986)

**2. CONDITIONS OF ESTABLISHMENT:****2.1 NAME**

The name of the township shall be JOUBERTON EXTENSION 24 .

**2.2 LAYOUT / DESIGN**

The township shall consist of erven and streets as indicated on General Plan No 29/2006





2.3 ~~REMOVAL , REPOSITIONING , MODIFICATION OR REPLACEMENT OF EXISTING POST OFFICE -/ TELKOM PLANT.~~

If , by reason of the establishment of the township , it should become necessary to remove , reposition , modify or replace any existing Post Office -/ Telkom plant , the cost thereof shall be borne by the township applicant.

2.4 ENVIRONMENTAL MANAGEMENT

The township applicant must ensure that all conditions imposed by the Department of Agriculture , Conservation and Environment in terms of the Record of Decision (ROD) issued by the said Department are adhered to.

2.5 ACCESS

Ingress and egress will not be allowed to the Provincial Road P192-1 to the township

2.6 RECEIVING AND DISPOSAL OF STORM WATER DRAINAGE .

The Township applicant / local authority must direct the storm water drainage of the township so that it fit in with the Provincial Road P192-1 drainage and water received from the road must be accepted and disposed thereof.

**3. CONDITIONS TO BE COMPLIED WITH BEFORE THE ERVEN IN THE TOWNSHIP BECOME REGISTRABLE.**

**INSTALLATION AND PROVISION OF SERVICES**

The township applicant shall install and provide all internal and external engineering services in or for the township , as provided for in the services agreement.



A handwritten signature in black ink, appearing to be "Lm".



#### 4. CONDITIONS OF TITLE

##### 4.1 DISPOSAL OF EXISTING CONDITIONS OF TITLE.

All erven shall be made subject to existing conditions and servitudes , if any , including the reservation of rights to minerals and real rights , but excluding –

- " 4. Subject to the following conditions imposed by the City Council of Klerksdorp consenting to the subdivision of the hereinmentioned property and enforceable by Nooitgedacht Investments CC.:
- i) The purchaser will be prohibited from using the property for residential purposes for a period of five (5) years from date of registration of the property into the name of the purchaser .
  - ii) After the (5) years period a 30 meter buffer zone will apply running parallel to the southern and western boundaries , where the fence is about to be erected , adjoining the remainders of Portions 5 and 6 of the seller's property where no development will take place .
  - iii) The restriction paragraphs (i) and (ii) above applies only to residential development .All other forms of development will be permissible . After the expiry of a period of ten (10) years from date of registration of the property , all restrictions pertaining to the alienation of the property will cease.

##### 4.2 CONDITIONS IMPOSED IN TERMS OF THE PROVISION OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE ,1986 ( ORDINANCE 15 OF 1986 )

###### 4.2.1 ALL ERVEN

All erven in the township shall be subject to the following conditions:

- 4.2.1.1 Building plans and specifications of building materials of all buildings and all alterations or additions thereto , shall be submitted to the local authority whose approval , in writing , shall be obtained prior to the commencement of building operations.
- 4.2.1.2 No person shall have the right , save and except to prepare the erf for building purposes , to excavate there from any material or sink boreholes or wells on the erf without the written consent of the local authority.



A handwritten signature in black ink, appearing to be "L. van der Merwe".

4.2.1.3 Where in the opinion of the local authority , it is impractical for stormwater to be drained from higher-lying erven direct to a public street , the owners of the lower-lying erven shall be obliged to accept and / or permit the passage over the erf of such stormwater ;provided that the owner of any higher – lying erf , the stormwater from which is discharged over any lower – lying erf , shall be liable to pay a proportionate share of the cost of any pipeline or drain which the owner of such lower-lying erf may find necessary to lay or construct for the purpose of conducting the water so discharged over the erf.

4.2.1.4 (a) The erf is subject to :

- (i) a servitude 2 meter wide, in favour of the local authority , along the back boundary , if and when required by the local authority ; provided that the local authority may dispense with any such servitude.
  - (ii) A servitude 3 meter wide along the street boundary
  - (iii) Servitudes along the side boundary with a combined width of 3 meters with a minimum width of 1 meter .
- (b) No building or other structure shall be erected within the aforesaid servitude area and no large rooted trees shall be planted within the area of such servitude or within 2 m therefrom.
- (c) The local authority shall be entitled to deposit temporarily on the land adjoining the aforesaid servitude such material as may be excavated by it during the course of construction , maintenance or removal of such sewerage mains and other works as it , in its discretion , may deem necessary and shall further be entitled to reasonable access to the erf for the aforesaid purpose subject thereto that any damage done during the process of the construction , maintenance or removal of such sewerage mains and other works being made good by the local authority.



*Sm*



4.2.1.3 Where in the opinion of the local authority, it is impractical for stormwater to be drained from higher-lying erven direct to a public street, the owners of the lower-lying erven shall be obliged to accept and / or permit the passage over the erf of such stormwater; provided that the owner of any higher-lying erf, the stormwater from which is discharged over any lower-lying erf, shall be liable to pay a proportionate share of the cost of any pipeline or drain which the owner of such lower-lying erf may find necessary to lay or construct for the purpose of conducting the water so discharged over the erf.

4.2.1.4 (a) The erf is subject to :

- (i) a servitude 2 meter wide, in favour of the local authority, along the back boundary, if and when required by the local authority; provided that the local authority may dispense with any such servitude.
  - (ii) A servitude 3 meter wide along the street boundary
  - (iii) Servitudes along the side boundary with a combined width of 3 meters with a minimum width of 1 meter.
- (b) No building or other structure shall be erected within the aforesaid servitude area and no large rooted trees shall be planted within the area of such servitude or within 2 m therefrom.
- (c) The local authority shall be entitled to deposit temporarily on the land adjoining the aforesaid servitude such material as may be excavated by it during the course of construction, maintenance or removal of such sewerage mains and other works as it, in its discretion, may deem necessary and shall further be entitled to reasonable access to the erf for the aforesaid purpose subject thereto that any damage done during the process of the construction, maintenance or removal of such sewerage mains and other works being made good by the local authority.



*Sm*

**5. CONDITIONS TO BE INCORPORATED WITHIN THE EXISTING TOWN PLANNING SCHEME, IN TERMS OF SECTION 125 OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986) IN ADDITION TO THE EXISTING PROVISIONS OF THE TOWN PLANNING SCHEME**

**5.1 RESIDENTIAL 1**

Erven 26407 to 26457, 26459 to 26473, 26475 to 26612, 26614 to 26759, 26661 to 26767, 26769 to 26917, 26919 to 27005, 27008 to 27129, 27131 to 27274, 27277 to 27396; 27398 to 27638; 27640 to 27764; 27766 to 27991; 27993 to 28412; 28414 to 28483; 28485 to 28506

The use zone of the erven shall be "Residential1"

**5.2 INSTITUTIONAL**

Erven 26613; 26474; 26660; 27006; 27130; 27275; 27397; 27765; 28275; 28484;

The use zone of the erven shall be "Institutional".

**5.3 BUSINESS**

Erven 26918; 26768; 27639; 28413

The use zone of the erven shall be "business 2"

**5.4 MUNICIPAL**

Erf 26458

The use of the erf shall be "municipal"

**5.5 PUBLIC OPEN SPACE**

Erven 28507 to 28510

The use of the erven shall be "public open space"

**5.6 BUILDING LINES.**

The following building lines will be applicable in the township:

Street building line : 3 metres.



A handwritten signature in black ink, appearing to be "Sm".

## PROVINCIAL NOTICES • PROVINSIALE KENNISGEWINGS

### PROVINCIAL NOTICE 172 OF 2017

**NOTICE OF APPLICATION FOR AMENDMENT OF ZEERUST TOWN PLANNING SCHEME, 1980, IN TERMS OF ARTICLE 66 OF THE RAMOTHSERE MOILA SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2017 READ WITH THE ACT ON SPATIAL PLANNING AND LAND USE MANAGEMENT, 2013 (ACT 16 OF 2013): REMAINING PORTION OF ERF 845, ZEERUST TOWNSHIP, REGISTRATION DIVISION J.P., NORTH WEST PROVINCE**

#### ZEERUST AMENDMENT SCHEME

Notice is hereby given in terms of Article 98 of the Ramotshere Moila Spatial Planning and Land Use Management By-law, 2017 that the under-mentioned application has been received by the Ramotshere Moila Local Municipality and is open for inspection during normal office hours at the Office of the Department Municipal Manager, c/o President Street and Coetzee Street, Zeerust. 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 92, Zeerust, 2865 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.

**PUBLICATIONS: 29 AUGUST 2017 & 5 SEPTEMBER 2017**

**CLOSING DATE FOR SUBMISSION OF OBJECTIONS/REPRESENTATIONS: 28 SEPTEMBER 2017**

#### NATURE OF APPLICATION:

I, N.J. Bignaut (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 66 of the Ramotshere Moila Spatial Planning and Land Use Management By-law, 2017, to amend the town planning scheme known as Zeerust Town Planning Scheme, 1980, by the rezoning of Remaining Extent of Erf 845, Zeerust Township, Registration Division J.P., North West Province situated at 1 Ferguson Street, Zeerust, from "Residential 1" to "Institutional"

**OWNER** : Evangelical Bible Church SIM of SA, (Registration Number NRIC/20120704/894/12)  
**APPLICANT** : N.J. Bignaut (I.D. 681211 5030 08 4) of Welwyn Town and Regional Planners (Reg Nr. 1998/005829/23)  
**ADDRESS** : Wilge Park Office Park, Corner of Govan Mbeki- and Piet Uys Street, Potchefstroom, 2531 and/or P.O. Box 20508, Noordbrug, 2522  
**TEL. NO.:** 082 562 5590  
**ACTING MUNICIPAL MANAGER: MR. O. MONCHUSI**

29-5

### PROVINSIALE KENNISGEWING 172 VAN 2017

**AANSOEK OM WYSIGING VAN ZEERUST DORPSBEPLANNINGSKEMA, 1980, IN TERME VAN ARTIKEL 66 VAN DIE RAMOTHSERE MOILA RUIMTELIKE BEPLANNING EN GRONDGEBRUIKSBESTUUR VERORDENING, 2017 SAAMGELEES MET DIE WET OP RUIMTELIKE BEPLANNING EN GRONDGEBRUIKSBESTUUR, 2013 (WET 16 VAN 2013): RESTERENDE GEDEELTE VAN ERF 845, ZEERUST DORPSGEBIED, REGISTRASIE AFDELING J.P., NOORD WES PROVINSIE**

#### ZEERUST WYSIGINGSKEMA

Kennis geskied hiermee in terme van Artikel 98 van die Ramotshere Moila Ruimtelike Beplanning en Grondgebruiksbestuur Verordening, 2017 dat ondergemelde aansoek deur die Ramotshere Moila Plaaslike Munisipaliteit ontvang is en ter insae beskikbaar is gedurende gewone kantoorure te die kantoor van die Munisipale Bestuurder, h/v Presidentstraat en Coetzeestraat, Zeerust. 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 92, Zeerust, 2865 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.

**PUBLIKASIES: 29 AUGUSTUS 2017 & 5 SEPTEMBER 2017**

**SLUITINGSdatum VIR DIE INDIENING VAN BESWARE/VERTOË: 28 SEPTEMBER 2017**

#### AARD VAN AANSOEK:

Ek, N.J. Bignaut (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 Ramotshere Moila Plaaslike Munisipaliteit in terme van Artikel 66 van die Ramotshere Moila Ruimtelike Beplanning en Grondgebruiksbestuur Verordening, 2017, om die dorpsbeplanningskema wat bekend staan as die Zeerust Dorpsbeplanningskema, 1980, te wysig, deur die hersonering van Resterende Gedeelte van Erf 845, Zeerust Dorpsgebied, Registrasie Afdeling J.P. Noord Wes Provinsie geleë te Fergusonstraat 1, Zeerust, vanaf "Residensieel 1" na "Institusioneel"

**EIENAAR** : Evangelical Bible Church SIM of SA, (Registrasie Nommer NRIC/20120704/894/12)  
**APPLIKANT** : N.J. Bignaut (I.D. 681211 5030 08 4) van Welwyn Stads- en Streekbeplanning BK (Reg. No 1998/005829/23)  
**ADRES** : Wilge Park Kantoorpark, Hoek van Govan Mbeki- en Piet Uysstraat, Potchefstroom, 2531 en/of Posbus 20508, Noordbrug, 2522  
**TEL. NO.** : 082 562 5590  
**WAARNEMENDE MUNISIPALE BESTUURDER : MNR. O. MONCHUSI**

29-5



## PROVINCIAL NOTICE 176 OF 2017

**NOTICE TO ADJACENT OWNERS AND AFFECTED PARTIES, RELATING TO A LAND DEVELOPMENT APPLICATION IN TERMS OF SECTIONS 62(1), 63(2), 94(1)(a), 95(1) AND 96 OF THE CITY OF MATLOSANA SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2016 FOR A SIMULTANEOUS APPLICATION FOR THE CHANGE OF LAND USE RIGHTS (KNOWN AS A REZONING) AND FOR THE REMOVAL, AMENDMENT OR SUSPENSION OF CERTAIN TITLE CONDITIONS IN THE TITLE DEED, WHICH ARE RESTRICTIVE READ TOGETHER WITH SECTIONS 41(2)(d) AND (e) OF SPLUMA, 2013 (ACT 16 OF 2013) AND SECTION 56(1)(b)(i) OF THE TOWN PLANNING AND TOWNSHIP ORDINANCE, 1986 (ORDINANCE 15 OF 1986), IN RESPECT OF ERF 406, WILKOPPIES EXTENSION 4, TOWNSHIP REGISTRATION DIVISION IP, NORTH WEST PROVINCE SITUATED AT 17 KNOWLES STREET (AMENDMENT SCHEME 1052 AND ANNEXURE 1104).**

I, Alexander Edward van Breda, ID 620501 5073 08 2, being the authorized agent of the owner of Erf 406, Wilkoppies Extension 4, Township Registration Division IP, North West Province, (the Property) hereby give notice in terms of Sections 62(1), 63(2), 94(1)(a), 95(1) and 96 of the City of Matlosana Spatial Planning and Land Use Management By-law, 2016 read together with sections 41(2)(d), and (e) of SPLUMA, 2013 (Act 16 of 2013) and Section 56(1)(b)(i) of the Town Planning and Township Ordinance, 1986 (Ordinance 15 of 1986), that I have applied to the City of Matlosana Local Municipality for the amendment of the Klerksdorp Land Use Management Scheme, 2005 for a change of land use rights (also known as rezoning) of the Property as well as for the removal, amendment or suspension of certain title conditions as contained in the title deed pertaining to the Property, which are restrictive. The intention is to rezone the property from "Residential 1" to "Special" for the purposes of a dwelling house, professional offices, medical consulting rooms, dwelling units and related purposes with the consent of the Local Authority as defined in Annexure 1104 to the Scheme. Any objection or comments including the grounds pertaining thereto and contact detail, shall be lodged within a period of 30 days from the date of first publication of the notice in the Provincial Gazette, Beeld and Citizen Newspaper in writing during normal office hours to the City of Matlosana local Municipality: office of the Municipal Manager, Records, Basement, Municipal Building, Bram Fischer Street, Klerksdorp or to PO Box 99, Klerksdorp, 2570. Any person who cannot write may during office hours attend at the address mentioned above where the officials of the town planning section will assist that person to transcribe that person's objections or comments. Full particulars of the Application and plans (if any) may be inspected and viewed during normal office hours at the above-mentioned offices, for a period of 30 days from the date of first publication of the notice in the Provincial Gazette, Beeld and Citizen Newspaper. Closing date for any objections: 02 October 2017. **Address of the applicant:** Mr. A.E. van Breda, P.O. Box 3183, Freemanville, Klerksdorp, 2573, Telephone number: 072 249 5400, vanbreda@lantic.net. Dates on which notice will be published: 29 August and 05 September 2017.

29-5

## PROVINSIALE KENNISGEWING 176 VAN 2017

**KENNISGEWING AAN AANLIGGENDE EIENAARS EN GEAFFEKTEERDE PARTYE, RAKENDE 'N GRONDONTWILLELINGSAAANSOEK INGEVOLGE ARTIKELS 62(1), 63(2), 94(1)(a), 95(1) EN 96 VAN DIE STAD VAN MATLOSANA PLAASLIKE MUNISIPALITEIT SE RUIMTELIKE BEPLANNING EN GRONDGEBRUIKBESTUURS VERORDENING, 2016 VIR DIE GELYKTYDIGE VERANDERING VAN DIE GRONDGEBRUIKSREGTE (OOK BEKEND AS 'N HERSONERING) EN OPHEFFING, WYSIGING OF OPSKORTING VAN SEKERE TITELVOORWAARDES IN DIE TITEL AKTE WAT BEPERKENDE IS, SAAMGELEES MET ARTIKEL 41(2)(d) EN (e) VAN SPLUMA, 2013 (WET 16 VAN 2013) EN ARTIKEL 56(1)(b)(i) VAN DIE ORDONANSIE OP DORPSBEPLANNING EN DORPE, 1986 (ORDONANSIE 15 VAN 1986), TEN OPSIGTE VAN ERF 406, WILKOPPIES UITBREIDING 4, DORPSGEBIED REGISTRASIE AFDELING I.P. PROVINSIE NOORD-WES GELEE TE KNOWLESSTRAAT 17 (WYSIGINGSKEMA 1052 EN BYLAAG 1104).**

Ek Alexander Edward van Breda, ID 620501 5073 08 2, synde die gemagtigde agent van die eienaar van Erf 406, Wilkoppies Uitbreiding 4, Registrasie afdeling I.P. Noord-Wes Provinsie, (die Eiendom) gee hiermee ingevolge Artikels 62(1), 63(2), 94, 95 en 96 van die Stad van Matlosana Plaaslike Munisipaliteit se Ruimtelike Beplannings en Grondgebruikbestuur Verordening, 2016, saamgelees met artikels 41(2)(d) en (e) van SPLUMA, 2013 (Wet 16 van 2013) asook Artikel 56 (1)(b)(i) van die Ordonansie op Dorpsbeplanning en Dorpe, 1986 (Ordonansie 15 van 1986), kennis dat ek by die Matlosana Plaaslike Munisipaliteit aansoek gedoen het vir die verandering van die grondgebruiksregte, (ook bekend as die hersonering) van die Eiendom asook vir die opheffing, wysiging of opskorting van sekere titelvoorwaardes soos vervat in die titelakte van die Eiendom wat beperkend is. Die voorneme is om die Eiendom te hersoneer vanaf "Residensieel 1" na "Spesiaal" vir die doeleindes van 'n woonhuis, professionele kantore, mediese spreekkamers, wooneenhede en verwante gebruike met die toestemming van die Plaaslike Bestuur soos omskryf in Bylaag 1104 tot die Skema. Enige besware of kommentaar, met gronde daarvoor asook kontakbesonderhede, moet skriftelik ingedien word binne n tydperk van 30 dae vanaf die datum van eerste publikasie van die kennisgewing in die Provinsiale Gazette, Beeld en Citizen Nuisblad na die Stad van Matlosana Plaaslike Munisipaliteit: Kantoor van die Munisipale Bestuurder, Bram Fischerstraat, Burgersentrum, Rekords afdeling, Keldervloer, Klerksdorp, 2570 of Posbus 99, Klerksdorp, 2570. Enige persoon wat nie kan skryf nie, kan tydens kantoorure bogenoemde adres besoek waartydens die beamptes van die stadsbeplanningsafdeling daardie persoon behulpsaam sal wees ten einde hul besware of kommentare te transkribeer. Besonderhede van die Aansoek en planne (indien enige) is beskikbaar vir inspeksie en insae 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 Nuisblad. Sluitingsdatum vir enige besware: 02 Oktober 2017. Adres van die applikant: Mnr. A.E. van Breda, Posbus 3183, Freemanville, Klerksdorp, 2573, Telefoon nommer: 072 249 5400, vanbreda@lantic.net. Datums waarop kennisgewings gepubliseer sal word: 29 Augustus en 05 September 2017.

29-5

**PROVINCIAL NOTICE 178 OF 2017****NOTICE OF APPLICATION FOR AMENDMENT OF TLOKWE TOWN PLANNING SCHEME, 2015, IN TERMS OF ARTICLE 62 OF CHAPTER 5 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): REMAINING EXTENT OF ERF 374, SITUATED IN THE TOWN POTCHEFSTROOM, REGISTRATION DIVISION I.Q., TRANSVAAL  
TLOKWE AMENDMENT SCHEME 2233**

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 Plaatjie 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 19384, 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.

**PUBLICATIONS: 29 August 2017 & 5 September 2017**

**CLOSING DATE FOR SUBMISSION OF OBJECTIONS/REPRESENTATIONS: 27 September 2017**

**NATURE OF APPLICATION:**

I, P.du Plessis (I.D. 8008075208087) of Slow Sunday Town & Regional Planners CC, 2010/168929/23, being the authorised agent of the owner, hereby apply to Tlokwe City Council in terms of Article 62 of the Tlokwe Spatial Planning and Land Use Management By-law, 2015, to amend the town planning scheme known as Tlokwe Town Planning Scheme, 2015, by the rezoning of the remaining extent of erf 374, Registration Division I.Q., Transvaal, situated at 20 Spruit Street, Potchefstroom, from "Residential 1" to "Office".

**OWNER: M.M. VIVIERS – ID NUMBER 6306060065088**

**APPLICANT: P.DU PLESSIS (I.D. 8008075208087) of Slow Sunday Town & Regional Planners (Reg Nr. 2010/168929/23)**

**ADDRESS: 166 Sol Plaatjie Avenue, Potchefstroom 2520 and/or PO Box 19384, Noordbrug 2522**

**TEL. NO.: 082 347 5983**

**MUNICIPAL MANAGER: DR. N.E. BLAAI-MOKGETHI**

**PROVINSIALE KENNISGEWING 178 VAN 2017****AANSOEK OM WYSIGING VAN TLOKWE DORPSBEPLANNINGSKEMA, 2015, IN TERME VAN ARTIKEL 62 VAN HOOFSTUK 5 VAN DIE TLOKWE STADSRAAD RUIMTELIKE BEPLANNING EN GRONDGEBRUIKSBESTUUR VERORDENING, 2015 SAAMGELEES MET DIE WET OP RUIMTELIKE BEPLANNING EN GRONDGEBRUIKSBESTUUR, 2013 (WET 16 VAN 2013): RESTERENDE GEDEELTE VAN ERF 374, GELEE IN DIE DORP POTCHEFSTROOM, REGISTRASIE AFDELING I.Q., TRANSVAAL  
TLOKWE WYSINGINGSKEMA 2233**

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 vandie Departement MenslikeNedersettings en Beplanning, Tlokwe Stadsraad, Kantoor 210, Tweede Vloer, Dan Tloome Kompleks, op die hoek van Wolmarans en Sol Plaatjielaan, 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 19384, Potchefstroom, 2520 ingedien of gerig word, met vermelding van bogenoemde opskrif, die beswaarmaker se belang in die saak, die gronde van die beswaar/vertoë, die beswaarmaker se erf en telefoonnommers en adres.

**PUBLIKASIES: 29 Augustus 2017 & 5 September 2017**

**SLUITINGSDATUM VIR DIE INDIENING VAN BESWARE/VERTOë: 27 September 2017**

**AARD VAN DIE AANSOEK:**

Ek, P. du Plessis (I.D.8008075208087) van Slow Sunday Town & Regional Planners BK, 2010/168929/23, synde die gemagtigde agent van die eienaar, doen aansoek by die Tlokwe Stadsraad in terme van Artikel 62 van die Tlokwe Ruimtelike Beplanning en Grondgebruiksbestuur Verordening, 2015, om die dorpsbeplanningskema wat bekend staan as die Tlokwe Dorpsbeplanningskema, 2015, te wysig, deur die hersonering van die Resterende Gedeelte van Erf 374, gelee in die dorp Potchefstroom, Registrasie Afdeling I.Q., Transvaal te Spruitstraat 20, Potchefstroom, vanaf “Residensieel 1” na “Kantoor”

**EIENAAR:** M.M. VIVIERS – ID NOMMER 6306060065088

**APPLIKANT:** P.du Plessis (I.D. 8008075208087) van Slow Sunday Town & Regional Planners BK (Reg. No. 2010/168929/23)

**ADRES:** Sol Plaatjielaan 166, Potchefstroom 2520 en/of Posbus 19384 Noordbrug, 2522

**TEL. NO.:** 082 347 5983

**MUNISIPALE BESTUURDER: DR. N.E. BLAAL-MOKGETHI**

**PROVINCIAL NOTICE 179 OF 2017****CLAUSE 56 OF THE MADIBENG LAND USE MANAGEMENT BY-LAW, 2016  
FOR A CHANGE OF LAND USE RIGHTS****AMENDMENT SCHEME 498 TO THE HARTBEESPOORT TOWN PLANNING SCHEME OF 1993**

I, Sonja Meissner-Roloff of the firm Plandev Town and Regional Planners, being the Applicant of Portions 44, 94 and 95 of Erf 337, Xanadu Extension 3, hereby give notice in terms of Clause 56 of the Madibeng Land Use Management By-law, 2016 that I have applied to the Local Municipality of Madibeng for a change of land use rights also known as the rezoning of the properties described above, situated at the Xanadu Lifestyle Village (retirement village) from "Residential 2" at a density of "30 units per hectare" to "Special for a "Social Hall" (Erf 94/337) and "Special" for parking (Erven 44/337 and 95/337).

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 the Municipality at the Department of Town Planning, Madibeng Local Municipality, Fourth floor, Municipal Offices, Van Velden Street, Brits or PO Box 106, Brits 0250

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 / Die Beeld and The Citizen newspapers: 29 August 2017

Closing date for any objections: 28 September 2017

Address of \*owner/ applicant: Plandev, PO Box 7710, Centurion, 0046, Plandev House, Charles de Gaulle Crescent, Highveld Office Park, Highveld, Centurion Telephone number: (012) 665-2330

Dates on which notice will be published: 29 August 2017 and 5 September 2017

29-5

**PROVINSIALE KENNISGEWING 179 VAN 2017****KLOUSULE 56 VAN DIE MADIBENG LAND USE MANAGEMENT BY-LAW,  
2016 VIR 'N WYSIGING VAN GRONDGEBRUIKSREGTE****WYSIGINGSKEMA 498 VAN DIE HARTBEESPOORT DORPSBEPLANNING VAN 1993**

Ek, Sonja Meissner-Roloff van die firma Plandev Town and Regional Planners, synde die gemagtigde agent van die eienaar van Gedeeltes 44, 94 en 95 van Erf 337, Xanadu Uitbreiding 3, gee hiermee ingevolge Klousule 56 van die Madibeng Land Use Management By-law, 2016 dat ek aansoek gedoen het by Madibeng Plaaslike Munisipaliteit vir 'n wysiging van Grondgebruiksregte en ook bekend as hersonering van die eiendomme beskryf hierbo, geleë in die Xanadu Lifestyle Village (aftreeoord) van "Residensieël 2" met 'n digtheid van "30 eenhede per hektaar" na "Spesiaal vir 'n "Geselligheidsaal" (Erf 94/337) en "Spesiaal" vir parkering (Erwe 44/337 en 95/337).

Enige beswaar/besware en/of kommentaar/kommentare, insluitende die gronde vir sulke beswaar/besware en kommentaar/kommentare moet binne periode van 30 dae saam met volledige kontakbesonderhede, waarsonder die Munisipaliteit nie kan korrespondeer met die persoon of liggaam wie die beswaar/besware of kommentaar/kommentare ingedien het nie moet skriftelik gerig word aan: Stadsbeplanning en Ontwikkeling, Madibeng Plaaslike Munisipaliteit, Vierde Vloer, Munisipale kantore, Van Velden Straat, Brits of Posbus 106, Brits 0250

Besonderhede van die aansoek en planne (indien enige) lê ter insae gedurende gewone kantoorure by die bogenoemde kantore, vir 'n tydperk van 30 dae van die datum van die eerste verskyning van die kennisgewing in die Provinsiale Gazette / Die Beeld en The Citizen koerante: 29 Augustus 2017

Sluitingsdatum vir enige besware: 28 September 2017

Adres van \*eienaar / applikant : Plandev, Posbus 7710, Centurion, 0046, Plandev House, Charles de Gaulle Singel, Highveld Office Park, Highveld, Centurion Telefoonnommer (012) 665-22330

Datums waarop die kennisgewing gepubliseer word: 29 Augustus 2017 en 5 September 2017

29-5

**PROVINCIAL NOTICE 180 OF 2017****MADIBENG LOCAL MUNICIPALITY****PERI-URBAN AMENDMENT SCHEME 2176**

Notice is hereby given in terms of the provisions of Section 57(1) (a) of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986) that the Madibeng Local Municipality has approved the Amendment of the Peri-Urban Town Planning Scheme 1975, by the rezoning of Erf 1731 (R2083) KLIPGAT-A from "Residential" to "SPECIAL" FOR WAREHOUSE & STORAGE, subject to certain conditions:

The Map 3—documents and the scheme Clauses of the Amendment Scheme is filed at the offices of the Madibeng Local Municipality and is open for inspection at normal office hours. This Amendment Scheme is known as Peri-Urban Amendment Scheme 2176 and shall come in operation on the date of publication of this notice.

**ME Manaka, Acting Municipal Manager**

Municipal Offices, 53 Van Velden Street Brits. P O Box 106, Brits 0250. Ref: (13/1/5/2/1/4/34).

Notice No 42/2015



## PROVINCIAL NOTICE 181 OF 2017

NORTH WEST DEPARTMENT OF RURAL, ENVIRONMENT AND AGRICULTURAL  
DEVELOPMENTPUBLICATION OF THE DRAFT NORTH WEST BIODIVERSITY MANAGEMENT  
REGULATIONS, 2017

I, Manketsi Tlhape, in my capacity as the Member of the Executive Council for the Department of Rural, Environment and Agricultural Development HEREBY PUBLISH in terms of Section 64 of the North West Biodiversity Management Act, 2016 (Act No. 4 of 2016), the draft North West Biodiversity Management Regulations, 2017 for comments.

All interested parties are therefore invited to submit written comments and representations on the proposed Regulations by no later than 30 days after the publication hereof, by –

- (a) post to the Director- Biodiversity Management, Private Bag X2039, Mmabatho, 2735;
- (b) hand to AgriCentre Building, Attention: Mr. M.J. Denga, Cnr. Dr. James Moroka and Stadium Rd, Mmabatho, 2735;
- (c) e-mail to: [JDenga@nwpg.gov.za](mailto:JDenga@nwpg.gov.za)



MANKETSI TLHAPE

MEC FOR RURAL, ENVIRONMENT AND AGRICULTURAL DEVELOPMENT

DATE: 04/08/17

## SCHEDULE

### TABLE OF CONTENT

#### CHAPTER 1 INTERPRETATION AND PURPOSE OF REGULATIONS

1. Definitions
2. *Purpose of regulations*

#### CHAPTER 2 REGISTRATION CERTIFICATES, PERMITS AND LICENSES

*Part 1:*  
*Applications for registration certificates and permits*

3. Application procedure

*Part 2:*  
*Consideration of and decision on applications by the Issuing Authority*

4. Consideration of applications
5. Risk assessment
6. General requirements for environmental assessment practitioner
7. Content of permits and Provincial Registration Certificates
8. Consideration of and decision on renewal applications
9. Applications by holder for amendment of permits and provincial registration certificates
10. Consideration of and decision on applications for amendment by the applicant
11. Amendment on initiative of Issuing Authority
12. Consideration of amendment by the Issuing Authority
13. Decision to amend by the Issuing Authority
14. Cancellation of permits and Provincial Registration Certificates
15. Cancelled original Permits and Provincial Registration Certificates to be returned to the Issuing Authority
16. Permits or Provincial Registration Certificates may not be transferred
17. Lost or stolen Permits and Provincial Registration Certificate

*Part 3:**Factors to be considered, conditions and essential requirements of permits and registration certificates*

18. Factors to be taken into account by Issuing Authority when considering permit and registration certificates applications

19. Additional requirements for applications involving wild populations of listed species

20. Additional factors to be taken into account by Issuing Authority when considering applications for hunting

21. Compulsory conditions subject to which permits to hunt must be issued

*Part 4:**Permits and permit conditions*

22. Contents of permits

23. Validity of permits

24. Provincial open season hunting permits of listed game during open season

*Part: 5**Provincial Standing Permits*

25. Provincial Standing Permits with Exemption

26. Provincial Standing Permits without Exemption

27. Applications for Provincial Standing Permits

*Part: 6**Exemptions*

28. Exemptions in respect of the species listed in the provincial standing permits with exemption.

29. Exemptions in respect of the species listed in the provincial standing permits without exemption.

30. *Additional exemptions not already included.*

*Part: 7**Licenses*

31. Licenses for hunting birds

32. Licenses for Angling

## CHAPTER 3

REGISTRATION OF CAPTIVE BREEDING OPERATIONS, COMMERCIAL EXHIBITION FACILITIES, GAME FARMS, NURSERIES, SCIENTIFIC INSTITUTIONS, SANCTUARIES, REHABILITATION FACILITIES, WILDLIFE TRADERS, WILDLIFE TRANSLOCATORS, WILDLIFE PRODUCT TRADERS, TEMPORARY HOLDING FACILITIES, FREIGHT AGENTS, FALCONERS, TAXIMDERIMSTS, PROFESSIONAL HUNTERS, HUNTING OUTFITTERS AND PROFESSIONAL HUNTING SCHOOLS

- 33. Application for Compulsory Registration
- 34. Consideration of and decision on application for Compulsory Registration
- 35. Issuing of Compulsory Registration Certificates
- 36. Contents of registration certificates

## CHAPTER 4

## REGULATIONS RELATING TO KEEPING OF SPECIES

*Part: 1**Keeping of I listed Species*

- 37. Requirements for keeping of species
- 38. General requirements for keeping of dangerous game species

*Part: 2**Keeping of Alien and Extra-limital species*

- 39. Requirements for keeping Alien and Extra-limital species

*Part 3:**Keeping of species in a captive environment*

- 40. Requirements for keeping of animals in captivity
- 41. Additional requirements for keeping of species in rehabilitation facilities
- 42. Additional requirements for sanctuary

*Part 4:**Minimum specifications for keeping of species*

- 43. Fence Types
- 44. Special notice regarding fencing
- 45. Species that do not qualify for provincial standing permit with exemption
- 46. Material Specification
- 47. Minimum fencing specification for holding lion (*P. leo*) and tiger (*P. tigris*) in captivity
- 48. Fence requirements for holding lion (*P. leo*) and tiger (*P. tigris*) in captivity
- 49. Fence electrification requirements for holding lion (*P. leo*) and tiger (*P. tigris*) in captivity

50. Requirements for the foundation of fences for holding lion (*P. leo*) and tiger (*P. tigris*) in captivity
51. Requirements for fencing poles for holding lion (*P. leo*) and tiger (*P. tigris*) in captivity
52. Requirements for camp gates for holding lion (*P. leo*) and tiger (*P. tigris*) in captivity
53. Adequate shelter for holding lion (*P. leo*) and tiger (*P. tigris*) in captivity
54. Requirements for feeding and cleaning compartments for holding lion (*P. leo*) and tiger (*P. tigris*)
55. Water point requirements for holding lion (*P. leo*) and tiger (*P. tigris*)
56. Prohibition against the use of expanded metal
57. Minimum fencing specification for holding leopard (*Pantherapardus*), jaguar(*P. onca*) puma (*P.concolor*), (*P.yagouaroundi*), and (*P.pardoides*) in captivity
58. Fence requirements for holding leopard (*Pantherapardus*), jaguar(*P. onca*), puma (*P.concolor*), (*P.yagouaroundi*), and (*P.pardoides*) in captivity
59. Fence electrification requirements for holding leopard (*Pantherapardus*), jaguar(*P. onca*), puma (*P.concolor*), (*P.yagouaroundi*), and (*P.pardoides*) in captivity
60. Requirements for the foundation of fences containing leopard (*Pantherapardus*), jaguar(*P. onca*), puma (*P.concolor*), (*P.yagouaroundi*), and (*P.pardoides*)
61. Requirements for fencing poles for holding leopard (*Pantherapardus*), jaguar(*P. onca*), puma (*P.concolor*), (*P.yagouaroundi*), and (*P.pardoides*) in captivity
62. Requirements for camp gates in respect of holding leopard (*Pantherapardus*), jaguar(*P. onca*), puma (*P.concolor*), (*P.yagouaroundi*), and (*P.pardoides*) in captivity
63. Requirement for adequate shelter or cover for holding leopard (*Pantherapardus*), jaguar(*P. onca*), puma (*P.concolor*), (*P.yagouaroundi*), and (*P.pardoides*) in captivity
64. Feeding or cleaning compartments, water system for holding leopard (*Pantherapardus*), jaguar(*P. onca*), puma (*P.concolor*), (*P.yagouaroundi*), and (*P.pardoides*) in captivity
65. Prohibition against the use of expanded metal
66. Minimum fencing specification for holding wild dog (*Lycaonpictus*), cheetah (*Acinonyxjubatus*) and wolf (*Canisspp*) in captivity
67. Fence requirements for holding wild dog (*Lycaonpictus*), cheetah (*Acinonyxjubatus*) and wolf (*Canisspp*) in captivity
68. Requirements for the foundation of fences holding wild dog (*Lycaonpictus*), cheetah (*Acinonyxjubatus*) and wolf (*Canisspp*) in captivity
69. Requirements for fencing poles for camps holding wild dog (*Lycaonpictus*), cheetah (*Acinonyxjubatus*) and wolf (*Canisspp*) in captivity
70. Requirements for camp gates for camps containing wild dog (*Lycaonpictus*), cheetah (*Acinonyxjubatus*) and wolf (*Canisspp*) held in captivity

71. Shelter or cover against weather patterns for camps containing wild dog (*Lycaonpictus*), cheetah (*Acinonyxjubatus*) and wolf (*Canisspp*) held in captivity
72. Feeding or cleaning compartments and water system for camps containing wild dog (*Lycaonpictus*), cheetah (*Acinonyxjubatus*) and wolf (*Canisspp*) held in captivity
73. Prohibition against the use of expanded metal
74. Minimum fencing specification for holding brown hyena (*Hyaenabrunnea*) and spotted hyena (*Crocutacrocuta*), in captivity
75. Fence requirements for holding brown hyena (*Hyaenabrunnea*) and spotted hyena (*Crocutacrocuta*), in captivity
76. Fence electrification requirements for holding brown hyena (*Hyaenabrunnea*) and spotted hyena (*Crocutacrocuta*), in captivity
77. Requirements for foundation of fences holding brown hyena (*Hyaenabrunnea*) and spotted hyena (*Crocutacrocuta*), in captivity
78. Requirements for fencing poles for fences holding brown hyena (*Hyaenabrunnea*) and spotted hyena (*Crocutacrocuta*), in captivity
79. Requirements for camp gates of camps for holding brown hyena (*Hyaenabrunnea*) and spotted hyena (*Crocutacrocuta*), in captivity
80. Shelter or cover against weather patterns of camps for holding brown hyena (*Hyaenabrunnea*) and spotted hyena (*Crocutacrocuta*), in captivity
81. Feeding or cleaning compartments and water system of camps for holding brown hyena (*Hyaenabrunnea*) and spotted hyena (*Crocutacrocuta*), in captivity
82. Prohibition against the use of expanded metal
83. Minimum fencing specification for holding caracal (*Felis caracal*), jackal (*Canis spp*), fox – including (*Otocyon spp*) and (*Vulpes spp*), and other smaller cat species in captivity
84. Fence requirements for holding caracal (*Felis caracal*), jackal (*Canis spp*), fox – including (*Otocyon spp*) and (*Vulpes spp*), and other smaller cat species in captivity
85. Fence electrification requirements for holding caracal (*Felis caracal*), jackal (*Canis spp*), fox – including (*Otocyon spp*) and (*Vulpes spp*), and other smaller cat species in captivity
86. Requirements for the foundation of fences for holding caracal (*Felis caracal*), jackal (*Canis spp*), fox – including (*Otocyon spp*) and (*Vulpesspp*), and other smaller cat species in captivity
87. Requirements for fencing poles for holding caracal (*Felis caracal*), jackal (*Canis spp*), fox – including (*Otocyon spp*) and (*Vulpes spp*), and other smaller cat species in captivity
88. Requirements for camp gate for holding caracal (*Felis caracal*), jackal (*Canis spp*), fox – including (*Otocyon spp*) and (*Vulpes spp*), and other smaller cat species in captivity

89. Shelter or cover against weather patterns for holding caracal (*Felis caracal*), jackal (*Canis spp*), fox – including (*Otocyon spp*) and (*Vulpes spp*), and other smaller cat species in captivity
90. Feeding or cleaning compartments and water system for holding caracal (*Felis caracal*), jackal (*Canis spp*), fox – including (*Otocyon spp*) and (*Vulpes spp*), and other smaller cat species in captivity
91. Prohibition against the use of expanded metal
92. Minimum quarantine facilities specifications for predators
93. Minimum fencing specifications for lion (*P. leo*), cheetah (*A. jubatus*), wild dog (*L. pictus*), brown hyena (*H. brunnea*) & spotted hyena (*C. crocuta*), crocodiles (*Crocodylus nilotica*) released in camps larger than 10 ha.
94. Compulsory Warning Sign specifications for predator camps without Tourism Approval
95. Compulsory Warning Sign specifications for predator camps with Tourism Approval
96. General keeping facilities for indigenous birds
97. Minimum specifications for keeping facilities for indigenous birds
98. Minimum specifications for keeping facilities for reptiles
99. Minimum keeping and quarantine specifications for crocodile (*C. niloticus*)

## CHAPTER 5 REGULATIONS RELATING TO CAPTURE AND TRANSLOCATION OF ANIMAL SPECIES

100. Movement of animal species
101. Movement of identified game species between registered game farms with Provincial Standing Permits with Exemptions
102. Game movement register
103. Game capture season
104. Game Auctions
105. Game capture, game auction, transport equipment and facilities

## CHAPTER 6 REGULATIONS FOR HUNTING IN THE PROVINCE,

### *Part: 1 Hunting*

106. Hunting of listed species
107. Hunting with certain weapons
108. Minimum requirements for hunting with bow and arrow

- 109. Hunting of captive bred animals
- 110. Prohibited hunting methods for listed species

*Part 2:  
Falconry*

- 111. Practicing falconry
- 112. Possession and keeping of a falconry raptor

*Part 3  
Professional Hunting*

- 113. Registration certificate to act as school director, hunting outfitter and professional hunter
- 114. Issuing of registration certificate to school directors
- 115. Criteria for the evaluation of applicants for directors of professional hunting schools.
- 116. Criteria for renewal of registration certificate for director of professional hunting school
- 117. Issuing of registration certificates to hunting outfitters
- 118. Criteria for renewal of registration certificate for hunting outfitters
- 119. Issuing of registration certificate to professional hunters for plains game
- 120. Issuing of registration certificate for professional hunters for dangerous game
- 121. Criteria for renewal of registration certificate for hunters
- 122. Keeping of register by Professional Hunter
- 123. Agreement between hunting outfitter and client
- 124. Prohibition of certain advertisements
- 125. Supervision of hunting client
- 126. Services and Conveniences
- 127. Obtaining of licences, permits, documents and permissions for client and dispatching of trophies

## CHAPTER 7

### MANAGEMENT OF DAMAGE CAUSING ANIMALS

- 128. Identification of damage causing animals
- 129. Criteria for identifying damage causing animals
- 130. Control of damage causing animals originating from Protected Area
- 131. Damage causing animals originating from private ownership
- 132. *Res nullius* damage causing animals
- 133. Hunting of damage causing animals by a client



## CHAPTER 8 REGULATIONS RELATING AQUATIC SYSTEMS AND BIOTA

- 134. Aquatic systems
- 135. Protection of aquatic systems
- 136. Catching of fish
- 137. Angling for listed fish species
- 138. Fishing with apparatus

## CHAPTER 9 ACCREDITED ORGANIZATIONS

- 139. Recognition and Appointment of accredited organizations
- 140. Codes of ethical conduct and good practice
- 141. Withdrawal of recognition of organisations

## CHAPTER 10 BIODIVERSITY ADVISORY BODIES

- 142. Period of Office, Qualifications and Disqualifications of Members of Advisory Bodies.
- 143. Secretary of the Body
- 144. Powers and Functions of the Body
- 145. Management Committee of Body

## CHAPTER 11 MISCELLANEOUS

- 146. Caves or cave-formations.
- 147. Prohibited activities relating to caves and cave-formations
- 148. Short title and commencement

## CHAPTER 1 INTERPRETATION AND PURPOSE OF REGULATIONS

### **Definitions**

1.(1) In these Regulations, unless the context indicates otherwise, a word or expression to which a meaning has been assigned in the North West Biodiversity Act, 2016 (Act No. 4 of 2016, has the same meaning.

(2) In these regulations, a word or expression which is a derivative or other grammatical form of a word or expression defined in the North West Biodiversity Act, 2016 (Act No. 4 of 2016), has a corresponding meaning, unless the context indicates that another meaning is intended.

**“alien and invasive species regulations or “AIS”** means the National Environment: Biodiversity Act (10/2004): Alien and Invasive Species Regulations, 2014;

**“angling”** means the catching of specimen of fish species in an aquatic system by means of line and hook, whether or not any rod, bait or lure is used, or by means of a set line, and includes any such attempt or assistance;

**“bag limit”** means a permissible number of mammals, birds, fish and plant material that can be harvested by an individual person per species or per bag per day;

**“bow”** means bow as defined in TOPS Regulations;

**“catch or capture”** means to employ any means, method or device to gain control over, or to secure possession of a specimen irrespective of whether such control or possession is intended to be temporary or permanent, and irrespective of whether such control or possession is with the intent to kill such specimen or not, but excludes angling;

**“catalogue game auction”** means game auction where species are absent, but depicted in a booklet or electronic format for sale;

**“convey”** means to transport dead or live specimen in any manner;

**“dangerous game”** means the following species—

- (a) elephant,
- (b) black rhinoceros,
- (c) white rhinoceros,
- (d) buffalo,
- (e) lion,
- (i) leopard, and
- (j) hippopotamus, but excludes any other species;

**“falconry”** means the activity of hunting by means of a trained falcon or other birds of prey;

**“falconry raptor”** means a raptor used in the sport of falconry;

**“issuing authority”** in relation to permits regulating the matters mentioned in chapter 8 of the Act, means –

- (a) the Responsible Member; or
- (b) member of the Executive Council responsible for the Provincial Department implementing the Act;
- (c) any person delegated in terms of Section 59(1) of the Act.

**“live game auctions”**, means an auction where live species are kept in display in a temporary holding facilities for the purposes of sale;

**“mass game capture”** means non-selective method of catching species in a capture funnel or nets by chasing them with a vehicle or airborne methods;

**“open farm”**, means a farm that is not registered as a game farm;

**“open season”**, means a period declared an open season in terms of the Act;

**“person”**, means a natural or juristic person;

**“plains game”** means any specimen that is not classified as dangerous game;

**“professional hunter of dangerous game”** means the holder of a permit thereof to escort or accompany a hunting client in order to enable such hunting client to hunt a specimen inclusive of dangerous game;

**“professional hunter of plains game”** means the holder of a permit thereof to escort or accompany a hunting client in order to enable such hunting client to hunt a specimen excluding dangerous game;

**“provincial standing permit with exemption”**, means a game farm permit authorizing the continuous carrying out of any restricted activity or a combination of restricted activities listed on such permit, in relation to either one or more live or

dead specimen listed on such permit, and that is valid for a longer specified period than an ordinary permit, which exempt qualifying permit holder from identified specific activities;

**“provincial standing permit without exemption”**, means a game farm permit authorizing the continuous carrying out of any restricted activity or a combination of restricted activities listed on such permit, in relation to either one or more live or dead specimen listed on such permit, and that is valid for a longer specified period than an ordinary permit;

**“provincial open season hunting permit”** means an ordinary permit issued by the issuing authority to the landowner of a registered game farm, tribal authority or communal property association, authorising a person authorised by the landowner, tribal authority or communal property association to carry out a specific restricted activity, namely the hunting of a listed game species on that landowner’s registered farm, tribal authority or communal property association property and the transport and possession of the dead specimen of a listed game species subsequent to the hunt;

**“SANS”**, means the South African National Standards with its necessary changes;

**“species list”**, means a list as published in the schedule or by notice in a gazette in terms of the Act;

**“stud book”** means a record of captive bred animals in a specific facility indicating the parentage and birth numbers;

**“temporary holding facility”**, means a facility for the temporary keeping of live specimens for –

- (a) rehabilitation purposes relating to the treatment and recovery of sick or injured specimens;
  - (b) rearing purposes, in the case of young orphaned specimens;
  - (c) quarantine purposes; or
  - (d) translocation purposes,
- with the overall intent to remove them from such facility;

**“transit”** means transit as defined in CITES Regulations published under the Biodiversity Act; and

## **Purpose of regulations**

### **2. The purpose of these Regulations is –**

- (a) to regulate the permit, license and registration system set-out in Chapter 8 of the Act insofar as it applies to restricted activities involving specimens of listed species, and matters relating to biodiversity conservation;
- (b) to provide for the determination of licence and permit fees;
- (c) to regulate the keeping, movement and hunting of listed species;
- (d) to prescribe the requirements for hunting outfitters, professional hunters and hunting schools;
- (e) to prescribe minimum specifications and standards for Biodiversity Management in the North West Province; and
- (f) to provide for the regulation of the advisory bodies.

## **CHAPTER 2 PERMITS, PROVINCIAL REGISTRATION CERTIFICATES AND LICENSES**

### *Part 1:*

#### *Applications for permits or provincial registration certificates*

### **Application procedure**

**3. (1)** A person may apply for a permit or provincial registration certificate in terms of section 53 of the Act by submitting an application on a prescribed form or electronically to the Issuing Authority.

(2) A person may apply for the renewal or amendment of a permit or provincial registration certificate in terms of section 54 of the Act by submitting an application on a prescribed form or electronically to the Issuing Authority.

(3) An application referred to in subregulation (1) and (2) must be accompanied by –

- (a) the application form attached in Annexure 1 to these Regulations;
- (b) proof of notification of the application to interested and affected parties, where applicable; and
- (c) proof of applicable processing fee payment as set out in Annexure 2 to these Regulations;
- (d) proof of payment of species fees for hunting as published annually by notice in the government gazette where applicable;
- (e) any other information including management plans and risk assessments as contemplated in section 53(2) of the Act, where applicable;

- (f) where the applicant is not in direct employment of the land owner, or person in lawful ownership or possession, proof of a written mandate for such application or landowner's permission is required;
- (g) in the case of hunting on land owned by a person other than the applicant, proof of transfer of hunting rights must accompany the application, and any other additional information as requested by the Issuing Authority.

(4) Notwithstanding the provisions of subregulation (3)(c), -

- (a) applicable processing fee paid in terms of the TOPS Regulations shall be deemed to have been paid in terms of the provisions of the Act;
- (b) applicable processing fee paid in terms of CITES shall be deemed to have been paid in terms of the provisions of the Act
- (c) applicable processing fees do not apply to a management authority or section 21 companies of a Protected Area or the scientific institutions and other organs of state.

*Part 2:*

*Consideration of and decision on applications by the Issuing Authority*

**Consideration of applications**

**4.(1)** Upon receiving an application in terms of sections 53 and 54 of the Act, the Issuing Authority must –

- (a) screen the application form and ensure that all documentation is submitted as required in terms of the Regulation 3;
- (b) acknowledge receipt of the application, in writing, within five working days; and
- (c) where necessary, request within fourteen (14) working days –
  - (i) the applicant to furnish any additional information before he or she considers the application, including information on interested and affected parties, risk assessments and expert evidence;
  - (ii) that the applicant complies with any other reasonable conditions as it may impose, before it grants the application;
- (d) upon receipt of additional information the processing period is reset
- (e) The Issuing Authority must consider and decide on the application within twenty one (21) working days from the date of receipt of such additional information.
- (f) thereafter if the decision is made within twenty one (21) working days, issue a permit or provincial registration certificate unconditionally or issue it subject to conditions within five (5) working days after the decision is made; or
- (g) refuse a permit or provincial registration certificate.

(2) When the Issuing Authority decides upon an application, the decision must be consistent with all applicable legal requirements.

(3) An Environmental Management Officer in the department must, where applicable inspect the premises in respect of which the application has been lodged, and submit the inspection report with recommendations whether the permit or provincial registration certificate must be granted or refused.

(4) Where the applicant has failed to comply with the provisions of subregulation (1)(a), the receiving office must, in writing, notify the applicant of such non-compliance.

(5) After having reached a decision on an application, the Issuing Authority must within five working days, in writing –

- (a) the applicant of the decision;
- (b) any person who lodged an objection against the application; and
- (c) if the decision is to refuse the application or to grant the application on conditions

–

- (i) give reasons for the decision to the applicant if so requested by the applicant; and
- (ii) draw the applicant's attention to the fact that an appeal may be lodged against the decision in terms of Chapter 8 of the Act;

(d) if the decision is to defer the application –

- (i) give reasons for the decision to the applicant if so requested by the applicant; and
- (ii) draw the applicant's attention to the fact that an appeal may be lodged against the decision in terms of Chapter 8 of the Act.

(6) No permit may be issued with retrospective effect

### **Risk assessment**

5.(1) If the Issuing Authority requests that a risk assessment contemplated in regulation (4)(1)(c)(i) be carried out, the assessment must, as the Issuing Authority may determine, include the following –

- (a) information regarding the relevant listed specially protected, alien and extra-limital species, including –
  - (i) the taxonomy of the species;

- (ii) the national conservation status of the species;
- (iii) the international conservation status of the species such as the IUCN Red List Status, CITES List Status;
- (iv) the population status and trends of the species, including –
  - (aa) its national population status;
  - (bb) the size of its local population which will be affected by the restricted activity in respect of which application is made; and
  - (cc) its current national and local population trends;
- (v) the geographic distribution and trends of the species, including –
  - (aa) the distribution of the natural population;
  - (bb) the distribution of any translocated and introduced populations;
  - and
  - (cc) the geographic distribution trends;
- (vi) the requirements of the species with respect to habitat and climate;
- (vii) the role of the species in the ecosystem, taking into account –
  - (aa) whether the species is a keystone, flagship or indicator species;
  - (bb) the species' level in the food chain;
  - (cc) the functions, which the species performs in its ecosystem;
  - (dd) the major threats affecting the species nationally and locally, and
  - (ee) the species impact on the receiving environment with reference to extra-limital and alien species introduction;
- (b) the information regarding the restricted activity in respect of which application is made, including –
  - (i) the nature of the restricted activity;
  - (ii) the reason for the restricted activity;
  - (iii) where the restricted activity is to be carried out;
  - (iv) the sex, age and number of the specimens of the species involved; and
  - (v) the intended destination of the specimens, if they are to be translocated;
- (c) any regulations, policies, norms and standards or international agreements binding on the Republic which may be applicable to the application;
- (d) the potential risks associated with the restricted activity to the particular specially protected, alien and extra-limital species and a specific population of such threatened or protected species or to any other species or ecosystems, including –
  - (i) degradation and fragmentation of a species' habitat;
  - (ii) creation of a significant change in an ecosystem caused by the removal or addition of keystone species;
  - (iii) over-exploitation of a species; and



- (iv) hybridisation of species;
- (e) evaluation of the risk identified under paragraph (d) in terms of –
  - (i) the likelihood of the risk being realised; and
  - (II) the severity of the risk and consequences of the realisation of the risk for the particular species as well as for other species, habitats and ecosystems; and
- (f) options for mitigating potential risks;
- (g) management of potential risks; and
- (h) any other information as the Responsible Member may determine.

(2) An applicant must appoint an environmental assessment practitioner at own cost to provide the information required in subregulation (1).

(3) The applicant must –

- (a) take all reasonable steps to verify whether the environmental assessment practitioner to be appointed complies with regulation 6; and
- (b) provide the environmental assessment practitioner with access to all information at the disposal of the applicant regarding the application, whether or not such information is favourable to the applicant.

#### **General requirements for environmental assessment practitioner**

6. An environmental assessment practitioner appointed in terms of regulation 5(2) must –

- (a) be independent;
- (b) have expertise in conducting risk assessments, including knowledge of the Act and any guidelines that have relevance to the proposed application; and
- (c) comply with the requirements of the South African Council for Natural Scientific Profession (SACNASP), and any other professional qualification criteria specified for environmental assessment practitioners in terms of the National Environmental Management Act, 1998.

#### **Content of permits and provincial registration certificates**

7.(1) A permit and provincial registration certificate –

- (a) must specify –
  - (i) the purpose for which it is issued;
  - (ii) the period for which it will remain valid; and
  - (iii) any other matter incidental thereto;

- (b) may be issued on conditions specified in the permit or provincial registration certificate; and
- (c) contain other particulars as may be required.

(2) A permit or provincial registration certificate issued in terms of this Act does not exempt the holder or any other person from complying with the provisions of any other applicable law.

### **Consideration of and decision on renewal applications**

8.(1) On receipt of an application in terms of section 53 of the Act, the Issuing Authority –

- (a) must consider the application as prescribed in Regulation 4; and
- (b) may require the applicant to furnish additional information.

(2) After having reached a decision on an application for renewal, the Issuing Authority must –

- (a) if the application was approved, issue a new permit or provincial registration certificate in the name of the applicant; and
- (b) if the application was refused the Issuing Authority must notify the applicant of the decision in writing within ten (10) working days and –
  - (i) give reasons for the refusal if required by the applicant; and
  - (ii) inform the applicant of his or her right to appeal against the decision.

### **Applications by holder for amendment of permit and provincial registration certificate**

9.(1) In terms of section 54(1)(a) of the Act, the holder of a permit or provincial registration certificate may at any time apply to the Issuing Authority for an amendment of the permit or provincial registration certificate.

(2) An application in terms of subregulation (1) must be accompanied by –

- (a) the application form prescribed in Annexure 1 of these Regulations;
- (b) proof of payment of the prescribed processing fee;
- (c) original permit or provincial registration certificate; and
- (d) a sworn affidavit if the original permit or provincial registration certificate is misplaced.

**Consideration of, and decision on applications for amendment by applicant**

**10.(1)** On receipt of an application in terms of section 54(1) of the Act, the Issuing Authority

–

- (a) must consider whether the granting of the application is likely to adversely affect the environment or the rights or interest of other parties; and
- (b) may require the applicant to furnish additional information.

(2) The Issuing Authority must decide on the application if –

- (a) the application is for a substantive or non-substantive amendment to the biodiversity authorisation;
- (b) the environmental rights or interests of other parties are not likely to be adversely affected;

(3) The Issuing Authority must before deciding on the application consider the relevant factors referred to in Chapter 8 of the Act.

(4) After having reached a decision on an application, the Issuing Authority must, within ten (10) working days, notify –

- (a) any person who lodged an objection against the application; and
- (b) if the decision is to refuse the application or to grant the application on conditions –
  - (i) give reasons for the decision to the applicant if so requested by the applicant; and
  - (ii) draw the applicant's attention to the fact that an appeal may be lodged against the decision in terms of Chapter 8 of the Act.

**Amendment on initiative of Issuing Authority**

**11.(1)** The Issuing Authority may on own initiative amend a permit or provincial registration certificate in terms of section 54(1) of the Act if it is necessary –

- (a) for the effective protection of the listed species to which the permit or provincial registration certificate relates;
- (b) for the effective enforcement of the Act;
- (c) to give effect to any norms and standards that apply to the relevant captive breeding operation, commercial exhibition facility, game farms, nursery, scientific institution, sanctuary, rehabilitation facility, wildlife traders, wildlife translocators, temporary holding facilities, falconers, wildlife product traders, hunting outfitters, professional hunters or hunting schools, freight agents, taxidermists; or

(d) to correct technical or editorial errors on the permit or provincial registration certificate.

### **Consideration of amendment by Issuing Authority**

#### **12.(1) The Issuing Authority –**

(a) must notify the holder of the relevant permit or provincial registration certificate, in writing, of –

- (i) the proposed amendment; and
- (ii) the reasons for the proposed amendment;

(b) must afford the holder of the permit or provincial registration certificate a reasonable opportunity to submit representations regarding the proposed amendment.

### **Decision to amend by Issuing Authority**

#### **13.(1) After having reached a decision, the Issuing Authority must within ten (10) working days –**

(a) notify in writing the decision not to amend the permit or provincial registration certificate;

(b) if the decision is to amend the permit or provincial registration certificate –

- (i) give reasons for the decision to the holder of the permit or provincial registration certificate;
- (ii) issue an amended permit or provincial registration certificate to the holder; and
- (iii) draw the attention of the holder of the permit or provincial registration certificate to the fact that an appeal may be lodged against the decision in terms of section 58 of the Act.

### **Cancellation of permit and provincial registration certificate**

#### **14.(1) The Issuing Authority considering the cancellation of a permit or provincial registration certificate in terms of section (53)(10) of the Act must –**

(a) notify the holder of the permit or provincial registration certificate in writing that cancellation of the permit or provincial registration certificate is being considered, together with the reasons for the proposed cancellation; and

(b) afford the holder of the permit or provincial registration certificate a reasonable opportunity to submit representations within twenty one (21) working days regarding the proposed cancellation.

(2) After having reached a decision on the cancellation of the permit or provincial registration certificate, the Issuing Authority must –

- (a) notify the permit or provincial registration certificate holder of the decision, in writing; and
- (b) if the decision is to cancel the permit or provincial registration certificate –
  - (i) instruct the holder of the permit or provincial registration certificate to return the permit within twenty one (21) working days; and
  - (ii) inform the holder of the permit or provincial registration certificate of the right to appeal against the decision in terms of section 58 of the Act.

**Cancelled original permit and provincial registration certificate to be returned to Issuing Authority**

**15.**(1) The holder of a permit or provincial registration certificate which has been cancelled must, return the original cancelled permit or provincial registration certificate to the Issuing Authority within twenty one (21) working days of the date of cancellation.

(2). Non-compliance with provisions of subregulation (1) constitutes an offence

**Permit or provincial registration certificate may not be transferred**

**16.** Permit or provincial registration certificate issued in terms of chapter 8 of the Act is not transferable to any other person.

**Replacement of original permit or provincial registration certificate**

**17.** The Issuing Authority may, on written request of the holder of a permit or provincial registration certificate, issue a replacement of that permit or provincial registration certificate if the original was lost or stolen, provided that such request is accompanied by –

- (a) an affidavit by that permit or provincial registration certificate holder stating that the permit or provincial registration certificate was lost or stolen; and
- (b) the proof of the payment of the prescribed processing fee.

*Part 3:**Factors to be considered, conditions and essential requirements for permits and registration certificates***Factors to be taken into account by Issuing Authority when considering permit or provincial registration certificate applications**

18.(1) The relevant provisions as prescribed by the Minister in the National Threatened or Protected Species Regulations or Notices apply with the necessary changes in respect of provisions relating to factors to be taken into account when considering permit applications.

(2) The provisions of subregulation (1) apply in respect of listed species when considering a permit or registration certificate application in terms of Chapter 8 of the Act.

(3) When considering a permit or registration certificate application as contemplated in subregulation (2), the Issuing Authority must, to the extent applicable, take into account –

- (a) all applicable legal requirements;
- (b) whether the species to which the application relates is listed in terms of section 13 of the Act;
- (c) the IUCN Red List status of the species;
- (d) whether the application involves a listed specially protected species that will be taken or removed from a wild population;
- (e) whether the activity applied for is prohibited in terms of sections 23 of the Act;
- (f) whether the Issuing Authority has cancelled other permits issued to the applicant in terms of section 53(10) of the Act;
- (h) all other relevant factors, including –
  - (i) whether the restricted activity in respect of which the application is submitted is likely to have a negative impact on the survival of the relevant listed species;
  - (ii) the biodiversity management plan for the species concerned, if any;
  - (iii) any recommendation by the scientific authority in terms of section 61(1)(c) of the Biodiversity Act regarding the application;
  - (iv) any risk assessment or expert evidence requested by the Issuing Authority;
  - (v) any relevant information on the database that SANBI is required to keep in terms of section 11(1)(j) of the Biodiversity Act;
  - (vi) any objections to the application; and
  - (vii) whether the restricted activity will be carried out by, or will take place in a captive breeding operation, commercial exhibition facility, game farm,

nursery, scientific institution, sanctuary, rehabilitation facility, hunting school, temporary holding facilities, or by a wildlife trader, wildlife translocator, hunting outfitter or professional hunter, freight agents, falconers, wildlife product traders and taxidermists registered in terms of section 38 and 38(A) of the Act.

(viii) in the case of a game farm that includes a hunting camp , the provisions of Regulation 109 (5) apply

**Additional requirements for applications involving wild populations of listed species**

**19.**(1) The provisions of regulation 11 of the TOPS regulations apply with necessary changes in respect of the applications that involve wild populations of listed critical endangered species.

(2) If the application involves a wild population of any other listed species in terms of the Act, the Issuing Authority may, in addition to the factors listed in regulation 18(3) –

- (a) require a risk assessment in accordance with Regulation 5 ; and
- (b) consider whether the restricted activity applied for is in line with the biodiversity management plan for the species involved, if available.

**Additional factors to be taken into account by Issuing Authority when considering applications for hunting**

**20.**(1) When considering an application for a permit to hunt a specimen of a listed species, the Issuing Authority must, in addition to the factors listed in regulation 18, also take into account –

- (a) the prohibited activities listed in section 23 of the Act;
- (b) the prohibited methods of hunting as listed in Regulation 110;
- (c) whether the activity involves the control of damage causing animals as provided for in section 26 of the Act;
- (d) in the case of a hunting client, whether he or she will be accompanied by a professional hunter;
- (e) in the case of a disabled person, the view of the National Council for Persons with Physical Disabilities in South Africa on whether the applicant is a physically disabled person;
- (f) whether the application involves a listed species that will be released from an intensive wildlife management system for hunting purposes



- (g) the hunting off-take limits determined by SANBI for a listed threatened or protected animal species determined by the Minister in terms of regulation 72 of the TOPS Regulations; and
- (h) the hunting off-take or bag limits for wild populations determined by the Issuing Authority for a listed species in terms of section 13 of the Act.

**Compulsory conditions subject to which permits to hunt must be issued**

21. All hunting permits for listed species must, in addition to any other conditions that the Issuing Authority may or must impose, be issued subject to the following conditions –

- (a) the permit holder must at all time have a permit authorising the hunt on his or her person during the hunt;
- (b) the permit holder must within 14 working days of the hunt furnish the Issuing Authority with a written report on the hunt stating –
  - (i) the permit number and date of issuance of the permit;
  - (ii) the species, sex and number of animals hunted; and
  - (iii) the location where the hunt took place; and
- (c) in the case of a hunting client, that he or she is accompanied by a professional hunter.

*Part 4:  
Permits and permit conditions*

**Contents of permits**

22.(1) In the case of integrated permits in terms of the Biodiversity Act, the provisions of the TOPS regulations apply with the necessary changes.

(2) A permit issued in terms of these regulations must, in addition to the matters referred to in regulation 7(1), contain the following information –

- (a) The name, identity number or passport number, postal address and physical address of the person to whom the permit is issued;
- (b) the name of the issuing officer who is delegated in terms of section 59 of the Act.
- (c) the permit number and date of issue;
- (d) particulars of the species and specimen in respect of which the permit is issued, including the scientific and common name (if any) of the species, sub-species involved;

- (e) particulars of the restricted activity in respect of which the permit is issued, including specific requirements relating to how the activity can be carried out by the permit holder, as determined by the Issuing Authority;
- (f) the number of specimens involved, and their sex (if applicable);
- (g) the markings of the specimen (where applicable);
- (h) the validity period of the permit;
- (i) to the extent applicable –
  - (i) the name and physical address of a person appointed by the applicant as an agent for purposes of obtaining the permit on the applicant's behalf;
  - (ii) the name and physical address of the consignee or consignor, in the case of an export or import permit;
  - (iii) the name and physical address of the seller or supplier, in the case of a permit authorising the purchase or acquisition of a specimen;
  - (iv) the name and physical address of the person purchasing or acquiring the specimen, in the case of a permit authorising the sale or supply of such a species;
  - (v) in the case of a hunting client, the particulars of the hunting outfitter;
  - (vi) the location and other relevant particulars of the place where the restricted activity is to be carried out;
- (j) in the case of a standing permit for a registered captive breeding operation, commercial exhibition facility, game farm, nursery, scientific institution, sanctuary, rehabilitation facility, a wildlife trader, wildlife product trader, falconer, freight agent, temporary holding facility, taxidermist, wildlife translocator, professional hunter, hunting outfitter or hunting school, –
  - (i) the physical address of the premises where the restricted activities will occur where applicable,
  - (ii) the specific conditions subject to which the permit is issued, if the permit is issued conditionally.

(3) If any norms and standards apply to the restricted activity for which a permit is issued, that permit must be issued subject to a condition that the permit holder is bound by those norms and standards and must act in accordance with those norms and standards when carrying out the restricted activity.

(4) A permit authorising the hunting of a species must specify the instrument and the method by which the animal may be hunted in terms of that permit having regard to Regulation 110.

**Validity of permits**

**23.(1)** A permit issued for live specimen is only valid within the Province or for the specific locality where the restricted activity involving the specimen will take place.

(2) A permit issued for a dead or processed specimen of or a product or derivative derived from a specimen is valid throughout the Province.

(3) In the case where a dead or processed specimen of or a product or derivative derived from a specimen obtained from the land owned by another person, a permit contemplated in subregulation (2) must be accompanied by a written consent from the landowner containing—

- (a) the name and residential address of the person granting such consent;
- (b) the date on which it is granted;
- (c) the registered farm name and number;
- (d) a valid provincial standing permit number;
- (e) the name and residential address of the person to whom it is granted;
- (f) particulars of species, sex and the number of game hunted, caught or sold;
- (g) the date on which or the period during which the game may be hunted, caught or sold;
- (h) both signatures of the person giving consent and the person receiving such a consent.

(4) A permit must, subject to subregulation (1) and (2), specify the period for which it remains valid.

(5) A provincial ordinary permit is valid for a period not exceeding two months.

(6) Notwithstanding provisions of subregulation (4), an ordinary permit for;

- (a) research purposes may be issued for a period not exceeding twelve (12) months.
- (b) hunting during an open hunting season may be issued for the duration as proclaimed in terms of the section 14 of the Act

(7) A provincial standing permit is valid for a period not exceeding thirty six (36) months.

**Provincial open season hunting permits for hunting of listed game during open season**

**24.**(1) Upon receipt of the hunting off-take notice published in terms of Section 14(1)(a) of the Act, any landowner, tribal authorities, community property owners associations, or occupiers may apply for a provincial open season hunting permit book under Section 51(2) of the Act to hunt listed game species of numbers outlined in the hunting off-take notice.

(2) The fee for the permit book contemplated in subregulation (1) may, by notice in the *gazette*, be reviewed annually by the Responsible Member.

(3) The landowner, tribal authority, community property association, or occupier may not hunt or allow the hunting of any species not listed in the hunting off-take notice.

(4) In applying for the permit book contemplated in subregulation (1) for the hunting of listed game species, landowners must submit –

- (a) the application form as prescribed in Annexure 1 to these Regulations;
- (b) a copy of the hunting off-take notice as allocated;
- (c) a certified copy of the applicant's identity document; and
- (d) proof of ownership of land.

(5) In applying for the permit book for the hunting of listed game species, occupiers of land must submit –

- (a) the application form as prescribed in Annexure 1 to these Regulations;
- (b) a copy of the hunting off-take notice as allocated;
- (c) a certified copy of the identity document;
- (d) proof of legal occupation; and
- (e) landowner's written permission to hunt on a particular land.

(6) In applying for the permit book for hunting of listed game species, community property owners associations must submit –

- (a) the application form as prescribed in Annexure 1 to these Regulations;
- (b) a copy of the hunting off-take notice as allocated;
- (c) a certified copy of the identity document of the applicant acting on behalf of the community property owners association; and
- (d) a certificate of appointment as community property owners association.

(7) In applying for the permit book for hunting of common game, tribal authorities must submit –

- (a) the application form as prescribed in Annexure 1 to these Regulations;
- (b) a copy of the hunting off-take notice as allocated;
- (c) a certified copy of the identity document of the applicant on behalf of the tribal authority; and
- (d) a certified copy of recognition as the tribal authority issued by the office of the Premier.

(8) An application contemplated in subregulations (4), (5), (6), and (7) is deemed to be complete upon receipt of all the documentation required.

(9) Once satisfied that all the information required has been submitted, the Issuing Authority may issue the applicant with the hunting permit book contemplated in subregulation (1).

(10) The sale of the permit book contemplated in subregulation (1) does not absolve the tribal authorities, community property owners associations, or occupiers of state land from the responsibility of the guiding of the hunter/s when hunting in terms of these Regulations.

(11) In the case of the tribal authorities, communal property associations, or occupiers of state land they must at all time, during the hunting contemplated in subregulation (15), ensure that there is a designated honorary environmental officer who must physically be present to guide and assist the hunter/s when hunting.

(12) Upon receipt of the hunting permit book, the landowner, tribal authorities, communal property associations, or occupiers may sell the permits in the hunting permit book to anybody interested in hunting on their property.

(13) Upon payment of the prescribed fee for the permit contemplated in subregulation (12), the landowner, tribal authority, communal property associations, or occupier must fill in all their relevant details and those of the hunter, and co-signing the space provided for on part A of the permit in acceptance of the permit conditions.

(14) Upon completion and co-signing of part A of the permit contemplated in subregulation (13), the landowner, tribal authority, communal property associations, or occupier and the

hunter must ensure that the signed hunting permit accompanies the specific hunt at all times.

(15) At the site of the kill, immediately after the animal is hunted, the hunter and the accompanying designated environmental officer or honorary environmental officer must complete and sign part B of the hunting permit in the permit book specifying the details of the hunt.

(16) The details contemplated in subregulation (15) include—

- (a) the date of the hunt;
- (b) the species hunted;
- (c) the sex of the species;
- (d) the age of the species hunted;
- (e) the duration of time of the hunt including search; and
- (f) the destination of carcass or specimen.

(17) The hunter is issued with the original top copy of the hunting permit and the landowner, tribal authority, community property association, or occupier keeps the first duplicate copy for filing and record purposes and ensure that the second duplicate copy remains un-detached in the permit book for submission to the Issuing Authority together with the hunting report within the specified time frame in the notice.

(18) The hunter must at all times during transportation of the carcass or specimen/s, have in their possession the completed hunting permit, signed in both part A and B.

(19) The hunting report part of the hunting permit book, which includes a summary of all hunting activities conducted, must be completed by the landowner, tribal authority, community property association, or occupier contemplated as per issued permit book or books.

(20) A hunting permit holder may not under any circumstances hunt without the assistance and presence of a designated environmental officer or an honorary environmental officer appointed by the tribal authority, community property association, or occupier of state land.

(21) A hunter may not, under any circumstances, hunt whilst under the influence of intoxicating liquor or any related substances.

(22) The designated environmental officer or honorary environmental officer may not consume intoxicating liquor or any related substances for the duration of the hunting process.

(23) Non-compliance with provisions of this Regulation constitutes an offence.

*Part: 5*  
*Provincial Standing Permits*

**Provincial Standing Permits with Exemption**

**25.(1)** A provincial standing permit with exemption may be issued to applicants with registered game farms with semi-extensive or extensive management systems that meets the following criteria –

- (a) adequately fenced as one unit with a land size not less than 400ha;
- (b) adequately fenced for particular game species as prescribed in Regulations 43 and 44;
- (c) suitable habitat conditions with adequate water supply.

(2) Only game species already occurring in the registered game farm may be included on the application form for standing permit with exemption.

(3) A provincial standing permit with exemption authorises the holder thereof to keep, breed, capture, sell, buy, hunt and possess species listed in the permit without a provincial ordinary permit.

**Provincial Standing Permits without Exemption**

**26.(1)** A provincial standing permit without exemption may be issued to applicants with registered game farms with semi-extensive or extensive management systems that meets following criteria –

- (a) adequately fenced for particular game species as prescribed in Regulations 43 and 44;
- (b) suitable habitat conditions with adequate water supply.

(2) Only game species already occurring in the registered game farm may be included on the application form for standing permit without exemption.



(3) A provincial standing permit without exemption authorises the holder thereof to keep, and breed species listed in the permit without a provincial ordinary permit.

### **Applications for Provincial Standing Permits**

**27.** The following documentation must accompany applications for standing permits—

- (a) the application form in Annexure 1 to these Regulations;
- (b) proof of payment of the prescribed processing fee;
- (c) a valid copy of a title deed of the land;
- (d) a valid and certified copy of the Identity Document of the applicant;
- (e) a comprehensive map of the land that includes—
  - (i) all buildings on the land,
  - (ii) all water points on the land with;
  - (iii) all access gates;
- (f) the names and phone numbers of all adjacent landowners;
- (g) all fences, boundary and inside fences;
- (h) the size of each camp.

### *Part: 6 Exemption*

### **Exemptions in respect of the species listed in the provincial standing permits with exemption.**

28.(1) The provisions of sections 15(1) and 24(1) of the Act in respect of hunting do not apply to the species included in the provincial standing permit with the exclusion of -

- (a) Hippopotamus and
- (b) specimens bred in intensive wildlife management system.

(2) the provisions of sections 15(1) and 24(1) of the Act in respect of transport, export and import do not apply to the species included in the provincial standing permit with the exclusion of -

- (a) buffalo, hippopotamus, klipspringer, and
- (b) specimens bred in intensive wildlife management system.

### **Exemptions in respect of the species listed in the provincial standing permits without exemption.**

29.(1) The provisions of sections 15(1) and 24(1) of the Act in respect of hunting do not apply to species listed under schedule 4 of the Act, as well the following species:-

- (a) Impala
- (b) Kudu,
- (c) Springbok and
- (d) blesbuck

**Additional exemptions not already included.**

30(1) The provisions of sections 15(1) and 24(1) of the Act in respect of restricted activities involving dead specimens and derivatives do not apply to specimen of species listed in schedule 2 and 3 with the exclusion of -

- (a) aardvark, aardwolf, african civet, african clawless otter, bat-eared fox, african wildcat, and
- (b) activities intended for scientific research purposes.

(2) the provisions of sections 15(1) of the Act in respect of restricted activities involving live specimens do not apply to specimen of species listed in schedule 2 under Classes *aves*, *amphibia*, *reptilia*, *arachnida*, *insecta* and kindom *plantae* with the exclusion for -

- (a) gathering, collecting or catching of wild specimen for commercial or scientific research purposes, and
- (b) export and import of any specimen.

(3) the provisions of sections 15(1) of the Act in respect of catching do not apply to live specimens of fish species listed in schedule 2, provided that such specimens are released alive immediately subsequent to the catching thereof in the same water where it has been caught.

*Part: 7*  
*Licenses*

**Licenses for hunting birds**

31.(1) Upon publication of the notice in the Gazette in terms of section 14(1)(b) of the Act, the Issuing Authority must avail, before the commencement of the hunting season; bird hunting license books for sale to the interested relevant outlets and accredited organisations for further resale to the members of the public to hunt ordinary game birds.

(2) The fee for the hunting licenses in terms of section 14(1)(b) and 57 of the Act may, by notice in the *gazette*, be reviewed annually by the Responsible Member.

- (3) The relevant outlets and accredited organisations contemplated in subregulation (1) must apply to the Issuing Authority for the hunting license books.
- (4) The provisions of subregulation (3) do not apply to organs of state, as the Issuing Authority will provide them with the bird hunting license books.
- (5) The application contemplated in subregulation (3) must be accompanied by –
- (a) the application form attached in Annexure 1 to these Regulations;
  - (b) proof of accreditation as the credible organisation;
  - (c) a certified copy of the identity document of the applicant on behalf of the organisation; and
  - (d) proof of payment of the prescribed hunting license book fee
- (6) Bird hunters may purchase bird-hunting licenses for hunting of ordinary game birds during open season from the Issuing Authority, identified outlets and accredited organisations.
- (7) Hunters must at all times comply with the conditions stipulated in the bird-hunting license.
- (8) No person may hunt birds without a bird-hunting license.
- (9) No person may hunt more birds than the stipulated bird bag limit as published in the *Gazette*.
- (10) Non-compliance with the provisions of this regulation constitutes an offense.

### **Licenses for Angling**

**32.(1)** Upon receipt of the notice published in terms of Section 14(1)(a)(c) of the Act, any delegated appointed retailer or accredited organization may apply to purchase for an angling license book under section 57 of the Act for resale purposes for angling of listed ordinary fish species.

- (2) Any person may purchase an angling license to angle for listed ordinary fish species of numbers and sizes outlined in terms of section 14(1)(c) of the Act.

- (3) The angling licenses contained in the license books may only be resold for a fee stipulated in the published notice contemplated in subregulation (1).
- (4) The provisions of subregulation (1) do not apply to identified organs of state, as they will be provided with the angling license books by the Issuing Authority.
- (5) The application contemplated in subregulation (4) must be accompanied by –
- (a) the application form attached in Annexure 1 to these Regulations;
  - (b) proof of accreditation as the credible organisation;
  - (c) a certified copy of the identity document of the applicant on behalf of the organisation; and
  - (d) proof of payment of the prescribed angling license book fee
- (6) The fee for the license book contemplated in subregulation (3) may, by notice in the *Gazette*, be reviewed annually by the Responsible Member.
- (7) Anglers may purchase angling licenses from the Issuing Authority, identified outlets and accredited organisations.
- (8) The contemplated license will be valid for one year from date of purchase
- (9) Anglers must at all times comply with the conditions stipulated in the angling license.
- (10) No person may angle without an angling license.
- (11) No person may catch more fish than the stipulated fish bag limit as published in the *Gazette*.
- (12) Non-compliance with the provisions of this regulation constitutes an offense.

### CHAPTER 3

REGISTRATION OF CAPTIVE BREEDING OPERATIONS, COMMERCIAL EXHIBITION FACILITIES, GAME FARMS, NURSERIES, SCIENTIFIC INSTITUTIONS, SANCTUARIES, REHABILITATION FACILITIES, WILDLIFE TRADERS, WILDLIFE TRANSLOCATORS, WILDLIFE PRODUCT TRADERS, TEMPORARY HOLDING FACILITIES, FREIGHT AGENTS, FALCONERS, TAXIMDERIMSTS, PROFESSIONAL HUNTERS, HUNTING OUTFITTERS, AND PROFESSIONAL HUNTING SCHOOLS

**Application for Provincial Registration Certificate**

**33.(1)** A person intending to conduct a captive breeding operation, commercial exhibition facility, nursery, scientific institution, sanctuary, rehabilitation facility, temporary holding facility or act as a wildlife trader, wildlife translocator, wildlife product trader, falconer, freight agent, taxidermist, professional hunter, hunting outfitter, or professional hunting school which require registration in terms of section 38(2) or 38(A)(2) of the Act, must submit an application for a provincial registration certificate as prescribed in Regulation 3(1).

(2) A person intending to conduct a game farm may submit an application for a provincial registration certificate as prescribed in regulation 3(1)

(3) A person may apply for the renewal or amendment of a provincial registration certificate by submitting an application to the Issuing Authority as prescribed in Regulation 3(2).

(4) Applications referred to in subregulations (1) and (2) must be accompanied by documentation contemplated in Regulation 9(1).

(5) In addition to the documentation required in terms of sub-regulation (4), a management plan with written comments from the neighbours or any interested or affected parties must accompany the application for a new operation to conduct captive breeding operation, commercial exhibition facility, sanctuary, rehabilitation facility, temporary holding facility.

**Consideration of and decision on application for Provincial Registration Certificate**

**34.** The provisions of Regulation 4(1) apply with the necessary changes in respect to process for consideration of and decision on applications for provincial registration certificates.

**Issuing of Provincial Registration Certificate**

**35.** If the Issuing Authority decides to grant an application for a registration certificate for captive breeding operation, commercial exhibition facility, game farm, nursery, scientific institution, sanctuary, rehabilitation facility, temporary holding facility or act as a wildlife trader, wildlife translocator, wildlife product trader, falconer, freight agent, taxidermist, professional hunter, hunting outfitter or professional hunting school, the Issuing Authority must issue a Provincial Registration Certificate to the applicant within ten (10) working days after the decision was made.

**Contents of Provincial Registration Certificate**

36.(1) A Registration Certificate issued in terms of Regulation 35 must reflect the following information –

- (a) the name, identity number or passport number and physical address of the person to whom the certificate is issued;
- (b) the physical address of the premises where the Provincial Registration Certificate for captive breeding operation, commercial exhibition facility, game farm, nursery, scientific institution, sanctuary, rehabilitation facility, temporary holding facility or to act as a wildlife trader, wildlife translocator, wildlife product trader, falconer, freight agent, taxidermist, professional hunter, hunting outfitter or professional hunting school, operation are situated or will be conducted;
- (c) particulars of the species in respect of which the Provincial Registration Certificate is issued including the scientific name that consists of the genus, species and sub-species and common name where applicable;
- (d) particulars of the activities to be conducted at the captive breeding operation, commercial exhibition facility, game farm, nursery, scientific institution, sanctuary, rehabilitation facility, temporary holding facility, wildlife trader facility, wildlife translocator facility, wildlife product trader facility, freight agent facility, taxidermy, or professional hunting school; and
- (e) the specific conditions subject to which the Provincial Registration Certificate is issued, if the registration is issued conditionally;

(2) the Provincial Registration Certificate remains valid until it is cancelled by the issuing authority in terms of section 53(10) of the Act

(3) If any norms and standards apply to the captive breeding operation, commercial exhibition facility, game farm, nursery, scientific institution, sanctuary, rehabilitation facility, temporary holding facility or act as a wildlife trader, wildlife translocator, wildlife product trader, falconer, freight agent, taxidermist, professional hunter, hunting outfitter or professional hunting school for which a registration is granted, that registration must be issued subject to a condition that the registration holder is bound by those norms and standards and must act in accordance with those norms and standards.

## CHAPTER 4 REGULATIONS RELATING TO KEEPING OF SPECIES

### *Part: 1* *Keeping of listed species*

#### **Requirements for keeping of species**

37.(1) Any person who intends to keep indigenous species must apply for a provincial registration certificate in terms of section 42 of the Act, and a standing permit contemplated in section 53(7) of the Act.

(2) The provisions of Regulation 4 apply in respect of consideration of applications for keeping of indigenous species.

(3) Notwithstanding the provisions of subregulation (2) above, and regulation 19(2), the Issuing Authority must, in addition, consider the following before a decision to issue a permit for keeping of listed species applied for in wildlife systems contemplated in subregulation (1) –

- (a) the Provincial Registration Certificate for a game farm as contemplated in Regulation 33(2);
- (b) the fencing requirements of the species as prescribed in part 4; and
- (c) where necessary –
  - (i) the management plans for the property or species;
  - (ii) risk analysis of species hybridisation;
  - (iii) veterinary restrictions and risk of disease;
  - (iv) marking and DNA requirements for species.
  - (v) a habitat suitability analysis;
  - (vi) the natural distribution range of the species;
  - (vii) the carrying capacity of the property;
  - (viii) registration with accredited organisations or association;
  - (ix) comply with prescribed relevant standards

(4) The provisions of subregulation (3)(a) do not apply to facilities located on any other land that is not defined as a Game Farm.

(5) Hybridisation of any species is prohibited, and in case such specimen occurs it must be destroyed.

(6) The following species are documented hybrids–



- (a) Blue wildebeest (*Connochaetes taurinus*) and Black wildebeest (*C.gnou*)
- (b) Blesbok (*Damaliscus pygargus phillipsi*), Bontebok (*D. p. pygargus*), Tsessebe (*D. lunatus lunatus*) and Red hartebeest (*Alcelaphus buselaphus*);
- (c) Hartmann's mountain zebra (*Equus zebra hartmannae*) and Burchell Zebra (*Equus burchelli*);
- (d) Western Roan (*Hippotragus equinus koba*) and Southern Roan (*Hippotragus equinus equinus*).

**General requirements for keeping of dangerous game species:**

38.(1) The provisions of Regulation 37 apply with respect to the keeping of dangerous game species.

(2) The provisions of regulation 4 apply in respect of consideration of applications for keeping of dangerous game species.

(3) Following are classified as dangerous game species—

(a) Lion	<i>Panthera leo</i>	Tau
(b) Elephant	<i>Loxodonta africana</i>	Tlou
(c) Black Rhino	<i>Diceros bicornis</i>	Tshukuduentsho
(d) White Rhino,	<i>Ceratotherium simum</i>	Tshukudu
(e) Hippopotamus,	<i>Hippopotamus amphibius</i>	Kubu
(f) Buffalo,	<i>Syncerus caffer</i>	Nare
(g) Leopard,	<i>Panthera pardus</i>	Nkwe

(4) Notwithstanding the provisions of regulations 19(2) and 37(3), the Issuing Authority must, in addition, consider the following before a decision to issue a permit for keeping of dangerous game species applied for in wildlife systems contemplated in subregulation (1)—

- (a) proof of notification of immediate neighbours;
- (b) an emergency plan with contact persons and their details including—
  - (i) name and surname;
  - (ii) contact numbers;
- (c) a comprehensive management plan for all dangerous game species with exception of White Rhino, Hippo and Buffalo;
- (d) an electrified introduction boma is prerequisite for all dangerous game with the exception of White Rhino, Black Rhino and Buffalo for a minimum period specified in the management plan;

- (e) an easily accessible temporary handling facilities for dangerous game species;
- (f) the public liability insurance;
- (g) all dangerous game species kept must be marked for identification purposes.
- (h) a risk assessment is required for Hippopotamus (*Hippopotamus amphibious*).

(5) Landowners will be responsible for the marking of dangerous game species as contemplated in subregulation (4)(g) and must bear such necessary costs.

(6) With the exception of Buffalo (*S.caffer*), no exemption will be granted for any other dangerous game species.

*Part: 2*  
*Keeping of alien and extra-limital species*

**Requirements for keeping alien and extra-limital species**

**39.(1)** The provisions of NEMA apply with necessary changes in respect of keeping of the alien species listed under the AIS Regulations.

(2) Keeping of alien predator species not listed under subregulation (1) as contemplated, requires a permit issued in terms of Chapter 8 of the Act.

(3) The provisions of regulation 37 and 38 apply with respect to the keeping of extra-limital species and species contemplated in subregulation (2).

(4) The provisions of regulation 4 apply in respect of consideration of applications for keeping of existing populations of extra-limital species and species contemplated in subregulation (2).

(5) The following are classified as extra-limital species:

- |                         |                                      |
|-------------------------|--------------------------------------|
| (a) Bontebok            | <i>Damaliscus pygargus phillipsi</i> |
| (b) Cape Mountain Zebra | <i>Equus zebra zebra</i>             |
| (c) Hartmann's Zebra    | <i>Equus zebra hartmannae</i>        |

(6) Notwithstanding the provisions of regulations 19(2), 37(3) and 38(5), the Issuing Authority may not issue a permit for the establishment of populations of extra-limital

species listed in subregulation 5 in an extensive wildlife management systems contemplated in subregulation (3).

(7) All extra-limital species must be marked for individual identification purposes.

(8) Landowners are responsible for the marking of species contemplated in subregulations (2) and (5) and must bear such necessary costs.

(9) Any species that is non-indigenous to the Republic of South Africa, which is not listed in line with subregulation 2, and neither listed in terms of Chapter 2 of the AIS Regulations will be deemed extra-limital species for purposes of this Regulations.

(10) The Issuing Authority may, by means of a notice in *Gazette*, publish species-specific norms and standards for management of extra-limital species in terms of section 7 of the Act.

*Part 3:*  
*Keeping of species in a captive environment*

**Requirements for keeping of animals in captivity**

**40.**(1) Any person who intends to keep species in captivity, in a controlled environment or in an intensive wildlife management system for –

- (a) commercial exhibition,
- (b) breeding,
- (c) rehabilitation,
- (d) sanctuary, and

any other reason must apply for a provincial registration certificate in terms of section 53 of the Act, and a provincial standing permit contemplated in regulation 29.

(2) Keeping of alien predator species not listed under subregulation (1) as contemplated, requires a permit issued in terms of Chapter 8 of the Act.

(3) The provisions of regulation 4 apply in respect of consideration of applications for keeping of species in captivity in a controlled environment or in an intensive wildlife management system.

(4) In addition to subregulations (1) and (2), the provisions of the AIS Regulations apply with necessary changes with respect to species listed under the AIS Regulations.

(5) Notwithstanding the provisions of regulations 19(2), 37(3) and 38(5), the Issuing Authority must, in addition, consider the following before a decision to issue a permit for keeping of animal species in captivity in a controlled environment or in an intensive wildlife management system –

- (a) the approved management plan before construction of keeping facilities;
- (b) keeping facilities must be constructed according to the minimum standards as prescribed in the regulations; and
- (c) where necessary the provisions of Regulation 37(3) must apply.

(6) All species kept in captivity in a controlled environment or in an intensive wildlife management system must be marked for identification purposes.

(7) Landowners will be responsible for the marking of species contemplated in subregulation (5) and must bear such necessary costs.

(8) Feeding of live animals to predators is prohibited.

(9) Landowners must keep an updated studbook to be submitted to the Issuing Authority on an annual basis.

(10) The studbook contemplated in subregulation (9) must be made available during inspection at any time.

(11) An amended management plan must be submitted to the Issuing Authority for approval before any change to management regime, ownership, or camps modification.

(12) The keeping of animals is subject to compliance with all provisions in the Animal Protection Act, 1962 (Act No. 71 of 1962).

(13) Non-compliance with provisions of this regulation constitutes an offence.

**Additional requirements for keeping of species in rehabilitation facilities**

41.(1) The provisions of regulation 40 apply in respect of the keeping of species in captivity in a controlled environment of an intensive wildlife management system for rehabilitation purposes.

(2) The Issuing Authority must consider the provisions of regulations 19(2), 37(3), 38(5) and 40(4) before a decision to issue a permit for keeping of animal species in captivity in a controlled environment or in an intensive wildlife management system for rehabilitation can be made.

(3) Only species that have been injured or orphaned may be kept in a rehabilitation facility for the purposes of rehabilitation.

(4) Only a qualified and registered wildlife veterinarian or a person under supervision of a qualified and registered wildlife veterinarian must administer chemical immobilisation for injured or orphaned species.

(5) Breeding of species in rehabilitation facilities is prohibited

(6) No tourists are allowed in the rehabilitation facilities.

(7) All rehabilitated animals must be released back into the wild, and the Issuing Authority must be informed at least one week before it is released.

(8) All sites for release of rehabilitated species as contemplated in subregulation (7) must be identified in consultation with the Issuing Authority.

(9) Species deemed not fit for release must be relocated to a registered sanctuary or euthanized as per veterinary recommendations.

(10) Species contemplated in subregulation (9) must be reported to the Issuing Authority prior to undertaking the relocation or euthanasia.

(11) Where euthanasia is considered in an emergency situation, the report contemplated in subregulation (10) must be submitted to the Issuing Authority within 24 hours after euthanasia.

(12) Non-compliance with provisions of this regulation constitutes an offense.

**Additional requirements for sanctuary**

42.(1) The provisions of regulation 41(1),(2),(4),(5) and (11) apply in respect of the keeping of species in captivity in a controlled environment in an intensive wildlife management system for sanctuary purposes.

(2) Only specimens that are deemed incapable of surviving in the wild either temporarily or permanently on their own may be kept in a registered sanctuary.

(3) In addition to subregulation (2), species may be kept temporarily in a sanctuary for security purposes.

(4) A release plan for species contemplated in subregulation (3) must be approved by the Issuing Authority prior to keeping such a species in a sanctuary.

(5) Where euthanasia is considered, it must be reported to the Issuing Authority prior to undertaking thereof.

(6) A wildlife veterinarian contemplated in regulation 41(4) must conduct euthanasia contemplated in subregulation (5).

(7) In the case of an emergency situation, the report contemplated in subregulation (5) must be submitted to the Issuing Authority within 24 hours after euthanasia.

(8) Non-compliance with provisions of this regulation constitutes an offense.

*Part 4:*

*Minimum specifications for keeping of species*

**Fence Types**

43. The fence types contemplated in the first Column of Table A apply to the safekeeping of species contemplated in the first Column of Table B.

**Table A.**

FENCE TYPE	DESCRIPTION
1	1.4 m high: 12 wires
1 A	1.4 m high: 12 wires + 4 electrified wires and a trip-wire with a constant pulse current of 5 000 Volts
2	1.8 m high; 15 wires
3	2.4 m high; 19 wires
4	Electrified wires and a trip-wire with a constant pulse current of 5 000 Volts

**Table B.**

Species	Scientific name	Fence Type
African elephant	<i>Loxodonta africana</i>	3 + 4
Black rhinoceros	<i>Diceros bicornis</i>	1 A
Black wildebeest	<i>Connochaetes gnou</i>	1
Blesbok	<i>Damaliscus pygargus phillipsi</i>	1
Blue wildebeest	<i>Connochaetes taurinus</i>	1
Buffalo	<i>Syncerus caffer</i>	2
Bushbuck	<i>Tragelaphus scriptus</i>	1
Burchell zebra	<i>Equus burchelli</i>	2
Common/Grey duiker	<i>Sylvicapra grimmia</i>	1
Eland	<i>Taurotragus oryx</i>	3
Gemsbok	<i>Oryx gazelle</i>	1
Giraffe	<i>Giraffa camelopardalis</i>	3
Grey rhebuck	<i>Pelea capreolus</i>	2
Hartmann's zebra	<i>Equus zebra hartmannae</i>	2
Hippopotamus	<i>Hippopotamus amphibious</i>	1 A
Impala	<i>Aepyceros melampus</i>	3
Klipspringer	<i>Oreotragus oreotragus</i>	1
Kudu	<i>Tragelaphus strepsiceros</i>	3
Lechwe	<i>Kobus leche</i>	3
Mountain reedbuck	<i>Redunca fulvorufula</i>	2
Nyala	<i>Tragelaphus angasii</i>	1
Oribi	<i>Ourebia ourebi</i>	1
Red hartebeest	<i>Alcelaphus buselaphus</i>	2
Reedbuck	<i>Redunca arundinum</i>	2
Roan	<i>Hippotragus equinus</i>	2
Sable	<i>Hippotragus niger</i>	2
Springbok	<i>Antidorcas marsupialis</i>	1
Steenbok	<i>Raphicercus campestris</i>	1
Tsessebe	<i>Damaliscus lunatus</i>	2
Warthog	<i>Phacochoerus ethiopicus</i>	2
Waterbuck	<i>Kobus ellipsiprimus</i>	3
White rhinoceros	<i>Ceratotherium simum</i>	1 A



**Special notice regarding fencing**

**44.(1)** Notwithstanding the provisions of regulation 43, fences higher than 1.4 meters do not require electrification for white rhino (*C. simum*)

(2) For any animal not mentioned in regulation 43, the approval of the Issuing Authority is required.

<b>FENCE TYPE 1, 1A, 2 &amp; 3:</b>			
POLES	Straining, gate and corner posts	Wooden	125.0 mm
		Iron	90.0 mm
POLES	Line	Wooden	125.0 mm
		Iron	50.00 mm
DROPPERS		Wooden	30.00 mm
		Iron/Plastic	Standard steel or Plastic
SPACING (MAX)	Straining posts		100.0 to 200.0 m
	Line poles – Y standard		10.0 m
	Droppers		2.00 m
Wire	Straining wire	Steel	2.2 mm
<b>FENCE TYPE 4:</b>			
POLES	Straining, gate and corner posts	Wooden	150.0 mm
		Iron	90.0 mm
POLES	Line	Wooden	125.0 mm
		Iron	50.0 mm
DROPPERS		Wooden	75-80.0 mm
		Iron	Standard steel
SPACING (MAX)	Straining posts		100 – 200 m
	Line poles – Y standard		10.00 m
	Droppers		2.00 m
Wire	Straining wire	Steel	2.2mm

**Species that do not qualify for provincial standing permit with exemption**

**45. (1)** the following species do not qualify for exemption associated with the provincial standing permit –

- (a) species listed in terms of section 56 of NEMBA,
- (b) species of which the movement is not restricted by fences,
- (c) all carnivores species under the order *carnivora*, and
- (d) all alien and extra-limital species.

**46.** The following material specifications apply to the fence types contemplated in the table below –

Strands		Spacing (mm)
12		200
11		200
10		100
9		100
8		100
7		100
6		100
5		100
4		100
3		100
2		100
1		100
Ground		

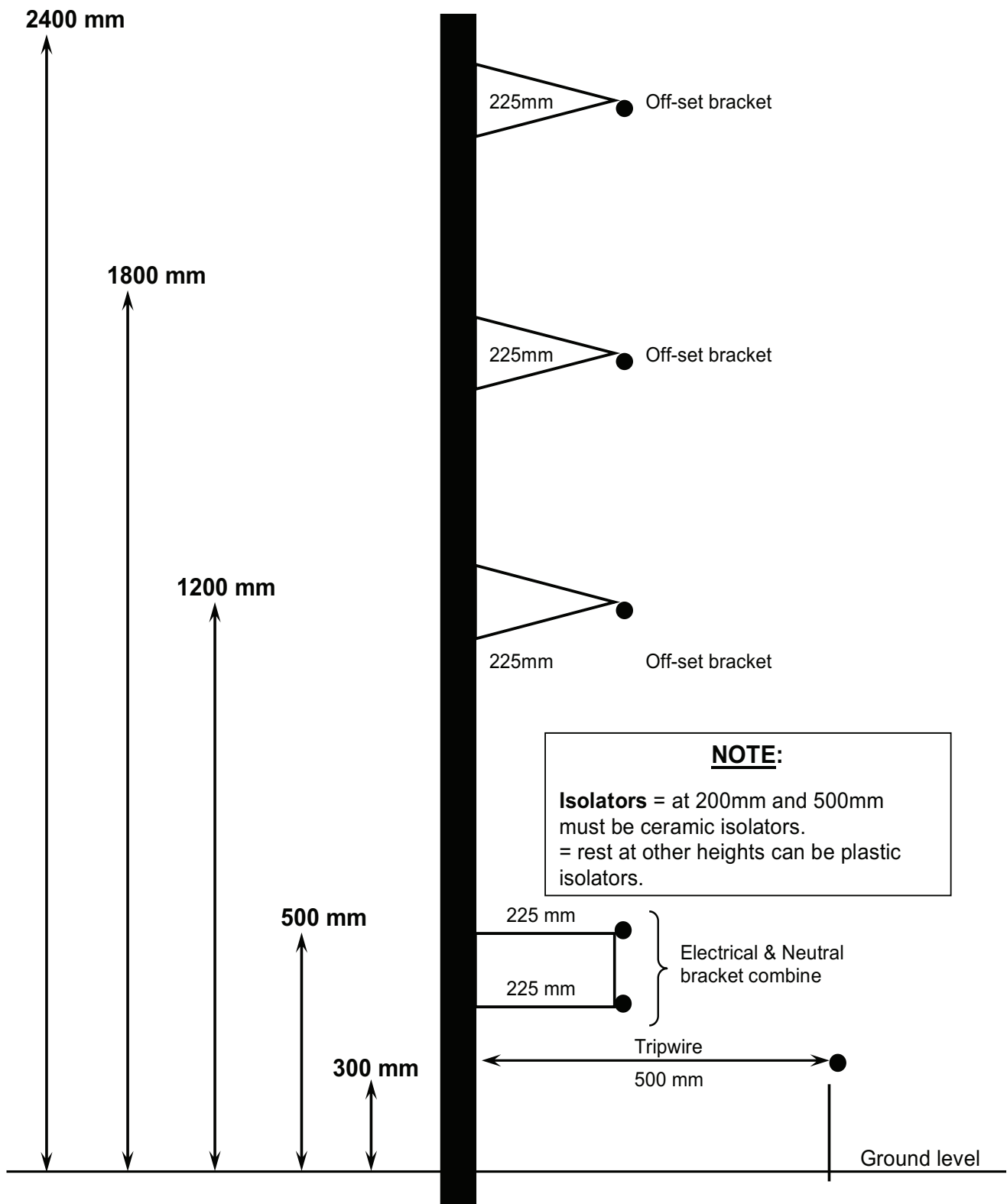
**FIGURE 1: SPACING OF WIRE STRANDS FOR FENCE TYPE 1 AND 1A**

Strands		Spacing (mm)
15		200
14		200
13		200
12		100
11		100
10		100
9		100
8		100
7		100
6		100
5		100
4		100
3		100
2		100
1		100
Ground		

**FIGURE 2: SPACING OF WIRE STRANDS FOR FENCE TYPE 2**

Strands		Spacing (mm)
19		200
18		200
17		200
16		150
15		150
14		150
13		150
12		150
11		100
10		100
9		100
8		100
7		100
6		100
5		100
4		100
3		100
2		100
1		50
Ground		

FIGURE 3: SPACING OF WIRE STRANDS FOR FENCE TYPE 3



**FIGURE 4: ELECTRICAL WIRE SPECIFICATION FOR FENCE TYPE 4**

**Minimum fencing specification for holding lion (*P. leo*) and tiger (*P. tigris*) in captivity**

47.(1) The minimum size of a camp may not be less than 1600m<sup>2</sup>, thus not less than 400m<sup>2</sup> per animal. This camp should not have any subdivisions other than the prescribed feeding and management area, which should not exceed an area of larger than 100m<sup>2</sup>

(2) The maximum allowable numbers of animals, excluding suckling cubs may not exceed 4 animals per camp.

(3) An additional 400m<sup>2</sup> per animal is required for each additional animal.

**Fence requirements for holding lion (*P. leo*) and tiger (*P. tigris*) in captivity**

48.(a) The camp must consist of an inside and outside fence;

(b) The Inside fence must be 2.4 metres high and electrified;

(c) outside fence must be 2.4 metres high;

(d) The inside fence must have an overhang that is 0.5 metres long, angling at a minimum of 45° towards the inside of the camp;

(e) The minimum spacing between wires on the overhang is 50 millimetres;

(f) The distance between the two fences (inside fence and outside fence) must be a minimum of 3 m and a maximum of 10 metres;

(g) The inside fence must be constructed in such a way that predators must not be able to get their paws through the fence;

(h) The minimum gauge of inside fence 2.5 mm; and

(i) The outside fence may be a Bonnox, or Veldspan or a 24 wire single strand steel wire fence.

**Fence electrification requirements for holding lion (*P. leo*) and tiger (*P. tigris*) in captivity**

49.(a) The inside fence must be electrified with a minimum of 4 electrical wires;

(b) One electrical wire must be provided at the inside end of the overhang;

(c) All electrical strands should be 0.2 metres away from the fence, except on the inside end of the overhang where it should be 0.05 metres away;

(d) Electrical wires must be secured onto the fence at the following heights from the ground: 0.8m, 1.8 m, 2.4 metres and end of overhang;

(e) The camps must be electrified with a constant pulse current of a minimum of 6 000 Volts;

- (f) A warning system must be in place to indicate whether the electric fence is operational or not.

**Requirements for the foundation of fences for holding lion (*P. leo*) and tiger (*P. tigris*) in captivity**

- 50.(a) A concrete slab is required directly under the inside fence with the following dimensions: width of concrete slab = 0.2 m and depth of concrete slab = 0.3 metres;
- (b) The fence itself must not be **concreted** into the concrete slab and must be attached to a bottom steel wire strand that is fixed with U-loops into the concrete;
- (c) In rocky areas, the Issuing Authority may amend specification regarding the concrete slab; and
- (d) In sandy areas, a conveyor belt of 1.2m depth is required directly under the inside fence.
- (e) No concrete slab is required for the outside fence.
- (f) The minimum strength of concrete mixture must be 40 mpa.

**Requirements for fencing poles for holding lion (*P. leo*) and tiger (*P. tigris*) in captivity**

- 51.(a) The corner posts (3.4 m long) have to be concreted in at a depth of 1 m, in a concrete block of 0.6 metres x 0.6 metres and the minimum gauge of the poles must be at least 3.0 mm.
- (b) The maximum distance between corner posts should be 100 metres;
- (c) Straining poles which must be 3 metres long on the inside fence, must be concreted into the ground at a depth of 0.6 metres in a concrete block of 0.3 metres x 0.15 metres;
- (d) These straining poles must be spaced at a maximum of 10 metres apart;
- (e) Y-standard poles which must be 3 m long) on the inside fence, must be concreted into the ground at a depth of 0.6 metres in a concrete block of 0.3 metres x 0.15 metres at a maximum distance of 5 m apart between the straining posts.

**Requirements for camp gates for holding lion (*P. leo*) and tiger (*P. tigris*) in captivity**

- 52.(a) All gates must be 2.4 metres high on the outside and inside fences.
- (b) These gates must be constructed out of a steel framework.
- (c) The inside gate must have a standard electrified overhang (as per inside fence) to the inside of the camp.

- (d) The locking mechanism of the gate must be of such a nature that when closed and under any kind of strain, the gap between the fence post and the gate must not exceed 50 mm.
- (e) The gap between the bottom (lowest part) of the gate and the concrete slab underneath the gate may not exceed 50 millimetres.
- (f) The 50 millimetres contemplated in paragraph (e) applies to the gap between the top of the gate and the overhang.
- (g) Gates are seen as part of the fence and thus should comply with the same standards as the fences.

#### **Adequate shelter for holding lion (*P. leo*) and tiger (*P. tigris*) in captivity**

- 53.(a) Adequate cover against weather patterns must be provided in each camp.
- (b) Sheltered cubing huts must be built away from inside fences which borders the passage between outside and inside fence, or the height of such inside fence must remain at 2.4m when measured from the roof of the hut, otherwise, triangular electrified wire caps must be installed.

#### **Requirements for feeding and cleaning compartments for holding lion (*P. leo*) and tiger (*P. tigris*)**

- 54. Feeding or cleaning compartments must be built on inside of every keeping facility, and must follow specification of the inside fence, with doors constructed of steel framework with functional sliding mechanism.

#### **Water point requirements for holding lion (*P. leo*) and tiger (*P. tigris*)**

- 55. Each camp must be supplied with an efficient water system.

#### **Prohibition against use of expanded metal**

- 56. No expanded metal may be used on inside fences or gate of a camp.

#### **Minimum fencing specification for holding leopard (*Panthera pardus*), jaguar (*P. onca*), puma (*P. concolor*), and jaguarundi (*P. yagouaroundi*) in captivity**

- 57.(1) The minimum size of a camp may not be less than 800metres<sup>2</sup>.
- (2) The maximum allowable numbers of animals, excluding suckling cubs may not exceed two (2) animals per camp.
- (3) An additional 400m<sup>2</sup> per animal is required for each additional animal.



**Fence requirements for holding leopard (*Panthera pardus*), jaguar (*P. onca*), puma (*P. concolor*), and jaguarundi (*P. yagouaroundi*) in captivity**

**58.**(a) the camp must consist of a inside and outside fence –

- (i) inside fence must be 3.0 metres high and electrified; and
- (ii) outside fence must be 2.4 metres high.

(b) the inside fence must have an overhang that is 1 metre long, angling at 90° towards the inside of the camp.

(c) a complete roof cover of mesh is required where trees inside the camps are higher than the inside fences.

(d) or, there must be no tall trees closer than 8m of the inside fences from the inside of the camp where an open top structure exists.

(e) the minimum spacing between wires on the overhang is 50 millimetres.

(f) the distance between the two fences (inside fence and outside fence) must be a minimum of 3 m and a maximum of 10 metres.

(g) the inside fence must be constructed in such a way that predators must not be able to get their paws through the fence.

(h) the minimum gauge of inside fence 2.5 millimetres.

(i) the outside fence may be a Bonnox or Veldspan or a 24-wire single strand steel wire fence.

**Fence electrification requirements for holding leopard (*Panthera pardus*), jaguar (*P. onca*), puma (*P. concolor*), and jaguarundi (*P. yagouaroundi*) in captivity**

**59.**(a) The inside fence must be electrified with a minimum of 4 electrical wires.

(b) One electrical wire must be provided at the inside end of the overhang.

(c) All electrical strands should be 200 millimetres away from the fence, except on the inside end of the overhang where it should be 50 millimetres away.

(d) Electrical wires must be secured onto the fence at the following heights from the ground: 0.3 metre, 1.8 metres, 3 metres and end of overhang.

(e) The camps must be electrified with a constant pulse current of a minimum of 6 000 Volts.

(f) A warning system must be in place to indicate whether the electric fence is operational or not.

(g) No electrification is required when the camp is fully enclosed.

**Requirements for the foundation of fences containing leopard (*Panthera pardus*), jaguar (*P. onca*), puma (*P. concolor*), and jaguarundi (*P. yagouaroundi*) in captivity**

**60.**(a) A concrete slab is required directly under the inside fence with the following dimensions -

(i) width of concrete slab equals 0.15 metres; and

(ii) depth of concrete slab equals 0.3 metres.

(b) The fence itself must not be concreted into the concrete slab and must be attached to a bottom steel wire strand that is fixed with U-loops into the concrete.

(c) In rocky areas, the Issuing Authority may amend specification regarding the concrete slab.

(d) No concrete slab is required for the outside fence.

(e) The minimum strength of concrete mixture must be 40 mpa.

**Requirements for fencing poles for holding leopard (*Panthera pardus*), jaguar (*P. onca*), puma (*P. concolor*), and jaguarundi (*P. yagouaroundi*) in captivity**

**61.**(a) The corner posts must be 4 metres long and have to be concreted in at a depth of 1 metre, in a concrete block of 0.6 metres x 0.6 metres and the minimum gauge of the poles must be at least 3.0 mm.

(b) The maximum distance between corner posts must be 100 metres.

(c) The straining poles (3.6 m long) on the inside fence must be concreted into the ground at a depth of 0.6 m in a concrete block of 0.3 m x 0.15 m.

(d) The straining poles contemplated in paragraph (c), must be spaced at a maximum distance of 10 metres apart.

(e) Y-standard poles (3.6 m long) on the inside fence must be concreted into the ground at a depth of 0.6 metres in a concrete block of 0.3 metres x 0.15 metres at a maximum distance of 5 metres apart between the straining posts.

**Requirements for camp gates in respect of holding leopard (*Panthera pardus*), jaguar (*P. onca*), puma (*P. concolor*), and jaguarundi (*P. yagouaroundi*) in captivity**

**62.**(a) The inside gate must be 3.0 metres high and the outside gate 2.4 metres high.

(b) These gates must be constructed out of a steel framework.

(c) The inside gate must have a standard electrified overhang (as per inside fence) to the inside of the camp.

(d) The locking mechanism of the gate must be of such a nature that when closed and under any kind of strain, the gap between the fence posts and the gate must not exceed 50 mm.

- (e) The gap between the bottom or lowest part of the gate and the concrete slab underneath the gate may not exceed 50 millimetres.
- (f) The 50 millimetres contemplated in paragraph (e) applies to the gap between the top of the gate and the overhang.
- (g) The gates are seen as part of the fence and thus should comply with the same standards as the fences.

**Requirement for adequate shelter or cover for holding leopard (*Panthera pardus*), jaguar (*P. onca*), puma (*P. concolor*), and jaguarundi (*P. yagouaroundi*) in captivity**

63. Adequate shelter or cover against weather patterns must be provided in each camp.

**Feeding or cleaning compartments, water system for holding leopard (*Panthera pardus*), jaguar (*P. onca*), puma (*P. concolor*), and jaguarundi (*P. yagouaroundi*) in captivity**

64.(1) Feeding or cleaning compartments must be built on inside of every keeping facility, and must follow specification of the inside fence, with doors constructed of steel framework with functional sliding mechanism.

(2) Each camp must be supplied with an efficient water system.

**Prohibition against use of expanded metal**

65. No expanded metal may be used on inside fences or gates.

**Minimum fencing specification for holding wild dog (*Lycaon pictus*), cheetah (*Acinonyx jubatus*) and wolf (*Canis spp*) in captivity**

66.(1) The minimum size of a camp may not be less than 1600 metres<sup>2</sup>.

(2) The maximum allowable numbers of animals, excluding suckling cubs may not exceed five (5) animals per camp.

(3) An additional 200m<sup>2</sup> per animal is required for each additional animal.

**Fence requirements for holding wild dog (*Lycaonpictus*), cheetah (*Acinonyx jubatus*) and wolf (*Canis spp*) in captivity**

67.(a) The camp must consist of an inside and outside fence –

- (i) Inside fence must be 2.4 metres high; and

- (ii) Outside fence must be 2.4 metres high.
- (b) The distance between the two fences (inside fence and outside fence) must be a minimum of 3 metres and a maximum of 10 metres.
- (c) The inside fence must be constructed in such a way that predators must not be able to get their paws or their jaws through the fence.
- (d) Minimum gauge of inside fence 2.5 millimetres.
- (e) The outside fence must be a Bonnox or Veldspan or a 24-wire single strand steel wire fence.

**Requirements for the foundation of fences holding wild dog (*Lycaonpictus*), cheetah (*Acinonyxjubatus*) and wolf (*Canisspp*) in captivity**

68.(a) A concrete slab is required directly under the inside fence with the following dimensions -

- (i) width of concrete slab equals 0.15 metres; and
- (ii) depth of concrete slab equals 0.3 metres.
- (b) The fence itself must not be concreted into the concrete slab.
- (c) The fence contemplated in paragraph (b), must be attached to a bottom steel wire strand that is fixed with U-loops into the concrete.
- (d) In rocky areas specification, the department may amend specifications regarding the concrete slab.
- (e) No concrete slab is required for the outside fence.
- (f) The minimum strength of concrete mixture must be 40 mpa.

**Requirements for fencing poles for camps holding wild dog (*Lycaon pictus*), cheetah (*Acinonyx jubatus*) and wolf (*Canis spp*) in captivity**

69.(a) The corner posts which must be 3.4 metres long, must be concreted in at a depth of 1 metre, in a concrete block of 0.6 metres x 0.6 metres and the minimum gauge of the poles must be at least 3.0 mm.

- (b) The maximum distance between corner posts should be 100 metres.
- (c) The straining poles which must be 3.0 metres long, on the inside fence, must be concreted into the ground at a depth of 0.6 metres in a concrete block of 0.3 metres x 0.15 metres.
- (d) The straining poles contemplated in paragraph (c), must be spaced at a maximum distance of 10 metres apart.

(e) The Y-standard poles which must be 3.0 metres long on the inside fence, must be concreted into the ground at a depth of 0.6 metres in a concrete block of 0.3 metres x 0.15 metres at a maximum distance of 5 metres apart between the straining posts.

**Requirements for camp gates for camps containing wild dog (*Lycaon pictus*), cheetah (*Acinonyx jubatus*) and wolf (*Canis spp*) held in captivity**

**70.**(a) All gates must be 2.4 metres high on the outside and inside fences.

(b) These gates must be constructed out of a steel framework.

(c) The locking mechanism of the gate must be of such a nature that when closed and under any kind of strain, the gap between the fence posts and the gate must not exceed 50 millimetres.

(d) The gap between the bottom (lowest part) of the gate and the concrete slab underneath the gate may not exceed 50 millimetres.

(e) The 50 millimetres contemplated in paragraph (d), applies to the gap between the top of the gate and the overhang.

(f) The gates are seen as part of the fence and thus must comply with the same standards as the fences.

**Shelter or cover against weather patterns for camps containing wild dog (*Lycaon pictus*), cheetah (*Acinonyx jubatus*) and wolf (*Canis spp*) held in captivity**

**71.** Adequate shelter or cover against weather patterns must be provided in each camp.

**Feeding or cleaning compartments and water system for camps containing wild dog (*Lycaon pictus*), cheetah (*Acinonyx jubatus*) and wolf (*Canis spp*) held in captivity**

**72.**(1) Feeding or cleaning compartments must be built on inside of every keeping facility, and must follow specification of the inside fence, with doors constructed of steel framework with functional sliding mechanism.

(2) Each camp must be supplied with an efficient water system.

**Prohibition against the use of expanded metal**

**73.** No expanded metal may be used on inside fences or gates of facilities.

**Minimum fencing specification for holding brown hyena (*Hyaena brunnea*) and spotted hyena (*Crocuta crocuta*), in captivity**

**74.**(1) The minimum size of a camp may not be less than 1000 metres<sup>2</sup>.

(2) The maximum allowable numbers of animals, excluding suckling cubs may not exceed five animals per camp.

(3) An additional 200m<sup>2</sup> per animal is required for each additional animal.

**Fence requirements for holding brown hyena (*Hyaena brunnea*) and spotted hyena (*Crocuta crocuta*), in captivity**

**75.**(a) The camp must consist of an inside and outside fence.

(b) The inside fence must be 1.8 metres high and electrified.

(c) The outside fence must be 1.8 metres high.

(d) The inside fence must have an overhang that is 0.5 metres long, angling at a minimum of 45° towards the inside of the camp;

(e) The minimum spacing between wires on the overhang is 50 millimetres;

(f) The distance between the inside and outside fences must be a minimum of 3 metres and a maximum of 10 metres.

(g) The inside fence must be constructed in such a way that predators must not be able to their paws or their jaws through the fence.

(h) The minimum gauge of inside fence 2.5 millimetres.

(h) The outside fence may be a Bonnox or Veldspan or a 24-wire single strand steel wire fence.

**Fence electrification requirements for holding brown hyena (*Hyaena brunnea*) and spotted hyena (*Crocuta crocuta*), in captivity**

**76.**(a) The inside fence must be electrified with a minimum of 3 electrical wires.

(b) One electrical wire must be provided at the inside end of the overhang.

(c) All electrical strands should be 0.2 metres away from the fence, except on the inside end of the overhang where it should be 0.05 metres away.

(d) Electrical wires must be secured onto the fence at the following heights from the ground:

0.2 metres, 1 metre and 1.8 metres.

(e) The camps must be electrified with a constant pulse current of a minimum of 6 000 Volts.

(f) A warning system must be in place to indicate whether the electric fence is operational or not.

**Requirements for foundation of fences holding brown hyena (*Hyaena brunnea*) and spotted hyena (*Crocuta crocuta*), in captivity**

**77.**(a) A concrete slab is required directly under the inside fence with the following dimensions -

(i) the width of concrete slab must be 0.15 metres; and

- (ii) the depth of concrete slab must be 0.3 metres.
- (b) The fence itself must not be concreted into the concrete slab.
- (c) The fence must be attached to a bottom steel wire strand that is fixed with U-loops into the concrete.
- (d) In rocky areas, the Issuing Authority may amend specification regarding the concrete slab.
- (f) No concrete slab is required for the outside fence.
- (g) The minimum strength of concrete mixture must be 40 mpa.

**Requirements for fencing poles for fences holding brown hyena (*Hyaena brunnea*) and spotted hyena (*Crocuta crocuta*), in captivity**

- 78.(a) The corner posts which must be 2.8 m long, must be concreted in at a depth of 1 metre, in a concrete block of 0.6 metres x 0.6 metres and the minimum gauge of the poles must be at least 3.0 mm.
- (b) The maximum distance between corner posts should be 100 metres.
  - (c) The straining poles which must be 2.4 metres long on the inside fence, must be concreted into the ground at a depth of 0.6 metres in a concrete block of 0.3 metres x 0.15 metres.
  - (d) The straining poles contemplated in paragraph (c), must be spaced at a maximum distance of 10 metres apart.
  - (e) The Y-standard poles which must be 2.4 metres long on the inside fence, must be concreted into the ground at a depth of 0.6 metres in a concrete block of 0.3 metres x 0.15 metres at a maximum distance of 5 metres apart between the straining posts.

**Requirements for camp gates of camps for holding brown hyena (*Hyaena brunnea*) and spotted hyena (*Crocuta crocuta*), in captivity**

- 79(a) All gates must be 1.8 metres high on the outside and inside fences.
- (b) These gates must be constructed out of a steel framework.
  - (c) The inside gate must have a standard electrified overhang (as per inside fence) to the inside of the camp.
  - (d) The locking mechanism of the gate must be of such a nature that when closed and under any kind of strain, the gap between the fence posts and the gate must not exceed 50 millimetres.
  - (e) The gap between the bottom (lowest part) of the gate and the concrete slab underneath the gate may not exceed 50 millimetres.
  - (f) The gap contemplated in paragraph (e) applies to the gap between the top of the gate and the overhang.



(g) The gates are seen as part of the fence and thus must comply with the same standards as the fences.

**Shelter or cover against weather patterns of camps for holding brown hyena (*Hyaena brunnea*) and spotted hyena (*Crocuta crocuta*), in captivity**

**80.** Adequate cover or shelter against weather patterns must be provided in each camp.

**Feeding or cleaning compartments and water system of camps for holding brown hyena (*Hyaena brunnea*) and spotted hyena (*Crocuta crocuta*), in captivity**

**81.**(1) Feeding or cleaning compartments –

- (a) must be built on inside of every keeping facility; and
- (b) must follow specification of the inside fence, with doors constructed of steel framework with functional sliding mechanism.

(2) Each camp must be supplied with an efficient water system.

**Prohibition against the use of expanded metal**

**82.** No expanded metal may be used on inside fences or gates.

**Minimum fencing specification for holding caracal (*Felis caracal*), jackal (*Canis spp*), fox – including (*Otocyon spp*) and (*Vulpes spp*), and other smaller cat species in captivity**

**83.**(1) The minimum size of a camp may not be less than 100 metres<sup>2</sup>.

(2) The maximum allowable numbers of animals, excluding suckling cubs may not exceed two animals per camp.

(3) An additional 50m<sup>2</sup> per animal is required for each additional animal.

**Fence requirements for holding caracal (*Felis caracal*), jackal (*Canis spp*), fox – including (*Otocyon spp*) and (*Vulpes spp*), and other smaller cat species in captivity**

**84.**(a) The camp must consist of an inside and outside fence.

(b) The inside fence must be 2.4 metres high and electrified.

(c) The outside fence must be 1.4 metres high.

(d) The inside fence must have an overhang that is 0.5 metres long, angling at 45° towards the inside of the camp, or

(e) A complete roof cover of mesh is required.

(d) The minimum spacing between wires on the overhang is 50 millimetres.

**CONTINUES ON PAGE 130 - PART 2**



# **NORTH WEST NOORDWES**

## **PROVINCIAL GAZETTE PROVINSIALE KOERANT**

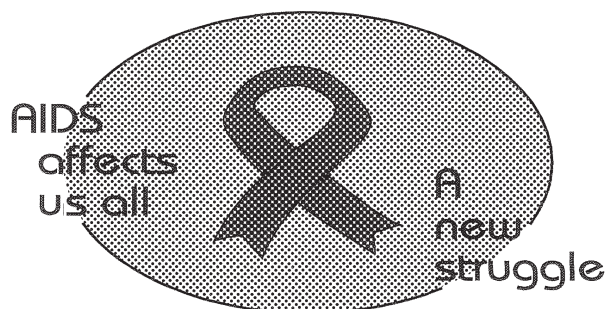
Vol. 260

**MAHIKENG**  
5 SEPTEMBER 2017  
5 SEPTEMBER 2017

No. 7804

### **PART 2 OF 2**

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



**Prevention is the cure**

**AIDS  
HELPLINE**

**0800 012 322**

DEPARTMENT OF HEALTH

N.B. The Government Printing Works will not be held responsible for the quality of "Hard Copies" or "Electronic Files" submitted for publication purposes

ISSN 1682-4532



9 771682 453002

07804



- (f) The distance between the inside and outside fence, must be a minimum of 3 metres and a maximum of 10 metres.
- (g) The inside fence must be constructed in such a way that predators must not be able to get their paws through the fence.
- (h) The minimum gauge of inside fence 2.0 millimetres.
- (i) The outside fence may be a Bonnox, Veldspan, diamond mesh fence or 14 wire strands with a 2.0mm gauge.

**Fence electrification requirements for holding caracal (*Felis caracal*), jackal (*Canis spp*), fox – including (*Otocyon spp*) and (*Vulpes spp*), and other smaller cat species in captivity**

- 85.**(a) The inside fence must be electrified with a minimum of 3 electrical wires.
- (b) One electrical wire must be provided at the inside end of the overhang.
  - (c) All electrical strands should be 0.15 metres away from the fence, except on the inside end of the overhang where it must be 0.05 metres away.
  - (d) The electrical wires must be secured onto the fence at 0.3 metres, 1.8 metres and 2.4 metres from the ground at the end of overhang.
  - (e) The camps must be electrified with a constant pulse current of a minimum of 6 000 Volts.
  - (f) A warning system must be in place to indicate whether the electric fence is operational or not.
  - (g) No electrification is required when the camp is fully enclosed.

**Requirements for the foundation of fences for holding caracal (*Felis caracal*), jackal (*Canis spp*), fox – including (*Otocyon spp*) and (*Vulpes spp*), and other smaller cat species in captivity**

- 86.**(a) A concrete slab is required directly under the inside fence with the following dimensions -
- (i) width of concrete slab which must be 0.15 metres; and
  - (ii) depth of concrete slab which must be 0.3 metres.
- (b) The fence itself must not be concreted into the concrete. It must be attached to a bottom steel wire strand that is fixed with U-loops into the concrete.
  - (c) In rocky areas, the Issuing Authority may amend specification regarding the concrete slab.
  - (d) No concrete slab is required for the outside fence.
  - (e) The minimum strength of concrete mixture must be 40 mpa.

**Requirements for fencing poles for holding caracal (*Felis caracal*), jackal (*Canis spp*), fox – including (*Otocyon spp*) and (*Vulpes spp*), and other smaller cat species in captivity**

- 87.(a) The corner posts which must be 3.4 metres long, must be concreted in at a depth of 1 000 millimetres, in a concrete block of 0.6 metres x 0.6 metres and the minimum gauge of the poles must be at least 3.0 mm.
- (b) The maximum distance between corner posts must be 100 metres.
- (c) The straining poles which must be 3.0 metres long on the inside fence, must be concreted into the ground at a depth of 0.60 metres in a concrete block of 0.30 metres x 0.15 metres.
- (d) These straining poles must be spaced at a maximum distance of 10 metres apart.
- (e) The Y-standard poles which must be 3.0 metres long on the inside fence, must be concreted into the ground at a depth of 0.6 metres in a concrete block of 0.3 metres x 0.15 metres at a maximum distance of 5 metres apart between the straining posts.

**Requirements for camp gate for holding caracal (*Felis caracal*), jackal (*Canis spp*), fox – including (*Otocyon spp*) and (*Vulpes spp*), and other smaller cat species in captivity**

- 88.(a) All gates must be 2.4 metres high on the outside and inside fences.
- (b) These gates must be constructed out of a steel framework.
- (c) The inside gate must have a standard electrified overhang (as per inside fence) to the inside of the camp.
- (d) The locking mechanism of the gate must be of such a nature that when closed and under any kind of strain, the gap between the fence posts and the gate must not exceed 50 mm.
- (e) The gap between the bottom (lowest part) of the gate and the concrete slab underneath the gate may not exceed 50 mm. The same applies to the gap between the top of the gate and the overhang.
- (f) The gates are seen as part of the fence and thus must comply with the same standards as the fences.

**Shelter or cover against weather patterns for holding caracal (*Felis caracal*), jackal (*Canis spp*), fox – including (*Otocyon spp*) and (*Vulpes spp*), and other smaller cat species in captivity**

89. Adequate shelter or cover against weather patterns must be provided in each camp.

**Feeding or cleaning compartment sand water system for holding caracal (*Felis caracal*), jackal (*Canis spp*), fox – including (*Otocyon spp*) and (*Vulpes spp*), and other smaller cat species in captivity**

90.(1) Feeding or cleaning compartments must be built on inside of every keeping facility, and must follow specification of the inside fence, with doors constructed of steel framework with functional sliding mechanism.

(2) Each camp must be supplied with an efficient water system.

**Prohibition against the use of expanded metal**

91. No expanded metal may be used on inside fences or gates.

**Minimum quarantine facilities specifications for predators**

92.(1) The provisions of specific species apply with respect to minimum requirements for quarantine facilities for predators with regard to fencing, poles, electricity, gates and water points

(2) The minimum size of a camp may not be less than 100 metres<sup>2</sup> per animal.

(3) This 100m<sup>2</sup> camp may not be subdivided.

(4) Adequate shelter within the quarantine camp must be in the following sizes –

(a) Lions –

(i) The size of these facilities must be 9 metres<sup>2</sup>.

(ii) The walls must be 20 centimetres thick, with a solid roof, adequate ventilation and steel doors that can be operated from outside the camps.

(iii) Height of the walls is 1.2 metres.

(b) Leopard, Cheetah, Wild dog, Brown & Spotted Hyena –

(i) The size of these facilities must be 4 metres<sup>2</sup>.

(ii) The walls must be 20 centimetres thick, with a solid roof, adequate ventilation and steel doors that can be operated from outside the camps.

(iii) Height of the walls should be 1.2 metres.

**Minimum fencing specifications for lion (*P. leo*), cheetah (*A. jubatus*), wild dog (*L. pictus*), brown hyena (*H. brunnea*) & spotted hyena (*C. crocuta*), crocodiles (*Crocodylus nilotica*) released in camps larger than 10 ha.**

93.(1) Fence types 3 and 4 apply with regard to minimum fencing specifications for predators released in camps larger than 10 hectares.

(2) The maximum allowable numbers of animals, excluding suckling cubs may not exceed 20 animals per camp.

- (3) a diamond mesh or wired mesh of the size up to 100x100mm, to a height of 1.2m is mandatory along the boundaries of the camp
- (4) All electric fences must have a standard alarm system per energizer.
- (5) A voltage minimum of 6 000 V must be maintained at all times.
- (6) A back-up system must be in place for each energizer.
- (7) All accommodation facilities within release / hunting camps must be fenced off.
- (8) Warning signs must be placed at all gates and along fenced public roads at 1 km intervals.
- (9) Special plans with regard to the fencing of dongas and rivers must be submitted for approval.
- (10) Pre-release holding pen standards for lion, cheetah, brown and spotted hyena and wild dog before release into bigger camp with –
  - (a) a minimum size of 30 metres x 30 metres.
  - (b) a maximum number of five animals per camp.
- (11) All other standards apply as documented in the minimum fencing requirements for specific species, except for the following:
- (12) Only one fence is required, which fence must be constructed matching all the minimum standard as prescribed for the inside fence specifications for each species.
- (13) A fence does not have to be concreted into the ground.
- (14) Maximum keeping period of predators in temporary holding camps prior to release is six months.

#### **Compulsory Warning Sign specifications for predator camps without 'Tourism Approval**

- 94.**(1) The minimum size of the warning sign at the main gate/s must be at least 1 000 millimetres x 1 000 millimetres.
- (2) The wording on the warning sign must be indicated in the following three languages –
    - (a) Afrikaans,
    - (b) English, and
    - (c) Setswana.
  - (3) The following wording must appear on each warning sign –





- (4) The warning signs must be printed in black letter work on a WHITE background and may include a visual graphic of a predator.
- (5) All signage of warning signs must be clearly visible and readable.
- (6) This warning sign must be secured onto the main gate.
- (7) In the case of free roaming predators, warning signs (same specifications as for captive predators) must be placed at all gates and fences bordering public roads at 1 km intervals.

#### **Compulsory Warning Sign specifications for predator camps with Tourism Approval**

95.(1) The provisions of regulation 94 apply with the necessary changes in respect of compulsory warning sign specifications for predator camps with tourism approval.

(2) Notwithstanding the provisions of regulation 94(2), a separate warning sign must be secured additionally onto the main gate.

(3) The separate warning sign contemplated in regulation 94(2) must indicate the following prohibitory and indemnity rules of the predator camps –

- (a) You enter this predator camp at own risk;
- (b) You may not feed, tease or throw any objects at the predators;
- (c) You may not put any body part or object through or against the fences of the predator camps;
- (d) Trespassers will be prosecuted;
- (e) Tourists/ visitors must keep a minimum distance of 1 m from the outside fence line.

#### **General keeping facilities for indigenous birds**

96. (1) The general keeping facilities for indigenous birds must comply with the following requirements;

- (a) the relevant food per species must be supplied.
- (b) containers for water must be adequate and cleaned regularly.
- (c) a complete cement floor area of the aviary is not allowed as the birds need an area of sand or gravel to scrape or scabble and have a dust bath.
- (d) ample roosting space must be supplied.
- (e) natural vegetation (grasses and trees/shrubs) is required.
- (f) at least a quarter of the aviary should provide shelter to protect the birds against climate changes like rain, wind, cold and heat with a waterproof covered area of at least 4 m<sup>2</sup>.

**Minimum specifications for keeping facilities for indigenous birds**

**97.(1)** Requirements for aviaries for large seed-eating birds of the size of cape turtle-dove and above.

- (a) the minimum size of aviaries for these species is 20m<sup>3</sup>,
- (b) a maximum of ten (10) birds per 20m<sup>3</sup> is allowed.

(2) Requirements for aviaries for small seed-eating birds of the size below cape turtle dove.

- (a) the minimum size of an aviaries for these species is 10m<sup>3</sup>,
- (b) a maximum of thirty (30) birds per 10m<sup>3</sup> will be allowed.

(3) Requirements for aviaries for fruit eating birds.

- (a) the minimum size of an aviaries for hornbill and turaco species is 20m<sup>3</sup>, with a maximum of six birds per 20m<sup>3</sup> is allowed,
- (b) for smaller species is 10m<sup>3</sup>, with a maximum of twelve (12) birds per 10m<sup>3</sup> is allowed,

(4) Requirements for aviaries for nectar or insectivorous birds.

- (a) the minimum size of aviaries for these species is 10m<sup>3</sup>,
- (b) a maximum of ten (10) birds of this group per 10m<sup>3</sup> is allowed.

(5) Requirements for aviaries for parrots.

- (a) the minimum size of aviaries for these species is 10m<sup>3</sup>,
- (b) a maximum of two birds of this group per 10m<sup>3</sup> is allowed.

(6) Requirements for enclosures for non-flighted waterfowls.

- (a) the minimum size of enclosure for species is 50m<sup>2</sup>,
- (b) a maximum of twenty (20) birds of this group per 10m<sup>3</sup> is allowed.
- (c) the enclosure should have a small drainable cemented dam of at least 10m<sup>2</sup> with depth depending on the species kept.

(7) Requirements for aviaries for flighted waterfowls.

- (a) the minimum size of aviaries for these species is 15m<sup>2</sup> with a minimum height of 2.4m
- (b) a maximum of two birds of this group per 10m<sup>3</sup> is allowed.
- (c) the enclosure should have a small drainable cemented dam of at least 5m<sup>2</sup> with depth depending on the species kept.

**Minimum specifications for keeping facilities for reptiles****98. Requirements for keeping facilities for all reptiles excluding crocodile****(1) requirements for keeping facilities for snakes**

- (a) the minimum length of the enclosure must be 75% of the length of the snake,
- (b) the minimum width of the enclosure must be 40% of the length of the snake,
- (c) the minimum height of the enclosure must be 40% of the length of the snake,
- (d) in the case of arboreal snakes, the minimum height of the enclosure must be 75% of the length of the snake.

**(2) Requirements for keeping facilities for lizards**

- (a) the minimum length of the enclosure must be 300% of the length of the lizard,
- (b) the minimum width of the enclosure must be 150% of the length of the lizard,
- (c) the minimum height of the enclosure must be 150% of the length of the lizard,
- (d) in the case of arboreal snakes, the minimum height of the enclosure must be 200% of the length of the lizard.

**(3) Requirements for keeping facilities for tortoises**

- (a) the minimum area of the enclosure must be 10m<sup>2</sup> and 2m<sup>2</sup> of each additional tortoise,
- (b) the keeping enclosure must have a suitable substrate and sufficient drainage.

**(4) Requirements for keeping facilities for terrapins**

- (a) the minimum area of the enclosure must be 10m<sup>2</sup> and 2m<sup>2</sup> of each additional tortoise,
- (b) the keeping enclosure must have a suitable substrate and sufficient drainage.

**Minimum keeping and quarantine specifications for crocodile (*C. niloticus*)****99.(1) The provisions of-**

- (a) the South African National Standards (SANS) 631:2009 apply with its necessary changes with respect to the keeping and management of all crocodile species
- (b) the SANS 1884-3:2008 apply with its necessary changes with regard to the holding pens for temporary housing of crocodiles and their transportation;
- (c) National Environmental Management Act, Environmental Impact Regulations as amended apply with necessary changes with regard to the holding and housing of crocodiles in captivity within the North West Province.

## CHAPTER 5

## REGULATIONS RELATING TO CAPTURE AND TRANSLOCATION OF ANIMAL SPECIES

**Movement of animal species**

**100.**(1) A person intending to catch, capture or convey animal species must apply for a permit in terms of Chapter 8 of the Act.

(2) A person contemplated in subregulation (1), must submit an application for a permit in terms of regulation 3(1);

(3) Wildlife translocators registered in terms of section 38(2) of the Act may qualify for an exemption from the provisions of subregulations (1) and (2),

(4) The exemption contemplated in subregulation (3) only applies to the catching, capturing and conveyance identified of listed game species under schedule 5 of the Act for mass capture and conveyance by means of a prescribed game movement register.

(5) Applications referred to in subregulation (2) must be accompanied by documentation contemplated in Regulation 3(3)(a); (c); (f) and (g)

(6) In addition to the documentation required in terms of subregulation (5) –

(a) in the case of an application for an export permit, a copy of an import permit from the receiving province or country is required.

(7) The provisions of regulation (4) apply with respect to consideration and processing of the applications for permits to catch, capture or convey animal species.

**Movement of identified game species between registered game farms with Provincial Standing Permits with Exemptions.**

**101.**(1) Registered wildlife translocators may apply for a game movement register for movement of identified listed game species in terms of Section 49(1)(a) of the Act.

(2) The movement of identified listed game species contemplated in subregulation (1) apply to registered game farms with provincial standing permits with exemptions, and where the same game species already occur within the boundaries of the North West Province.

(3) The provision of subregulation (2) apply to registered temporary holding facilities of registered wildlife traders where identified listed game species contemplated in subregulation (1) is in transit between registered game farms contemplated in subregulation (2).

(4) The movement of game contemplated under subregulation (1) must be conducted by means of a prescribed game movement register from the Issuing Authority.

(5) Notwithstanding the provisions of subregulation (4), all game species including those kept in temporary holding facilities during transit must only, by means of a permit, be –

- (a) exported, or
  - (b) released in game farms with standing permits without exemptions in the province.
- (6) Written permission from the landowners and copies of provincial exempted standing permits from both source and destination farms, as well as the registration certificate of the temporary Keeping facilities must accompany the consignment of animals during conveyance.
- (7) A written permission contemplated in subregulation (6) must contain the following minimum information—
- (a) a copy of provincial standing permit with exemption,
  - (b) the permit holder's name, identity number, registered farm name and number, physical address and contact numbers
  - (c) the species name and numbers to be caught
  - (d) the signatures of both parties and date of capture
- (8) Non-compliance with subregulations (4); (5);(6); and constitute an offence.

#### **Game movement register**

- 102.**(1) Only registered wildlife traders who meet the criteria as set under the relevant SANS standards may apply for a game movement register contemplated under regulation 101(1).
- (2) Wildlife translocators contemplated in regulation 101(3) may apply for a game movement register.
- (3) Applications for a game movement register must be submitted to the Issuing Authority in terms of regulation 3(1);
- (4) In addition to documentation contemplated in regulation 3(3)(a),(c),(f) and (g), an application for a game movement register must be accompanied by a copy of a valid registration certificate to operate as a wildlife translocator and wildlife trader.
- (5) The provisions of regulation (5) apply with respect to consideration and processing of the applications for a game movement register.
- (6) The wildlife translocator contemplated in subregulation (1) or any person in their employment must at all times be in possession of the game movement register during the catching, capturing and conveyance of the identified listed game species for mass capture and conveyance to registered game farms contemplated in regulation 101(2) and (3).
- (7) The landowner and the wildlife translocator or their employee must, before the animal consignment depart, fill in all their relevant details and those of the driver and co-sign in the space provided for in the game movement register in acceptance of the conditions.

(8) Upon completion and co-signing of the game movement register by the landowner and the wildlife translocator or their employee as contemplated in subregulation (7), the wildlife translocator or their employee must ensure that the signed game movement register accompanies the specific consignment at all times.

(9) The details contemplated in subregulation (7) include –

- (a) landowner's names and surname
- (b) registered property's name,
- (c) municipal district of the property,
- (d) the date of the mass capture,
- (e) the species captured,
- (f) the sex of the species captured,
- (g) the age groups of the species captured,
- (h) the total number of species captured,
- (i) the time of the capture of species
- (j) Destination of the species

(10) All used and unused game movement registers must be returned to the Issuing Authority at the end of November of every year.

(11) Non-compliance with provisions of subregulation (10) will result in the non-renewal of the game movement register.

### **Game capture season**

**103.**(1) Mass capture season starts on the 1st of March and ends by the end of October of every year.

(2) Notwithstanding provisions of subregulation (1), the mass capture season for –

- |                       |                                  |
|-----------------------|----------------------------------|
| (a) bushbuck          | <i>Tragelaphus scriptus</i> ,    |
| (b) eland             | <i>Taurotragus oryx</i> ,        |
| (c) gemsbok           | <i>Oryx gazella</i> ,            |
| (d) impala            | <i>Aepyceros melampus</i> ,      |
| (e) mountain reedbuck | <i>Redunca fulvorufula</i> ,     |
| (f) red hartebeest    | <i>Alcelaphus buselaphus</i> ,   |
| (g) steenbok          | <i>Raphicerus campestris</i> and |
| (h) tsessebe          | <i>Damaliscus lunatus</i>        |

starts at the 1st March and ends by the end of September every year.

(3) Notwithstanding the provisions of subregulation (1) and (2), selective chemical and passive capture will be allowed throughout the year by means of a permit with conditions determined and stipulated by the Issuing Authority.

**Game Auctions**

**104.**(1) Live game auctions may only be held between the period of 15th of March and 31st of October of each year.

(2) Catalogue auctions may be held throughout the year, provided animals are captured as outlined in Regulation 103(3).

**Game capture, game auction, transport equipment and facilities**

**105.** The game capture, game auction, transport equipment and facilities must comply with all relevant SANS and animal welfare standards at all time.

CHAPTER 6  
REGULATIONS FOR HUNTING IN THE PROVINCE,

Part: 1  
Hunting

**Hunting of listed species**

**106.**(1) Hunting of specially protected species must be conducted by means of a permit.

(2) Hunting of listed game species on open farms may be conducted by means of a provincial open season hunting permit or bird hunting license.

(3) Notwithstanding the provisions of subregulation (1), all listed species appearing on an exemption permit for a particular property may be hunted without a permit.

(4) A permit for hunting during the night may be issued only for the purposes of –

- (a) hunting of nocturnal carnivores,
- (b) culling,
- (c) destruction of wounded animals, and
- (d) destruction of damage causing animals

(5) Hunting contemplated in subregulation (2) may only be conducted during the open hunting season as declared by notice in the Gazette in terms of section 14(1) of the Act.

(6) A notice contemplated in subregulation (5) must specify –

- (a) the start and end date of the open hunting season;
- (b) the persons or category of persons that may carry out the restricted activity



during the specified open hunting season;

(c) the species, numbers and sex, or the other categories, of ordinary species in respect of which permits and licenses may be applied for during the specified season; and

(d) the area or category of areas in which the restricted activities may be applied for during the specified season, as well as properties that are specifically excluded.

(7) An officer of the Issuing Authority may monitor hunting of a listed species.

(8) Where a hunting permit condition stipulates the monitoring of the hunt as contemplated in subregulation (7), the permit holder must notify the Issuing Authority within three (3) working days before the hunt is carried out.

(9) All wounded or presumably wounded dangerous animals must be reported to the Issuing Authority and the nearest South African Police Services station within 24 hours.

(10) Incidences of animal attacks on any person during hunting must be reported to the Issuing Authority within 24 hours.

(11) In the case of hunting of a listed game species as contemplated in subregulation (2), the provincial open season hunting permit holder must sign the provincial open season hunting permit prior to commencement of the hunt.

(12) A written permission

(a) from the holder of the provincial standing permit with exemption must accompany the carcass during transport; or

(b) from the landowner, tribal authority or communal property association, or their authorised agent, must accompany the carcass during the transport, in case of listed ordinary game species or game bird species being hunted during the declared open season, under license.

(13) A written permission contemplated in subregulation (12) must contain the following minimum information –

(a) a copy of provincial standing permit with exemption,

(b) the permit holder's name, identity number, registered farm name and number, physical address and contact numbers

(c) the species name, sex and numbers to be hunted

- (d) the signatures of both parties and date of hunt
- (e) the hunter's name, identity number, physical address and contact numbers

(14) A written permission contemplated in subregulation (12)(b) must contain the following minimum information –

- (a) the registered name, number and portion of the property,
- (b) the name of the property owner, tribal authority or communal property association, and/or their authorised agent, identity or registration number, physical address and contact numbers
- (c) the hunter's name, identity number, physical address and contact numbers
- (d) the species name, sex and numbers, if more restrictive than the proclamation, to be hunted
- (e) the signatures of both parties and date of hunt

### **Hunting with certain weapons**

**107.(1)** Minimum rifle calibres with which hunting should be conducted are as follows –

- (a) air rifles of not less than 0.177 calibre may be used for the hunting of birds, up to the size of a Guineafowl, and furred game, up to the size of a hare.
- (b) rim-fire firearms of not less than 0.177 calibre may be used for the hunting of birds, up to the size of a Spurwinged Goose, and furred game, up to the size of a hare.
- (c) calibre of not less than 0.22 center fire for the hunting of furred game up to and including the size of Blesbok;
- (d) calibre of not less than 0.243 for the hunting of furred game larger than a Blesbok, up to and including the size of eland; and
- (e) calibre of not less than 9.3mm or 0.366", with the ballistic equivalence to the 9.3mm x 62mm for the hunting of Dangerous Game, with the exception of leopard
- (f) calibre of not less than 0.308", for the hunting of Giraffe and leopard

(2) The following are the permissible types of bows for hunting with bow and arrow –

- (a) a longbow;
- (b) re-curve bow;
- (c) compound bow; and
- (d) compound crossbow.

**Minimum requirements for hunting with bow and arrow**

**108.**(1) The minimum requirements to hunt specific categories of wild or alien animals by means of bow and arrow are the following –

- (a) for wild or alien animals of a small size range, including game birds, small carnivores, hares, hyraxes, rabbits and pygmy antelope, the –
  - (i) kinetic energy should not be less than 30ft/lbs; and
  - (ii) arrow weight should not be less than 300 grains;
- (b) for wild or alien animals of medium size range, including reedbuck, impala, blesbuck, warthog, bushpig, springbuck and nyala, the –
  - (i) kinetic energy should not be less than 50ft/lbs; and
  - (ii) arrow weight should not be less than 380 grains;
- (c) for wild or alien animals of large size, including wildebeest, kudu, gemsbuck, zebra, waterbuck, sable and hartebeest, the –
  - (i) kinetic energy should not be less than 60ft/lbs; and
  - (ii) arrow weight should not be less than 415 grains;
- (d) for the cape buffalo, the –
  - (i) kinetic energy should not be less than 80ft/lbs; and
  - (ii) arrow weight should not be less than 750 grains; and
- (e) for the Giraffe, the –
  - (i) kinetic energy should not be less than 90ft/lbs; and
  - (ii) arrow weight should not be less than 750 grains.

(2) In addition to the requirements contemplated in sub-regulation (1), the following conditions apply with regards to the use of mechanical broad heads –

- (a) for species contemplated in sub-regulations (1)(a), (1)(b) and (1)(c), 5% additional kinetic energy is required;
- (b) broad heads should have at least two cutting edges; and
- (c) the minimum permitted arrow length is 50cm.

(3) No person may hunt any species listed under Regulation 110(11) by means of a bow-and-arrow or similar device.

**Hunting of captive bred animals**

**109.**(1) Hunting of species bred in captivity requires a permit issued in terms of Chapter 8 of the Act.

(2) A person intending to hunt animal species contemplated in subregulation (1), must submit an application for a permit in terms of regulation 3(1);

(3) Applications referred to in subregulation (2) must be accompanied by documentation contemplated in regulation 3(3)(a); (c); (d); (f); (g)

(4) The provisions of regulation 4 apply with respect to consideration and processing of the applications for permits to hunt captive bred animal species.

(5) In addition to the provisions of subregulation 1, the requirements for the hunting of species bred in intensive wildlife management systems that are released into semi-extensive or extensive wildlife management systems that –

(a) the hunting area must be fenced off at least 1km away from the breeding or keeping camp?.

(b) the size of the hunting area must be a minimum of 1 500 hectares in extent,

(c) the hunting area must have –

(i) limited human infrastructures

(ii) suitable diverse habitat types specifically to provide cover for the released animals

(iii) no internal fences

(iv) adequate live natural prey species available

(v) water provided

(d) a diamond mesh or wired mesh of the size up to 100x100mm, to a height of 1.2m is mandatory along the boundaries of the hunting area bordering a public road

(e) where crocodiles are released in earth dams, a fence mesh size of 50x50mm to a height of 1.2m is mandatory along the main boundary fence.

(f) the crocodiles are not to be released in earth dams where a river flows through or across the farm.

(g) Fence types 3 and 4 apply with regard to minimum fencing specifications.

(6) In the case of listed large predators, wildlife species contemplated in subregulation (1) must –

(a) not be lured with any live or dead specimen.

(b) be released for a thirty (30) calendar days period before it can be hunted.

(c) be monitored by an environmental management officer of the department during the release, and the subsequent hunting.

(7) In addition to subregulation (6), the holder of a permit must, in writing, notify the Issuing Authority within 10 working days, before –

- (a) the release contemplated in subregulation (6), and
- (b) the hunting of the species contemplated in subregulation (5)

(8) Notwithstanding the provision of subregulation (6), listed large predators imported into the province may not be hunted within a one (1) month period from the date of import.

(9) Where an animal escapes from the hunting area contemplated in subregulation (5), the permit holder must notify the Issuing Authority within an hour after being aware of such an incident.

(10) Any escaped animal as contemplated in subregulation (9) will be considered a damage causing animal and will be subject to the provisions under Chapter 7 of this Regulations.

#### **Prohibited hunting methods for all listed species**

110.(1) Listed ordinary game may not be hunted by means of –

- (a) poison;
- (b) traps, except as provided for in subregulation (4);
- (c) snares;
- (d) dogs, except as provided for in subregulation (5);
- (e) darting, except as provided for in subregulation (6);
- (f) a weapon which after it has been discharged, automatically reloads and fires when the trigger thereof held in a discharged position;
- (g) a weapon which after it has been discharged, automatically reloads and fires when the trigger thereof is pulled again with the exception of hunting birds;
- (h) a weapon discharging a projectile of less than 0.177 calibre;
- (i) shotguns, except for the hunting of birds and furred game up to and including the size of a hare
- (j) airguns, except for the hunting of birds up to the size of Guineafowl, and furred game up to and including the size of a hare

(2) Notwithstanding the provisions of subregulation (5), (6), (7) or (8) an animal may not be hunted by using –

- (a) flood or spotlights;
- (b) motorised vehicles or aircraft; and
- (c) the animal may not be hunted if it is –

- (i) under the influence of any tranquillising, narcotic, immobilising or similar agent; or
- (ii) trapped against a fence.

(3) Unless it is for the purposes of the management of damage causing animals and scientific research, veterinary or management purposes, listed species may not be hunted by luring it, by means of –

- (a) sounds, except for the hunting of birds;
- (b) any other induced luring method, except for artificial decoys or dead specimens when hunting birds;
- (c) the animal may not be hunted if it is under the influence of any tranquillising, drug having narcotic effect, immobilising or similar agent.

(4) Subregulation (1)(b) does not prevent the use of traps for the purpose of –

- (a) the hunting and / or catching listed aquatic species;
- (b) collecting invertebrates for scientific purposes; and
- (c) trapping listed specially protected and ordinary terrestrial vertebrate species for scientific, veterinary or management purposes.

(5) Subregulation (1)(d) does not prevent the use of dogs for the purpose of –

- (a) tracking a wounded animal; or
- (b) flushing, pointing and retrieving listed specially protected and ordinary animal species.

(6) The provisions of subregulation (1)(e) and (2) do not prevent the darting of an animal by a veterinarian or a person authorised by a veterinarian in writing and in possession of a valid permit, whether on foot or from a motorised vehicle or aircraft, to immobilise or tranquillise the animal for the purpose of –

- (a) carrying out a disease control procedure or a scientific experiment or for management purposes;
- (b) veterinary treatment of the animal; or
- (c) translocating or transporting the animal.

(7) Notwithstanding subregulation (2) –

- (a) an aircraft may be used for –
  - (i) culling; and

- (ii) controlling damage causing animals;
- (b) a motorised vehicle may be used for –
  - (i) tracking an animal in an area where the hunt takes place over long ranges;
  - (ii) culling; or
  - (iii) allowing a physically disabled or elderly person to hunt.

(8) The provisions of subregulation (1) and (3) do not prevent the use of the hunting methods or luring methods described in these subregulation for the purpose of controlling damage causing animals in accordance with section 26 of the Act.

(9) The provisions of subregulation(2) do not prevent the use of flood or spotlights for the purpose of –

- (a) controlling damage causing animals;
- (b) culling of listed species;
- (c) hunting of leopards and hyenas; or
- (d) tracking wounded animals.

(10) The provisions of subregulation(4) do not apply to the following persons with respect to an aquatic system that has been artificially created and that is totally surrounded by the land of the owner –

- (a) the owner of such land; or
- (b) any other person acting with the written permission of the owner.

(11) The Issuing Authority may not issue a permit to hunt a listed large predator, or–

- (a) hippopotamus *Hippopotamus amphibius*

by means of or by the use of a bow and arrow, with the exception of Lion *Panthera leo*

## *Part 2: Falconry*

### **Practicing falconry**

111.(1) A person intending to practice falconry must submit an application for a permit in terms of regulation 3(1);



(2) Applications referred to in subregulation(1) must be accompanied by documentation contemplated in regulation 3(3)(a); (c); (e); (f); and(g).

(3) In addition to the documentation required in terms of subregulation (5) –

- (a) a written landowner's permission to practicing falconry on his or her land,
- (b) details of the species and origin of the hunting bird/s
- (c) a written confirmation from a sponsor or association stating that the applicant has practiced falconry with raptor(s) at the apprentice falconer level or equivalent for at least 2 years including –
  - (i) maintaining,
  - (ii) training,
  - (iii) flying, and
  - (iv) hunting
- (d) the raptor/s for at least 4 months in each year.

(4) The provisions of regulation (4) apply with respect to consideration and processing of the applications for practicing falconry.

(5) The species contemplated in subregulation (3)(b) covers the following –

- (a) some members of the order Falconiformes including –
  - (i) vultures,
  - (ii) kites,
  - (iii) eagles,
  - (iv) hawks,
  - (v) caracaras,
  - (vi) falcons,
  - (vii) kestrels, and
  - (viii) buzzards
- (b) some members of order Strigiformes including owls, and applies to any person who possesses one or more wild-caught, captive-bred, or hybridraptors of listed species to use in falconry.

### **Possession and keeping of a falconry raptor**

**112.(1)** No person may possess or keep a falconry raptor without a valid permit in terms Chapter 8 of the Act.

(2) Notwithstanding provisions of subregulation (1), any person under the supervision of the permit holder, may handle, hold or practice flying a raptor.

(3) A person may apply for a permit to remove a submissive raptor less than 1 year old from the wild during any period/s specified by the Issuing Authority.

(4) Notwithstanding provisions of subregulation (3), a valid permit would be required for taking any raptors, or eggs of such raptors from the wild.

(5) A risk assessment contemplated in Regulation (5) will be required before a permit is issued for taking raptors from the wild.

(6) No specially protected species may be hunted by the falconry raptor.

*Part 3:  
Professional Hunting*

**Registration certificate to act as school director, hunting outfitter and professional hunter**

**113. (1)** An application for a valid registration certificate issued in terms of section 46 of the Act is required to conduct business as –

- (a) a school director;
- (b) hunting outfitter;
- (c) professional hunter, and

must be in the form as set out in Annexure 1 of these regulations.

(2) Notwithstanding the provisions of subregulation (1), the registration certificate issued in terms of the Act and its regulations with their necessary changes applies in relation to a person applying to conducting business as a school director, hunting outfitter or professional hunter.

**Issuing of registration certificates to school directors**

**114.(1)** A registration certificate contemplated in regulation 113(1) may be issued to a school director if the Issuing Authority is of the opinion that the applicant –

- (a) possesses the necessary knowledge, ability, skill and experience
- (b) appoints the necessary knowledge, ability, skill and experience
- (c) is a South African citizen and above the age of 21 years

- (d) can provide the services and conveniences referred to in regulation, and that
- (e) those services and conveniences are for at least 10 students at a time
- (f) has paid the prescribed fees.

(2) A registration certificate contemplated in regulation 113(2) may be issued to a hunting outfitter if the Issuing Authority is of the opinion that the applicant –

- (a) possesses the necessary knowledge, ability, skill and experience;
- (b) is a South African citizen and above the age of 21 years;
- (c) can provide the services and conveniences referred to in regulation; and
- (d) has paid the prescribed fees.

(3) A registration certificate contemplated in regulation 113(3) may be issued to a professional hunter if the Issuing Authority is of the opinion that the applicant –

- (a) possesses the necessary knowledge, ability, skill and experience;
- (b) is a South African citizen and above the age of 18 years; and
- (c) has paid the prescribed fees.

**Criteria for the evaluation of applications for a director of professional hunting school.**

**115.** (1) To establish a professional hunting school, the applicant must submit–

- (a) a written application on a prescribed form attached in Annexure 1 to these Regulations.
- (b) an application form contemplated in subregulation (1)(a) must be accompanied by a full *curriculum vitae* with –
  - (i) personal details
  - (ii) proof of ten (10) year professional hunting experience with references from clients, international and national hunting associations
  - (iii) copies of professional hunters and hunting outfitters permits from other provinces or countries.
  - (iv) details of experience in marketing hunts overseas, including at least one major convention each in the United States of America and Europe (give details of overseas trips and conventions attended)
  - (v) proof that he / she is in possession of a valid professional hunters permit in the province.
  - (vi) proof that he / she is in possession of a valid hunting outfitters permit in the province.

(vii) résumé of the lecturers who will be appointed to lecture on the topics contained in the syllabus as prescribed,

(viii) details of the necessary schooling facilities,

(ix) qualification as an official measurer for either Safari Club International or Rowland Ward will be a recommendation.

(c) Notwithstanding the provisions of subregulation (1)(b), the applicant may appoint any person with the necessary requirements as set-out in that subregulation.

(2) the necessary criteria for schooling facilities contemplated in subregulation (1)(viii) must meet the following criteria –

- (a) a lecture room with the necessary equipment;
- (b) accommodation, washing and sanitary conveniences for at least 10 students;
- (c) sufficient ablution facilities;
- (d) a shooting range;
- (e) lockable gun safe sufficient to hold all students rifles;
- (f) provide terrain where wild populations are present for practical experience;
- (g) hunting, skinning, handling and dispatch services;
- (h) catering facilities and equipment;
- (h) appropriate hunting vehicle/s;
- (i) appropriate cleaning and refuse removal facilities;
- (j) first aid and fire-fighting equipment;
- (k) staff services; and
- (l) comply with further details as prescribed..

**Criteria for renewal of registration certificate for director of professional hunting school.**

**116. (1)** To renew a registration certificate for a director of a professional hunting school, the applicant must submit –

- (a) a written application on a prescribed form attached in Annexure 1 to these Regulations;
- (b) proof that he or she is in possession of a valid professional hunters permit for province;
- (c) proof that he or she is in possession of a valid hunting outfitters permit for the province;
- (d) details of a minimum of three courses conducted in the three year period preceding the application;

- (e) comply with the necessary schooling facility as per regulation 115(2);
- (f) a résumé of all lecturers who will be appointed on the topics contained in the syllabus as prescribed;
- (g) all the necessary documentation for schools conducted during the past year.

(2) The provisions of Regulation 115(1)(c) apply to the renewal of registration certificate for director of professional hunting school.

### **Issuing of registration certificates to hunting outfitters**

**117.(1)** To obtain a registration certificate contemplated in regulation 113(2), the applicant must submit -

- (a) a written application on a prescribed form attached in Annexure 1 to these Regulations;
- (b) a valid copy of South African Identity Document or a valid permanent residency permit;
- (c) proof that he/she possesses the necessary knowledge, ability, skill and experience required to operate as a hunting outfitter;
- (d) proof of having attended and successfully completed a registered professional hunting school and passed the relevant practical examination;
- (e) proof that he / she passed the standard national general examination, as well as the legal examination of province;
- (f) proof that he/she can provide the services and facilities required as prescribed in regulation 115(2);
- (g) all promotional brochures and Internet advertisements, which correctly describe the services, facilities, conveniences and animal species that can be delivered upon request;
- (h) proof of payment of the prescribed fee;
- (i) proof that he / she has been active as a professional hunter for a period of three (3) years.

(2) If the applicant is not a landowner, he or she must submit –

- (a) a letter of permission from such a landowner who can provide access to approved facilities for the same period applicable to the registration application
- (b) hunting rights for the species he or she advertises for hunting

(3) The hunting rights contemplated in subregulation 2(b) must contain the following minimum information -

- (a) name and residential address;
- (b) the registered farm name and number;
- (c) the name and residential address of the person to whom the hunting-rights are transferred;
- (d) particulars of the species, number and sex of the species in respect of which the hunting-rights are transferred;
- (e) provincial standing permit number of the property concerned and validity period of such permit;
- (f) the number of the ordinary hunting permit, in the case where the provincial standing permit contemplated in paragraph (e) is not applicable;
- (g) the date on which, and period for which the hunting-rights are transferred;
- (h) signatures of landowner's and the person to whom the hunting-rights are transferred.

(4) a professional hunter must have a copy of the document contemplated in subregulation 2(b) or a copy thereof available for the duration of the hunt.

(5) Notwithstanding provisions of subregulation (1)(i), any South African citizen may apply for an exemption if–

- (a) he or she is the landowner of a game farm or in the case of land managed by traditional authority or communal property association, the duly appointed representative of that authority or association, and
- (b) the landowner, traditional authority or communal property association has made a capital investment in the professional hunting industry and has approved facilities on the property, and;
- (c) wishes to conduct the hunting outfitting on the property himself/herself

(6) If such exemption contemplated in subregulation (3) is granted, the hunting outfitter is limited to outfitting on the property concerned only for the first three years.

#### **Criteria for renewal of registration certificate for hunting outfitter**

**118.(1)** To renew a registration certificate for hunting outfitter, the applicant must submit–

- (a) a written application on a prescribed form attached in Annexure 1 to these Regulations; and

(b) Proof that he/she can provide the services and facilities required in regulation 115(2).

(2) If the applicant is not a landowner, the applicant must submit –

- (a) a letter of permission from such a landowner who can provide access to approved facilities for the same period applicable to the registration certificate application;
- (b) landowner's written permission or hunting rights for the species he/she advertises for hunting;
- (c) all promotional brochures and Internet advertisements, which correctly describe the services, facilities, conveniences and animal species that can be delivered upon request;
- (d) proof of payment of the prescribed fee; and
- (e) proof that he/she has a valid registration certificate to act as a professional hunter.

(3) The applicant must submit proof that he/she has undertaken as a hunting outfitter, at least three hunts totalling a minimum of 21 outfitting days with clients, during the three (3) year period preceding the application.

(4) An active hunting outfitter, who can submit proof of at least 10 year consecutive experience in the professional hunting industry, may apply for an exemption from provisions of subregulation (3).

#### **Issuing of registration certificates for professional hunters for plains game**

**119.**(1) To obtain a registration certificate contemplated in regulation 113(3) for plains game, the applicant must submit -

- (a) a written application on a prescribed form attached in Annexure 1 to these Regulations.
- (b) a valid copy of South African Identity Document, valid work permit or a valid permanent residency permit,
- (c) proof that he/she possesses the necessary knowledge, ability, skill and experience required to operate as a professional hunter,
- (d) proof of having attended and successfully completed a registered professional hunting school and passed the relevant practical examination
- (e) proof that he / she passed the standard national general examination, as well as the legal examination of province

- (f) proof of payment of the prescribed fee;
- (g) first time applicants must register as a professional hunter within one year from obtaining the certificate from the director of a registered professional hunting school which he / she attended; and
- (h) a document signed by both the candidate and school director that the candidate is fully aware of the total contents of the Act and its Regulations .

### **Issuing of registration certificates for professional hunters for dangerous game**

**120.**(1) To obtain a registration certificate contemplated in regulation 113(3) for dangerous game, the applicant must, in addition to the provisions of regulation 119(1), submit the following -

- (a) the standard summary of information on dangerous game hunting as prescribed.
- (b) written proof that he/she has personally hunted, or hunted as the back-up professional hunter (PH2) under the supervision of a registered dangerous game professional hunter (PH1), a minimum period of sixty (60) hunting days on at least three (3) of the six (6) dangerous game species;

(2) The documentary proof contemplated in subregulation (1)(b) must be submitted to the Issuing Authority for scrutiny, and must include certified copies of –

- (a) the hunting register of the hunt he/she has attended,
- (b) sworn affidavits and declarations by–
  - (i) the hunting outfitter,
  - (ii) professional hunter (PH1), and
  - (iii) clients involved

### **Criteria for renewal of registration certificate for professional hunter**

**121.**To renew a registration certificate for professional hunting, the applicant must submit–

- (a) a written application on a prescribed form attached in Annexure 1 to these Regulations;
- (b) proof of payment of the prescribed fee; and
- (c) proof that he/she has acted as a professional hunter at least in three (3) hunts, totalling a minimum of twenty one (21) hunting days with clients, during the three (3) year period preceding the application.



**Keeping of register by Professional Hunter**

**122.(1)** A professional hunter must keep a prescribed register issued by the Issuing Authority, an accredited hunting school, organization or association in which he/she must record—

- (a) his / her name and business address;
- (b) the name of the hunting outfitter and business address;
- (c) the name and permanent postal address of every client;
- (d) the place where and the date on which the escorting of the client commenced and terminated;
- (e) the name, registration number, district and hunting permit number of every game farm / property hunted on and the name and residential address of every owner;
- (f) the species, number and sex of the specimens killed or wounded by the client on each of the properties referred to in paragraph (d) and the date on which each of those specimen was killed or wounded, forthwith after the termination of the escorting of the client;
- (g) the part or parts of trophies to be exported; and
- (h) the taxidermist that will be used within the country.

(2) The prescribed register contemplated in subregulation (1) consist of pages, which are numbered consecutively, and of which—

- (a) every page has four copies with the same number; and
- (b) the original page and the first two copies must be perforated in such manner that it can be removed easily from the register.

(3) After a professional hunter has recorded the particulars contemplated in subregulation (1) in the register, he/she and his/her client must sign the hunting register thereof, and must —

- (a) hand the original page forthwith to the client;
- (b) within fourteen (14) working days after the signing thereof forward the first (1st) copy to the Issuing Authority;
- (c) forward the second (2nd) copy with the trophies to the taxidermist;
- (d) forward the third (3rd) copy to the hunting outfitter; and
- (e) keep the fourth (4th) copy in the register as a permanent record.

(4) A professional hunter and his client must append their signatures to every alteration on the original page and the four copies thereof on which the particulars contemplated in subregulation (1) have been recorded.

**Agreement between hunting outfitter and client**

**123.(1)** A hunting outfitter and his/her client must, before a hunt, conclude a written agreement which specifies–

- (a) the name and permanent postal address of the client;
- (b) the name and business address of the hunting outfitter;
- (c) the address to which trophies are to be sent or the taxidermist within the country;
- (d) particulars of the place of the commencement and termination of the liabilities of the hunting outfitter to the client;
- (e) particulars of the species and sex of the wild specimens offered for hunting and the tariffs for every species of wild specimens killed or wounded;
- (f) the tariffs for the available services, facilities and conveniences to be provided by the hunting outfitter;
- (g) the duration of the hunt and the daily tariff; and
- (h) in the case of hunting as contemplated in regulation 109, the hunting client must undersign a declaration that he/she is aware that the animal to be hunted was bred in a captive environment under an Intensive Wildlife Management System,

(2) The provisions of an agreement contemplated in subregulation (1)(c),(d); (e); (f); and (g) may be amended or substituted by a subsequent agreement entered into in writing by the hunting outfitter and his/her client.

(3) An agreement contemplated in subregulation (1) or (2) must be drawn up in duplicate and –

- (a) the hunting outfitter and his client must sign the original document and copy thereof; and
- (b) the hunting outfitter must–
  - (i) keep the original document;
  - (ii) hand the copy forthwith to the client.

(4) A hunting outfitter may claim from a client with whom he/she has entered into an agreement in terms of sub regulation (1) or (2), compensation at the tariffs contained in the agreement for–

- (a) wild specimens killed or wounded by the client;
- (b) the services and conveniences provided to the client.

(5) A hunting outfitter must keep the agreement entered into between him/her and the client in terms of subregulation (1) or (2) for a period of five (5) years.

**Prohibition of certain advertisements.**

**124.**(1) No person must advertise his/her preparedness or the preparedness of any other person to act as a hunting outfitter, unless–

(a) the hunting outfitter is the holder of–

(i) a registration certificate in terms of regulation 117 of these regulations;

(ii) the hunting rights in respect of the land on which he/her presents or organises the hunt;

(b) the species, number and sex of wild specimens advertised for hunting purposes are found in wild populations on the land contemplated in paragraph (a)(ii); and

(2) Notwithstanding the provisions of subregulation (1)(b), it must be clearly stated in the advertisement, if the species to be hunted was bred in a captive environment under the Intensive Wildlife Management System as outlined in regulation 109.

**Supervision of hunting client**

**125.** A professional hunter –

(a) must at all times be present at, and supervise the hunting of a species by his/her client

(b) who knows or suspects that his/her client has contravened any provision of the Act or these regulations, must report it forthwith to the Issuing Authority and at the South African Police Services nearest to the place where the offence has or has presumably been committed.

**Services and Conveniences**

**126.** The hunting outfitter must provide a client with –

(a) hunting, skinning, handling and dispatch services

(b) accommodation, washing and sanitation services;

(c) catering;

(d) transport;

(e) cleaning and refuse removal services;

(f) first aid and fire-fighting services; and

(g) staff services.

**Obtaining of licences, permits, documents and permissions for client and dispatching of trophies**

**127.** The hunting outfitter must be responsible for the –

- (a) obtaining of a licence, permit document or permission in terms of which his/her client is authorised to –
  - (i) hunt a wild specimen, and
  - (ii) convey a trophy or export or remove it from the province
- (b) packing of trophies and the despatching thereof to the address referred to in regulation (123)(1)(c) as soon as it is ready for despatching

## CHAPTER 7

### MANAGEMENT OF DAMAGE CAUSING ANIMALS

#### **Identification of damage causing animals**

**128.**(1) All incidents relating to damage causing animals or suspicion of such must be reported directly to the Issuing Authority.

(2) Any animal species may only be classified as a damage causing animal by an official of the department.

(3) An officer of the department must conduct an inspection and provide a report to –

- (a) verify the complaint contemplated in subregulation (1), and
- (b) determine if the animal can be classified as a damage causing animal contemplated in subregulation (2).

(4) In addition to the provisions of subregulation (3), and where the complaint involves the loss of natural prey species, proof of preventative measures taken to prevent the damage or loss must be provided by the complainant;

(5) An inspection report contemplated in subregulation (3) will contain the following–

- (a) date and time;
- (b) the details of the complainant and locality;
- (c) nature of the damage;
- (d) the species involved;
- (e) the extent of loss or damage caused;
- (f) the preventative measures taken to avoid loss; and
- (g) recommendations for control;

- (6) After the identification and verification of the DCA species, the Issuing Authority may –
- (a) take such necessary steps to control such DCA species in a manner as reasonable possible,
  - (b) instruct private landowner or private owner from which the DCA emanated to
  - (c) control or assist in controlling of such species,
  - (d) request a suitable private person with necessary skills to assist in the control of such DCA species under emergency situations.
- (7) In addition to the provisions of subregulation (6), the Issuing Authority may evaluate the extent of the damage or loss caused where necessary and determines whether compensation may be contemplated.
- (8) Where compensation contemplated in subregulation (7) is deemed warranted and possible, the Issuing Authority may determine the mechanism of compensation.
- (9) Notwithstanding the provisions of section 26(1) of the Act, any person may kill a DCA species under emergency situations without a permit if –
- (a) the person kills it for purposes of self defence, or
  - (b) the animals species poses an eminent threat to any other human life,
- (10) If a DCA is killed in an emergency situation contemplated in subregulation (9), the landowner or the person who killed it must within 24 hours after the DCA species has been killed –
- (a) inform the Issuing Authority of the incident, and
  - (b) surrender the remains of the DCA to the Issuing Authority.
- (11) Where there is a reasonable suspicion that provisions of subregulation (9) were contravened, the Issuing Authority must investigate and –
- (a) consider whether or not in the circumstance of such incident, to institute criminal proceedings, and
  - (b) take the appropriate steps to institute criminal proceedings where relevant.

### **Criteria for identifying damage causing animals**

**129.** In identifying damage causing animal, the following evidence must be present–

- (a) presence of the damage causing animal;
- (b) loss to stock or other wild specimens under reasonable care;
- (c) damage to cultivated trees, crops, natural flora or other property;

- (d) threat to human life; or
- (e) presence in such numbers that agricultural grazing is materially depleted.

**Control of damage causing animals originating from Protected Area**

**130.**(1) In the case of damage causing animals originating from a Protected Area, the management authority of a Protected Area must report, to the Issuing Authority, the escape of the animal(s) within an hour of having noticed such an incident.

(2) The management authority contemplated in subregulation (1) of the particular Protected Area will be responsible to capture, relocate back into the park where possible or destroy such animal.

(3) the management authority contemplated in subregulation (1) must complete and submit a report relating to the capture, relocation or destruction of such animal to the Issuing Authority.

(4) the report referred to in subregulation (3) must include the following—

- (a) the date and time of escape and control ;
- (b) the details of the Protected Area and its locality;
- (c) possible cause of escape
- (d) the species involved;
- (e) the nature of the damage;
- (f) the details of individual who suffered the damage
- (g) the extent of loss or damage caused;
- (h) the preventative measures taken to avoid escape; and
- (i) the control measures used

**Damage causing animals originating from private ownership**

**131.**(1) The landowner or private owner of the particular land or keeping facility such as amongst others—

- (a) pet shops;
- (b) exhibition facilities;
- (c) sanctuaries;
- (d) rehabilitation facilities;
- (e) private households;
- (f) traditional healers;
- (g) scientific institutions;

- (h) quarantine facilities, and
- (i) any captive breeding facility or intensive wildlife management system facility

from which a damage causing animal emanates from, must report the escape of the animal(s) to the nearest Issuing Authority within an hour of having noticed such an escape.

(2) The Issuing Authority may instruct the landowner or private owner contemplated in subregulation (1) to assist in the recovery or destruction of such damage causing animal emanating from such a private land or property.

(3) Where the damage causing animal contemplated in subregulation (1) is controlled by the department, the costs incurred will be recovered from the landowner or private owner of the property from which the animal emanated from.

(4) Where the animal is controlled by the landowner or private owner as contemplated in subregulation (2), the landowner or private owner must complete a report relating to the capture, relocation or destruction of such animal within 72 hours of the control action.

(5) The report referred to in subregulation (4) must include the following–

- (a) The date and time of escape and control;
- (b) the details of the property and its locality;
- (c) possible cause of escape;
- (d) the species involved;
- (e) the nature of the damage;
- (f) the details of individual who suffered the damage;
- (g) the extent of loss or damage caused;
- (h) the preventative measures taken to avoid escape; and
- (i) the control measures used.

(6) Where the damage causing animal is controlled by the person contemplated in subregulation (2), the dead specimen remains the property of the department until the investigation informs the outcome of the decision.

### ***Res nullus* damage causing animals**

**132.**(1) On receipt of a complaint, an official of the department must conduct an inspection as contemplated in regulation 128(3).

(2) Once the official has ascertained that the species concerned is a DCA that may potentially threaten human life, the official must where possible –

- (a) take reasonable measures to inform the public about the impending danger that might be posed by such a dangerous DCA;
- (b) take reasonable non-lethal measures to control the DCA;
- (c) where reasonable non-lethal measures are inadequate, the official may apply reasonable lethal measures to control such DCA;
- (d) recommend for a hunting permit for the hunting of the DCA by a hunting client or a member in good standing of a local accredited hunting association.

(3) Where the DCA is not dangerous game, the official may where possible –

- (a) take reasonable non-lethal measures to control the DCA;
- (b) Where reasonable non-lethal measures are inadequate, the official may apply reasonable lethal measures to control such DCA;
- (c) recommend for a hunting permit for the hunting of the DCA by a hunting client or a member in good standing of a local accredited hunting association.

(4) All dead DCA specimens remain the property of the department and may be –

- (a) donated,
- (b) incinerated,
- (c) buried in the ground, or
- (d) left to nature.

(5) Notwithstanding the provisions of subregulation (4), hunted dead specimen as contemplated in subregulations (2)(d) and (3)(c) belongs to the hunter.

(6) The provisions of regulation 133(7) applies in the case where the hunting of the DCA is conducted by a local hunter resident in the Republic of South Africa, except the landowner or a person instructed by the Issuing Authority.

#### **Hunting of damage causing animals by a client**

**133.(1)** The Issuing Authority may from time to time identify damage causing animals in terms of regulation 128(3) for hunting by a hunting client or a member in good standing of a local accredited hunting association.



- (2) Once an animal has been identified as contemplated in subregulation (1), the Issuing Authority may issue a permit to hunt such DCA to a hunting client or a member in good standing of a local accredited hunting association.
- (3) Applications for a permit to hunt an identified a DCA species must be submitted to the Issuing Authority on the form set out in Annexure 1 to these regulations.
- (4) The provisions of regulation 4 apply in respect of consideration of applications for hunting of DCA species.
- (5) The Responsible Member may enter into an agreement for a time specified with the credible hunting outfitters or accredited hunting organisations for the purposes of hunting of all identified DCA as contemplated in subregulation (1) by a hunting client or a member in good standing of a local accredited hunting association .
- (6) in the case of an agreement contemplated in subregulation 5, the hunting outfitter must conform to transformation policies of the Republic.
- (7) The Responsible Member may determine the hunting fees in respect of DCA species to be hunted.
- (8) The Responsible Member may use the compensation fund established in terms of section 26(5) of the Act, for the collection of revenue generated from the hunting of DCA by a client.
- (9) The provisions of Chapter 6 of the Regulations apply in respect of hunting of DCAs by a client.
- (10) Provisions under this regulation do not apply to listed Threatened or Protected Species under the TOPS Regulations.

## CHAPTER 8 REGULATIONS RELATING AQUATIC SYSTEMS AND BIOTA

### **Aquatic systems**

- 134.**(1) Fishing activities may be restricted in aquatic ecosystems listed in terms of section 12(1)(b) of the Act.

(2) No person may –

- (a) place in any aquatic system any obstruction preventing the free passage of fish.
- (b) drain or partially drain or attempt to drain any aquatic system in order to catch or kill fish in any manner whatsoever
- (c) catch during a close season in any aquatic system specified in a notice issued in terms of the Act.
- (d) wilfully damage, disturb or destroy the ova or spawn of fish or the spawning bed, bank or shallow where the spawn of fish is deposited, or
- (e) employ a method to hook fish on any part other than in the mouth;

(3) Provisions of subregulation (1) do not apply to the following persons with respect to an aquatic system that has been artificially created and that is totally surrounded by the land of the owner–

- (a) the owner of such land; and
- (b) any other person acting with the written permission of the owner.

### **Protection of aquatic systems**

**135.** No person may without a valid permit issued in terms of Chapter 8 of the Act –

- (a) establish or operate an aquaculture process; or
- (b) place or release live aquatic biota in any aquatic system except aquatic biota released alive in the same aquatic system where it had been caught.

### **Catching of fish**

**136.** (1) No person may without a permit issued in terms of Chapter 8 of the Act –

- (a) catch fish in a watercourse otherwise than by angling,
- (b) convey, keep, trade or release fish in any watercourse,
- (c) be in possession of a devise to catch, stun or kill fish by any means by any explosive or electrical devices other than a line and rod,
- (d) obstruct or prevent the free passage of fish in any aquatic system,
- (e) drain or partially drain or attempt to drain any aquatic system in order to catch or kill fish in any manner whatsoever,
- (f) Wilfully damage, disturb or destroy the ova or spawn of fish or the spawning bed, bank or shallow where the spawn of fish is deposited

### **Angling for listed fish species**

**137.**(1) Subject to the provision of these Regulations, no person of and above the age of 16 years may angle, unless he is the holder of a licence, which authorizes him/her to do so,

and carries a licence with him when angling.

(2) The provisions of sub-section (1) do not apply to—

- (a) person fishing with not more than one fishing line and rod, and fishing within the stipulated bag limits;
- (b) the owner or occupier of land wherein a water course is completely enclosed without an inflow or an outflow of water out of property; and
- (c) any other person with the permission of such owner or occupier, to angle in watercourse situated on the land of such owner or occupier stipulated in paragraph (b) about.

(3) Angling for listed species will be subject to bag limits and size restrictions as proclaimed by the Responsible Member by a notice in a *Gazette*.

(4) Angling for specially protected species will be subject to catch and release only.

(5) Subject to the provisions of these regulations, no person may catch any fish when measured, and the length in respect thereof is smaller than prescribed by the Responsible Member in a notice published in a *Gazette*.

(6) No person may organise, arrange, control, manage or hold an angling competition in which either alone, or together with any other event, a prize or prizes exceeding R 3 000 in cash or in kind are offered, unless he/her is the holder of a permit which authorises him/her to do so.

### **Fishing with apparatus**

**138.**(1) Any person who intends to catch, stun or kill fish with apparatus including —

- (a) a net;
- (b) a fish trap;
- (c) a set line;
- (d) poison by any means or method;
- (e) an electrical device;
- (f) spear gun; or
- (g) an explosive device,

may do so by means of a permit.

(2) Applications for a permit contemplated in subregulation (1) must be submitted to the Issuing Authority on the form set out in Annexure 1 to these regulations.

(3) The provisions of regulation 4 apply in respect of consideration of applications for catching, stunning or killing of fish species with apparatus.

## CHAPTER 9 ACCREDITED ORGANIZATIONS

### **Recognition and Appointment of accredited organizations**

**139.**(1) An organisation must apply in writing to the Responsible Member for recognition as the accredited organisation for the purposes of executing certain functions of the Act in terms of section 60 of the Act.

(2) Applications for recognition as the accredited organisation must be submitted to the Issuing Authority on the form set out in Annexure 1 to these regulations.

(3) The provisions of regulation 4 apply in respect of consideration of applications for recognition as the accredited organisation.

(4) In Addition to the provisions of subregulation (3), application contemplated in subregulation (1) may be approved if the applicant –

(a) has submitted the founding documents such as a constitution or a memorandum of incorporation

(b) has adopted a code of ethical conduct and good practices, which is ascribed to by its members and acceptable by the Responsible Member;

(c) gives a written undertaking to the Responsible Member that the organisation will

–

(i) enforce its code of ethical conduct and good practices against members, who breach the code;

(ii) report to the Issuing Authority and the South African Police Service of any case of alleged criminal conduct by any of its members involving actions that are in contrary to this Act;

(d) has a clear transformation policy;

(e) has a record of trustworthiness and integrity;

(f) is suitable to perform the relevant self-administrative functions in terms of the Act, and

(g) has the capacity to advance the purposes of the Act.

(5) The Responsible Member must, on appointing any person or persons, or accredited organization as contemplated in subsection (1) and (3), conclude a written agreement with the person or persons, or accredited organizations concerned which must include a description of the service to be rendered by the person or persons, or accredited organization and the date by which he or she must furnish the Responsible Member with a report and recommendations in regard thereto.

(6) The terms, conditions, remuneration and allowances pertaining to the appointment of any person or accredited organization in terms of this section must be paid out of funds of the Department as may be determined by the Department and must be included in the written agreement contemplated in subsection (4).

#### **Codes of ethical conduct and good practice**

**140.** The code of ethical conduct and good practice of an accredited organisation must –

(a) require its members to act in strict compliance with –

(i) this Act; and

(ii) any conditions subject to which provincial permits are granted.

(b) require its members to act in strict compliance with criteria set by the organisation; and

(c) provide for disciplinary steps against any member who breaches a provision of the code, which should include –

(i) steps for the suspension or

(ii) expulsion

of such a member from the organisation.

#### **Withdrawal of recognition of organisations**

**141.(1)** The Responsible Member may by written notice to an organisation withdraw the recognition of that organisation if it fails to honour its written undertaking given to the Responsible Member in terms of regulation 139(4).

(2) Notwithstanding the provisions of subregulation (1), the Responsible Member may withdraw the recognition of the organization upon written request by the accredited organization itself.

(3) After having reached a decision to withdraw the recognition as contemplated in subregulation (1), the Issuing Authority must within ten (10) working days notify the organisation in writing thereof –

- (a) the intention to withdraw recognition, together with the reasons for the proposed withdrawal, and
- (b) afford the organisation a reasonable opportunity to submit written representations, within ten (10) working days of having received the notice of intention to withdraw.

(4) After having received the written representation contemplated in subregulation (3)(b), the Responsible Member must decide within ten (10) working days whether to withdraw the recognition or not, and further notify the organization in writing within five working days.

## CHAPTER 10 BIODIVERSITY ADVISORY BODIES

### **Period of office, Qualifications and Disqualifications of Members of Advisory Bodies.**

**142.** (1) Subject to the provisions of the Act, a member of the Advisory Body must be appointed for a period as determined by the responsible Member.

(2) Any person whose period of office as a member of the Advisory body has expired may be eligible for re-appointment.

(3) Any person who is-

- (a) a patient or President's patient as defined in section 1 of the Mental health Act, 1973 (Act 18 of 1973);
- (b) an unrehabilitated insolvent;
- (c) convicted of an offence and is sentenced to imprisonment without the option of a fine, shall not be appointed as a member of the Advisory body.

(4) The responsible Member may remove a member of the Advisory body if the member -

- (a) is absent without leave from 2 consecutive meetings of the Advisory body;
- (b) is found guilty of a contravention of any of the provisions of the Act;
- (c) tenders his resignation in writing, from office; or
- (d) misconduct, incapacity or incompetence.

(5) A member of the Advisory body shall not participate in deliberations of the Advisory body in which he or she has any financial interest.

### **Secretary of the Body**

**143.**(1)The responsible Member shall from time to time appoint an officer of the department as secretary of the Body.

(2)The Secretary of the Body must –

- (a) also be the secretary of the management committee;
- (b) implement the resolutions of the Body or the management committee or cause them to be implemented.

### **Powers and Functions of the Body**

**144.** (1)The Body must investigate such matters as the responsible Member may refer to it and must advise the Responsible Member in connection therewith.

(2) the powers and functions must be determined by the responsible Member as contemplated in section 8 of the Act.

### **Management Committee of Body**

**145.** (1)The Body may, subject to the approval of the responsible Member -

- (a) appoint a management committee consisting of members of the Body;
- (b) delegate any power of function conferred upon or assigned to it by these Regulations, to the management committee.

(2)The management committee shall investigate such matters as the Body may refer to it and shall advise the Body in connection therewith.

## **CHAPTER 11 MISCELLANEOUS AND GENERAL**

### **Caves or cave-formations.**

**146.**(1) A person intending to remove from a cave, sell, exchange, donate, dispose of or convey into or out of the province a cave formation must apply for a permit in terms of Chapter 8 of the Act.

(2) A person contemplated in subregulation (1), must submit an application for a permit in terms of regulation 3(1);

(3) The provisions of Regulation 4 apply in respect of consideration of applications for caves or cave-formations.

**Prohibited activities relating to caves and cave-formations**

**147.** (1) No person shall-

- (a) in any manner disturb or alter the natural atmosphere of a cave, including the burning therein of any matter which emits smoke or gas;
- (b) leave any container, rope, clothing, battery, candle, wax, food or any other object in a cave;
- (c) take into a cave an aerosol container or other container containing paint, dye or other colouring agent;
- (d) break open, break, remove or in any other manner tamper with an obstruction or structure erected to prevent the unauthorised entrance to a cave;
- (e) break, breakoff, crack or in any other manner destroy, damage, mutilate or spoil a cave-formation in a cave or engrave, paint, write or in any other manner make a mark thereon.

(2) Non-compliance with provisions of subregulation (1) constitutes an offence.

**Short title and commencement**

**148.** These regulations are called the North West Biodiversity Regulations xxx of 2017, and take effect on a date determined by the Responsible Member by notice in the *Government Gazette*.





## ANNEXURE 1

**APPLICATION FORM IN TERMS OF THE NORTH WEST BIODIVERSITY ACT, 2016 (ACT No. 4 OF 2016)**

**A. APPLICANT DETAILS: (complete in block letters)**

SURNAME:	
NAME(S):	
IDENTITY OR PASSPORT NO:	
TEL NO:	CELL NO:
FAX NO:	E-MAIL:
POSTAL ADDRESS:	PHYSICAL ADDRESS:

**B. KIND OF PERMIT APPLIED FOR: (Tick appropriate block)**

<input type="checkbox"/>	ORDINARY (incl. open season hunting permit books)	<input type="checkbox"/>	REGISTRATION CERTIFICATE (incl. PH & HO)
<input type="checkbox"/>	GAME MOVEMENT REGISTER	<input type="checkbox"/>	LICENSE BOOK
<input type="checkbox"/>	STANDING PERMIT	<input type="checkbox"/>	ACCREDITATION OF ORGANISATIONS
<input type="checkbox"/>	Without Exemption	<input type="checkbox"/>	With Exemption

**C. PLEASE SPECIFY IF IS: (Tick appropriate block)**

<input type="checkbox"/>	NEW APPLICATION	<input type="checkbox"/>	RENEWAL	<input type="checkbox"/>	AMENDMENT
In case of renewal, or amendment for game movement register or PH / HO, provide the following:					
PROVINCIAL STANDING PERMIT NR:			PROVINCIAL REGISTRATION CERTIFICATE NR:		

**D. IF THE APPLICATION PERTAINS TO A STANDING PERMIT:(Tick appropriate block)**

<input type="checkbox"/>	CAPTIVE BREEDING OPERATION(Intensive Systems)	<input type="checkbox"/>	SCIENTIFIC INSTITUTION
<input type="checkbox"/>	SANCTUARY	<input type="checkbox"/>	REHABILITATION FACILITY
<input type="checkbox"/>	COMMERCIAL EXHIBITION FACILITY	<input type="checkbox"/>	NURSERY
<input type="checkbox"/>	WILDLIFE TRADER	<input type="checkbox"/>	WILDLIFE TRANSLOCATOR (incl. game capturers)
<input type="checkbox"/>	GAME FARM (Semi-extensive & Extensive Systems)	<input type="checkbox"/>	PROFESSIONAL HUNTING SCHOOL
<input type="checkbox"/>	PROFESSIONAL HUNTER	<input type="checkbox"/>	FREIGHT AGENTS
<input type="checkbox"/>	TEMPORARY HOLDING FACILITIES	<input type="checkbox"/>	WILDLIFE PRODUCT TRADERS
<input type="checkbox"/>	HUNTING OUTFITTER	<input type="checkbox"/>	TAXIDERMISTS
<input type="checkbox"/>	FALCONERS	<input type="checkbox"/>	OTHER:

**E. KIND OF RESTRICTED ACTIVITY APPLIED FOR: (Tick appropriate block)**

HUNTING OR KILLING		IMPORTING, EXPORTING OR RE-EXPORTING	
CATCHING OR CAPTURING		POSSESSION OR KEEPING	
GATHERING, COLLECTING OR PLUCKING		GROWING, CULTIVATING OR BREEDING	
SELLING, BUYING, RECEIVING, DONATING OR IN ANYWAY ACQUIRE OR DISPOSE OF		CONVEYING OR TRANSLOCATING	
PICKING, CUTTING, CHOPPING, UPROOTING, DAMAGING OR DESTROYING		OTHER:	

**F. PROPERTY WHERE RESTRICTED ACTIVITY WILL TAKE PLACE**

Possession / Hunt / Catch / Capture / Gather / Growing / Breeding/ Other restricted activity:

PHYSICAL ADDRESS:	REGISTERED FARM NAME AND NUMBER
GPS COORDINATES: (ddd mm ss, WGS 84 datum)	

**G. TRANSPORT / CONVEY / EXPORT / IMPORT / BUY / SELL / OTHER APPLICABLE RESTRICTED ACTIVITY:**

FROM: (Initial & Surname)	TO: (Initial & Surname)
ID NR:	ID NR:
CONTACT NUMBER:	CONTACT NUMBER:
PHYSICAL ADDRESS:	PHYSICAL ADDRESS:

**H. SPECIES INVOLVED:**

SCIENTIFIC NAME	COMMON NAME	QUANTITY	PARTICULARS OF SPECIMEN (Such as sex, size, age, markings, derivatives etc.)

**I. PERIOD OF VALIDITY OF REGISTRATION CERTIFICATE / PERMIT**

FROM: (dd/mm/year)	TO: (dd/mm/year)
--------------------	------------------

**J. ADDITIONAL INFORMATION FOR PROFESSIONAL HUNT:****(i) HUNTING CLIENT DETAILS**

NAME & SURNAME:	PASSPORT NUMBER:
COUNTRY OF ORIGIN:	CONTACT NR:
PHYSICAL ADDRESS:	

**(ii) HUNTING OUTFITTER AND PROFESSIONAL HUNTER DETAILS**

HUNTING OUTFITTER	PROFESSIONAL HUNTER
NAME & SURNAME:	NAME & SURNAME:
CONTACT NR:	CONTACT NR:
PERMIT NR:	PERMIT NR:

**(iii) DURATION OF HUNTING TRIP:**

ARRIVAL DATE: (dd/mm/year)	DEPARTURE DATE: (dd/mm/year)
----------------------------	------------------------------

## (iv) WEAPON AND METHOD OF HUNT:

WEAPON& CALIBRE	METHOD

## (v) FOR SCHOOL DIRECTOR REGISTRATION CERTIFICATE: (Tick appropriate block)

Name of School:	Are you owner of the Property of the school?	Yes		No	
Registration NR:	In which province/s are you registered?				

## (vi) FOR HUNTING OUTFITTERS REGISTRATION CERTIFICATE:

Name of Safari Company:	Are you owner of the property on which you hunt?	Yes		No	
PH School Attended:	Registration NR:	In which province/s are you registered?			

## (vii) FOR PROFESSIONAL HUNTING REGISTRATION CERTIFICATE:(Tick appropriate block)

PH School Attended:	Did you hunt in the past 3 yrs?	Yes		No	
Application for Dangerous Game	Application for Plains Game				

SIGNATURE OF APPLICANT: \_\_\_\_\_

DATE: \_\_\_\_\_

L. OFFICIAL USE STAMP

DATE RECEIVED: \_\_\_\_\_



## ANNEXURE 2

### APPLICABLE PROCESSING FEES

Type of permits	Fees
Provincial Ordinary Permit – all restricted activities	Import / export / re-export– R50.00 Hunting/killing – R100.00 Catching/capturing – R100.00 Gathering/plucking/collecting/picking/destroying/ damaging/cutting/chopping/uprooting/ – R50.00 Conveying/moving/translocation – R50.00 Growing/breeding/propagating – R50.00 Selling/buying/receiving/giving/donating – R50.00 Possession/keeping – R50.00
Provincial Standing Permit	R1 000.00
Provincial Registration Certificate	R1 000.00
Hunting School Director's Registration	R1 000.00
Game Movement Registration Book	R2 500.00
Open Season Hunting Permit book	To be published annually in the Gazette i.t.o. Regulation 31
License fee Angling	R60.00
Accreditation of Organisations	R1 000.00
Amendments, Revalidation, Lost, Stolen Permits or Registration Certificates	R 250.00

## PROVINCIAL NOTICE 182 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 1685**

The firm NE Town Planning CC (Reg. Nr. 2008/249644/23), being the authorised agent of the owner of **Erf 2437, 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 95 Church Street, Rustenburg from "Residential 1" to "Business 1" including Panel Beating, Workshop and Fitment Centre as defined in Annexure 2025 to the Scheme. This application contains the following proposals: A) that the property may be used for all land uses in terms of the "Business 1" zoning including Panel Beating, Workshop and Fitment Centre. B) The adjacent properties as well as others in the area, could possibly be affected by the rezoning. C) The rezoning from "Residential 1" to "Business 1" entails that new buildings will be built and used for business including the above mentioned uses. Annexure 2025 contains the following development parameters: max Height: 2 Storeys, Max Coverage: 80% and Max F.A.R: 0.4. 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 : **5 October 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: **5 and 12 September 2017**

5-12

## PROVINSIALE KENNISGEWING 182 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 1685.**

Die firma NE Town Planning BK, (Reg. Nr. 2008/249644/23), synde die gemagtigde agent van die eienaar van **Erf 2437, 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 Kerk Straat 95, Rustenburg, vanaf "Residensieël 1" na "Besigheid 1" insluitend 'n Paneel Klopper, Werkswinkel, Band en Uitlaatstelsel Sentrum, soos omskryf in Bylae 2025 tot die Skema. Hierdie aansoek behels A) dat die eiendom gebruik mag word vir alle gebruike in terme van die "Besigheid 1" sonering. B) Al die aangrensende eiendomme asook ander in die omgewing kan moontlik deur die hersonering geraak word. C) Die hersonering van "Residensieël 1" na "Besigheid 1" behels dat nuwe geboue gebou sal word en gebruik sal word vir besigheidsdoeleindes insluitend bogenoemde gebruike. Bylae 2025 bevat die volgende ontwikkelingsparameters: Maks Hoogte: 2 Verdiepings, Maks dekking: 80% en Maks VOV: 0.4. 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: **5 Oktober 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: **5 en 12 September 2017**.

5-12

## PROVINCIAL NOTICE 183 OF 2017

**NOTICE TO ADJACENT OWNERS AND AFFECTED PARTIES, RELATING TO A LAND DEVELOPMENT APPLICATION IN TERMS OF SECTIONS 62(1), 94(1)(a), 95(1) AND 96, OF THE CITY OF MATLOSANA SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2016 FOR A APPLICATION FOR THE CHANGE OF LAND USE RIGHTS (KNOWN AS A REZONING) READ TOGETHER WITH SECTIONS 41(2)(d) OF SPLUMA, 2013 (ACT 16 OF 2013) AND SECTION 56(1)(b)(i) OF THE TOWN PLANNING AND TOWNSHIP ORDINANCE, 1986 (ORDINANCE 15 OF 1986), IN RESPECT OF ERF 9961, JOUBERTON EXTENSION 1, TOWNSHIP REGISTRATION DIVISION IP, NORTH WEST PROVINCE SITUATED AT 7<sup>TH</sup> STREET (AMENDMENT SCHEME 1061 AND ANNEXURE 1110).**

I, KP Babuile, being the authorized agent of the owner of Erf 9961, Jouberton Extension 1, Township Registration Division IP, North West Province, (the Property) hereby give notice in terms of Sections 62(1), 94(1)(a), 95(1), and 96, of the City of Matlosana Spatial Planning and Land Use Management By-law, 2016 read together with section 41(2)(d) of SPLUMA, 2013 (Act 16 of 2013) and Section 56(1)(b)(i) of the Town Planning and Township Ordinance, 1986 (Ordinance 15 of 1986), that I have applied to the City of Matlosana Local Municipality for the amendment of the Klerksdorp Land Use Management Scheme, 2005 for a change of land use rights (also known as rezoning) of the Property. The intention is to rezone the property from "Residential 1" to "Special" for the purposes of a guest house / accommodation enterprise, Residential 2 purposes and related purposes with the consent of the Local Authority as defined in Annexure 1110 to the Scheme. Any objection or comments including the grounds pertaining thereto and contact detail, shall be lodged within a period of 30 days from the date of first publication of the notice in the *Provincial Gazette*, *Beeld* and *Citizen Newspaper* in writing during normal office hours to the City of Matlosana local Municipality: office of the Municipal Manager, Records, Basement, Municipal Building, Bram Fischer Street, Klerksdorp or to PO Box 99, Klerksdorp, 2570. Any person who cannot write may during office hours attend at the address mentioned above where the officials of the town planning section will assist that person to transcribe that person's objections or comments. Full particulars of the Application and plans (if any) may be inspected and viewed during normal office hours at the above-mentioned offices, for a period of 30 days from the date of first publication of the notice in the *Provincial Gazette*, *Beeld* and *Citizen Newspaper*. Closing date for any objections: 14 September 2017. **Address of the applicant:** Mr. K.P. Babuile, Erf 1747, 7<sup>th</sup> Street, Jouberton, 2574. Dates on which notice will be published: 15 and 22 August 2017

## PROVINSIALE KENNISGEWING 183 VAN 2017

**KENNISGEWING AAN AANLIGGENDE EIENAARS EN GEAFFEKTEERDE PARTYE, RAKENDE N GRONDONTWILLELINGSAAANSOEK INGEVOLGE ARTIKELS 62(1), 94(1)(a), 95(1), EN 96, VAN DIE STAD VAN MATLOSANA PLAASLIKE MUNISIPALITEIT SE RUIMTELIKE BEPLANNING EN GRONDGEBRUIK BESTUURS VERORDENING, 2016 VIR DIE VERANDERING VAN DIE GRONDGEBRUIKSREGTE (OOK BEKEND AS N HERSONERING), SAAMGELEES MET ARTIKEL 41(2)(d) VAN SPLUMA, 2013 (WET 16 VAN 2013) EN ARTIKEL 56(1)(b)(i) VAN DIE ORDONANSIE OP DORPSBEPLANNING EN DORPE, 1986 (ORDONANSIE 15 VAN 1986), TEN OPSIGTE VAN ERF 9961, JOUBERTON UITBREIDING 1, DORPSGEBIED REGISTRASIE AFDELING I.P. PROVINSIE NOORD-WES, GELEE TE 7<sup>DE</sup> STRAAT (WYSIGINGSKEMA 1061 EN BYLAE 1110).**

Ek, KP Babuile, synde die gemagtigde agent van die eienaar van Erf 9961, Jouberton Uitbreiding 1, Registrasie afdeling I.P, Noord-Wes Provinsie, (die Eiendom) gee hiermee ingevolge Artikels 62(1), 94(1)(a), 95(1), en 96, van die Stad van Matlosana Plaaslike Munisipaliteit se Ruimtelike Beplannings en Grondgebruikbestuur Verordening, 2016, saamgelees met artikel 41(2)(d) van SPLUMA, 2013 (Wet 16 van 2013) asook Artikel 56 (1)(b)(i) van die Ordonansie op Dorpsbeplanning en Dorpe, 1986 (Ordonansie 15 van 1986), kennis dat ek by die Matlosana Plaaslike Munisipaliteit aansoek gedoen het vir die verandering van die grondgebruiksregte, (ook bekend as die hersonering) van die Eiendom. Die voorneme is om die Eiendom te hersoneer vanaf "Residensieel 1" na "Spesiaal" vir die doeleindes van 'n gastehuis / akkomodasie onderneming, Residensieel 2 doeleindes en verwante doeleindes met die toestemming van die Plaaslike Owerheid soos omskryf in Bylae 1110 tot die Skema. Enige besware of kommentaar, met gronde daarvoor asook kontakbesonderhede, moet skriftelik ingedien word binne n tydperk van 30 dae vanaf die datum van eerste publikasie van die kennisgewing in die Provinsiale *Gazette*, Beeld en Citizen Nuusblad na die Stad van Matlosana Plaaslike Munisipaliteit: Kantoor van die Munisipale Bestuurder, Bram Fischerstraat, Burgersentrum, Rekords afdeling, Keldervloer, Klerksdorp, 2570 of Posbus 99, Klerksdorp, 2570. Enige persoon wat nie kan skryf nie, kan tydens kantoorure bogenoemde adres besoek waartydens die beampptes van die stadsbeplanningsafdeling daardie persoon behulpsaam sal wees ten einde hul besware of kommentare te transkribeer. Besonderhede van die Aansoek en planne (indien enige) is beskikbaar vir inspeksie en insae 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 Nuusblad. Sluitingsdatum vir enige besware: 14 September 2017. **Adres van die applikant:** Mnr. K.P. Babuile, Erf 1747, 7<sup>de</sup> Straat, Jouberton, 2574. Datums waarop kennisgewings gepubliseer sal word: 15 en 22 Augustus 2017.

**PROVINCIAL NOTICE 184 OF 2017****NOTICE OF APPLICATION FOR THE AMENDMENT OF THE NALEDI TOWN PLANNING SCHEME, 2004 IN TERMS OF SECTION 94 (1) (a) OF THE NALEDI SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2015: AMENDMENT SCHEME 14/2017)**

I, Phemelo Victoria Mogapinyane, being the registered owner of Erf 4752, Huhudi hereby give notice in terms of Section 94 (1) of the Naledi Spatial Planning and Land Use Management By-Law, 2015 that I have applied to the Naledi Local Municipality for the amendment of the Town Planning Scheme known as Naledi Town Planning Scheme, 2004 by the rezoning of the property described above, situated at 4752 Oliver Tambo Street, Huhudi from Residential 4 to Residential 3.

Particulars of the application will lie for inspection during normal office hours at the office of the Municipal Manager, 19A Market Street for a period of 30 days from 30 August 2017.

Objections to or representations in respect of the application must be lodged with or made in writing to the Municipal Manager at 19A Market Street or at P.O. Box 35, Vryburg, 8601 within a period of 30 days from 30 August 2017. Address of the owner: 4752 Oliver Tambo Street, Huhudi, 8601

**PROVINSIALE KENNISGEWING 184 VAN 2017****KENNISGEWING VAN AANSOEK OM WYSIGING VAN DIE NALEDI DORPSBEPLANNINGSKEMA, 2004 INGEVOLGE ARTIKEL 94 (1) VAN DIE NALEDI RUIMTELIKE BEPLANNING EN GRONDGEBRUIKSBEHEER VERORDERING, 2015: WYSIGINGSKEMA 14/2017.**

Ek, Phemelo Victoria Mogapinyane, die regisseur eienaar van Erf 4752, Huhudi gee hiermee kennis dat ek by die Naledi Plaaslike Munisipaliteit aansoek gedoen het om die wysiging van die Dorpsbeplanningskema bekend as Naledi Dorpsbeplanningskema, 2004 deur die hersonering van die eiendom hierbo beskry geleë op Erf 4752, Huhudi van Residensiële 4 na Residensiële 3.

Besonderhede van die aansoek lê ter insae gedurende normale kantoorure by die kantoor van die Munisipale Bestuurder, Markstraat 19A, Vryburg vir 'n tydperk van 30 dae vanaf 30 Augustus 2017.

Besware teen of vertoe ten opsigte van die aansoek moet binne 'n tydperk van 30 dae vanaf 30 Augustus 2017 skryftelik gerig word aan of ingedien word by die Munisipale Bestuurder by Markstraat 19A, Vryburg of aan Posbus 35, Vryburg, 8601. Adres van eienaar: Oliver Tambostraat 4858, Huhudi 8601.



**PROVINCIAL NOTICE 185 OF 2017****NOTICE OF APPLICATION FOR THE AMENDMENT OF THE NALEDI TOWN PLANNING SCHEME, 2004 IN TERMS OF SECTION 94 (1) (a) OF THE NALEDI SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2015: AMENDMENT SCHEME 12/2017)**

I, Othusitse Daniel Mosiapoa, being the registered owner of Erf 4870, Huhudi hereby give notice in terms of Section 94 (1) of the Naledi Spatial Planning and Land Use Management By-Law, 2015 that I have applied to the Naledi Local Municipality for the amendment of the Town Planning Scheme known as Naledi Town Planning Scheme, 2004 by the rezoning of the property described above, situated at 4870 Segawana Street, Huhudi from Industrial 1 to Residential 3.

Particulars of the application will lie for inspection during normal office hours at the office of the Municipal Manager, 19A Market Street for a period of 30 days from 26 July 2017.

Objections to or representations in respect of the application must be lodged with or made in writing to the Municipal Manager at 19A Market Street or at P.O. Box 35, Vryburg, 8600 within a period of 30 days from 26 July 2017. Address of the owner: 4858 Segawana Street, Huhudi, 8601

**PROVINSIALE KENNISGEWING 185 VAN 2017****KENNISGEWING VAN AANSOEK OM WYSIGING VAN DIE NALEDI DORPSBEPLANNINGSKEMA, 2004 INGEVOLGE ARTIKEL 94 (1) VAN DIE NALEDI RUIMTELIKE BEPLANNING EN GRONDGEBRUIKSBEHEER VERORDERING, 2015: WYSIGINGSKEMA 12/2017.**

Ek, Othusitse Daniel Mosiapoa, die regisseur eienaar van Erf 4870, Huhudi gee hiermee kennis dat ek by die Naledi Plaaslike Munisipaliteit aansoek gedoen het om die wysiging van die Dorpsbeplanningskema bekend as Naledi Dorpsbeplanningskema, 2004 deur die hersonering van die eiendom hierbo beskry geleë op Erf 4870, Huhudi van Industriële 1 na Residensiële 3.

Besonderhede van die aansoek lê ter insae gedurende normale kantoorure by die kantoor van die Munisipale Bestuurder, Markstraat 19A, Vryburg vir 'n tydperk van 30 dae vanaf 26 Julie 2017.

Besware teen of vertoe ten opsigte van die aansoek moet binne 'n tydperk van 30 dae vanaf 26 Julie 2017 skryftelik gerig word aan of ingedien word by die Munisipale Bestuurder by Markstraat 19A, Vryburg of aan Posbus 35, Vryburg, 8600. Adres van eienaar: Segawanastraat 4858, Huhudi 8600.

**PROVINCIAL NOTICE 186 OF 2017****NOTICE OF APPLICATION FOR THE AMENDMENT OF THE NALEDI TOWN PLANNING SCHEME, 2004 IN TERMS OF SECTION 94 (1) (a) OF THE NALEDI SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2015: AMENDMENT SCHEME 07/2017)**

I, NM Mokwena, being the registered owner of Erf 1464, Huhudi hereby give notice in terms of Section 94 (1) of the Naledi Spatial Planning and Land Use Management By-Law, 2015 that I have applied to the Naledi Local Municipality for the amendment of the Town Planning Scheme known as Naledi Town Planning Scheme, 2004 by the rezoning of the property described above, situated at 1464 Segawana Street, Huhudi from Residential 4 to Residential 3.

Particulars of the application will lie for inspection during normal office hours at the office of the Acting Municipal Manager, 19A Market Street for a period of 30 days from 21 June 2017.

Objections to or representations in respect of the application must be lodged with or made in writing to the Acting Municipal Manager at 19A Market Street or at P.O. Box 35, Vryburg, 8600 within a period of 30 days from 21 June 2017. Address of the owner: 1464 Segawana Street, Huhudi, 8600

**PROVINSIALE KENNISGEWING 186 VAN 2017****KENNISGEWING VAN AANSOEK OM WYSIGING VAN DIE NALEDI DORPSBEPLANNINGSKEMA, 2004 INGEVOLGE ARTIKEL 94 (1) VAN DIE NALEDI RUIMTELIKE BEPLANNING EN GRONDGEBRUIKSBEHEER VERORDERING, 2015: WYSIGINGSKEMA 07/2017.**

Ek, NM Mokwena, die registeur eienaar van Erf 1464 Huhudi gee hiermee kennis dat ek by die Naledi Plaaslike Munisipaliteit aansoek gedoen het om die wysiging van die Dorpsbeplanningskema bekend as Naledi Dorpsbeplanningskema, 2004 deur die hersonering van die eiendom hierbo beskry geleë te Segawanastraat 1464, Huhudi van Residensiële 4 na Residensiële 3.

Besonderhede van die aansoek lê ter insae gedurende normale kantoorure by die kantoor van die Waarnemende Munisipale Bestuurder, Marketstraat 19A, Vryburg vir 'n tydperk van 30 dae vanaf 21 Junie 2017.

Besware teen of vertoe ten opsigte van die aansoek moet binne 'n tydperk van 30 dae vanaf 21 Junie 2017 skryftelik gerig word aan of ingedien word by die Waarnemende Munisipale Bestuurder by Markstraat 19A, Vryburg of aan Posbus 35, Vryburg, 8600. Adres van eienaar: Segawanastraat 1464, Vryburg 8600

---

**LOCAL AUTHORITY NOTICES • PLAASLIKE OWERHEIDS KENNISGEWINGS**

---

**LOCAL AUTHORITY NOTICE 107 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 1695**

We, Lockeport Projects (Pty) Ltd, being the authorized agent of owner of Portion 4 of Erf 1448, Rustenburg, Registration division JQ, 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 a rezoning of the property above, situated at 220 Kruger Street, Rustenburg from 'Residential 1' to 'Residential 1 with a Service Enterprise'. This application contains the following proposals:

- (a) The property is to be rezoned to operate a Service Enterprise from the premises.
- (b) The adjacent properties and the properties in the surrounding area may be affected thereby. The adjacent properties are the following: RE/1/1448, RE/1448, RE/2/1449, Erf 5/1449 Rustenburg, Erf 672, Erf 671 Protea Park Extension 1 and Bergsig Academy High School.
- (c) It is proposed to rezone the property to "Residential 1 with a Service Enterprise" with the following development parameters that are described in Annexure 2035 to the scheme: Height: 2 storeys, Coverage: 50% for single storey, 40% for double storey, Floor area: 476m<sup>2</sup>, Building lines: 5m along street boundaries, Parking and Loading zones: As per Rustenburg Land Use Management Scheme, 2005.

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, in writing to the Rustenburg Local Municipality at the Director Planning, Room no. 319, Third Floor, Missionary Mpheni House, Cnr. Beyers Naudé and Nelson Mandela Drive, Rustenburg, 0299. Full particulars and plans may be inspected during normal office hours at the above-mentioned offices, for a period of 30 days from the date of the first publication of the advertisement in the Provincial Gazette, Beeld, Citizen newspapers and site notice. Closing date for any objections: 5 October 2017.

Address of the applicant: Lockeport Projects, PO Box 1030, Waterfall mall, 0323, Fax: 086 647 3583, Contact no: 082 771 9658, E-mail: [lockeport@lantic.net](mailto:lockeport@lantic.net)

5-12

**PLAASLIKE OWERHEID KENNISGEWING 107 VAN 2017****KENNISGEWING IN TERME VAN ARTIKEL 18(1) VAN DIE RUSTENBURG PLAASLIKE MUNISIPALITEIT RUIMTELIKE BEPLANNING EN GRONDGEBRUIKBESTUUR VERORDENING, 2015 VIR DIE WYSIGING VAN GRONDGEBRUIKSREGTE, BEKEND AS HERSONERING. RUSTENBURG WYSIGINGSKEMA 1695**

Ons, Lockeport Projects, synde die gemagdigde agent van die eienaar van Gedeelte 4 van Erf 1448, Rustenburg, Registrasie afdeling JQ, Noordwes Provinsie, gee hiermee kennis ingevolge artikel 18(1)d van die Rustenburg Plaaslike Munisipaliteit Ruimtelike Beplanning en Grondgebruikbestuur Verordening, 2015, dat ons aansoek gedoen het by die Rustenburg Plaaslike Munisipaliteit vir die wysiging van grondgebruiksregte, bekend as 'n hersonering van die eiendom hierbo beskryf, geleë te 220 Krugerstraat, Rustenburg vanaf 'Residensieël 1" na "Residensieël 1 met 'n Diensonderneming". Die aansoek bevat die volgende voorstelle:

- (a) Die eiendom word gehersoneer om 'n Diensonderneming van die perseel af te bedryf.
- (b) Die aanliggende eiendomme en die eiendomme in die omliggende omgewing kan moontlik daardeur geraak word. Die aanliggende eiendomme is die volgende: RE/1/1448, RE/1448, E/2/1449, Erf 5/ 1449 Rustenburg, Erf 672, Erf 671 Protea Park Extension 1 and Bergsig Akademie Hoërskool
- (c) Dit word voorgestel dat die eiendom gehersoneer word na "Residensieël met 'n Diensonderneming, met die volgende ontwikkelingsparameters, wat beskryf is in Bylae 2035 tot the skema: Hoogte: 2 verdiepings, Dekking: 50% vir enkelverdieping en 40% vir dubbelverdieping, Vloeroppervlakte: 476m<sup>2</sup>, Boulyne: 5m langs straatgrense, Parkering en Laaisones:soos bepaal in die Rustenburg Grondgebruikbeheerskema, 2005.

Besware teen of verhoë ten opsigte van die aansoek, met gronde daarvoor en kontak besonderhede moet binne 'n tydperk van 30 dae vanaf die eerste datum wat die kennisgewing verskyn het, skriftelik gerig word tot die Rustenburg Plaaslike Munisipaliteit, by die Direkteur Beplanning, kamer no 319, Derde vloer, Missionary Mpheni Huis, H/v Beyers Naude and Nelson Mandela Rylaan, Rustenburg, 0299. Besonderhede en planne van die aansoek lê ter insae gedurende gewone kantoorure by die bogenoemde kantoor vir 'n tydperk van 30 dae vanaf die datum van die eerste publikasie van die advertensie in die Provinsiale Koerant, Beeld, Citizen koerante en terrein kennisgewing. Sluitingsdatum vir besware: 5 Oktober 2017.

Adres van die aansoeker: Lockeport Projects, Posbus 1030, Waterfall mall, 0323, Faks: 086 647 3583, Kontak no. 082 771 9658, E-pos: [lockeport@lantic.net](mailto:lockeport@lantic.net)

5-12

**LOCAL AUTHORITY NOTICE 108 OF 2017****LOCAL AUTHORITY NOTICE: MAMUSA LOCAL MUNICIPALITY  
NOTICE OF APPROVAL OF DRAFT LAND USE SCHEME**

The Mamusa Local Municipality hereby gives notice in terms of Sections 18(b) and 21(2) of the Mamusa By-law on Spatial Planning and Land Use Management, 2017, read together with Sections 27(1) and 28(2) of the Spatial Planning and Land Use Management Act, 2013 (Act No. 16 of 2013), that it intends to prepare and has approved a draft land use scheme to be known as Mamusa Land Use Scheme, 2017.

This draft land use scheme contains the following proposals:

- 1) Substitution of the existing Schweizer Reneke Town Planning Scheme, 2000 where it applies to the area of jurisdiction of the Mamusa Local Municipality with the Mamusa Land Use Scheme, 2017.
- 2) Zoning of all properties within the area of jurisdiction of the Mamusa Local Municipality that were previously not zoned in terms of the Schweizer Reneke Town Planning Scheme, 2000.
- 3) Incorporation of new development concepts / conditions (e.g. critical biodiversity and environmental sensitive areas, protected areas, cultural heritage sites).
- 4) Simplification of existing zoning categories.
- 5) Amendment of existing definitions and addition of new definitions.
- 6) Amendment of application procedures and alignment thereof with procedures set out in the Mamusa By-law on Spatial Planning and Land Use Management, 2017
- 7) Amendment of development conditions applicable to properties within distinctive zoning categories.
- 8) Re-determination of permissible land uses in respective zoning categories.
- 9) Amendment of development parameters applicable to properties under certain zoning categories (e.g. height, coverage, parking, building lines).

The draft land use scheme will lie for inspection during normal office hours at the office of the Acting Municipal Manager, Mamusa Local Municipality, 28 Schweizer Street, Schweizer Reneke, for a period of 60 days from 06 September 2017. Objections to or representations in respect of the draft land use scheme, together with the reasons therefore and the contact details of the objector, must be lodged with or made in writing, or verbally if the objector is unable to write, to the Acting Municipal Manager at the above address or posted to P.O. Box 5, Schweizer Reneke, 2780, within a period of 60 days from 06 September 2017. The closing date for submission of comments, objections or representations is 06 November 2017. Any person who cannot write may during office hours visit the Mamusa Local Municipality, where Mr. Gaboroni Mothibi (053-963 1331) will assist those persons by transcribing their comments, objections or representations.

**MR. K.I. MAKOTA, ACTING MUNICIPAL MANAGER, MAMUSA LOCAL MUNICIPALITY, P.O. BOX 5, SCHWEIZER RENEKE, 2780, TEL: 053-963 1331 (8/3/13)**

**PLAASLIKE OWERHEID KENNISGEWING 108 VAN 2017****PLAASLIKE BESTUURSKENNISGEWING: MAMUSA PLAASLIKE MUNISIPALITEIT  
KENNISGEWING VAN GOEDKEURING VAN KONSEP GRONDGEBRUIKSKEMA**

Die Mamusa Plaaslike Munisipaliteit gee hiermee ingevolge Artikels 18(b) en 21(2) van die "Mamusa By-law on Spatial Planning and Land Use Management, 2017", saamgelees met Artikels 27(1) en 28(2) van die "Spatial Planning and Land Use Management Act, 2013 (Act No. 16 of 2013)", kennis dat dit van voornemens is om op te stel en goedkeuring verleen het vir 'n konsep grondgebruikskema bekend te staan as Mamusa Land Use Scheme, 2017.

Hierdie konsep grondgebruikskema bevat die volgende voorstelle:

- 1) Vervanging van die betaande Schweizer Reneke Dorpsbeplanningskema, 2000 waar dit van toepassing is op die regsgebied van die Mamusa Plaaslike Munisipaliteit met die Mamusa Land Use Scheme, 2017.
- 2) Sonering van alle eiendomme binne die regsgebied van die Mamusa Plaaslike Munisipaliteit wat voorheen nie gesoneer was ingevolge die Schweizer-Reneke Dorpsbeplanningskema, 2000 nie.
- 3) Insluiting van nuwe ontwikkelingskonsepte / voorwaardes (bv. kritieke biodiversiteit en omgewings sensitiewe areas, beskermde gebiede, kultuurhistoriese gebiede).
- 4) Vereenvoudiging van bestaande soneringskategorieë.
- 5) Wysiging van bestaande definisies en byvoeging van nuwe definisies.
- 6) Wysiging van aansoekprosedures en belyning daarvan met prosedures uiteengesit in die "Mamusa By-law on Spatial Planning and Land Use Management, 2017".
- 7) Wysiging van ontwikkelingsvoorwaardes van toepassing op eiendomme binne onderskeie soneringskategorieë.
- 8) Herbepaling van toegelate grondgebruike in onderskeie soneringskategorieë.
- 9) Wysiging van ontwikkelingsparameters van toepassing op eiendomme in sekere soneringskategorieë (bv. hoogte, dekking, parkering, boulyne).

Die konsep grondgebruikskema lê ter insae gedurende gewone kantoorure by die kantoor van die Waarnemende Munisipale Bestuurder, Mamusa Plaaslike Munisipaliteit, Schweizerstraat 28, Schweizer Reneke, vir 'n tydperk van 60 dae vanaf 06 September 2017. Besware teen of verhoë ten opsigte van die konsep grondgebruikskema, saam met die redes daarvoor en die kontakbesonderhede van die beswaarmaker, moet binne 'n tydperk van 60 dae vanaf 06 September 2017 skriftelik, of mondelings indien die beswaarmaker nie kan skryf nie, by of tot die Waarnemende Munisipale Bestuurder by bovermelde adres of by Posbus 5, Schweizer Reneke, 2780, ingedien of gerig word. Die sluitingsdatum vir die indiening van kommentaar, beswaar of verhoë is 06 November 2017. Enige persoon wat nie kan skryf nie mag gedurende kantoorure die Mamusa Plaaslike Munisipaliteit besoek, waar Mnr. Gaboroni Mothibi (053-963 1331) daardie persone sal assisteer deur die kommentaar, beswaar of verhoë te transkribeer.

**MNR. K.I. MAKOTA, WAARNEMENDE MUNISIPALE BESTUURDER, MAMUSA PLAASLIKE MUNISIPALITEIT, POSBUS 5, SCHWEIZER RENEKE, 2780. TEL: 053-963 1331 (8/3/13)**

**LOCAL AUTHORITY NOTICE 109 OF 2017**

**NOTICE OF APPLICATION FOR AMENDMENT OF TOWN-PLANNING SCHEME IN TERMS OF SECTION 94 (1)(a) OF THE CITY OF MATLOSANA SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW , 2016, READ WITH SPATIAL PLANNING AND LAND USE MANAGEMENT ACT,2013, (ACT 13 OF 2013).**

**KLERKSDORP LAND USE MANAGEMENT SCHEME NO: 1045:**

I, P MARAIS ,BEING THE AUTHORIZED AGENT OF THE OWNER OF ERF 119, FLAMWOOD , HEREBY GIVE NOTICE IN TERMS OF SECTION 94(1)(a) OF THE CITY OF MATLOSANA SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW , 2016, READ WITH SPATIAL PLANNING AND LAND USE MANAGEMENT ACT,2013(ACT 13 OF 2013).THAT I HAVE APPLIED TO THE CITY COUNCIL OF KLERKSDORP FOR THE AMENDMENT OF THE TOWN-PLANNING SCHEME KNOWN AS THE KLERKSDORP LAND USE MANAGEMENT SCHEME 2005, AS AMENDED BY THE REZONING OF ERF 119, FLAMWOOD, SITUATED ON THE CORNER OF FLAMWOOD DRIVE AND DEBORAH STREET ,FLAMWOOD , KLERKSDORP :FROM “**RESIDENTIAL 1** “ TO “**RESIDENTIAL 2** “ WITH A DENSITY OF 8 DWELLING UNITS PER ERF AND OTHER RELATED USES WITH THE SPECIAL CONSENT OF THE CITY COUNCIL.

PARTICULARS OF THE APPLICATION WILL LIE FOR INSPECTION DURING NORMAL OFFICE HOURS AT THE OFFICE OF THE MUNICIPAL MANAGER, RECORDS SECTION, BASEMENT, CIVIC CENTRE, BRAAM FISHER STREET, KLERKSDORP FOR THE PERIOD OF 30 DAYS FROM 4 SEPTEMBER 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 99 , KLERKSDORP, 2570 WITH IN A PERIOD OF 30 DAYS FROM 4 SEPTEMBER 2017.

ADDRESS OF AGENT: Mr. P. MARAIS, MALANKANE CONSULTING ENGINEERS (PTY) LTD.: TEL 018-468-2133: FAX 086 262 6026, PO BOX 5389, DORINGKRUIN, 2572

**PLAASLIKE OWERHEID KENNISGEWING 109 VAN 2017**

**KENNISGEWING VAN AANSOEK OM WYSIGING VAN DORPSBEPLANNINGSKEMA INGEVOLGE ARTIKEL 94(1)(a) VAN DIE STADSRAAD MATLOSANA RUIMTELIKE BEPLANNING EN GRONDGEBRUIKSBEHEER BY WET, 2016, SAAM GELEES MET DIE WET OP RUIMTELIKE BEPLANNING EN GRONDGEBRUIKSBESTUUR, 2013 (WET 16 VAN 2013) :  
KLERKSDORP GRONDGEBRUIKBESTUURSKEMA NR 1045:**

EK, P MARAIS, SYNDE DIE GEMAGTIGDE AGENT VAN DIE EIENAAR VAN ERF 119, FLAMWOOD, GEE HIERMEE INGEVOLGE ARTIKEL 94(1)(A) VAN DIE MATLOSANA RUIMTELIKE GRONDGEBRUIKSBEHEER BYWET, 2013, SAAM GELEES MET DIE WET OP RUIMTELIKE BEPLANNING EN GRONDGEBRUIKSBESTUUR, 2013 (WET 16 VAN 2013), KENNIS DAT EK BY DIE STADSRAAD VAN KLERKSDORP AANSOEK GEDOEN HET OM DIE WYSIGING VAN DIE DORPSBEPLANNINGSKEMA BEKEND AS KLERKSDORP GRONDGEBRUIKBESTUURSKEMA 2005, SOOS GEWYSIG, DEUR DIE HERSONERING VAN BOGENOEMDE EIENDOM, ERF 119, FLAMWOOD, GELEE OP DIE HOEK VAN FLAMWOOD RYLAAN EN DEBORAH STRAAT, FLAMWOOD, KLERKSDORP :VAN “ **RESIDENSIEEL 1** ” NA “**RESIDENSIEEL 2**” MET 'N DIGTHEID VAN 8 WOONEENHEDE PER ERF EN ANDER GEBRUIKE MET DIE SPESIALE TOESTEMMING VAN DIE STADSRAAD. BESONDERHEDE VAN DIE AANSOEK LÊ TER INSAE GEDURENDE GEWONE KANTOORURE BY DIE KANTOOR VAN DIE MUNISIPALE BESTUURDER, REKORDSAFDELING KELDERVERDIEPING, BURGERSENTRUM, BRAAM FISHER STRAAT, KLERKSDORP, VIR 'N TYDPERK VAN 30 DAE VANAF 4 SEPTEMBER 2017

BESWARE TEEN OF VERTOË TEN OPSIGTE VAN DIE AANSOEK MOET BINNE 'N TYDPERK VAN 30 DAE VANAF 4 SEPTEMBER 2017, SKRYFTELIK BY OF TOT DIE MUNISIPALE BESTUURDER BY BOVERMELDE ADRES OF BY POSBUS 99, KLERKSDORP, 2570, INGEDIEN OF GERIG WORD.

ADRES VAN GEMAGTIGDE AGENT Mr. P MARAIS, MALANKANE CONSULTING ENGINEERS PTY.LTD: TEL 018- 468-2133, FAX 086262 6026; POSBUS 5389, DORINGKRUIN, 2571.



Printed by and obtainable from the Government Printer, Bosman Street, Private Bag X85, Pretoria, 0001.  
Contact Centre Tel: 012-748 6200. eMail: [info.egazette@gpw.gov.za](mailto:info.egazette@gpw.gov.za)  
Publications: Tel: (012) 748 6053, 748 6061, 748 6065

Also available at the **North-West Province**, Private Bag X2036, Mmabatho, 8681. Tel. (0140) 81-0121.