



NORTH WEST NOORDWES

PROVINCIAL GAZETTE PROVINSIALE KOERANT

Vol: 265

MAHIKENG

5 April 2022

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No: 8339

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Closing times for **ORDINARY WEEKLY** **2022** NORTHWEST PROVINCIAL GAZETTE

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

- **28 December 2021**, Tuesday for the issue of Tuesday **04 January 2022**
- **04 January**, Tuesday for the issue of Tuesday **11 January 2022**
- **11 January**, Tuesday for the issue of Tuesday **18 January 2022**
- **18 January**, Tuesday for the issue of Tuesday **25 January 2022**
- **25 January**, Tuesday for the issue of Tuesday **01 February 2022**
- **01 February**, Tuesday for the issue of Tuesday **08 February 2022**
- **08 February**, Tuesday for the issue of Tuesday **15 February 2022**
- **15 February**, Tuesday for the issue of Tuesday **22 February 2022**
- **22 February**, Tuesday for the issue of Tuesday **01 March 2022**
- **01 March**, Tuesday for the issue of Tuesday **08 March 2022**
- **08 March**, Tuesday for the issue of Tuesday **15 March 2022**
- **14 March**, Monday for the issue of Tuesday **22 March 2022**
- **22 March**, Tuesday for the issue of Tuesday **29 March 2022**
- **29 March**, Tuesday for the issue of Tuesday **05 April 2022**
- **05 April**, Tuesday for the issue of Tuesday **12 April 2022**
- **08 April**, Friday for the issue of Tuesday **19 April 2022**
- **19 April**, Tuesday for the issue of Tuesday **26 April 2022**
- **22 April**, Friday for the issue of Tuesday **03 May 2022**
- **03 May**, Tuesday for the issue of Tuesday **10 May 2022**
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- **19 December**, Monday for the issue of Tuesday **27 December 2022**

PROVINCIAL NOTICES • PROVINSIALE KENNISGEWINGS**PROVINCIAL NOTICE 277 OF 2022**

NOTICE IN TERMS OF SECTION 17(1)(d) OF THE RUSTENBURG LOCAL MUNICIPALITY SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2018 FOR SUBDIVISION OF PORTION 0 OF FARM LEEUWKOP 402-JQ AS CONTEMPLATED IN TERMS OF SECTION 17(15)(a)(iv) OF THIS BY-LAW TOGETHER WITH THE CHANGE OF LAND USE RIGHTS KNOWN AS REZONING OF THE NEWLY SUBDIVIDED PORTION, AS CONTEMPLATED IN TERMS OF SECTION 17(1) OF THE RUSTENBURG LOCAL MUNICIPALITY SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2018.

I, NEO MOGODI, of **H.K Right of Way Trading and Projects 105 (PTY) LTD** being the Applicant of PORTION 0 OF FARM LEEUWKOP 402-JQ hereby give notice in terms of Section 17(1)(d) of the Rustenburg Local Municipality Spatial Planning and Land Use Management By -Law, 2018, that I have applied in terms of Sections 17(15)(a)(iv) of the Rustenburg Local Municipality Spatial Planning and Land Use Management By -Law, 2018 to the Rustenburg Local Municipality for the subdivision of PORTION 0 OF FARM LEEUWKOP 402-JQ into the PROPOSED PORTION 2 and the REMAINING EXTEND together with the simultaneous change of land use rights also known as rezoning of the newly subdivided proposed portion from "Agricultural" Zone to "Special" for the development of a filling station and shops as the Rustenburg Local Municipality Land Use Scheme, 2021.

This application contains the following proposals:

PORTION 0 OF FARM LEEUWKOP 402-JQ, is currently zoned as Agricultural Zone as per the Rustenburg Land Use Scheme 2021 (20 July 2021), and it is intended to be Subdivided into the PROPOSED PORTION 2 and the REMAINING EXTEND and we also intend to rezone the newly subdivided proposed portion from "Agricultural" Zone to "Special" for the development of a filling station and shops as the Rustenburg Local Municipality Land Use Scheme, 2021.

Any objection or comments, with the grounds therefore and contact details, shall be lodged within a period of 28 days from the first date on which the notice appeared (**29 MARCH 2022 to 26 APRIL 2022**), with the Municipality: Directorate-Spatial Planning and Land Use Management at Rustenburg Local Municipality, C/O Beyers Naude & Nelson Mandela Drive, or made in writing to P.O Box 16, Rustenburg, 0300.

Full particulars and plans may be inspected during normal office hours at the above-mentioned offices, for a period of 28 days from the date of first publication of the advertisement in the Provincial Gazette / The Citizen. Newspaper and/or Site Notice: **29 MARCH 2022**

Closing date for any objections: **26 APRIL 2022.**

Address of applicant: 17 Beau Rivage Estate d'afrique, Hartbeespoort Dam, 0216

Telephone No: 079 247 8980/ 065 848 3301

Email: info@hkrway.co.za/katlegoh@hkrway.co.za

Dates on which notice will be published: **29 MARCH 2022.**

PROVINSIALE KENNISGEWING 277 VAN 2022

KENNISGEWING INGEVOLGE ARTIKEL 17(1)(d) VAN DIE RUSTENBURG PLAASLIKE MUNISIPALITEIT RUIMTELIKE BEPLANNING EN GRONDGEBRUIKBESTUUR DOOR-WET, 2018 VIR ONDERVERDELING VAN GEDEELTE 0 VAN PLAAS LEEUWKOP 402-JQ TEN OPSIGTE 5)(iv) VAN HIERDIE VERORDENING SAAM MET DIE VERANDERING VAN GRONDGEBRUIKSREGTE BEKEND AS HERSONERING VAN DIE NUUT ONDERVERDEELDE GEDEELTE, SOOS BEWYK IN TERME VAN ARTIKEL 17(1) VAN DIE RUSTENBURG PLAASLIKE MUNISIALE MUNISIPALE MUNICIPALITY MUNICIPALITY , 2018

Ek, NEO MOGODI, van HK Right of Way Trading and Projects 105 (PTY) LTD synde die Aansoeker van GEDEELTE 0 VAN PLAAS LEEUWKOP 402-JQ gee hiermee kennis ingevolge Artikel 17(1)(d) van die Rustenburg Plaaslike Munisipaliteit Ruimtelike Beplannings- en Grondgebruikbestuursverordening, 2018, wat ek ingevolge Artikels 17(15)(a)(iv) van die Rustenburg Plaaslike Munisipaliteit Ruimtelike Beplanning en Grondgebruikbestuursverordening, 2018 by die Rustenburg Plaaslike Munisipaliteit aansoek gedoen het. vir die onderverdeling van GEDEELTE 0 VAN PLAAS LEEUWKOP 402-JQ in die VOORGESTELDE GEDEELTE 2 en die RESTERENDE UITBREIDING tesame met die gelyktydige verandering van grondgebruiksregte ook bekend as hersonering van die nuut onderverdeelde voorgestelde gedeelte van "Landbou" Sone na "Spesiaal" vir die ontwikkeling van 'n vulstasie en winkels as die Rustenburg Plaaslike Munisipaliteit Grondgebruikskema, 2021.

Hierdie aansoek bevat die volgende voorstelle:

GEDEELTE 0 VAN PLAAS LEEUWKOP 402-JQ, is tans gesoneer as Landbousone volgens die Rustenburg Grondgebruikskema 2021 (20 Julie 2021), en dit word beoog om onderverdeel te word in die VOORGESTELDE GEDEELTE 2 en die OORblywende UITBREIDING en ons beoog ook om hersoneer die nuut onderverdeelde voorgestelde gedeelte van "Landbou" Sone na "Spesiaal" vir die ontwikkeling van 'n vulstasie en winkels as die Rustenburg Plaaslike Munisipaliteit Grondgebruikskema, 2021..

Enige beswaar of kommentaar, met die gronde daarvoor en kontakbesonderhede, moet binne 'n tydperk van 28 dae vanaf die eerste datum waarop die kennisgewing verskyn het (**29 MAART 2022 tot 26 APRIL 2022**), by die Munisipaliteit: Direkoraat-Ruimtelike Beplanning en Grondgebruikbestuur by Rustenburg Plaaslike Munisipaliteit, C/O Beyers Naude & Nelson Mandelarylaan, of skriftelik by Posbus 16, Rustenburg, 0300 gemaak word.

Volledige besonderhede en planne kan gedurende gewone kantoorure by bogenoemde kantore besigtig word vir 'n tydperk van 28 dae vanaf die datum van eerste publikasie van die advertensie in die Provinsiale Koerant / Die Burger. Koerant- en/of Terreinkennisgewing: **29 MAART 2022**

Sluitingsdatum vir enige besware: **26 APRIL 2022.**

Adres van applikant: Beau Rivage Estate d'afrique 17, Hartbeespoortdam, 0216

Telefoonnommer: 079 247 8980/ 065 848 3301

E-pos: info@hkrway.co.za/katlegoh@hkrway.co.za

Datums waarop kennisgewing gepubliseer sal word: **29 MAART 2022.**

29-5

PROVINCIAL NOTICE 278 OF 2022**NOTICE IN TERMS OF SECTION 17(1) OF THE RUSTENBURG LOCAL MUNICIPALITY SPATIAL PLANNING AND LAND USE MANGEMENT BY -LAW, 2018 FOR A CHANGE OF LAND USE RIGHTS KNOWN AS REZONING AND SIMULTANEOUS NOTICE IN TERMS OF SECTION 17(15) OF THE RUSTENBURG LOCAL MUNICIPALITY SPATIAL PLANNING AND LAND USE MANGEMENT BY-LAW, 2018 FOR SUBDIVISION OF LAND AS CONTEMPLATED IN TERMS OF SECTION 17(15)(a)(iv) OF THIS BY-LAW**

I, NEO MOGODI, of **H.K Right of Way Trading and Projects 105 (PTY) LTD** being the Applicant of PORTION 36 (A PORTION OF PORTION 14) OF FARM ELANDSFONTEIN 102-JQ hereby give notice in terms of Section 17(1)(d) and in terms of Sections 17(15)(a)(iv) of the Rustenburg Local Municipality Spatial Planning and Land Use Management By -Law, 2018 that I have applied to the Rustenburg Local Municipality for a change of land use rights also known as rezoning of the property(ies) described above from "Agricultural" to "Industrial 1" for purposes of Light Industry Use as per the Draft-Rustenburg Local Municipality – Land Use Scheme: 2021 together with the subdivision of Portion 36 (a Portion of Portion 14) of the Farm Elandsfontein 102-JQ, Rustenburg as per the draft Subdivision Sketch submitted with the application.

This application contains the following proposals:

PORTION 36 (A PORTION OF PORTION 14) OF FARM ELANDSFONTEIN 102-JQ, Rustenburg is currently zoned as Agricultural Zone as per the Rustenburg Land Use Scheme 2021 (20 July 2021), and it is intended to be rezoned to "Industrial 1" for purposes of Light Industry Use as per the Draft-Rustenburg Local Municipality – Land Use Scheme: 2021 together with the Simultaneous Subdivision of Portion 36 (a Portion of Portion 14) of the Farm Elandsfontein 102-JQ, Rustenburg as per the draft Subdivision Sketch. The intention is to have land use rights for storing of mining machinery and development of ware houses. This is application made for a use, which, in the opinion of the Local Municipality is a small- scale industry, with emphasis on non-noxious production activities, maintenance, and repair, as well as retail trade-in connection therewith, that shall not cause the deterioration of the amenity of the neighbourhood or cause a disturbance in consequence of noise, appearance, odour or activities or any reason whatsoever and may include offices which are related directly to and are complementary to the main use.

Any objection or comments, with the grounds therefore and contact details, shall be lodged within a period of 28 days from the first date on which the notice appeared (**29 MARCH 2022 to 26 APRIL 2022**), with the Municipality: Directorate-Spatial Planning and Land Use Management at Rustenburg Local Municipality, C/O Beyers Naude & Nelson Mandela Drive, or made in writing to P.O Box 16, Rustenburg, 0300.

Full particulars and plans may be inspected during normal office hours at the above-mentioned offices, for a period of 28 days from the date of first publication of the advertisement in the Provincial Gazette / The Citizen. Newspaper and/or Site Notice: **29 MARCH 2022**

Closing date for any objections: **26 APRIL 2022.**

Address of applicant: 17 Beau Rivage Estate d'afrique, Hartbeespoort Dam, 0216

Telephone No: 079 247 8980/ 065 848 3301

Email: info@hkrway.co.za/katlegoh@hkrway.co.za

Dates on which notice will be published: **29 MARCH 2022.**

29-5

PROVINSIALE KENNISGEWING 278 VAN 2022

KENNISGEWING INGEVOLGE ARTIKEL 17(1) VAN DIE RUSTENBURG PLAASLIKE MUNISIPALITEIT RUIMTELIKE BEPLANNING EN GRONDGEBRUIKBESTUUR DOOR-WET, 2018 VIR 'N VERANDERING VAN GRONDGEBRUIKSREGTE BEKEND AS HERSONERING EN GELYKTYDIGE KENNISGEWING INGEVOLGE 17(ROCUS) MUNISIPALITEIT RUIMTELIKE BEPLANNING EN GRONDGEBRUIKBESTUUR VERORDENING, 2018 VIR ONDERVERDELING VAN GROND SOOS BEHOEG IN TERME VAN ARTIKEL 17(15)(a)(iv) VAN HIERDIE VERORDENING

Ek, NEO MOGODI, van HK Right of Way Trading and Projects 105 (PTY) LTD synde die Aansoeker van GEDEELTE 36 ('N GEDEELTE VAN GEDEELTE 14) VAN PLAAS ELANDSFONTEIN 102-JQ gee hiermee kennis ingevolge Artikel 17(1)(d)) en ingevolge Artikels 17(15)(a)(iv) van die Rustenburg Plaaslike Munisipaliteit Ruimtelike Beplanning en Grondgebruikbestuursverordening, 2018 dat ek by die Rustenburg Plaaslike Munisipaliteit aansoek gedoen het vir 'n verandering van grondgebruiksregte ook bekend as hersonering van die eiendom(me) hierbo beskryf vanaf "Landbou" na "Nywerheid 1" vir doeleindes van Ligte Nywerheidsgebruik volgens die Konsep-Rustenburg Plaaslike Munisipaliteit – Grondgebruikskema: 2021 tesame met die onderverdeling van Gedeelte 36 ('n Gedeelte van Gedeelte 14) van die Plaas Elandsfontein 102-JQ, Rustenburg volgens die konsep Onderverdelingskets wat saam met die aansoek ingedien is.

Hierdie aansoek bevat die volgende voorstelle:

GEDEELTE 36 ('N GEDEELTE VAN GEDEELTE 14) VAN PLAAS ELANDSFONTEIN 102-JQ, Rustenburg is tans gesoneer as Landbousone volgens die Rustenburg Grondgebruikskema 2021 (20 Julie 2021), en dit word beoog om hersoneer te word na "Industrieel 1" vir doeleindes van Ligte Nywerheidsgebruik volgens die Konsep-Rustenburg Plaaslike Munisipaliteit – Grondgebruikskema: 2021 saam met die Gelyktydige Onderverdeling van Gedeelte 36 ('n Gedeelte van Gedeelte 14) van die Plaas Elandsfontein 102-JQ, Rustenburg soos per die konsep Onderverdelingskets. Die bedoeling is om grondgebruiksregte vir die berging van mynmasjinerie en ontwikkeling van pakhuisse te hê. Hierdie is aansoek gedoen vir 'n gebruik, wat na die mening van die Plaaslike Munisipaliteit 'n kleinskaalse bedryf is, met die klem op nie-skadelike produksie-aktiwiteite, instandhouding en herstel, asook kleinhandelhandel in verband daarmee, wat nie die agteruitgang van die gerief van die buurt veroorsaak of 'n steurnis veroorsaak as gevolg van geraas, voorkoms, reuk of aktiwiteite of enige rede hoegenaamd nie en kan kantore insluit wat direk verband hou met en aanvullend tot die hoofgebruik is.

Enige beswaar of kommentaar, met die gronde daarvoor en kontakbesonderhede, moet binne 'n tydperk van 28 dae vanaf die eerste datum waarop die kennisgewing verskyn het (**29 MAART 2022 tot 26 APRIL 2022**), by die Munisipaliteit: Direkoraat-Ruimtelike Beplanning en Grondgebruikbestuur by Rustenburg Plaaslike Munisipaliteit, C/O Beyers Naude & Nelson Mandelarylaan, of skriftelik by Posbus 16, Rustenburg, 0300 gemaak word.

Volledige besonderhede en planne kan gedurende gewone kantoorure by bogenoemde kantore besigtig word vir 'n tydperk van 28 dae vanaf die datum van eerste publikasie van die advertensie in die Provinsiale Koerant / Die Burger. Koerant- en/of Terreinkennisgewing: **29 MAART 2022**

Sluitingsdatum vir enige besware: **26 APRIL 2022.**

Adres van applikant: Beau Rivage Estate d'afrique 17, Hartbeespoortdam, 0216

Telefoonnommer: 079 247 8980/ 065 848 3301

E-pos: info@hkrway.co.za/katlegoh@hkrway.co.za

Datums waarop kennisgewing gepubliseer sal word: **29 MAART 2022.**

29-5

PROVINCIAL NOTICE 280 OF 2022**1966062NOTICE IN TERMS OF SECTIONS 17(1) AND 17(15) OF THE RUSTENBURG LOCAL MUNICIPALITY SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2018 FOR A CHANGE OF LAND USE RIGHTS KNOWN AS A REZONING. RUSTENBURG AMENDMENT SCHEME 3078**

Jan-Nolte Ekkerd of The firm NE Town Planning CC, being the authorised agent of the owner of Erf 867 and Portion 1 of Erf 889, Rustenburg, Registration Division J.Q., North West Province hereby give notice in terms of Section 17(1)(d) of the Rustenburg Local Municipality Spatial Planning and Land Use Management By-Law, 2018 that I have applied to the Rustenburg Local Municipality for a change of land use rights also known as rezoning of the Erf 867 and Portion 1 of Erf 889, Rustenburg from "Industrial 1" to "Industrial 1" including a Wholesale Liquor Enterprise as defined in Annexure 3078 to the Scheme. The properties are situated at 64 and 64a Joubert Street Rustenburg respectively. This application contains the following proposals: A) that the properties will be consolidated and that the proposed consolidated property will be used for all land uses in terms of the "Industrial 1" zoning including a wholesale liquor enterprise. B) The adjacent properties as well as others in the area, could possibly be affected by the rezoning. C) The rezoning from their current zoning to "Industrial 1" including a wholesale liquor enterprise entails that the development parameters will be amended and new buildings will be built and used for the purposes mentioned above. Annexure 3078 contains the following development parameters: Max Coverage: 75%, Max. F.A.R: 0.65 and a parking ratio of 2 parking bays per 100m². Any objection or comments, with the grounds therefore and contact details, shall be lodged within a period of 28 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 28 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: 3 May 2022. Address of applicant: NE Town Planning CC, 155 Kock Street, Suite 203, De Dak, Rustenburg 0299 or P.O. Box 21139, Protea Park, 0305; Telephone No: 014 592 2777. Dates on which notice will be published: 5 and 12 April 2022.

5-12

PROVINSIALE KENNISGEWING 280 VAN 2022**KENNISGEWING INGEVOLGE ARTIKELS 17(1) EN 17(15) VAN DIE RUSTENBURG PLAASLIKE MUNISIPALITEIT RUIMTELIKE BEPLANNING EN GRONDGEBRUIKBESTUURS VERORDENING, 2018 VIR 'N VERANDERING VAN DIE GRONDGEBRUIKSREGTE BEKEND AS 'N HERSONERING. RUSTENBURG WYSIGINGSKEMA 3078.**

Jan-Nolte Ekkerd van die firma NE Town Planning BK, synde die gemagtigde agent van die eienaar van Erf 867 en Gedeelte 1 van Erf 889, Rustenburg, Registrasie Afdeling J.Q., Noord-Wes Provinsie, gee hiermee ingevolge, Artikel 17(1)(d) van die Rustenburg Plaaslike Munisipaliteit Ruimtelike Beplanning en Grondgebruikbestuur Verordening, 2018 kennis dat hy by Rustenburg Plaaslike Munisipaliteit aansoek gedoen het vir die verandering van die grondgebruikregte, ook bekend as die hersonering van Erf 867 en Gedeelte 1 van Erf 889, Rustenburg vanaf "Industrieël 1" na "Industrieël 1" insluitend 'n groothandel drank onderneming onderworpe aan sekere voorwaardes soos omskryf in Bylae 3078 tot die Skema. Die eiendomme is geleë te Joubertstraat 64 en 64a Rustenburg onderskeidelik. Die aansoek behels A) dat die eiendomme gekonsolideer gaan word en die voorgestelde geskonsolideerde eiendom gebruik mag word vir alle gebruike in terme van die "Industrieël 1" sonering en 'n groothandel drank onderneming. B) Al die aangrensende eiendomme asook ander in die omgewing kan moontlik deur die hersonering geraak word. C) Die hersonering vanaf hulle huidige sonerings na "Industrieël 1" insluitend 'n groothandel drank onderneming behels dat nuwe geboue gebou sal word en gebruik sal word vir doeleindes soos hierbo genoem. Bylae 3078 bevat die volgende ontwikkelingsparameters, Maks dekking: 75%, Maks VOV: 0.65 en Parkeer Ratio van 2 parkeerplekke per 100m². Enige besware of kommentaar, met gronde daarvoor asook kontakbesonderhede, kan gebring word binne 'n tydperk van 28 dae 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 28 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: 3 Mei 2022. Adres van applikant: 155 Kockstraat, Suite 203, De Dak, Rustenburg 0299 of NE Stadsbeplanners BK, Posbus 21139, Protea Park, 0305; Telefoon nr: 014 592 2777. Datums waarop kennisgewings gepubliseer word: 5 en 12 April 2022.

5-12

PROVINCIAL NOTICE 281 OF 2022**NOTICE IN TERMS OF TERMS OF SECTION 17(2) OF THE RUSTENBURG LOCAL MUNICIPALITY SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2018 FOR THE REMOVAL, AMENDMENT OR SUSPENSION OF A RESTRICTIVE CONDITION(S) IN THE TITLE DEED**

I/We, Jan-Nolte Ekkerd of the Firm NE Town Planning CC, being the authorised agent/applicant hereby give notice in terms of Sections 17(1)(d) and 17(2) of the Rustenburg Local Municipality Spatial Planning and Land Use Management By-Law, 2018 that I/we have applied to the Rustenburg Local Municipality for the removal of certain conditions (K) contained in the Title Deed (Nr. T4731/2004) of Portion 82 of the Farm Waterval 306, Registration Division JQ, North West Province, which property is situated at the corner of the R24 and District Road D 108 south-east of Rustenburg Extensions 2 and 4 industrial areas.

Any objection, with the grounds therefore and contact details, shall be lodged with or made in writing to: the Municipality at: Missionary Mpheni House, Room 319, Cnr. Beyers Naude and Nelson Mandela Drive, Rustenburg or at P.O. Box 16, Rustenburg, 0300 for a period of 28 days from date of first publication of the notice; 5 April 2022. Full particulars and plans (if any) may be inspected during normal office hours at the above-mentioned office, for a period of 28 days after the publication of the advertisement in the Provincial Gazette/newspapers and/or Site Notice Boards. Closing date for any objections: 3 May 2022

Address of *owner/ applicant : 155 Kock Street, Rustenburg, De Dak Building Room 203 or P.O. Box 21139 Protea Park, 0305, Telephone No: 014 5922777 Dates on which notice will be published: 5 and 12 April 2022.

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PROVINSIALE KENNISGEWING 281 VAN 2022**KENNISGEWING INGEVOLGE ARTIKEL 17(2) VAN DIE RUSTENBURG PLAASLIKE MUNISIPALITEIT RUIMTELIKE BEPLANNING EN GRONDGEBRUIKBESTUURS VERORDENING, 2018 VIR DIE VERWYDERING, WYSIGING OF OPSKORTING VAN BEPERKENDE VOORWAARDE(S) IN TITELAKTE VAN EIENDOM**

Ek/ons Jan-Nolte Ekkerd van die firma NE Town Planning BK, synde die gemagtigde agent/applikant gee hiermee ingevolge Artikel 17(1)(d) en 17(2) van die Rustenburg Plaaslike Munisipaliteit Ruimtelike Beplanning en Grondgebruikbestuur Verordening, 2018 kennis dat ek/ons by die Rustenburg Plaaslike Munisipaliteit aansoek gedoen het vir die opheffing/verwydering van sekere voorwaardes (K) in die Titel Akte (T4731/2004) van Gedeelte 82 van die Plaas Waterval 306, Registrasie Afdeling J.Q. Noordwes Provinsie, welke eiendom geleë is te hoek van die R24 en Distrikspad D 108, suid van Rustenburg Uitbreiding 2 en 4 Industriële areas. Enige besware of kommentaar, met gronde daarvoor asook kontakbesonderhede, kan gebring word binne 'n tydperk van 28 dae vanaf die eerste datum waarop die kennisgewing verskyn het na die Rustenburg Plaaslike 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 28 dae van die datum van eerste publikasie van die kennisgewing in die Provinsiale Gazette, Beeld en Citizen en/of terrein kennisgewing; 5 April 2022. Sluitingsdatum vir enige besware: 3 Mei 2022. Adres van applikant: 155 Kockstraat, Suite 203, De Dak, Rustenburg 0299 of NE Stadsbeplanners BK, Posbus 21139, Protea Park, 0305; Telefoon nr: 014 592 2777. Datums waarop kennisgewings gepubliseer word: 5 en 12 April 2022.

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PROVINCIAL NOTICE 282 OF 2022**NOTICE IN TERMS OF SECTIONS 17(1) AND 17(15) OF THE RUSTENBURG LOCAL MUNICIPALITY SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2018 FOR A CHANGE OF LAND USE RIGHTS KNOWN AS A REZONING. RUSTENBURG AMENDMENT SCHEME 3078**

Jan-Nolte Ekkerd of The firm NE Town Planning CC, being the authorised agent of the owner of Erf 867 and Portion 1 of Erf 889, Rustenburg, Registration Division J.Q., North West Province hereby give notice in terms of Section 17(1)(d) of the Rustenburg Local Municipality Spatial Planning and Land Use Management By-Law, 2018 that I have applied to the Rustenburg Local Municipality for a change of land use rights also known as rezoning of the Erf 867 and Portion 1 of Erf 889, Rustenburg from "Industrial 1" to "Industrial 1" including a Wholesale Liquor Enterprise as defined in Annexure 3078 to the Scheme. The properties are situated at 64 and 64a Joubert Street Rustenburg respectively. This application contains the following proposals: A) that the properties will be consolidated and that the proposed consolidated property will be used for all land uses in terms of the "Industrial 1" zoning including a wholesale liquor enterprise. B) The adjacent properties as well as others in the area, could possibly be affected by the rezoning. C) The rezoning from their current zoning to "Industrial 1" including a wholesale liquor enterprise entails that the development parameters will be amended and new buildings will be built and used for the purposes mentioned above. Annexure 3078 contains the following development parameters: Max Coverage: 75%, Max. F.A.R: 0.65 and a parking ratio of 2 parking bays per 100m². Any objection or comments, with the grounds therefore and contact details, shall be lodged within a period of 28 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 28 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: 3 May 2022. Address of applicant: NE Town Planning CC, 155 Kock Street, Suite 203, De Dak, Rustenburg 0299 or P.O. Box 21139, Protea Park, 0305; Telephone No: 014 592 2777. Dates on which notice will be published: 5 and 12 April 2022.

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PROVINSIALE KENNISGEWING 282 VAN 2022**KENNISGEWING INGEVOLGE ARTIKELS 17(1) EN 17(15) VAN DIE RUSTENBURG PLAASLIKE MUNISIPALITEIT RUIMTELIKE BEPLANNING EN GRONDGEBRUIKBESTUURS VERORDENING, 2018 VIR 'N VERANDERING VAN DIE GRONDGEBRUIKSREGTE BEKEND AS 'N HERSONERING. RUSTENBURG WYSIGINGSKEMA 3078.**

Jan-Nolte Ekkerd van die firma NE Town Planning BK, synde die gemagtigde agent van die eienaar van Erf 867 en Gedeelte 1 van Erf 889, Rustenburg, Registrasie Afdeling J.Q., Noord-Wes Provinsie, gee hiermee ingevolge, Artikel 17(1)(d) van die Rustenburg Plaaslike Munisipaliteit Ruimtelike Beplanning en Grondgebruikbestuur Verordening, 2018 kennis dat hy by Rustenburg Plaaslike Munisipaliteit aansoek gedoen het vir die verandering van die grondgebruikregte, ook bekend as die hersonering van Erf 867 en Gedeelte 1 van Erf 889, Rustenburg vanaf "Industrieël 1" na "Industrieël 1" insluitend 'n groothandel drank onderneming onderworpe aan sekere voorwaardes soos omskryf in Bylae 3078 tot die Skema. Die eiendomme is geleë te Joubertstraat 64 en 64a Rustenburg onderskeidelik. Die aansoek behels A) dat die eiendomme gekonsolideer gaan word en die voorgestelde geskonsolideerde eiendom gebruik mag word vir alle gebruike in terme van die "Industrieël 1" sonering en 'n groothandel drank onderneming. B) Al die aangrensende eiendomme asook ander in die omgewing kan moontlik deur die hersonering geraak word. C) Die hersonering vanaf hulle huidige sonerings na "Industrieël 1" insluitend 'n groothandel drank onderneming behels dat nuwe geboue gebou sal word en gebruik sal word vir doeleindes soos hierbo genoem. Bylae 3078 bevat die volgende ontwikkelingsparameters, Maks dekking: 75%, Maks VOV: 0.65 en Parkeer Ratio van 2 parkeerplekke per 100m². Enige besware of kommentaar, met gronde daarvoor asook kontakbesonderhede, kan gebring word binne 'n tydperk van 28 dae 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 28 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: 3 Mei 2022. Adres van applikant: 155 Kockstraat, Suite 203, De Dak, Rustenburg 0299 of NE Stadsbeplanners BK, Posbus 21139, Protea Park, 0305; Telefoon nr: 014 592 2777. Datums waarop kennisgewings gepubliseer word: 5 en 12 April 2022.

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PROVINCIAL NOTICE 283 OF 2022**CITY OF MATLOSANA****AMENDMENT OF ELECTRICITY BY-LAWS IN ORDER TO PROVIDE FOR SMALL SCALE IMBEDDED GENERATION (SSEG) INSTALLATION**

Notice is hereby given in terms of the provisions of section 12(3) (b) of the Local Government Municipal Systems Act, 2000, as amended, that it is the intention of the City of Matlosana to amend the Electricity By-Laws in order to provide for Small Scale Imbedded Generation (SSEG) Installation.

Any person who wishes to comment on the Draft: amendment Electricity By-Laws for the City of Matlosana must submit it in writing with the undersigned within a period of thirty (30) days from the date of publication of this notice in the press.

Any person who cannot write may come during office hours, (7:45-13:00 and 13:45-16:30) where the Assistant Director: Administration, Mrs. J.v.Rensburg, in Room 130, First Floor, Civic Centre, Klerksdorp will assist to transcribe comments or representations.

The amended Electricity By-Laws for the City of Matlosana will become effective in terms of Section 13 (a) and (b) of the Local Government: Municipal Systems Act, 2000, on the date of promulgation in the Provincial Gazette.

PO Box 99
Civic Centre
KLERKSDORP

TSR NKHUMISE
MUNICIPAL MANAGER

Notice 23/2022

Annexure "A"



CITY OF MATLOSANA
DIRECTORATE ELECTRICAL & MECHANICAL ENGINEERING SERVICES
ELECTRICITY BY-LAWS

The City of Matlosana municipality hereby, in terms of section 13 of the Municipal Systems Act, 2000, publishes the by-laws set forth hereinafter, which have been made by him in terms of Section 12 of the mentioned Act.

I N D E X

1. Definitions
2. Application for and Conditions of Supply
3. Consumer's Agreement
4. Termination of Consumer's Agreement
5. Continuation of Supply to New Consumer
6. Deposits
7. Accounts
8. Reading of meters
9. Testing accuracy of meter
10. Failure of meter to register correctly
11. Disconnection of supply
12. Unauthorised connection
13. Fraudulent use
14. Resale of electricity
15. Installation diagram and specifications
16. Inspection and tests
17. Liability of Council and Contractor
18. Service connections
19. Sealed apparatus
20. Tampering
21. Liability for damage to service connection
22. Type of supply
23. Meter cabinets
24. High-voltage electrical installations
25. Enclosures for supply equipment
26. Permanently connected appliances
27. Surge diverters
28. Position of cooking appliances
29. Provision of circuit breakers
30. Maintenance of installation
31. Control apparatus
32. Obstructing employees
33. Irregular supply
34. Owner's and consumer's liability
35. Notices

- 36. Offences and penalties
- 37. Repeal of by-laws

Definitions

- 1) In these by-laws, unless the context indicates otherwise –
- “approved” in relation to any article or practice, means approved by the municipality or the engineer as being suitable and satisfactory in respect of safety, design, performance, and the method of its application, regard being had to the recognized principles of electrical practice, and approval shall be interpreted accordingly;
- “consumer” means any person who has entered into an agreement with the municipality for the supply to him of electricity; “consumer’s agreement” means an agreement as referred to in section 3;
- “contractor” means an electrical contractor or a permit holder in terms of the Act;
- “municipality” means a city council, town council, village council or health committee, established in terms of the Local Government Ordinance, 1939;
- “electrical installation” means electrical installation as described in the Act;
- “engineer” means the head of the municipal electricity undertaking or an official duly authorized by the municipality;
- “high-voltage enclosures” means a chamber, compartment or other enclosure in which a transformer, switchgear or other electrical equipment is contained for operating at a voltage above 1000 and the expression “high voltage” shall be interpreted accordingly;
- “installation work” means installation or installing work as described in the Act;
- “low voltage enclosures” and enclosure for a special supply at low voltage” means a chamber, compartment or other enclosure in which a transformer, switchgear or other electrical equipment is contained for operating at a voltage at or below 1000 and the expression “low voltage” shall be accordingly;
- “meter reading period” means the period extending from one reading of a meter to the next;
- “meter cabinet” means an enclosure intended for the accommodation of a meter, circuit breaker or other associated electrical equipment determined by the engineer and designed to operate at low voltage;
- “occupier” means any person in occupation of premises at any relevant time;
- “owner” means and includes the registered owner of the land or premises, or his authorized agent, or any person receiving the rent or profits issuing there from, or who would receive such rents or profits, if such land or premises were let, whether on his own account or as agent for any person entitled thereto or interested therein;
- “point of consumption” means point of consumption as described in the Act;
- “point of supply” means point of supply as described in the Act;
- “premises” means any land and any building, erection or structure, above or below the surface of any land and includes any aircraft, vehicle or vessel;

“service connection” means the cable or conductor leading from the supply main to the point of supply of the electrical installation and includes any high voltage or other equipment connected

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to that cable or conductor, any meter, and any board, panel or other device to which the meter is fixed and all installation work and apparatus associated with the said equipment, meter or other device installed by the municipality;

“service fuse” or “service circuit breaker” means a fuse or service circuit breaker belonging to the municipality and forming part of the electrical circuit of the service connection;

“skilled person” means any person who in the opinion of the engineer is sufficiently skilled and qualified to execute, supervise and inspect work pertaining to high voltage regard being had to his experience and knowledge of electrical practice;

“special supply at low voltage: means a supply of electricity exceeding 40 kVA at low voltage;
“supply” means a supply of electricity from the supply main;

“supply main” means any cable or wire forming that part of the municipality’s electrical distribution system to which service connections may be connected;

“tariff” means the charge set out in the schedule hereto;

“the Act” means the Occupational Health and Safety Act, 85 of 1993;

“treasurer” means the Chief Finance Officer of the municipality or any other duly authorized official in his department;

Application for and Conditions of Supply

- 2) (1) Application for a supply shall be made to and in a form prescribed by the engineer.
- (2) The engineer may, before granting a supply, inspect the electrical installation to which an application relates with a view to establishing that such installation is safe and proper and complies with these by-laws or other applicable legislation.

Consumer’s Agreement

- 3) (1) No supply shall be given to an electrical installation unless and until the owner or occupier of the premises or some person acting on his behalf has completed a consumer’s agreement in a form prescribed by the municipality.
- (2) The charge payable for the supply shall be in accordance with the tariff.
- (3) No person shall use a supply unless a consumer’s agreement as contemplated in subsection (1) has been concluded with the municipality: Provided that any consumer who was a consumer on the date of publication of these by-laws shall be deemed to conclude an agreement with the municipality in terms of subsection (1).
- (4) The municipality may decide whether a consumer’s agreement shall be concluded by it with the owner of the premises.
- (5) No person shall without first having obtained the engineer’s permission in writing, lead

electricity temporarily or permanently to any point of consumption or place not forming part of the electrical installation for which a supply has been agreed upon or given.

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Termination of Consumer's Agreement

- 4) Subject to the provisions of sections 7(6) and 11, any consumer's agreement may be terminated by the consumer, his authorized representative, or by the municipality on giving 7 days' notice in writing calculated from the date of service thereof: Provided that if such notice purports to terminate an agreement on a Saturday, Sunday or public holiday, such termination shall only take effect on the next ensuing day which is not a Saturday, Sunday or public holiday.

Continuation of Supply to New Consumer

- 5) (1) The municipality may, upon the termination of any consumer's agreement, enter into a new consumer's agreement with any prospective consumer providing for the continuation of the supply.
- (2) The consumer who is a party to the new consumer's agreement referred to in subsection (1) shall be liable to pay for the electricity consumed after a meter reading taken on the date of termination of the previous agreement.

Deposits

- 6) (1) (a) Except in the case of the Government of the Republic of South Africa including the Provincial Administration or other class of consumer approved by the municipality, every applicant for a supply shall, before such supply is given, deposit with the municipality a sum of money on the cost of the cost of the maximum consumption of electricity which the applicant is in the treasurer's opinion likely to use during any two consecutive months: Provided that such sum shall not be less than is prescribed in the tariff.
- (b) Notwithstanding the foregoing provisions of this section the treasurer may, in lieu of a deposit, accept from an applicant, a guarantee for an amount calculated in accordance with paragraph (a) and in the form prescribed by the municipality, as security for the payment of any amount that may become due by the applicant for, or in respect of the supply of electricity: Provided that no such guarantee shall be accepted unless the estimated monthly account in respect of the supply to the premises concerned amounts to at least one thousand rand.
- If an applicant furnishes a guarantee, 50% of the required amount shall be deposited in cash and 50% shall be supplied by means of an approved rand guarantee.
- (2) The municipality may at any time when the deposit or guarantee is found to be inadequate for the purposes of subsection (1) require a consumer to increase the deposit made or guarantee furnished by him, in which event the consumer shall, within 30 days after being so required, deposit with the municipality such additional

sum or furnish such additional guarantee as the municipality may require, failing which the municipality may discontinue the supply.

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- (3) Any sum deposited by or on behalf of a consumer shall, on being claimed, be refunded within 30 days after the termination of the consumer's agreement after deducting any amount due by the consumer to the municipality.
 - (4) (a) Subject to the provisions of subsection (3), any person claiming a refund of a deposit or part thereof, shall either-
 - (i) surrender the receipt which was issued for payment of the deposit; or
 - (ii) if such receipt is not available, sign a receipt prescribed by the municipality for the refund to him of such deposit or part thereof, and satisfy the municipality that he is the person entitled to such refund.
 - (b) If a deposit has been refunded in accordance with paragraph (a), the municipality shall be absolved from any further liability in respect thereof.
 - (5) The consumer's agreement may contain a provision that any sum deposited by the consumer, a refund of which has not been so claimed within 1 year after either such agreement has been terminated or he has ceased for any reason to receive a supply in terms of such agreement, shall at the expiration of that period become forfeited to the municipality.
 - (6) Notwithstanding the provisions of subsection (5), the municipality shall at anytime pay—
 - (a) to the person who paid the deposit on his satisfying the municipality of his identity and the amount; or
 - (b) to any other person who has satisfied the municipality that he is entitled to have the payment made to him, an amount equal to the forfeited deposit.
 - (7) If a consumer applies to the municipality for a supply of higher capacity than he is receiving, the Chief Finance Officer may require the consumer to make an increased deposit or furnish an increased guarantee in terms of subsections (1) and (2) before such supply is given.
7. (1) The engineer shall in respect of each scale of the tariff governing a supply, provided such number of meters as he deems necessary.
- (2) The municipality may during any meter reading period, render to the consumer a provisional account in respect of a part of such period (which part shall as nearly as practically possible be a period of 30 days and the amount of such account shall be determined as provided in subsection (4) and shall as soon as possible after the meter reading at the end of such period render to the consumer an account based on the actual measured consumption and demand during that period, giving credit to the consumer for any sum paid by him on a provisional account as aforesaid.
 - (3) An account may be rendered for fixed charges in terms of the tariffs as when they become due.
 - (4) The amount of a provisional account referred to in subsection (2) shall be determined by the municipality by reference to such previous consumption, on the same premises

as would in his opinion constitute a reasonable guide to the quantity of electricity consumed over the period covered by the provisional account provided that where

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there has been no such previous consumption the municipality shall determine the amount of the said account by reference to such consumption on other similar premises which, in his opinion affords reasonable guidance.

- (5) A consumer's decision to dispute an account shall not entitle him to defer payment beyond the due date stipulated in the account.
- (6) In the event of the municipality not being able to gain access to a meter for two (2) consecutive meter readings the municipality may forthwith discontinue the supply of electricity in respect of the premises to which that meter relates.
- (7) When it appears that a consumer has been wrongly charged for electricity due to the application of a wrong tariff or on any other grounds other than inaccuracy of a meter, the municipality shall make such enquiries and tests as it thinks necessary and shall, if satisfied that the consumer has been wrongly charged, adjust his account accordingly or if not so satisfied, charge him if the municipality's actions are the result of a complaint by the consumer, in addition the cost to itself of making such enquiries and tests: Provided that no such adjustment shall be made in respect of a period in excess of 12 months prior to the date on which the wrong charge was observed or the municipality was notified of such wrong charge by the consumer.

Reading of meters

8. (1) The amount of electricity supplied to any premises during any meter reading period shall be taken as the difference of the reading of the meter or meters thereon at the beginning and the end of such period and where maximum demand metering pertains, the demand shall also constitute a part of the meter reading.
- (2) The reading shown by a meter shall be prima facie proof of the electrical energy consumed and of the maximum demand during the meter reading period and an entry in the municipal books shall be prima facie proof that the meter showed the reading which the entry purports to record.

Testing Accuracy of Meter

9. (1) If a consumer or owner has reason to believe that a meter is not registering correctly he may give written notice to the municipality that he requires the meter to be tested, such notice to be accompanied by the fee prescribed in the tariff for the testing of meters, and the municipality shall as soon as possible thereafter subject the meter to test.
- (2) The municipality's finding as to the accuracy of a meter after the test referred to in subsection (1) has been carried out shall be final, and a meter shall be deemed to be registering correctly if it is shown by that test to be over or under registering by not more than an average of 5% when tested in accordance with the code of practice of the South African Bureau of Standards for the testing of electricity meters or in accordance with procedures laid down by the municipality.
- (3) The fee payable in terms of subsection (1) shall be refunded if the meter is shown by the test to be registering incorrectly.

- (4) The engineer shall or immediately before removing a meter for testing take a reading of that meter and the current meter reading period shall be determined at the time of such reading.

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- (5) If after testing a meter the municipality is satisfied that it is not registering correctly, it shall render to the consumer a statement of account adjusted in accordance with the consumption ascertained to have been over or under registered in respect of the period of three (3) months prior to the date of termination of the current meter reading period in terms of subsection (4) and an adjusted account so rendered shall be paid within 10 days of the date thereof.

Failure of Meter to Register Correctly

10. (1) When the municipality is satisfied that a meter has ceased to register correctly the reading shown thereby shall be disregarded and the consumer –
- (a) Shall be charged in respect of the current meter reading period the same amount as he paid in respect of the corresponding period in the preceding year subject to adjustment necessitated by any alteration to the electrical installation of the tariff; or
- (b) If he was not in occupation of the premises during the corresponding period referred to in paragraph (a) shall be charged on the basis of his consumption during the three months preceding the last date on which the meter was found to be registering correctly; or
- (c) If he was not in occupation of the premises during the whole of the period referred to in paragraph (b) shall be charged on the basis of his consumption during the three months following the date from which the meter was again registering correctly.
- (2) If it can be established that the meter had been registering incorrectly for a longer period than the meter reading period referred to in subsection (1) the consumer may be charged with the amount determined in accordance with the said subsection or for a longer period: Provided that no amount shall be so charged in respect of a period in excess of twelve (12) months prior to the date on which the meter was found to be registering incorrectly.

Disconnection of Supply

11. (1) When any charges due to the municipality for or in connection with electricity supplied are in arrears the municipality may at any time without notice disconnect the supply to the electrical installation concerned or any part thereof until such charges together with the reconnection fee laid down in the tariff are fully paid.
- (2) When conditions are found to exist in an electrical installation which in the opinion of the municipality constitute a danger or potential danger to person or property or interfere with the supply to any other consumer, the municipality may at any time without notice disconnect the supply to that installation or any part thereof until such conditions have been remedied or removed.

- (3) The municipality may without notice temporarily discontinue the supply to any electrical installation for the purpose of effecting repairs or making inspections or tests or for any other purpose connected with its supply main or other works.

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- (4) The engineer shall immediately before removing a meter for testing take a reading of that meter and the current meter reading period shall be determined at the time of such reading.
- (5) If after testing a meter the municipality is satisfied that it is not registering correctly, it shall render to the consumer a statement of account adjusted in accordance with the consumption ascertained to have been over or under registered in respect of the period of three (3) months prior to the date of termination of the current meter reading period in terms of subsection (4) and an adjusted account so rendered shall be paid within ten (10) days of the date thereof.

Disconnection of Supply

11. (1) When any charges due to the municipality for or in connection with electricity supplied are in arrears the municipality may at any time without notice disconnect the supply to the electrical installation concerned or any part thereof until such charges together with the reconnection fee laid down in the tariff, are fully paid.
- (2) When conditions are found to exist in an electrical installation which in the opinion of the municipality constitute a danger or potential danger to person or property or interfere with the supply to any other consumer the municipality may at any time without notice disconnect the supply to that installation or any part thereof until such conditions have been remedied or removed.
- (3) The municipality may without notice temporarily discontinue the supply to any electrical installation for the purpose of effecting repairs or making inspections or tests or for any other purpose connected with its supply main or other works.
- (4) The municipality shall on application by a consumer in a form prescribed by the engineer disconnect the supply and shall reconnect it on payment of the fee prescribed in the tariff.

Unauthorized Connection

12. (1) No person other than an employee of the municipality authorized thereto shall connect or reconnect or attempt to connect or reconnect any electrical installation With the service connection or the supply main.
- (2) If the supply to any electrical installation is disconnected in terms of section 11(1) or (2) the consumer concerned shall take all reasonable steps within his power to ensure that such supply is not reconnected in contravention of subsection (1).
- (3) If such supply is nevertheless so reconnected after it has been disconnected by the municipality the consumer concerned shall forthwith take all reasonable steps within his power to ensure that no electricity is consumed on the premises concerned and shall in addition, forthwith notify the Chief Financial Officer of such reconnection.

- (4) If the consumer contemplated in subsection (2) or (3) is not in occupation of the premises concerned then the occupier of those premises shall comply with the provisions of the mentioned subsections.

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- (5) If any prosecution for a contravention of or failure to comply with subsection (2) or (3) or both or of any or both of those subsections read with subsection (4), any contravention or failure to comply whether intentional or negligent shall be sufficient to constitute an offence and unless the contrary is proven, it shall be deemed that—

- (a) reasonable steps contemplated in subsection (2) and (3) were not taken; and
(b) such contravention or failure was due to an intentional act or omission of the person charged.

Fraudulent Use

13. (1) A supply for which a charge is laid down in the tariff and which is measured by a meter or set of meters shall not be used for any purpose for which a higher charge is laid down.
- (2) Unless the municipality has granted permission in writing no electricity supplied by it shall be used unless it has first passed through the meter connected to the electrical installation.

Resale of Electricity

14. Where a person resells electricity supplied by the municipality--
- (a) such electricity shall in respect of each purchaser be metered through a sub-meter which and the installation of which has been approved by the municipality.
- (b) the municipality shall not be held liable for any inaccuracy or other defects in any sub-meter whether or not the municipality has approved such sub-meter or the installation thereof,
- (c) the charge made by such seller shall not exceed the tariff which would have been payable had the purchaser been a consumer of the municipality; and
- (d) the conditions of resale shall not be less favourable to the purchaser than the terms on which the municipality itself supplies electricity and every such purchaser shall be entitled to require the seller to furnish him with all such accounts, documents and other information as may be necessary to enable the purchaser to ascertain whether the accounts rendered to him for electricity supplied are correct.
- (e) Such a person shall submit an application to be registered as an electricity reseller to the municipality

Installation Diagram and Specifications

15. The municipality may require a contractor to submit to him for approval a wiring diagram and specifications covering any proposed construction of, alteration, extension or repair to any electrical installation, and where the municipality requires such a diagram and specifications the proposed work shall not be commenced until they have been submitted and approved.

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Inspection and Tests

16. (1) The engineer may, at any reasonable time or in case of emergency at any time enter any premises and inspect or test any part of the service connection or electrical installation thereon for any purpose including the purpose of ascertaining whether a breach of these by-laws or other applicable legislation has been or is being committed and the owner or contractor when called upon to do so, shall remove any earth, bricks, stone, woodwork or other work obstructing or covering any part of the electrical installation.
- (2) Before any test or inspection in terms of this section is carried out the owner or the occupier shall be informed of the purpose thereof and if it is established that a breach of these by-laws has been committed the municipality shall notwithstanding the provisions of subsection (3) not be liable to restore and make good in terms thereof.
- (3) The municipality shall save as is provided in subsection (2) restore and make good any disturbance of, damage to, or interference with, the premises occasioned by any inspection or test made in terms of subsection (1).
- (4) While any electrical installation in the course of construction, alteration, extension or repair the engineer may inspect and test any part of the work as often as he deems necessary, and if any work which the engineer requires to inspect or test has been covered up the engineer may require the contractor or the owner of the premises at no cost to the municipality to uncover that work, to expose any joints or wires and to remove any fittings, castings, trapdoors, floor boards, materials or other obstructions whatsoever, and any work or reinstatement rendered necessary shall likewise be carried out at no costs to the municipality.
- (5) Every reasonable facility to carry out tests and inspections shall be afforded to the engineer by the contractor, the owner and the occupier of the premises and the aforesaid facilities shall in the case of a contractor include the provision of suitable ladders.
- (6) Where the cables or conduits of an electrical installation are laid underground the trenches containing them shall be left open until the work has been inspected and approved.
- (7) Any contractor shall give the engineer at least 3 working days' notice in a form prescribed in the Act that he requires the engineer to carry out an inspection or test of any electrical installation.
- (8) (a) After receipt of notice in terms of subsection (7) the engineer shall forthwith make such inspection and test.
- (b) Should an electrical installation require re-testing according to regulation C177 (4) of the Act, such a re-test is subject to the payment of a charge laid down in the tariff.

Liability of Municipality and Contractor

17. (1) Neither the engineer's approval of an electrical installation after making any inspection or test thereof nor the granting by him of permission to connect the installation to the supply shall be taken as constituting for any purpose any guarantee by the municipality that the work has been properly executed or that the materials

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used in it are sound or suitable for the purpose or any warranty whatsoever or as relieving the contractor from liability, whether civil or criminal, for executing the work improperly or for using faulty material therein.

- (2) The municipality shall not be under any liability in respect of any installation or other work or for any loss or damage caused by fire or other accident arising wholly or partly from the condition of an electrical installation.

Service Connections

18. (1) The owner of the premises concerned shall make application for the installation or re-instatement of a service connection in a form prescribed by the engineer.
- (2) A service connection shall be installed at the expense of the owner and the cost thereof as determined by the municipality shall be paid to the municipality before supply is authorized.
- (3) Every part of the service connection shall remain the property of the municipality.
- (4) Notwithstanding that the service connection to an approved electrical installation may already have been completed the municipality may in its absolute discretion refuse to supply electricity to that installation until all sums due to the municipality by the same consumer in respect of that or any other service connection, whether or not on the same premises have been paid.

Sealed Apparatus

19. Where any seal or lock has been placed by the municipality on any meter, service fuse, service circuit breaker or other similar apparatus or cabinet or room in which such apparatus is accommodated whether or not belonging to the municipality no person other than an authorized employee of the municipality shall for any reason whatsoever remove, break, deface or otherwise interfere with any such seal or lock.

Tampering

20. No person shall in any manner or for any reason whatsoever paint, deface, tamper or interfere with any service connection and only an authorized employee of the municipality may make any adjustment or repair thereto. Any person or consumer found to have tampered with shall be issued with a fine to an amount approved by council and the connection shall be restored upon payment of the imposed fine

Liability for Damage to Service Connection

21. (1) The owner of the premises or the consumer shall be liable to make good to the municipality any damage that may occur to the service connection or any part thereof or to any other municipal apparatus on the premises unless such owner or consumer can prove negligence on the part of the municipality.

- (2) If any damage occurs to the cable or any other part of a service connection the consumer shall inform the municipality as soon as he becomes aware of that fact and the municipality or a person authorized by him shall repair the damage.

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Type of Supply

22. The municipality may in any particular case determine whether the supply shall be high or low voltage and the type of such supply.

Meter Cabinets

23. Before a low voltage supply is given the applicant or owner shall install a meter cabinet if required to do so by the municipality at no expense to the municipality and in a position approved by the municipality, provide a cabinet of approved design and construction for the accommodation of the municipal service connection.

High Voltage Electrical Installation

24. (1) All the apparatus used in connection with a high voltage electrical installation shall be of approved design and construction.
- (2) Before any work is commenced in connection with a new high voltage electrical installation or for the extension of an existing high voltage installation a site plan and a drawing showing in detail to the municipality satisfaction the particulars and lay information concerning the apparatus shall be submitted to the municipality and no work as aforesaid shall be commenced until the proposed installation or extension has been approved.
- (3) No person other than a skilled person shall undertake the installation repair, alteration Extension, examination or operation of or touch or do anything in connection with high voltage apparatus.
- (4) Notwithstanding any approval previously given by him the municipality may at any reasonable time and in case of emergency at all times inspect any high voltage apparatus and subject it to such tests as he may deem necessary and may, if such apparatus be found defective, disconnect the supply to the premises until the defect has been rectified to the municipal satisfaction.
- (5) The owner or the consumer shall be liable to the municipality for the cost of carrying out any of the tests referred to in subsection (4) if any defect in the high voltage or the low voltage electrical installation is revealed thereby.
- (6) Notwithstanding anything contained in section 25 no high voltage apparatus which has been newly installed, altered or extended shall be connected to the supply without the permission in writing of the municipality which permission shall not be given unless and until every requirement of this section has been complied with.

Enclosures for Supply Equipment

25. (1) Where required by the municipality an owner shall at no expense to the municipality provide and maintain an approved enclosure for accommodating the municipal and consumer's supply equipment in a position determined by the municipality.

- (2) No person shall enter the enclosure accommodating the municipal supply equipment or touch or interfere with any apparatus therein, unless authorized thereto by the municipality.

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- (3) Every low voltage enclosure associated with a high voltage enclosure and every enclosure for a special supply at low voltage shall be kept locked by the consumer and a key thereto shall if required by the municipality be deposited with him or provision made for the fitting of an independent lock by the municipality who shall be entitled to access to the enclosure at all times.
- (4) The consumer or owner of premises shall at all times provide and maintain safe and convenient access to a low voltage enclosure or an enclosure for a special supply at low voltage and such enclosure shall at all times be kept clean and tidy by the consumer to the satisfaction of the municipality and shall be used for no other purpose save the accommodation of equipment and apparatus associated with the supply.
- (5) The consumer or owner of the premises shall at all times provide and maintain safe and convenient access to a high voltage enclosure such access to be direct to that part of the enclosure into which the high voltage supply is led and not through the low voltage enclosure or through any door or gate the lock of which is controlled by the consumer or the owner of the premises.
- (6) The municipality may use any enclosure for supply equipment in connection with a supply to consumers on premises other than those on which that enclosure is situated.

Permanently Connected Appliances

26. Appliances permanently connected to an electrical installation shall be approved.

Surge Diverters

27. Every electrical installation connected to an overhead supply main shall be provided with one or more approved surge diverters in positions determined by the municipality.

Position of Cooking Appliances

28. No heating or cooking appliance shall be installed, placed or used below any meter elonging to the municipality.

Provision of Circuit Breakers

29. When required by the municipality the owner shall supply and install or more approved supply circuit breakers in a smaller and position determined by the municipality.

Maintenance of Installation

30. (1) Any electrical installation on any premise connected with the supply shall at all times be maintained by the owner or consumer in good working order and condition to the satisfaction of the municipality.

- (2) The municipality may require a consumer who takes a multiphase supply to distribute his electrical load as approved by the municipality over the supply phases and may install such devices in the relevant service connection as he may deem necessary to ensure that this requirement is complied with.

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Control Apparatus

31. The municipality shall have the right to install a control relay on any water heater, space heater of the storage type or any other apparatus and thereafter at any time to switch off the said apparatus during periods of stress or peak load for such length of time as it may deem necessary.

Obstructing Employees

32. No person shall willfully—
- (a) hinder, obstruct, or interfere with any employee of the municipality in the performance of any duty relating to these by-laws; or
- (b) refuse to give such information as the municipality may reasonably require; or
- (c) give to the municipality any information which to his knowledge is false or misleading.

Irregular Supply

33. The municipality shall not be liable for the consequences to the consumer or any other person of any stoppage, failure, variation or surge other deficiency of electricity from whatsoever cause.

Owner's and Consumers Liability

34. (1) The owner and the consumer shall be jointly and severally liable for compliance with any financial obligation, except as determined in subsection (2) or other requirement imposed upon them in the alternative by these by-laws.
- (2) The liability for compliance with any financial obligation in respect of the use of electricity rests with the consumer only.

Notices

35. (1) Any notice or other document to be issued by the municipality in terms of these by-laws shall be deemed to have been so issued if it is signed by an authorized official of the municipality.
- (2) Where any notice or other document is required by these by-laws to be served on any person it shall be deemed to have been properly served if served personally on him or on any member of his household apparently over the age of 16 years at his place of residence or if sent by registered post to such person's last known place of residence or business as appearing in the records of the Chief Financial Officer or if such person is a company, if served on an officer of that company at its registered office or sent by registered post to such office.

CONNECTION OF SMALL SCALE EMBEDDED GENERATION TO A MUNICIPAL DISTRIBUTION SYSTEM: ELECTRICITY SUPPLY BY-LAW

36. The purpose of the by-law is to effectively regulate the connection of embedded generation systems to the municipal distribution system.

DEFINITIONS

For purposes of this by-law, the following definitions shall apply (and cognate expressions shall have similar meanings) —

embedded generation systems	electrical power generation units connected directly to the distribution system or connected to the distribution system on the customer side of the meter
ERA	Electricity Regulation Act, No 4 of 2006
municipality	a municipality that has executive authority to perform electrical reticulation services in its area of jurisdiction
NERSA	the National Energy Regulator of South Africa
reticulation	The trading or distribution of electricity and includes services associated therewith
SSEG	power generation of less than 1000kVA (1MVA)

Provision of electricity services

1. *Subject to subsection 2 below, only the Municipality may supply or contract for the supply of bulk electricity within its jurisdictional area.*
2. *The Municipality may permit the bulk supply or retail wheeling of electricity through its electrical grid by another electricity supplier which is licensed to supply electricity in terms of the Electricity Regulation Act.*
3. *The Municipality may permit the connection of an embedded generation system to its electrical grid in accordance with the requirements of this by-law and subject to:*
 - 3.1 *Compliance with the relevant requirements of the Municipality pertaining to the generation of electricity and the safety thereof contained in any guideline or policy issued by the Municipality in respect thereof.*
4. *Registration with the Municipality of all fixed electrical installations where electricity is generated and compliance with the Municipality's safety and quality requirements contained in any guideline or policy issued by the Municipality in respect thereof.*

Approval for Connection

Connection of electrical generation equipment

1. *No person shall directly or indirectly connect, attempt to connect or cause or permit to be connected any electrical installation or part thereof to the Municipality's supply mains or service connection except with written permission of the [Director].*
2. *No alternate electrical generation equipment provided by a customer for his own operational requirements or for the generation of electricity may be connected to any installations without the prior written consent of the Municipality.*
3. *Application for such consent in terms of subsections (1) and (2) above must be made in writing and must include a full specification of the electrical generation equipment and a wiring diagram, as may be further detailed in any guideline or policy issued by the Municipality in respect thereof.*

4. *The electrical generation equipment must be so designed and installed that it is impossible for the Municipality's supply mains to be energised by means of a back feed from such electrical generation equipment when the Municipality's supply has been de-energised.*
5. *The customer shall be responsible for providing and installing all such protective equipment and for obtaining a certificate of compliance issued in terms of the Regulations made in terms of the Occupational Health and Safety Act, 1993 (Act 85 of 1993).*
6. *The Municipality shall not be held responsible for any work done by the electrical contractor/registered person on a customer's premises and shall not in any way be responsible for any loss or damage which may be occasioned by fire or by any accident arising from the state of the wiring on the premises or the connection of the electrical generation equipment.*
7. *Where the customer's alternate electrical generation equipment is permitted to be electrically coupled to, and run in parallel with the Municipality's supply mains, the customer shall be responsible for providing, installing and maintaining all the necessary synchronising and protective equipment, to the satisfaction of the [Director].*
8. *Before making any alteration or addition to any electrical generation equipment installed within the area of the supply that requires an increase in electricity supply capacity, or an alteration to the service, the customer shall give notice of his intentions in accordance with the Regulations made in terms of the Occupational Health and Safety Act, 1993 (Act 85 of 1993).*
9. *Any electrical generation equipment connected or to be connected to the supply mains, and any additions or alterations thereto which may be made from time to time, shall be provided and erected and maintained and kept in good order by the customer at his own expense and in accordance with this by-law and the Regulations made in terms of the Occupational Health and Safety Act, 1993 (Act 85 of 1993).*

Wheeling of electricity

1. *No person may generate electricity by way of a fixed electrical installation and feed into the municipal electricity distribution network unless an agreement has been concluded with the Municipality, and such agreement together with the provisions of this by-law, as well as any other legislation governing the licensing of generators, shall govern such generation of electricity.*

Resale of Electricity

1. *Unless authorised by the [Director], no person may sell or supply electricity supplied to his or her premises or generated by him or her under an agreement with the Municipality, to any other person or persons for use on any other premises or permit or allow such resale or supply to take place.*
2. *If electricity is resold for use on the same premises, the provisions of the Electricity Regulation Act, No 4 of 2006 shall apply, as specified in Schedule 2 to the Electricity Regulation Act, No 4 of 2006.*
3. *If electricity is resold for use upon the same premises, the electricity resold shall be measured by a submeter of a type which has been approved by the South African Bureau of Standards and supplied, installed and programmed in accordance with the standards of the Service Provider.*
4. *The tariff, rates and charges at which and the conditions of sale under which electricity is thus resold shall not be less favourable to the purchaser than those that would have been payable and applicable had the purchaser been supplied directly with electricity by the Service Provider.*
5. *Every reseller shall furnish the purchaser with monthly accounts that are at least as detailed as the relevant billing information details provided by the Service Provider to its electricity consumers.*

Standby Supply

1. *Standby supply of electricity for any premises having a separate source of electricity supply may only be supplied with the written consent of the Municipality.*
2. *Upon interruption of the electricity supply the Municipality may supply standby electricity in any manner as necessary.*

Metering

1. *The Municipality shall, at the customer's cost in the form of a direct charge or prescribed tariff, provide, install and maintain appropriately rated metering equipment at the point of metering for measuring the electricity supplied.*

2. *The metering shall be a bi-directional meter measuring both import and export electricity*

Norms, standards and guidelines

1. *The Municipality may from time to time issue Technical Standards detailing the requirements of the Municipality regarding matters not specifically covered in this by-law but which are necessary for the safe, efficient operation and management of the electrical generation equipment.*
2. *The Municipality may determine and publish norms, standards and guidelines which prescribe appropriate measures to save energy or to reduce the use of electricity and such norms standards and guidelines must be kept in the form of an operational manual.*
3. *The norms, standards and guidelines contemplated in subsection (1) may differentiate between communities, geographical areas and different kinds of premises.*

Unauthorised connections

1. *No person other than a person whom the Municipality specifically authorises in writing to do so may directly or indirectly connect, attempt to connect or cause or permit the connection of a new electrical installation or part of a new electrical installation to the supply mains or service connection.*
2. *In the case where an electrical installation has been illegally connected on a customer's premises in contravention of this by-law, any policy or guideline issued by the Municipality and/or the Regulations, the Municipality may disconnect the connection of the electrical installation to the municipal distribution network.*
3. *The Municipality must give a person referred to in subsection (3) and any person residing in the premises notice of —*
 - a) *the intention to disconnect the electrical installation of such person;*
 - b) *a reasonable opportunity for such person to make representations in respect of the intended disconnection; and*
 - c) *all the relevant information including reasons for the intended disconnection and the notice period on or after which the disconnection will be effected.*
4. *For circumstances other than listed in sub-section (5), where any of the provisions of this by-law or the Regulations are being contravened, the Municipality shall give the person concerned fourteen days' notice to remedy his or her default prior to disconnection.*
5. *The Municipality may disconnect the supply of electricity to any premises or the connection of any electrical installation without notice under the following circumstances;*
 - a) *where there is a case of grave risk to any person or property; or*
 - b) *for reasons of community safety or the safety of emergency personnel.*
6. *After the disconnection contemplated in subsection (1), the fee as prescribed by the Municipality for such disconnection or the reconnection of the service shall be paid by the person concerned.*
7. *In the case where an installation has been illegally reconnected on a customer's premises after having been previously legally disconnected by the Municipality, or in the case where the Municipality's electrical equipment has been tampered with to prevent the full registration of consumption by the meter, the electricity supply may be physically removed from those premises.*

Offences and Penalties

37. (1) Any person contravening or failing to comply with any provision of these by-laws shall be guilty of an offence and shall on conviction thereof be liable to a fine as approved by Council resolution CC137 of 2013 or in default of payment to imprisonment for a period not exceeding 12 months.

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- (2) The owner of any premises supplied with electricity on which a breach of these by-laws is committed shall be deemed to be guilty of that breach unless he proves that

he did not know and could not by the exercise of reasonable diligence have known that it was being or was likely to be committed and that was committed by some other person over whose acts he has no control.

- (3) Any person who contravenes the provisions of section 13 and who is in consequence not charged for electricity which has been consumed or is charged for such electricity at a rate lower than that at which he should properly have been charged shall notwithstanding any penalty which may be imposed in terms of this section, be liable to pay to the municipality the sum which would have been paid to it had the said offence not been committed and such sum shall be calculated in terms of the highest charge which could have been made according to the tariff applicable from the date when the contravention first took place.

Repeal of By-laws

38. The Standard Electricity By-laws, published under Government Notice 399, dated 5 December 2003 as amended, are hereby repealed.

LOCAL AUTHORITY NOTICES • PLAASLIKE OWERHEIDS KENNISGEWINGS**LOCAL AUTHORITY NOTICE 185 OF 2022****JB MARKS LOCAL MUNICIPALITY****DECLARATION THAT THE TOWNSHIP OF VAN DER HOFFPARK EXTENSION 70, HAS BEEN ESTABLISHED**

In terms of the provisions of Section 61 of the Tlokwe Spatial Planning and Land Use Management By-Law, 2015, the JB Marks Local Municipality hereby declares that the Township of Van der Hoffpark Extension 70, situated on Portion 1533 of the farm Vyfhoek 428 Registration Division IQ, North West Province, by Theunis de Jong Identity Number: 621111 5090 08 3 (hereinafter referred to as the township establisher) and being the registered owner of the land, has been established, subject to the conditions as set out in the Schedule hereto.

SCHEDULE**3.1 Name**

The name of the township shall be Van der Hoffpark Extension 70.

3.2 Lay-out / Design

The township shall consist of erven and streets as indicated on General Plan: SG53/2020.

3.3 Access

Access to the township will be granted directly from North Avenue for erven 1943 and 1944 and via a right-of-way servitude over erf 1944 in favour of erf 1945.

4. CONDITIONS TO BE COMPLIED WITH PRIOR TO THE REGISTRATION OF THE ERVEN IN THE TOWNSHIP**4.1 Provision and installation of external and internal services**

4.1.1 The township establisher must make the necessary arrangements with the JB MARKS 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 township.

4.1.2 The township establisher shall install and provide internal engineering services in the township, as provided for in the services agreement.

4.1.3 The JB MARKS LOCAL MUNICIPALITY shall install and provide external engineering services to the township, as provided for in the services agreement.

4.2 Obligations regarding services and guarantees

The township establisher must within a period of twelve (12) months or such an extended time period as that the JB MARKS 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 JB MARKS LOCAL MUNICIPALITY. No erven may be alienated or transferred in the name of the buyer before the JB MARKS LOCAL MUNICIPALITY confirmed that sufficient guarantees/cash contributions is delivered by the township establisher to the JB MARKS LOCAL MUNICIPALITY for the provision of services.

4.3 Engineering Services

4.3.1 Storm water drainage and street construction

- 4.3.1.1 On request of the JB MARKS 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 the JB MARKS LOCAL MUNICIPALITY, for the storage and drainage of storm water through the township by proper disposal works and for the installation, tarmacking, curbing and canalisation of streets there-in, together with the provision of such retaining walls as the JB MARKS LOCAL MUNICIPALITY may deem necessary, for approval.
- 4.3.1.2 When required by the JB MARKS LOCAL MUNICIPALITY, the township establisher shall, for his own account, carry out the approved scheme to the satisfaction of the JB MARKS LOCAL MUNICIPALITY under supervision of a registered professional civil engineer, approved by the JB MARKS LOCAL MUNICIPALITY.
- 4.3.1.3 The township establisher is responsible for the maintenance of streets and storm water services in the township to the satisfaction of the JB MARKS LOCAL MUNICIPALITY until such streets and storm water conduits have been taken over by the JB MARKS LOCAL MUNICIPALITY, according to the services agreement.
- 4.3.1.4 Designs and specifications shall be done in accordance with the conditions of the JB MARKS LOCAL MUNICIPALITY taking into consideration:
- 4.3.1.4.1 "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,
- 4.3.1.4.2 SANS 1200, Standardised specifications for Civil Engineering Construction,
- 4.3.1.4.3 The Tlokwe Spatial Planning and Land Use Management By-Law,
- 4.3.1.4.4 The requirements of the National Building Regulations and Building Standards Act, 1977 (Act 103 of 1977), and
- 4.3.1.4.5 Clause 11.7.1 of the Tlokwe Town Planning Scheme 2015 where the latter reads as follows:
- "Where, in the opinion of the local authority 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."

4.3.2 Water and sewerage

- 4.3.2.1 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 JB MARKS LOCAL MUNICIPALITY, taking into consideration:

- 4.3.2.1.1 “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,
 - 4.3.2.1.2 SANS 1200, Standardised specifications for Civil Engineering Construction,
 - 4.3.2.1.3 The Tlokwe Spatial Planning and Land Use Management By-Law, and
 - 4.3.2.1.4 The requirements of the National Building Regulations and Building Standards Act, 1977 (Act 103 of 1977).
- 4.3.2.2 The township establisher is responsible for the maintenance of the water and sewerage services in the township to the satisfaction of the JB MARKS LOCAL MUNICIPALITY, until such services have been taken over by the JB MARKS LOCAL MUNICIPALITY, according to the services agreement.

4.3.3 Electricity

- 4.3.3.1 If a private contractor performs 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:
- 4.3.3.1.1 “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,
 - 4.3.3.1.2 SANS Code 0142, as amended from time to time, and
 - 4.3.3.1.3 The Tlokwe Spatial Planning and Land Use Management By-Law.
- 4.3.3.2 The township establisher is responsible for the maintenance of the electricity services in the township to the satisfaction of the JB MARKS LOCAL MUNICIPALITY, until such services have been taken over by the JB MARKS LOCAL MUNICIPALITY, according to the services agreement.

4.3.4 Refuse removal

- 4.3.4.1 The township establisher is responsible for the maintenance of the refuse removal services in the township to the satisfaction of the JB MARKS LOCAL MUNICIPALITY, until such services have been taken over by the JB MARKS LOCAL MUNICIPALITY, according to the services agreement.

4.4 Home Owners Association

4.4.1 Erf 1943

A Home Owners Association or similar Section 8 Company must be established in terms of the conditions of the Companies Act 2008 (Act 71 of 2008).

The Home Owners Association or similar Section 8 Company shall bear full responsibility for the functioning and proper maintenance of all communal properties like the internal streets and the internal services according to the services agreement. The JB MARKS LOCAL MUNICIPALITY accepts no responsibility or liability in this regard.

4.5 Demolition of buildings and structures

The township establisher must, at his 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 JB MARKS LOCAL MUNICIPALITY, when required by the JB MARKS LOCAL MUNICIPALITY to do so.

The township establisher must submit documentary proof to the JB MARKS LOCAL MUNICIPALITY that the consent from the relevant heritage resource authority, in terms of the National Heritage Resources Act, 1999 (Act 25 of 1999) (the Heritage Act), was obtained for the demolition and/or alteration of existing buildings in the case of buildings 60 years and older.

4.6 Conditions of the Department of Public Works and Roads

The township establisher shall comply with all conditions as stipulated in the letter of comment, dated 5 February 2016.

4.7 Conditions of the Department Rural, Environment and Agricultural Development

The township establisher shall comply with all conditions as stipulated in the letter of comment, dated 20 November 2015.

4.8 Department of Water and Sanitation

The township establisher shall comply with all conditions as stipulated in the letter of comment, dated 3 November 2015.

4.9 Conditions of Eskom

That all conditions of Eskom shall be complied with as stated in their comments dated 26 October 2015.

5. DISPOSAL OF EXISTING CONDITIONS OF TITLE

All erven shall be subject to existing conditions of title and servitudes, if any.

6. CONDITIONS OF TITLE

6.1 Conditions imposed by the JB MARKS LOCAL MUNICIPALITY in terms of the conditions of the Tlokwe Spatial Planning and Land Use Management By-Law

6.1.1 All erven

All erven are subject to the following conditions:

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

6.1.1.2 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 metres thereof.

- 6.1.1.3 The JB MARKS 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 JB MARKS LOCAL MUNICIPALITY.
- 6.1.1.4 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 JB MARKS LOCAL MUNICIPALITY accepts no liability for any claims whatsoever which may result from the unfavourable soil conditions, for it remains the responsibility of the owner to satisfy him or herself that the foundation solution as proposed for the erven in the township is sufficient.

6.2 Erven subject to or entitled to special conditions

6.2.1 Erven subject to special conditions

- 6.2.1.1 Erf 1944 is subject to a six (6) metre servitude for right-of-way, in favour of Erf 1945, indicated on the general plan as servitude note 2.

6.2.2 Erven entitled to special conditions

- 6.2.2.1 Erf 1945 is entitled to a six (6) metre servitude for right-of-way, over Erf 1944, indicated on the general plan as servitude note 2.

6.3 Erven subject to conditions in favour of third parties

In addition to the relevant conditions as set out above, the under-mentioned erven shall be subject to the following additional conditions and servitudes to be registered:

- 6.3.1 Erf **1943** may not be transferred unless the following conditions are imposed by the township establisher and accepted by the Home Owners Association or similar Section 8 Company.
- 6.3.1.1 Every owner of an erf or subdivision or consolidation thereof shall become and shall remain a member of the Home Owners Association or similar Section 8 Company and shall be subject to its memorandums and articles of association until he ceases to be an owner as aforesaid. The erf shall not be transferred to any person that has not become a member of the association.
- 6.3.1.2 The owner of the erf shall not be entitled to transfer the erf without a clearance certificate from the association that all amounts payable by such owner to the association have been paid.
- 6.3.2 Erf **1943** is subject to a two (2) metre wide servitude of aqueduct (pipeline) adjacent to the northern boundary in favour of the Department of Water and Sanitation, indicated on the general plan as servitude note 1.

7. CONDITIONS THAT IN ADDITION TO THE EXISTING PROVISIONS OF THE TOWN PLANNING SCHEME, IN RESPECT OF SECTION 56(3)(e) THE TLOKWE CITY COUNCIL SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW), NEED TO BE INCLUDED IN THE TLOKWE TOWN PLANNING SCHEME, 2015

7.1 Zonings

7.1.1 Erven 1944 and 1945

The use zone of the erven is "Residential 1".

7.1.2 Erf 1943

The use zone of the erven is "Residential 2"

7.2 Building Lines

Street, side and rear building lines shall be in line with the Tlokwe Town Planning Scheme, 2015.

7.3 Soil and Flood Conditions

7.3.1 In order to overcome the proven detrimental soil and flood conditions on the erf, the foundation and other structural aspects of the building shall be designed by a competent professional registered engineer and the details of such design shall be shown on the building plans submitted to the JB MARKS LOCAL MUNICIPALITY for approval unless it is proved to the JB MARKS LOCAL MUNICIPALITY that such measures are unnecessary or that the same purpose can be achieved by other more effective means.

7.3.2 The following wording must be included on all building plans submitted to the JB MARKS LOCAL MUNICIPALITY for approval:

- a. The approval of this building plan by the JB MARKS LOCAL MUNICIPALITY does not imply that the design and precautions to prevent, to control or to combat the possible consequences of possible weak soil conditions and flooding are necessarily sufficient.
- b. It remains the exclusive responsibility of the owner to satisfy him or herself that the design and precautionary measures are sufficient.
- c. The JB MARKS LOCAL MUNICIPALITY accepts no liability for any claims whatsoever which may result from the weak soil conditions and flooding of this property."

Notice 9/2022

ACTING MUNICIPAL MANAGER

JB MARKS LOCAL MUNICIPALITY**TLOKWE AMENDMENT SCHEME 2401**

It is hereby notified in terms of the provisions of Section 61 of the Tlokwe City Council Spatial Planning and Land Use Management By-Law 2015, that the JB Marks Local Municipality has approved an amendment scheme with regard to the land in the Township Van der Hoffpark Extension 70 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 2401.

ACTING MUNICIPAL MANAGER

Notice 10/2022

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