



# NORTH WEST NOORDWES

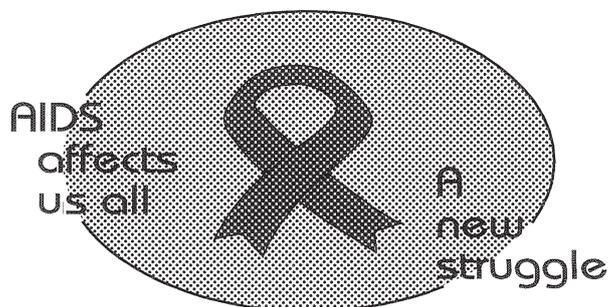
## PROVINCIAL GAZETTE PROVINSIALE KOERANT

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11 October 2022  
11 Oktober 2022

No: 8423

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- **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**
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- **08 April**, Friday for the issue of Tuesday **19 April 2022**
- **19 April**, Tuesday for the issue of Tuesday **26 April 2022**
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- **03 May**, Tuesday for the issue of Tuesday **10 May 2022**
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- **13 December**, Tuesday for the issue of Tuesday **20 December 2022**
- **19 December**, Monday for the issue of Tuesday **27 December 2022**

**GENERAL NOTICES • ALGEMENE KENNISGEWINGS****GENERAL NOTICE 195 OF 2022****CITY OF MATLOSANA**

**NOTICE OF APPLICATION FOR SUBDIVISION, REZONING, AND CONSOLIDATION OF ERVEN 191, 192, 246 AND 392 OF THE TOWNSHIP URANIIVILLE, IN TERMS OF SECTION 94(1) OF THE CITY OF MATLOSANA SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2016. READ TOGETHER WITH SPLUMA, 2013 (ACT 16 OF 2013) (AMENDMENT SCHEME 1412)**

I, Joze Maleta, being the authorized agent of the owner, The Trustees van tyd tot tyd van die JL Roos Trust, Trust No. 4965/1995, of Erven 191, 192, 246, and 392 of the township Uraniaville, situated in Chromium and Meteor Roads, Klerksdorp, North West Province, hereby give notice in terms of Sections 41(1)(a), (2)(b)(c)(d) and 42(1) of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013), read together with Sections 62(1), 67, 73, 94(1)(a), 95(1) and 96 of the City of Matlosana Spatial Planning and Land Use Management By-law, 2016 (SPLUMA By-law), read with Sections 56 and 92 of the Town Planning and Township Ordinance, (Transvaal), 1986 (Ordinance 15 of 1986), that I have applied to the City of Matlosana Local Municipality for: **(A)** The subdivision of Erf 191 into two portions (Portion 1 in extent approx. 5m<sup>2</sup> and the Remainder of Erf 191 in extent approx. 565m<sup>2</sup>), and the subdivision of Erf 246 into two portions (Portion 1 in extent approx. 184m<sup>2</sup> and Remainder of Erf 246 in extent approx. 669m<sup>2</sup>), and the subdivision of Erf 392 into three portions (Portion 1 in extent approx. 113m<sup>2</sup>, Portion 2 in extent approx. 3012m<sup>2</sup> and Remainder of Erf 392 in extent approx. 7845m<sup>2</sup>) and the; **(B)** The rezoning of Portion 1 of Erf 246 from "Business 2" to "Business 1" and the rezoning of Portion 1 and Portion 2 of Erf 392 from "Industrial 2" to "Business 1" as defined in Amended Scheme 1412; **(C)** the consolidation of Portion 1 of Erf 191 with Portion 2 of Erf 392 and with Erf 192, the consolidation of Portion 1 of Erf 246 with Portion 1 of Erf 392 and with the Remainder of Erf 191; **(D)** The following adjacent properties: Erven 256, 257, 275 and Remainder of 313 of the township Uraniaville, as well as others in the vicinity of the Property could possibly be affected hereby.

Any objection or comments including the grounds pertaining thereto and contact detail according to Section 99 of the SPLUMA By-law, shall be lodged within a period of 30 days from the date of first publication of this notice in writing during normal office hours to the City of Matlosana Local Municipality: office of the Municipal Manager, Records, Basement, Municipal Building, Bram Fischer Street, Klerksdorp or to PO Box 99, Klerksdorp, 2570. Any person who cannot write may during office hours attend at the address mentioned above where the official of the town planning section, Mr. Danny Selemoseng, Telephone number 018 487 8365, will assist that person to transcribe that person's objections or comments. Full particulars of the Application and plans (if any) may be inspected and viewed during normal office hours at the above-mentioned offices, for a period of 30 days from the date of first publication of the notice.

Closing date for any objections: 2 November 2022.

Address of the applicant: Mr. Joze Maleta, P.O. Box 1372, Klerksdorp, 2570, Telephone number: 018 462 1991, [info@jmland.co.za](mailto:info@jmland.co.za).

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**ALGEMENE KENNISGEWING 195 VAN 2022****STAD VAN MATLOSANA PLAASLIKE MUNISIPALITEIT**

**KENNISGEWING VAN AANSOEK OM KONSOLIDASIE, ONDERVERDELING EN HERSONERING VAN ERWE 191, 192, 246 EN 392, VAN DIE DORP URANIIVILLE, INGEVOLGE ARTIKEL 94(1) VAN DIE STAD MATLOSANA RUIMTELIKE BEPLANNING EN GRONDGEBRUIK, 2016. SAAM GELEES MET SPLUMA, 2013 (WET 16 VAN 2013) (WYSIGINGSKEMA 1412)**

EK Joze Maleta, synde die gemagtigde agent van die eienaar, The Trustees van tyd tot tyd van die JL Roos Trust, Trust Nr. 4965/1995, van Erwe 191, 192, 246 en 392 van die dorp Uraniaville, geleë in Chromium en Meteor Weg, Klerksdorp, Noord-Wes Provinsie, gee hiermee ingevolge Artikel 41(1)(a),(2)(b)(c)(d) en 42(1) van die Wet op Ruimtelike Beplanning en Grondgebruikbestuur, 2013 (Wet 16 van 2013), saamgelees met Artikels 62(1), 67, 73, 94(1)(a), 95(1) en 96 van die Stad van Matlosana Plaaslike Munisipaliteit se Ruimtelike Beplanning en Grondgebruikbestuurverordening, 2016 (SPLUMA By-wette), asook Artikels 56 en 92 van die Ordonansie op Dorpsbeplanning en Dorpe, (Transvaal), 1986 (Ordonansie 15 van 1986), kennis dat ek aansoek gedoen het by die Stad van Matlosana Plaaslike Munisipaliteit vir die wysiging van die Klerksdorp Grondgebruikbestuurskema, 2005 vir: **(A)** Die onderverdeling van Erf 191 in twee gedeeltes (Gedeelte 1 groot ongeveer 5m<sup>2</sup> en die Restant van Erf 191 groot ongeveer 565m<sup>2</sup>), en die onderverdeling van Erf 246 in twee gedeeltes (Gedeelte 1 groot ongeveer 184m<sup>2</sup> en Restant van Erf 246 groot ongeveer 669m<sup>2</sup>), en die onderverdeling van Erf 392 in drie gedeeltes (Gedeelte 1 groot ongeveer 113m<sup>2</sup>, Gedeelte 2 groot ongeveer 3012m<sup>2</sup> en Restant van Erf 392 groot ongeveer 7845m<sup>2</sup>) en die; **(B)** Die hersonering van Gedeelte 1 van Erf 246 vanaf "Besigheid 2" na "Besigheid 1" en die hersonering van Gedeelte 1 en Gedeelte 2 van Erf 392 vanaf "Nywerheid 2" na "Besigheid 1" soos omskryf in Wysigde Skema 1412; **(C)** die konsolidasie van Gedeelte 1 van Erf 191 met Gedeelte 2 van Erf 392 en met Erf 192, die konsolidasie van Gedeelte 1 van Erf 246 met Gedeelte 1 van Erf 392 en met die Restant van Erf 191; **(D)** Die volgende aangrensende eiendom: Erwe 256, 257, 275 en Restant van 313 van die dorp Uraniaville, asook ander in die omgewing van die Eiendom kan moontlik hierdeur geraak word.

Enige besware of kommentaar, met gronde daarvoor asook kontakbesonderhede volgens Artikel 99 van die SPLUMA By-Wette, moet skriftelik ingedien word binne n tydperk van 30 dae vanaf die datum van eerste publikasie van die kennisgewing na die Stad van Matlosana Plaaslike Munisipaliteit: Kantoor van die Munisipale Bestuurder, Bram Fischerstraat, Burgersentrum, Rekords afdeling, Keldervloer, Klerksdorp, 2570 of Posbus 99, Klerksdorp, 2570. Enige persoon wat nie kan skryf nie, kan tydens kantoorure bogenoemde adres besoek waartydens die beampte, Mnr. Danny Selemoseng, Telefoon nommer 018 487 8365 van die stadsbeplanningsafdeling daardie persoon behulpsaam sal wees ten einde hul besware of kommentare te transkribeer. Besonderhede van die Aansoek en planne (indien enige) is beskikbaar vir inspeksie en insae gedurende gewone kantoorure by die bovermelde kantore, vir n tydperk van 30 dae van die datum van eerste publikasie van die kennisgewing.

Sluitingsdatum vir enige besware: 2 November 2022.

Adres van die applikant: Mnr. Joze Maleta, Posbus 1372, Klerksdorp, 2570, Telefoon nommer: (018) 462 1991, [info@jmland.co.za](mailto:info@jmland.co.za).

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**PROVINCIAL NOTICES • PROVINSIALE KENNISGEWINGS****PROVINCIAL NOTICE 376 OF 2022****NOTICE FOR SIMULTANEOUS APPLICATION IN TERMS OF SECTION 17(1) AND IN TERMS OF SECTION 17 (15)(A)(IV) OF THE RUSTENBURG LOCAL MUNICIPALITY SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2018 FOR SUBDIVISION AND A CHANGE OF LAND USE RIGHTS KNOWN AS A REZONING. RUSTENBURG AMENDMENT SCHEME 2118**

I Mmusoothata Mokgalagadi (6111055799083) Mokgalagadi Planning and Design, being the authorised applicant of the owner of 2 Portions of the Remaining Extent of the farm Berseba 397, Rustenburg, Registration Division J.Q., North West Province hereby give notice in terms of Section 17(1) (d) and in terms of section 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 subdivision and a change of land use rights also known as rezoning of the property described above, situated at along the R556 to Sun City approximately 5km to Berseba Village, Rustenburg from "Agriculture" to "Special" for development of a Filling Station as defined in Annexure 2403 to the Scheme. This application contains the following proposals: (A) that the property be used for filling station and shops. (B) Annexure 2403 contains the following development parameters: Max Height: 2 Storeys, Max Coverage: 40%, Max Floor Area Ratio 0.6. Parking: As determined by the Rustenburg Local Municipality. Any objection or comments, with the grounds therefore and contact details shall be lodged within a period of 28 days from 04 October 2022 the date of the first notice, 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 abovementioned offices, for a period of 28 days from the date of first publication of the advertisement in the Provincial Gazette, Citizen and Beeld and/or Site Notice. Closing date for any objections: 10 November 2022. Address of applicant: Mokgalagadi Planning and Design Telephone No: NO 12 Doris Street Klerksdorp 2571. Cell NO: 0762643777. Dates on which notice will be publish: 04 October 2022 and 11 October 2022. Number and area of proposed portions: (i) Proposed portion is three and half (3.5) hectares (ha) in extent approximately 35 000 m<sup>2</sup>. Remainder 4318.9831 hectares in extent approximately 43189831 m<sup>2</sup>. (ii) Proposed Portion is three and half (3.5) hectares ha in extent approximately 35 000 m<sup>2</sup>. Remainder 4315.4831 hectares in extent approximately 4315 4831 m<sup>2</sup>.

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**PROVINSIALE KENNISGEWING 376 VAN 2022****KENNISGEWING VIR GELYKTIGE TOEPASSING INGEVOLGE ARTIKEL 17 (1) EN INGEVOLGE ARTIKEL 17 (15) (A) (IV) VAN DIE RUSTENBURG PLAASLIKE MUNISIPALITEIT RUIMTELIKE BEPLANNING EN GRONDGEBRUIKSBESTUUR DEUR -REG, 2018 VIR ONDERVERDELING EN 'N VERANDERING VAN GRONDGEBRUIKSREGTE WAT AS HERSONERING KEN. RUSTENBURG - WYSIGINGSKEMA 2118**

Ek Mmusoothata Mokgalagadi (6111055799083) Mokgalagadi Planning and Design, synde die gemagtigde agent van die eienaar van twee gedeelte van die oorblywende gedeelte van die plaas Berseba 397, Rustenburg, Registrasie Afdeling JQ, Noordwes Provinsie, gee hiermee kennis ingevolge Artikel 17 (1) (d) en ingevolge artikel 17 (15) (a) (iv) van die Verordening op die Plaaslike Munisipaliteit van Rustenburg Plaaslike Munisipaliteit en Grondgebruikbestuur, 2018, het ek aansoek gedoen by die Rustenburg Plaaslike Munisipaliteit vir onderverdeling en verandering van grondgebruiksregte, ook bekend as die hersonering van die bogenoemde eiendom, geleë langs die R556 na Sun City, ongrveer 5 km na Berseba Village, Rustenburg van "Landbou" na "Spesiale 1" vir die ontwikkeling van 'n Vulstasie by die Skema. Hierdie aansoek bevat die volgende voorstelle: (A) dat die eiendom steeds gebruik sal word vir vulstasies and winkels. (B) Aanhangel 2403 bevat die volgende ontwikkelingsparameters: maksimum hoogte: 2 verdiepings, maksimum dekking: 40%, maksimum F.A.R: 0.6 maksimum parkering: parkering voorsien word volgens die belied van Plaaslike Munisipaliteit van Rustenburg. Enige beswaar of kommentaar, met die redes daarvoor en kontakbesonderhede, moet binne 'n tydperk van 28 dae vanaf 04 Oktober 2022 ingedien word by of aan die Munisipaliteit by: Kamer 319, Missionary Mpheni House, Cnr. Nelson Mandela en Beyers Naudelaan, Rustenburg, of na Posbus 16, Rustenburg 0300. Volledige besonderhede en planne (as daar is) kan gedurende gewone kantoor ure by bogenoemde kantore besigtig word, vir 'n periode van 28 dae vanaf die datum van eerste publikasie van die advertensie in die Provinsiale Staatskoerant, Citizen en Beeld en / of kennisgewing op die terrein. Sluitingsdatum vir enige besware: 10 November 2022. Adres van applikant: Mokgalagadi Planning and Design NO 12 Doris Street Klerksdorp 2571. Cell NO: 0762643777. Datums waarop kennisgewing gepubliseer word: 04 Oktober 2022 en 11 Oktober 2022. Aantal en oppervlakte van voorgestelde gedeeltes: (i) Voorgestelde gedeelte is drie en 'n halwe (3.5) hektaar (ha), ongeveer 35 000 m<sup>2</sup>. Voorgestelde Restant 4318.9831 hektaar groot ongeveer 4318 9831 m<sup>2</sup>. (ii) Voorgestelde gedeelte is drie en 'n halwe (3.5) hektaar (ha), ongeveer 35 000 m<sup>2</sup>. Voorgestelde Restant 4315.4831 hektaar groot ongeveer 4315 4831 m<sup>2</sup>.

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**PROVINCIAL NOTICE 377 OF 2022**

NOTICE OF APPLICATION FOR AMENDMENT SCHEME IN TERMS OF SECTION 17(1) OF THE RUSTENBURG SPATIAL PLANNING AND LAND USE MANAGEMENT BY LAW 2018

AMENDMENT SCHEME 3132

I, Masilakhe Sydney Thuntubele of the company THE PALACE AFRIKA GROUP (PTY) LTD registration number 2020/653790/07 as authorized by the property owner of ERF RE 1444 Rustenburg, Registration Division J.Q North West Province hereby give notice in terms of Section 17(1)(d) of the Rustenburg Spatial Planning and Land Use Management By Law 2018, that I have applied to the Rustenburg Local Municipality for the amendment of the Town Planning Scheme known as the Rustenburg Land Use Scheme 2021 by way of Rezoning the property described above from Residential 1 to Special Use, for Accommodation Enterprise (Residential Buildings), Shop and Service Enterprise as defined in Annexure 3132 to the Scheme.

This application contains the following proposals: A. The property shall be used entirely for the proposed. B. The adjacent properties and others in the area will be affected. C. The proposed rezoning has the following development parameters: Property size: 2855m<sup>2</sup>, Maximum Height: 2 Storeys, Maximum Coverage: 20% Maximum FAR: 0.32, Particulars of the application will lie for inspection during normal working hours at the office of the Municipal Manager Room 319 Missionary Mpheni House, Cnr of Nelson Mandela and Beyers Naude Streets Rustenburg for two consecutive weeks to or for a period of **28 days** from **04 October 2022**. Objections to or representations in respect of the application must be lodged with or made in writing to the Municipal Manager at the above-mentioned address or at P.O. BOX 16 Rustenburg 0300 within **28 days** of the specified public participation process. The notice will be placed on the Subject property for a period of **28 days** from the date of the first publication on the Provincial Gazette, Beeld and Citizen Newspapers. First Publication date: **04 October 2022**. Closing date for Objections: **01 November 2022**. Postal Address: 30717 Slocha Section, Mabeskraal, North West. 262 Leyds Street, Rustenburg, 0299. Contact number 0797159557/ 0834530541

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**PROVINSIALE KENNISGEWING 377 VAN 2022**

KENNISGEWING VAN AANSOEK OM WYSIGINGSKEMA INGEVOLGE ARTIKEL 17(1) VAN DIE RUSTENBURG RUIMTELIKE BEPLANNING EN GRONDGEBRUIKBESTUUR DEUR WET 2018

WYSIGINGSKEMA 3132

Ek, Masilakhe Sydney Thuntubele van die maatskappy THE PALACE AFRIKA GROUP (PTY) LTD registrasienommer 2020/653790/07 soos gemagtig deur die eiendomseienaar van ERF RE 1444 Rustenburg, Registrasie Afdeling J.Q Noordwes Provinsie gee hiermee kennis ingevolge Artikel 17(1)(d) van die Rustenburg Ruimtelike Beplanning en Grondgebruikbestuur deur Wet 2018, dat ek by die Rustenburg Plaaslike Munisipaliteit aansoek gedoen het vir die wysiging van die Dorpsbeplanningskema bekend as die Rustenburg Grondgebruikskema 2021 deur middel van die Hersonerig van die eiendom beskryf hierbo vanaf Residensiële 1 na Spesiale Gebruik, vir Akkommodasie Onderneming (Residensiële Geboue), Winkel en Diens Onderneming soos omskryf in Bylae 3132 by die Skema.

Hierdie aansoek bevat die volgende voorstelle: A. Die eiendom sal geheel en al vir die voorgestelde gebruik word. B. Die aangrensende eiendomme en ander in die area sal geraak word. C. Die voorgestelde hersonerig het die volgende ontwikkelingsparameters: Eiendomsgrootte: 2855m<sup>2</sup>, Maksimum Hoogte: 2 Verdiepings, Maksimum Dekking: 20% Maksimum VER: 0.32, Besonderhede van die aansoek sal ter insae lê gedurende gewone werksure by die kantoor van die Munisipale Bestuurder Kamer 319 Missionary Mpheni House, Hv van Nelson Mandela- en Beyers Naudestraat Rustenburg vir twee opeenvolgende weke tot of vir 'n tydperk van **28 dae** vanaf **04 Oktober 2022**. Besware teen of vertoe ten opsigte van die aansoek moet skriftelik by die Munisipale Bestuurder by bogenoemde adres of by P.O. BOX 16 Rustenburg 0300 binne **28 dae** na die gespesifiseerde proses van openbare deelname. Die kennisgewing sal op die Onderwerpse eiendom geplaas word vir 'n tydperk van **28 dae** vanaf die datum van die eerste publikasie op die Provinsiale Koerant, Beeld en Burgerkoerante. Eerste Publikasiedatum: **04 Oktober 2022**. Sluitingsdatum vir Besware: **01 November 2022**. Pos. Adres: 30717 Slocha Seksie, Mabeskraal, Noordwes. Leydsstraat 262, Rustenburg, 0299. Kontaknommer 0797159557/ 0834530541

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**PROVINCIAL NOTICE 378 OF 2022****NOTICE IN TERMS OF SECTION 17(1) 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 AMENDEMENT SCHEME 3117**

**I, Esther Mpho Mmamadi (ID No: 800207 0345 085) of the firm Phure Trading and Consulting CC (Reg. No. 2005/140430/23) being the applicant of the owners of Erf 1542, Rustenburg Extension 3 Township, North West Province, hereby gives 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 with the following proposals: A) The Rezoning of the property described above, situated at 62 Zand Street from "Residential 1" to "Educational". B) All properties situated adjacent to the Erf 1542, Rustenburg Extension 3 Township North West Province, could be affected by the Rezoning application. C) The Rezoning entails that all the Structures to be built on the property, be converted to "Educational" with a maximum height of two (2) storeys, maximum coverage of 75% and a maximum Floor Area Ratio (F.A.R) of 0.7. Particulars of the application will lie for inspection during normal office hours at the office of the Director: Planning and Development, Room 319, Missionary Mpheni House, c/o Beyers Naude and Nelson Mandela Drive, Rustenburg for the period of 28 days from 04 October 2022. Objections to or representations in respect of the application must be lodged with or made in writing to the Municipal Manager at the above address or at P.O Box 16, Rustenburg, 0300, within a period of 28 days from 04 October 2022. **Address of applicant: Phure Consulting, 32 Nelson Mandela Drive, Frans Vos Building, Office No.9, 1<sup>st</sup> Floor, Rustenburg, Tel: 014 592 9408.****

4-11

**PROVINSIALE KENNISGEWING 378 VAN 2022****KENNISGEWING INGEVOLGE ARTIKEL 17(1) VAN DIE RUSTENBURG PLAASLIKE MUNISIPALITEIT RUIMTELIKE BEPLANNING EN GRONDGEBRUIKBESTUURSKEMA VERORDENING, 2018 VIR 'N VERANDERING GRONDGEBRUIKREGTE BEKEND AS 'N REZONING-RUSTENBURG AMENDEMENT SKEMA 3117**

**Ek, Esther Mpho Mmamadi (ID No: 800207 0345 085) van die firma Phure Trading and Consulting CC (Reg No. 2005/140430/23.) synde die aansoeker van die eienaars van Erf 1542, Rustenburg Uitbreiding 3 Dorpsgebied, Noordwes Provinsie, gee hiermee ingevolge artikel 17(1)(d) van die Rustenburg Plaaslike Munisipaliteit Ruimtelike Beplanning en Grondgebruikbestuur Verordening, 2018 kennis dat ek by die Rustenburg Plaaslike Munisipaliteit aansoek gedoen het vir 'n verandering van grondgebruiksregte ook bekend as Hersonering met die volgende voorstelle: A) Die Hersonering van die eiendom hierbo beskryf, geleë te Zandstraat 62 vanaf "Residensieël 1" na "Opvoedkundige". B) Alle eiendomme aangrensend van Erf 1542, Rustenburg Uitbreiding 3 Dorpsgebied, Noordwes Provinsie, kan deur die Hersonering aansoek geraak word. C) Die Hersonering behels dat al die strukture wat op die eiendom gebou moet word, omgeskakel word na "Opvoedkundige" met 'n maksimum hoogte van twee (2) verdiepings, maksimum dekking van 75% en 'n maksimum vieroppervlaktereverhouding (V.O.V) van 0.7. Besonderhede van die aansoek le ter insae gedurende gewone kantoorure by die kantoor van die Direkteur Beplanning en Ontwikkeling, Kamer 319, Missionary Mpheni House, h/v Beyers Naude en Nelson Mandelarylaan, Rustenburg, vir die tydperk van 28 dae vanaf 04 Oktober 2022. Besware teen of vertoe ten opsigte van die aansoek moet aan die Munisipale Bestuurder binne 'n tydperk van 28 dae vanaf 04 Oktober 2022. **Adres van applikant: Phure Consulting, 32 Nelson Mandelarylaan, Frans Vos Gebou, Kantoor Nr. 9,1ste Vloer, Rustenburg, Tel: (014) 592-9408****

4-11

**PROVINCIAL NOTICE 380 OF 2022****JB MARKS LOCAL MUNICIPALITY****DECLARATION THAT THE TOWNSHIP OF BAILLIE PARK EXTENSION 56, 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 Baillie Park Extension 56, situated on Portion 1016 of the farm Vyfhoek 428 Registration Division IQ, North West Province, by Comcorp Developments (Pty) Ltd, Registration Number 2015/328337/07 (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 Baillie Park Extension 56.

**3.2 Lay-out / Design**

The township shall consist of erven and streets as indicated on GENERAL PLAN NO: SG NO. 121/2019.

**3.3 Access**

Access to the township will be granted from Wynne Street.

**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, tarmacing, 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 City Council 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 12(1)(b) of the Potchefstroom Town Planning Scheme 1980 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 City Council 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 City Council 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 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).

4.4.2 The Home Owners Association or similar Section 8 Company shall bear full responsibility for the functioning and proper maintenance of communal property like internal streets (Erf 2) and the internal services according to the services agreement and the erf must be transferred to the association. The JB Marks Local Municipality accepts no responsibility or liability in this regard.

### **4.5 Demolition of buildings and structures**

4.5.1 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 Resource 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 Economic Development, Environment, Conservation and Tourism, North West Province**

That all conditions of the Department Economic Development, Environment, Conservation and Tourism, North West Province shall be complied with as stated in their comments dated 13 February 2017.

#### **4.7 Conditions of Public Works, Roads and Transport, North West Province**

That all conditions of the Department Economic Development, Environment, Conservation and Tourism, North West Province shall be complied with as stated in their comments dated 26 March 2017.

### **5. DISPOSAL OF EXISTING CONDITIONS OF TITLE**

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

#### **5.1 Excluding the following servitudes which do NOT affect the township due to its locality:**

“3. ONDERHEWIG aan 'n sekere Notariële Akte van Serwituut gepasseer voor Notaris Albert Reinhold Fleischack op die 8ste dag van Desember 1911, en in die kantoor van die Registrateur van Aktes, te Pretoria geregistreer onder Nr. 89/1923-S, ten aansien van die gebruik van sekere grond en die water oppervlakte van die Potchefstroomse Reservoir geleë op die Plaas Vyfhoek 428 IQ, Potchefstroom vir die vaar met bote of ander doeleindes van vermaak, soos meer volledig vermeld in die genoemde Notariële Ake.

4. ONDERHEWIG aan 'n sekere Notariële Akte van Serwituut gepasseer voor Notaris Albert Reinhold Fleischack op die 11de dag van Oktober 1916, en in die kantoor van die Registrateur van Aktes, te Pretoria geregistreer onder Nr. 90/1923-S, ten aansien van die kontrole oor die vang van vis in die Potchefstroomse Reservoir, geleë op die Plaas Vyfhoek 428 IQ, Potchefstroom, soos meer volledig vermeld in die genoemde Notariële Akte.

#### **5.2 The following entitlements/rights will not be passed on to the erven in the Township:**

B. Gedeelte 562 van die Plaas VYFHOEK 428, Registrasie Afdeling IQ, Transvaal (waarvan die gedeelte aangetoon deur die figuur ABCDaA op diagram LG No. A7086/1986 geheg aan Sertifikaat van Verenigde Titel T25048/1987 'n deel uitmaak) is ONDERHEWIG aan die volgende voorwaardes:

1. Daardie Gedeelte van Gedeelte 14 van die Plaas VYFHOEK No. 418, Registrasie Afdeling IQ, Transvaal (distrik POTCHEFSTROOM), wat binne die gemelde Gedeelte gemerk 4 (waarvan die gemelde Gedeelte 562 'n gedeelte is), 5, 6, 7, 8 en 9 op Diagram LG No. A2948/1938 geheg aan Kroongrondbrief No. 2/1939 val, is ONDERWORPE aan die terme en voorwaardes van sekere Notariële Akte van Ooreenkoms gepasseer voor Notaris JACOBUS JOHANNES FRANCOIN DU TOIT op die 15de dag van April 1913, en geregistreer onder No. 134/1913 ten aansien van 'n watervoor wat lei van die genoemde Gedeelte 4 na die Plaas ELANDSHEUWEL NO. 587, distrik POTCHEFSTROOM, 'n gruisput op die genoemde Gedeelte gemerk 7 en 'n reg van weg oor die genoemde gedeelte in hierdie paragraaf beskrywe.

#### **5.3 Excluding the following servitude which affects Erf 1938 only**

Erf 1938 is subject to a 3m wide Sewerage servitude in favour of the JB Marks Local Municipality, vide Servitude Diagram 3813/2000, as indicated on the general plan as servitude note 1.

## **6. CONDITIONS OF TITLE**

6.1 Conditions imposed by the JB Marks Local Municipality in terms of the conditions of the Tlokwe City Council Spatial Planning and Land Use Management By-Law, 2015

### **6.1.1 All erven**

All erven with the exception of Erf 1939 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 additional 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.

6.2.1 Erf 1938 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.

6.2.1.1 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.

6.2.1.2 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.

6.2.2 Erf 1939 is subject to a right-of-way servitude in favour of the JB Marks Local Municipality for municipal purposes and access, as indicated on the GENERAL PLAN NO: SG NO. 121/2019 as servitude note 3.

### **6.3 Erven subject to special conditions**

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 1938 is subject to a 2.5m wide Storm Water servitude in favour of the JB Marks Local Municipality, as indicated on the general plan as servitude note 2.

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

### **7.1 Zonings**

#### **7.1.1 Erf 1938**

The use zone of the erven is "Residential 2" with a density of "17 dwelling units per erf."

#### **7.1.2 Erf 1939**

The use zone of the erven is "Private Road"

### **7.2 Building Lines**

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

- 7.2.1 Bordering the private road: (Canarie Street): No building line

- 7.2.2 Bordering Wynne Street: Six (6) meters

- 7.2.3 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 food 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 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 of this property."

**PROVINCIAL NOTICE 381 OF 2022**  
**JB MARKS LOCAL MUNICIPALITY**

**TLOKWE AMENDMENT SCHEME 2311**

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 Baillie Park Extension 56 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 2311.

**ACTING MUNICIPAL MANAGER**

Notice 38/2022

**PROVINCIAL NOTICE 382 OF 2022**

**NOTICE IN TERMS OF SECTIONS 17(1) 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 3135**

I Jan-Nolte Ekkerd of The firm NE Town Planning CC, being the authorised agent of the owner of Erven 2177, 2178, and 2179 Cashan Extension 16 Township, **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 properties described above situated at Mayet Drive (Cnr. Mayet and Cuckoo Drive) Cashan Extension 16, Rustenburg from its current zonings to the proposed new zoning as mentioned below. This application contains the following proposals: A) that the properties will be rezoned, developed, and used for a place of "Public Worship" and 31 Dwelling Units. B) The adjacent properties as well as others in the area, could possibly be affected by the rezoning. C) The rezoning application proposes the following:

Property Description	Current Zoning	Proposed Zoning
Erf 2177 Cashan Extension 16	"Residential 2"	"Special" for Public Worship and 31 Dwelling Units
Erf 2178 Cashan Extension 16	"Special" for a Guesthouse	
Erf 2179 Cashan Extension 16	"Special" for a Crèche	

The application also entails that the properties will be consolidated, and new buildings may be built and used for the purposes mentioned above. Annexure 3135 contains the following development parameters: Max Height: 3 Storeys, Max Coverage: 65%, and Max F.A.R: 0,75. 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: **8 November 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: **11 and 18 October 2022.**

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**PROVINSIALE KENNISGEWING 382 VAN 2022**

**KENNISGEWING INGEVOLGE ARTIKELS 17(1) VAN DIE RUSTENBURG PLAASLIKE MUNISIPALITEIT RUIMTELIKE BEPLANNING EN GRONDGEBRUIKBESTUURS VERORDENING, 2018 VIR 'N VERANDERING VAN DIE GRONDGEBRUIKSREGTE BEKEND AS 'N HERSONERING. RUSTENBURG WYSIGINGSKEMA 3135**

Ek Jan-Nolte Ekkerd van die firma NE Town Planning BK, synde die gemagtigde agent van die eienaar van Erve 2177, 2178 en 2179 Cashan Uitbreiding 16 Dorpsgebied, **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 ek by Rustenburg Plaaslike Munisipaliteit aansoek gedoen het vir die verandering van die grondgebruikregte, ook bekend as die hersonering van die eiendomme hierbo beskryf geleë te Mayet Rylaan (h/v Mayet and Cuckoo Rylaan) Cashan Uitbreiding 16 Rustenburg vanaf die bestaande regte na voorgestelde nuwe regte soos hieronder uiteengesit. Hierdie aansoek behels A) dat die eiendomme gehersoneer, ontwikkel en gebruik sal word vir 'n plek van "Openbare Aanbidding" en 31 Wooneenhede. B) Al die aangrensende eiendomme asook ander in die omgewing kan moontlik deur die hersonering geraak word. C) Die hersonering behels die volgende:

Eiendoms Beskrywing	Bestaande Sonering	Voorgestelde Sonering
Erf 2177 Cashan Uitbreiding 16	"Residensieel 2"	"Spesiaal" vir plek van Openbare Aanbidding asook 31 Wooneenhede
Erf 2178 Cashan Uitbreiding 16	"Spesiaal" vir 'n Gastehuis	
Erf 2179 Cashan Uitbreiding 16	"Spesiaal" vir 'n Kleuterskool	

Die aansoek behels ook dat die eiendomme gekonsolideer sal word en nuwe geboue gebou mag word en gebruik sal word vir doeleindes soos hierbo genoem. Bylae 3135 bevat die volgende ontwikkelingsparameters, Maks Hoogte: 3 Verdiepings, Maks Dekking: 65% en Maks VOV: 0,75. 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: **8 November 2022.** Adres van applikant: **155 Kockstraat, Kamer 203, De Dak, Rustenburg 0299 of NE Stadsbeplanners BK, Posbus 21139, Protea Park, 0305; Telefoon nr: 014 592 2777.** Datums waarop kennisgewings gepubliseer word: **11 en 18 Oktober 2022.**

11-18

**PROVINCIAL NOTICE 383 OF 2022****NOTICE IN TERMS OF SECTION 17(1) and 17(2) 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 AND THE REMOVAL OF RESTRICTIVE TITLE CONDITIONS. RUSTENBURG AMENDMENT SCHEME 3126**

I Jan-Nolte Ekkerd of the firm NE Town Planning CC, being the authorised agent of the owner of Portion 168 of the Farm Rietvly 271, Registration Division J.Q., North West Province hereby give notice in terms of Section 17(1)(d) and 17(2) 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 and the lifting of Title Restrictions of the property described above; the property is, situated at Rietvly area, 5km north-west of Rustenburg, from "Agricultural" to "Agricultural" with a maximum of 4 dwelling units as specified in Annexure 3126 to the Scheme. This application contains the following proposals: A) that the property will be used for all Agricultural uses as well as 4 dwelling units. B) The adjacent properties as well as properties in the area, could thereby be affected. C) The rezoning from "Agricultural" to "Agricultural" with the 4 dwelling units as proposed entails that 3 new dwelling units may be build on the property. The application also entails the removal of conditions B2 contained in the Title Deed T154637/04 applicable to the above-mentioned property. Annexure 3126 contains the following development parameters: Max Height: As approved by the Local Municipality, Max Coverage: As approved by the Local Municipality, Max FAR: As approved by the Local Municipality. 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: 8 November 2022 Address of applicant: NE Town Planning CC, 155 Kock Street, Suite 203, De Dak, Rustenburg 0299 or P.O. Box 21139, PROTE PARK, 0305; Telephone No: 014 592 2777. Dates on which notice will be published: 11 and 18 October 2022.

11-18

**PROVINSIALE KENNISGEWING 383 VAN 2022****KENNISGEWING INGEVOLGE ARTIKEL 17(1) EN 17(2) VAN DIE RUSTENBURG PLAASLIKE MUNISIPALITEIT RUIMTELIKE BEPLANNING EN GRONDGEBRUIKBESTUURS VERORDENING, 2018 VIR 'N VERANDERING VAN DIE GRONDGEBRUIKSREGTE BEKEND AS 'N HERSONERING. ASOOK DIE OPHEFFING VAN BEPERKENDE TITEL VOORWAARDES. RUSTENBURG WYSIGINGSKEMA 3126.**

Ek Jan-Nolte Ekkerd van die firma NE Town Planning BK, synde die gemagtigde agent van die eienaar van Gedeelte 168 Rietvly 271, Registrasie Afdeling J.Q., Noord-Wes Provinsie, gee hiermee ingevolge, Artikel 17(1)(d) en 17(2) van die Rustenburg Plaaslike Munisipaliteit Ruimtelike Beplanning en Grondgebruikbestuur Verordening, 2018 kennis dat ek by Rustenburg Plaaslike Munisipaliteit aansoek gedoen het vir die verandering van die grondgebruikregte, ook bekend as die hersonering, asook die opheffing van sekere Titel Voorwaardes van die eiendom hierbo beskryf, geleë in die Rietvly area, ongeveer 5km noordwes van Rustenburg, vanaf "Landbou" na "Landbou" insluitend 'n totaal van 4 wooneenhede soos bepaal in Bylae 3126 tot die Skema. Hierdie aansoek behels A) dat die eiendom gebruik sal word vir Landbou gebruike sowel as 4 wooneenhede B) die aangrensende eiendomme asook eiendomme in die omgewing kan moontlik hierdeur geraak word. C) Die hersonering vanaf "Landbou" na "Landbou" soos beskryf behels dat 3 addisionele wooneenhede opgerig mag word. Die aansoek behels ook die opheffing van voorwaardes B2 soos vervat in die Titelakte T154637/04 van toepassing op bogenoemde eiendom. Bylae 3126 bevat die volgende ontwikkelingsparameters: Maks Hoogte: Soos deur die munisipaliteit bepaal, Maks dekking: oos deur die munisipaliteit bepaal, Maks VOV: soos deur die munisipaliteit bepaal. 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 28dae van die datum van eerste publikasie van die kennisgewing in die Provinsiale Gazette, Beeld en Citizen en/of terrein kennisgewing. Sluitingsdatum vir enige besware: 8 November 2022. Adres van aplikant: 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: 11 en 18 October 2022.

11-18

**PROVINCIAL NOTICE 384 OF 2022**  
**THE CITY OF MATLOSANA LOCAL MUNICIPALITY**

**THE CITY OF MATLOSANA MUNICIPALITY NOTICE OF A TOWNSHIP ESTABLISHMENT APPLICATION IN TERMS OF SECTIONS 56 AND 94 TO 97 OF THE CITY OF MATLOSANA SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2016, READ TOGETHER WITH CHAPTER 4 OF THE PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986) AND THE SPATIAL PLANNING AND LAND USE MANAGEMENT ACT, 2013 (ACT 16 OF 2013), ON A PART OF PORTION 100 OF THE FARM NOOITGEDACHT 434 IP**

I/We Stephen Matjila (ID Number 8007285492085) of Ditsamai Investments & Projects, being the Authorized Agent(s) of the Owner of Portion 100 of the Farm Nooitgedacht 434-IP, hereby give notice in terms of Sections 56 and 94 to 97 of the City of Matlosana Spatial Planning and Land Use Management By-Law, 2016, read together with Chapter 4 of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986) and Spatial Planning and Land Use Management Act, 2013 (Act 16 Of 2013), that a Land Development Application to Establish a Township on a Part of Portion 100 of the Farm Nooitgedacht 434-IP, referred to in the Annexure attached hereto.

Particulars of the Application will lie for inspection during normal office hours at the Office of the Director: Planning & Human Settlements, Spatial Planning & Land Use Management Section, Room 206 Civic Centre, 41 Braam Fischer Street, Klerksdorp, 2570, for a period of 28 Days from the 11 October 2022.

Any objections, representations and/or comments, including the Grounds for such objections, representations and/or comments with Full Contact Details, without which the Municipality cannot correspond with the person or body submitting the objections, presentations and/or comments, shall be lodged with, or made in writing to: The Municipal Manager, City of Matlosana Local Municipality, P.O. Box 99, Klerksdorp, 2570, within a period of 28 Days

**Annexure**

Name of Township: Kanana Extension 17 Township

Name of Applicant: Ditsamai Investments & Projects Cc; Reg No.: 2009/084668/23; Postal Address: Private Bag 95149, Norwood, 2117; Physical Address: Palm Springs Office Park, 100 Johannesburg Road, Lyndhurst, 2192; Contact Details: Telephone No: 011 483 0056; Fax No: 086 513 7443, Email [info@ditsamai.co.za](mailto:info@ditsamai.co.za);

Total Number of Erven Proposed and Zoning/Land Uses in the Township: **1 049**

<b>Zoning</b>	<b>Land Use</b>	<b>Number Of Erven</b>
• Residential 1	Residential Dwelling	: 1014
• Residential 2	Dwelling Units	: 3
• Public Open Space	Park	: 7
• Institutional	Social Hall	: 1
• Institutional	Place of Worship	: 4
• Institutional	Place of Instruction for a School	: 1
• Institutional	Place of Instruction for a Creche	: 4
• Institutional	Place of Instruction for a Clinic	: 1
• Industrial	Commercial	: 2
• Special Use	Special Use	: 1
• Municipal	Municipal Office	: 1
• Business 1	General Business	: 8
• Transportation	Taxi Rank	: 1

Land Description: **Portion 100 of Farm Nooitgedacht 434-IP**

Land Development Measure: 593.6690 Ha, however only 100 Ha will be utilised for the proposed

Location: The Proposed Land Development Area is located approximately +-8km on the South Western part of Klerksdorp city centre and +- 7km North of the Orkney Central Business District, in the Jouberton-Kanana area: Co-Ordinates: 26° 55'31.40"S and 26° 37'21.71"E.

**PROVINSIALE KENNISGEWING 384 VAN 2022****DIE STAD MATLOSANA PLAASLIKE MUNISIPALITEIT**

**DIE STAD MATLOSANA MUNISIPALITEIT KENNISGEWING VAN 'N AANSOEK VIR DORPSIGTING INGEVOLGE ARTIKELS 56 EN 94 TOT 97 VAN DIE STAD MATLOSANA RUIMTELIKE BEPLANNING EN GRONDGEBRUIKBESTUUR VERORDENING, 2016, LEES SAAM MET HOOFSTUK 4 VAN DIE ORDONNANSIE OP BEPLANNING EN DORPTE, 1986 (ORDONNANSIE 15 VAN 1986) EN DIE WET OP RUIMTELIKE BEPLANNING EN BESTUUR VAN GRONDGEBRUIK, 2013 (WET 16 VAN 2013), OP 'N DEEL VAN GEDEELTE 100 VAN DIE PLAAS NOOITGEDACHT 434 IP**

Ek/ons Stephen Matjila (ID-nommer 8007285492085) van Ditsamai Investments & Projects, synde die Gemagtigde Agent(e) van die Eienaar van Gedeelte 100 van die Plaas Nooitgedacht 434-IP, gee hiermee kennis ingevolge Artikels 56 en 94 tot 97 van die Stad Matlosana Verordening op Ruimtelike Beplanning en Grondgebruikbestuur, 2016, saamgelees met Hoofstuk 4 van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986) en Wet op Ruimtelike Beplanning en Grondgebruikbestuur, 2013 (Wet 16 van 2013), dat 'n Grondontwikkelingsaansoek om 'n Dorp op 'n Gedeelte van Gedeelte 100 van die Plaas Nooitgedacht 434-IP te stig, waarna verwys word in die Bylae hierby aangeheg

Besonderhede van die Aansoek le ter insae gedurende gewone kantoorure by die Kantoor van die Direkteur: Beplanning en Menslike Nedersettings, Afdeling Ruimtelike Beplanning en Grondgebruikbestuur, Kamer 206 Burgersentrum, Braam Fischerstraat 41, Klerksdorp, 2570, vir 'n tydperk van 28 dae vanaf 11 Oktober 2022.

Enige besware, verhoë en/of kommentaar, insluitend die gronde vir sodanige besware, verhoë en/of kommentaar met volledige kontakbesonderhede, waarsonder die munisipaliteit nie kan korrespondeer met die persoon of liggaam wat die besware, voorleggings en/of kommentaar indien nie, moet ingedien word. met, of skriftelik aan: Die Munisipale Bestuurder, Stad Matlosana Plaaslike Munisipaliteit, P.O. Box 99, Klerksdorp, 2570, binne 'n tydperk van 28 Dae

**Bylae**

Naam Van Dorp: Kanana Uitbreiding 17 Dorp

Naam Van Aansoeker: Ditsamai Investments & Projects Cc; Reg No. 2009/084668/23; Posadres: Privaatsak 95149, Norwood, 2117; Fisiese Adres: 20, 7th Straat, Orange Grove, 2192; Kontakbesonderhede: Telefoonnummer: 011 483 0056; Faksnr: 086 513 7443, E-Pos info@ditsamai.co.za;

Aantal Erwe En Voorgestelde Grondgebruike In Die Dorp: **1 049**

<b>Sonering</b>	<b>Grondgebruik</b>	<b>Aantal Erwe</b>
• Residensieel 1	Residensieële woning	1014
• Residensieel 2	Wooneenhede	3
• Openbare Oop Ruimte	Parkeer	7
• Institusioneel	Sosiale saal	1
• Institusioneel	Plek Van Aanbidding	4
• Institusioneel	Plek Van Onderrig Vir 'n Skool	1
• Institusioneel	Plek Van Onderrig Vir 'n Kleuterskool	4
• Institusioneel	Plek Van Onderrig Vir 'n Kliniek	1
• industriële	kommersiële	2
• Spesiale gebruik	Spesiale gebruik	1
• Munisipale	kantoor	1
• Besigheid 1	Algemene Besigheid	8
• Vervoer	Taxi Stanpleek	1

Grondbeskrywing: **Gedeelte 100 van die Plaas Nooitgedacht 434-IP**

Grondontwikkelingsmaatreeël: 593.6690 Ha, slegs 100 Ha sal egter vir die voorgestelde benut word

Ligging: Die Voorgestelde Grondontwikkelingsgebied is ongeveer +8km in die Suidwestelike deel van Klerksdorp middestad en +- 7km Noord van die Orkney Sentrale Sakedistrik, in die Jouberton-Kanana area geleë: Koördinate: 26° 55'31.40"S and 26° 37'21.71"E..

**PROVINCIAL NOTICE 385 OF 2022****DITSOBOTLA LOCAL MUNICIPALITY****NOTICE OF APPLICATIONS FOR THE CONSOLIDATION, SUBDIVISION AND REZONING IN TERMS OF SECTIONS 77, 71 AND 66 NOTICE DONE IN TERMS OF SECTIONS 98 & 99 OF THE DITSOBOTLA BYLAW ON SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2017**

I, Rothemba Ndouvhada (ID No. 95123 5482 080) of the company Snethemba Consultants (Pty) Ltd, being the applicant in respect of Erven 563,564 And 698 In Coligny, North West Province, hereby give notice in terms of Section 98 & 99 of the Ditsobotla Bylaw On Spatial Planning And Land Use Management By-Law, 2017, that we have applied to the Ditsobotla Local Municipality for the consolidation, subdivision and rezoning of the Ditsobotla Local Municipality Land Use Scheme, 2020, by the Consolidation in terms of Section 77, subdivision in terms of Section 71 and Rezoning in terms of Section 66 read with Clause 32 of the Ditsobotla Local Municipality Land Use Scheme, 2020, of the property as described above. The property is located at Voortrekker Street, Coligny, 2725 (26°19'58.1"S 26°18'46.2"E). The above-mentioned properties will be subdivided and rezoned into 63 erven as follow:

- Residential 1A - 60 erven
- Public open space - 2 erven
- Public Roads - 1 erf

The intention is to develop a residential dwelling on the property.

Any objection(s) and/or comment(s), including the grounds for such objection(s) and/or comment(s) with full contact details, without which the Municipality cannot correspond with the person or body submitting the objection(s) and/or comment(s), shall be lodged with, or made in writing to: The Municipal Manager, Ditsobotla Local Municipality, PO Box 7, Lichtenburg, 2740 from 11 October 2022 until 10 November 2022. Any person who cannot write may during office hours attend at an address stated in the notice where a named staff member of the Municipality will assist that person to transcribe that person's objections or comments. Full particulars and plans (if any) may be inspected during normal office hours at the Municipal offices as set out below, for a period of 30 days from 11 October 2022. Address of Municipal offices: Cnr Nelson Mandela Drive & Transvaal Street, Lichtenburg. Closing date for any objections and/or comments: 25 October 2022.

Address of applicant: **Snethemba Consultants (Pty) Ltd**, Sunninghill office Park, Block 15, 20 Peltier Drive, Sunninghill, Sandton 2157. Cell: 067 883 1815 or E-mail: [rothemban@snethemba.co.za](mailto:rothemban@snethemba.co.za). Dates on which the applications will be published: 11 October 2022 and 18 October 2022.

11-18

**PROVINSIALE KENNISGEWING 385 VAN 2022****DITSOBOTLA PLAASLIKE MUNISIPALITEIT****KENNISGEWING VAN AANSOEKE VIR DIE KONSOLIDASIE, ONDERVERDELING EN HERSONERING IN TERME VAN ARTIKELS 77, 71 EN 66  
KENNISGEWING GEDOEN INGEVOLGE ARTIKELS 98 & 99 VAN DIE DITSOBOTLA-VERORDENING OOR RUIMTELIKE BEPLANNING EN  
BEHEER, 7-2**

Ek, Rothemba Ndouvhada (ID No. 95123 5482 080) van die maatskappy Snethemba Consultants (Pty) Ltd, synde die applikant ten opsigte van Erwe 563,564 En 698 In Coligny, Noordwes Provinsie, gee hiermee kennis ingevolge Artikel 98 & 99 van die Ditsobotla Verordening op Ruimtelike Beplanning en Grondgebruikbestuursverordening, 2017, wat ons by die Ditsobotla Plaaslike Munisipaliteit aansoek gedoen het vir die konsolidasie, onderverdeling en hersonering van die Ditsobotla Plaaslike Munisipaliteit Grondgebruikskema, 2020, deur die Konsolidasie ingevolge artikel 77, onderverdeling ingevolge Artikel 71 en Hersonering ingevolge Artikel 66 saamgelees met Klousule 32 van die Ditsobotla Plaaslike Munisipaliteit Grondgebruikskema, 2020, van die eiendom soos hierbo beskryf. Die eiendom is geleë te Voortrekkerstraat, Coligny, 2725 (26°19'58.1"S 26°18'46.2"O). Die bogenoemde eiendomme sal onderverdeel en hersoneer word in 63 erwe soos volg:

- Residensieel 1A - 60 erwe
- Openbare oop ruimte - 2 erwe
- Openbare paaie - 1 erf

Die bedoeling is om 'n residensiële woning op die eiendom te ontwikkel.

Enige beswaar(s) en/of kommentaar(s), insluitend die gronde vir sodanige beswaar(s) en/of kommentaar(s) met volledige kontakbesonderhede, waarsonder die Munisipaliteit nie kan korrespondeer met die persoon of liggaam wat die beswaar(s) indien nie. ) en/of kommentaar(s), ingedien word by, of skriftelik gerig word aan: Die Munisipale Bestuurder, Ditsobotla Plaaslike Munisipaliteit, Posbus 7, Lichtenburg, 2740 vanaf 11 Oktober 2022 tot 10 November 2022. Enige persoon wat nie kan skryf nie, kan gedurende kantoorure by 'n adres vermeld in die kennisgewing bywoon waar 'n genoemde personeellid van die Munisipaliteit daardie persoon sal bystaan om daardie persoon se besware of kommentaar te transkribeer. Volledige besonderhede en planne (indien enige) kan gedurende gewone kantoorure by die Munisipale kantore soos hieronder uiteengesit besigtig word vir 'n tydperk van 30 dae vanaf 11 Oktober 2022. Adres van Munisipale kantore: Hv Nelson Mandelarylaan & Transvaalstraat, Lichtenburg. Sluitingsdatum vir enige besware en/of kommentaar: 25 Oktober 2022.

Adres van aansoeker: Snethemba Consultants (Pty) Ltd, Sunninghill kantoorpark, Blok 15, Peltierrylaan 20, Sunninghill, Sandton 2157. Sel: 067 883 1815 of E-pos: rothemban@snethemba.co.za. Datums waarop die aansoeke gepubliseer sal word: 11 Oktober 2022 en 18 Oktober 2022.

11-18

**LOCAL AUTHORITY NOTICES • PLAASLIKE OWERHEIDS KENNISGEWINGS****LOCAL AUTHORITY NOTICE 263 OF 2022****CITY OF MATLOSANA****AMENDMENT OF CEMETERY BY-LAW: HEROES ACRE**

Notice is hereby given in terms of the provisions of section 12(3) (b) and 13(a) of the Local Government Municipal Systems Act, 2000, as amended, that it is the intention of the City of Matlosana to amend the Cemetery By-Law for purposes of burying a person at the Heroes Acre.

Any person who wishes to comment on the Draft: amendment Cemetery By-Law 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 Acting Deputy Director: Administration, Mrs. J.v.Rensburg, in Room 130, First Floor, Civic Centre, Klerksdorp will assist to transcribe comments or representations.

The amended Cemetery By-Law for the City of Matlosana will become effective in terms of Section 12 (3) (b) and 13 (a) of the Local Government: Municipal Systems Act, 2000, as amended on the date of promulgation in the Provincial Gazette.

PO Box 99  
Civic Centre  
**KLERKSDORP**

Notice 72/2022

SAOZM/zm

**L SEAMETSO**  
**ACTING MUNICIPAL MANAGER**

**CITY OF MATLOSANA MUNICIPALITY**  
**CEMETERY AND CREMATORIA BY-LAWS**

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**SCHEDULE 1****REPEALED BY-LAWS****CHAPTER 1****INTERPRETATION****DEFINITIONS**

1. (1) In these by-laws, unless the context otherwise indicates:-
- 2.

“Administrator of cemeteries” means the head of the section or department of the Council which has the responsibility for the administration of the cemeteries of the Council, and any person acting in his or her stead or any person duly authorised by the Council to act on his or her behalf.

“adult” means a deceased person over the age of 12 years and any deceased person the dimensions of whose coffin cannot be accommodated in an excavation of 1,40 m in length and 400 mm in width;

“after-hours fee” means a fee over and above the set norm of fee for burial or cremation outside normal week day cemetery operating hours, save in the case of cremations or burials, which, because of religious belief, are undertaken after such hours, or in the case of burial, where the mourners undertake to close the grave;

“anatomy subject” means a body delivered to an authorised school of anatomy in terms of the Anatomy Act, 1959 (Act No. 20 of 1959);

“ashes” means the cremated remains of a body;

“berm” means a concrete base on which a memorial is erected;

“berm section” means a section set aside by the Council in a cemetery, where memorial work is erected on a berm;

“Births and Deaths Registration Act” means the Births and Deaths Registration Act, 1992 (Act No. 51 of 1992);

“body” means any dead human body, including the body of a stillborn child;

“burial order” means an order issued in terms of the Births and Deaths Registration Act; 1992 (Act No. 51 of 1992);

“burial” means burial or inhumation into earth or any other form of burial and includes a tomb and any other mode of disposal of a body;

“cemetery” means any land or part thereof within the municipal area set aside by the Council or approved by the Council as a cemetery;

“child” means a deceased person who is not an adult;

“columbarium” means the place set aside in the basement of the crematorium or chapel for the placement in a niche of a receptacle containing ashes;

“Commonwealth war grave” means any grave, tombstone, monument or memorial connected with a Commonwealth war burial in terms of the Commonwealth War Graves Act, 1992 (Act No. 8 of 1992);

“Council” means –

- (a) the City of Matlosana Municipality established by Provincial Notice No. 5668 of 2001 dated 24 April 2001, as amended, exercising its legislative and executive authority through its municipal Council; or
- (b) its successor in title; or
- (c) a structure or person exercising a delegated power or carrying out an instruction, where any power in these by-laws has been delegated or sub-delegated, or an instruction given, as contemplated in section 59 of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000); or
- (d) a service provider fulfilling a responsibility under these by-laws, assigned to it in terms of section 81(2) of the Local Government: Municipal Systems Act, or any other law, as the case may be.

“cremation” means the process of disposing of a human body by fire;

“crematorium” means a crematorium as defined in section 1 of the Ordinance and includes the buildings in which the ceremony is conducted and the cremation carried out;

“crematorium section” means a section of a cemetery or crematorium set aside by the Council for the burial of ashes;

“cremated remains” means all recoverable ashes after the cremation process;

“exhumation” means the removal of a body from its grave;

“garden of remembrance” means a section of a cemetery or crematorium set aside for the erection of memorial work, placing or scattering of ashes, but does not include a columbarium;

“grave” means any piece of land excavated for the burial of a body within a cemetery and includes the contents, headstone or other marker of such place and any other structure on or associated with such place;

“grave of conflict” means the grave of a person who died while defending the country;

“hero” means a person who performed a heroic act for the country and is given the status of a hero by the Council;

“heroes acre” means an area of land set aside for the burial of a hero;

“indigent person” means a destitute person who has died in indigent circumstances, or if no relative or other person, welfare organisation or non-governmental organization can be found to bear the burial or cremation costs of such deceased person and includes a pauper;

“indigent relief” means assistance received for the burial or cremation of an indigent person;

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

“lawn section” means a section in a cemetery set aside by the Council where memorial work is restricted to a headstone only;

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

“memorial section” means a section of a cemetery set aside for the erection of memorials;

“memorial wall” means a wall in a cemetery or crematorium section provided for the placement of inscribed tablets commemorating deceased persons;

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

“municipal area” means the area under the control and jurisdiction of the Council;

“niche” means a compartment in a columbarium or garden of remembrance for the placing of ashes;

“normal operational hours” means Monday to Friday 08:00 to 15:00 excluding Saturdays, Sundays and Public holidays;

“office hours” means Monday to Friday 07:45 to 16:30 excluding Saturdays, Sundays and Public holidays;

“officer-in-charge” means the registrar of a crematorium appointed in terms of Regulation 21 of the Regulations Relating to Crematoria and Cremations, made in terms of Ordinance No. 18 of 1965, and includes a person authorized by the Council to be in control of any cemetery;

“ordinance” means the Crematorium Ordinance, 1965 (Ordinance No. 18 of 1965);

“prescribed” means prescribed by the Council;

“prescribed fee” means a fee determined by the Council by resolution in terms of section 10G(7)(a)(ii) of the Local Government Transition Act, 1993 (Act No. 209 of 1993), or any other applicable legislation;

“regulation” means a regulation published in terms of the Ordinance;

“South African Heritage Resources Agency” means the South African Heritage Resources Agency, established in terms of section 11 of the National Heritage Resources Act, 1999 (Act No. 25 of 1999)

“stone mason” means a person carrying on business as a stone mason;

“tomb” means an above ground burial vault;

“victim of conflict” means a person defined in section 1 of the National Heritage Resources Act, 1999 (Act No. 25 of 1999).

- (2) If any provision in these by-laws vests or imposes any power, function or duty of the Council in or on an employee of the Council and such power, function or duty has in terms of section 81(2) of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000), or any other law been assigned to a service provider, the reference to such employee must be read as a reference to the service provider or, where applicable, an employee of the service provider authorised by it.

## CHAPTER 2

### DISPOSAL OF A BODY

#### Requirements for disposal of a body

(1) No person shall save with the prior written consent of the Council, dispose of or attempt to dispose of a body, other than by burial in a cemetery or by cremation in a crematorium.

(2) A person may not bury or cremate a body in a cemetery without –

(a) the permission of the officer-in-charge; and

(b) arranging a date and time of such burial with such officer-in-charge.

#### Application for burial

3. (1) (a) A person intending to bury a body must complete and submit the prescribed application form to the officer-in-charge for approval.

(b) The next of kin of the deceased, or such other person who is authorized by the next of kin of the deceased, must sign such application.

(c) Despite the provisions of paragraph (b) the officer-in-charge may, if he or she is satisfied that the signature of the next of kin cannot be obtained timeously, approve an application by an interested party.

(d) The applicant must –

(i) submit the application at least three working days before the burial;

(ii) indicate whether the application is in respect of a first, second or third burial, in respect of a particular grave; and

(iii) indicate the date and time for such burial.

#### Heroes Acre burial

4. (1) (a) A person who is admired and acknowledged for their courage, outstanding Achievements and has made a significant positive contribution to the growth and development of society.

(b) such applications to be submitted to the office of the Executive Mayor and approval granted by Council or office of Executive Mayor.

(2) The officer-in-charge must approve an application if –

(a) it is accompanied by an original burial order in terms of the Births and Deaths Registration Act;

(b) the prescribed fee has been paid; and

(c) an application in terms of subsection (1) has been submitted.

(3) The officer-in-charge must, where necessary, take into account the customs of the deceased, and the people responsible for the burial.

#### Reservation of a grave

5. (1) An application to reserve a grave must be made to the officer-in-charge.

(2) A surviving spouse of the deceased may apply for an adjoining grave to be reserved accompanied with ID copy.

(3) The officer-in-charge must allocate another grave within the cemetery to the applicant, where persons other than the applicant mistakenly utilized a reserved grave.

(4) A grave will be reserved only upon payment of the prescribed fee.

(5) In an event of reserved grave no longer be utilized by the applicant. A consent letter

be submitted with certified copy of ID, to transfer / donate to next person.  
NB!!! See Private Rights: 8. (1) – (13)

1.

### **Postponement or cancellation of a burial**

6. (1) An applicant must give notice of the postponement or cancellation of a burial, to the officer-in-charge, who must approve the application at least one working day before the burial.  
(2) In a case of a cancellation of a burial-
- (a) a refund will not be made to the applicant for costs incurred for opening an existing grave;
  - (b) the Council will only refund the applicant for costs incurred for opening a new grave.

### **Number of bodies in a coffin**

7. (1) Only one body in a coffin is allowed for burial or cremation.  
(2) Burial of more than one body in a coffin may be allowed if application is made to and approved by the officer-in-charge and the prescribed fee has been paid;  
(3) Such application may be made in respect of -
- (a) family members who either died together or a short while after each other, and the burial of the first dying member has not yet taken place;
  - (b) a mother and child who died during childbirth;
  - (c) (i) two people who have lived together as partners; or  
(ii) unrelated deceased persons, whose families have no objection; or
  - (d) remains of an anatomy subject.

### **Burial and subsequent burials**

8. (1) Burial may take place only in a grave allocated by the officer-in-charge.  
(2) (a) Subject to paragraph (b), not more than two burials may be permitted in a grave;  
(b) A third burial may be allowed only if-
- (i) Interment of Ashes
  - (ii) the grave has been deepened; - 8ft
  - (iii) a prescribed fee has been paid; accompanied the presented forms.
- (c) A person who has been given permission for either a second or third burial must -
- (i) give at least two days notice; and
  - (ii) at his or her own cost remove, and, subsequent to the burial, replace all memorial work on such a grave.
  - (iii) Consent form signed by Family Members and Undertaker.
  - (iv) Re-opening of grave for second interment on a 6ft grave, can only be done after 3 years of burial / interment.
  - (v) Re-opening of grave for second interment on an 8ft grave, can be utilized at any given time after first burial.

### **Private rights**

9. (1) The holder of private rights includes –
- (a) a person who purchased a grave or who received a grave as a gift from the purchaser and whose name appears in the register of the Council;
  - (b) a person who paid the prescribed burial fees in respect of the first burial in the grave;
  - (c) a person to whom private rights to a grave have been transferred;
  - (d) a person who inherited the private rights .
- (2) The private rights in a grave are transferable, but such transfer only becomes effective on registration by the Council.

- (3) If there is a dispute about the holder of private rights, the dispute must be referred to the officer-in-charge for determination.

### **Sizes of graves**

10. Subject to the provisions of section 7 and 10 the standard size of a grave is as follows -
- (a) an adult's grave must measure 2200 mm in length and 900 mm in width and 1600mm (6ft) , 2100mm (8ft) in depth.
  - (b) a child's grave must measure 1 500 mm in length and 700 mm in width and 1 500 mm in depth.

### **Enlarging and deepening a grave**

11. (1) An applicant for a burial may, by giving at least 24 hours notice before the burial, request that a grave be enlarged or deepened.
- (2) If a coffin is too large for the size of an adult grave, such grave must be enlarged to accommodate such coffin.
  - (3) If a child's coffin is too large for a child's grave it must be buried in an adult's grave, on payment of the prescribed fee.
  - (4) A grave may, on application and on payment of the prescribed fee, be deepened for burial of a second coffin.

### **Coffins**

12. (1) Coffins to be placed in a grave must be made of natural wood or other perishable material.
- (2) Coffins intended for cremation must be constructed mainly of timber or wood derivatives.

### **Covering of coffins**

13. (1) Every coffin must be covered with at least 300 mm of soil immediately after burial; (2) There must be at least -
- (a) 1 200 mm of soil between a coffin of a buried adult and the surface of the ground; or
  - (b) 900 mm of soil in the case of a coffin of a child.
- (2) The provisions of subsection (2) do not apply to a burial in a tomb.

### **Body bags**

14. (1) If there is more than one body in a coffin each body must be contained in a separate body bag.
- (2) A body intended for burial at a cemetery or cremation in a crematorium must be sealed in a body bag inside a coffin, unless this is contrary to the tradition, customs or religious beliefs of the deceased person or the applicant.

## **CHAPTER 3**

## **FUNERALS**

### **Religious or memorial services**

14. A person who desires to have a religious or memorial service at a cemetery or crematorium must apply to the officer-in-charge.

**Control of hearses at the cemetery**

15. No person in a cemetery may –
- (a) drive a hearse or cause a hearse to be driven except on a designated roadway;
  - (b) park a hearse or detain a hearse on a roadway after the coffin has been removed from the hearse; or
  - (c) park a hearse in such a manner that it interferes with other burials in progress.

**Conveyance of coffins and bodies**

16. (1) An applicant in terms of section 3 is responsible at his or her own cost for ensuring that a coffin is conveyed to the cemetery for burial or to the crematorium for cremation.
- (2) No person may in any street, cemetery, crematorium or other public place convey a body in a disrespectful manner.

**Instructions at cemeteries**

17. (1) The officer-in-charge at the cemetery may issue instructions relating to -
- (a) the parking of vehicles;
  - (b) a funeral procession;
  - (c) the duration of a service.
- (2) Every person taking part in a funeral procession at the cemetery, or attending a cremation service, must comply with all reasonable instructions of the officer-in-charge.

**Duration of service**

18. No person may occupy a chapel at a cemetery for the purpose of a funeral service or cremation, for more than 30 minutes, without the permission of the officer-in-charge and payment of the prescribed fee.

**Hours for burial**

19. (a) Subject to paragraph (b) burial may take place only between 08h00 and 15h00.
- (b) The Officer-in-charge may, on such conditions as he or she may determine, and on payment of the prescribed fee, give permission to bury outside the stipulated hours.
  - (c) If the burial takes place outside the stipulated hours, the applicant will provide tools and assume the responsibility of closing the grave.
  - (d) If the applicant requires the Council to provide the service outside the stipulated hours, the Council may provide such service on payment of the prescribed after hours fee, subject to such conditions as the officer-in-charge may determine.

**CHAPTER 4****RE – OPENING OF GRAVES AND EXHUMATIONS****Conditions of re-opening and exhumations of graves**

20. (1) a). No person may reopen, exhume or rebury without a proper signage (Tombstone & Plaque), family identification and verification from Council (Cemeteries section)
- b). No person may exhume or cause to be exhumed a body without the written consent of the
-

- (i) Premier of the North West Provincial Government;
  - (ii) the Council;
  - (iii) the provincial Department of Health;
  - (iv) the Administrator of cemeteries; and
  - (v) the Council's Medical Officer of Health.
- (2) Whenever an exhumation is to take place, the officer-in-charge must inform the Provincial Commissioner of the South African Police Services.
- (3) A member of the South African Police Services must always be present when an exhumation is being conducted.
- (4) An exhumation must not take place when the cemetery is open to the public and must take place under the supervision of the officer-in-charge.
- (5) If remains are to be exhumed from any grave, only the undertaker under the supervision of the officer-in-charge, may cause the grave to be excavated for such exhumation;
- (6) (a) If a grave is to be excavated for exhumation, the officer-in-charge must be given 48 hours written notice before the time of exhumation, and  
(b) The authority referred to in paragraph (1)(d) and the prescribed fee must accompany such notice.
- (7) A person who wishes to exhume the remains of an indigent person must pay the costs incurred by the Council at the time of burial, to the Administrator of Cemeteries.
- (8) (a) The person / Undertaker carrying out the exhumation must ensure that the body and grave are properly disinfected and deodorized.  
(b) Protective clothing, e.g. gloves, mask etc.
- (9) The South African Police Services must -  
(a) if there is proof of illegal burial immediately exhume the body; and  
(b) take it to a government mortuary for investigation.
- (10) A grave of victims of conflict and a grave which is older than 60 years may only be exhumed with the permission of the South African Heritage Resources Agency.
- (11) A Commonwealth war grave may only be exhumed in accordance with the provisions of section 3 of the Commonwealth War Graves Act, 1992.

### **Exhumation and reburial**

21. (1) The Council may, if a body has been buried in contravention of these By-laws, cause the body to be exhumed and re-buried in another grave.
- (2) The relatives of the deceased must be -  
(a) notified of the intended exhumation and re-burial; and  
(b) allowed to attend.

### **Screening of exhumation**

22. (1) A grave from which a body is to be exhumed must be screened from the view of the public during the exhumation.
- (2) The person carrying out the exhumation must provide a suitable receptacle for each body or remains.

## CHAPTER 5

### CARE OF GRAVES

#### Gardening of graves and other objects on grave

23. (1) The Council is responsible for keeping cemeteries clean unless these by-laws provide otherwise.
- (2) No person may –
- (a) plant, cut or remove plants, shrubs or flowers on a grave without the permission of the officer-in-charge;
  - (b) plant, cut or remove plants, shrubs or flowers on the berm section; or
  - (c) place a metal cot on any grave.
- (3) A person may only erect, place or leave, an object or decoration on a grave during the first 30 days following the burial.
- (4) Natural or artificial flowers contained in receptacles may be placed on a grave at any time, but in a grave within a berm section or with a headstone, such flowers may only be placed in the socket provided.
- (5) The officer-in-Charge may –
- (a) remove all withered natural flowers, faded or damaged artificial flowers and any receptacle placed on a grave; or
  - (b) 30 days after publishing a general notice remove all objects of decoration, for the purpose of beautification of the area.
- (6) The Council is not liable for any loss or damage to any object on a grave unless such loss or damage is a result of the negligence of any employee of the Council.

## CHAPTER 6

### MEMORIAL SECTION

#### Erection of memorial work

24. (1) (a) A person intending to erect a memorial work must make and complete an application on the prescribed application form to the officer-in-charge.
- (b) Prescribed / Standard measurements as per Councils Regulations must be noted on sketch with the application forms.
- (c) Tombstone / Memorial works may only be erected 3 months after date of burial.  
(In order for the soil to subside)
- (2) Such application must be made not less than five working days before the date of erection.
- (3) Memorial work may only be erected during working hours.
- (4) No person may–
- (a) erect memorial work, or bring material into a cemetery for the purpose of erecting memorial work, without the written consent of the officer-in-charge;
  - (b) remove memorial work for additional inscriptions or other alterations without the consent of the officer-in-charge; or
  - (c) erect a memorial work on a Saturday, Sunday or a public holiday.

- (5) (a) The Council is not liable for damage to memorial work resulting from any subsiding soil.  
(b) The Council is not liable for stolen memorial works.
- (6) A person erecting memorial work must at the request of the officer-in-charge produce the written consent. (Permit)
- (7) Memorial work or material to be used in the erection of such work, may not be conveyed in a cemetery or crematorium in a manner that may damage the roadways, pathways, lawns, grounds or other memorials.
- (8) Any surplus material or rubble, resulting from the erection of any memorial work, must be removed by the person responsible for such erection, immediately after its completion.

#### **Inferior memorial work**

25. The Council may prohibit the erection of a memorial work or may remove erected memorial work which is –
- (a) of inferior workmanship or quality;
  - (b) is indecent, offensive or objectionable; or
  - (c) in contravention of these by-laws, without compensating the owner.

#### **Inscription on memorial work**

26. (1) Any memorial work must display the number assigned to the grave by the officer-in-charge, in permanent and visible markings:
- (a) on the side of the base in font size 25mm on the memorial work; and
  - (b) on the upper surface in font size 40mm, in the lower left hand corner, of a tablet erected on a grave.
- (2) The name of the maker, designer or erector of the memorial work may appear on the work and must be placed at the base of the memorial work.

#### **Dismantling of memorial work**

27. (1) Only a holder of private rights, or a person authorised in writing by the holder of such rights, may, with the written permission of the officer-in-charge, dismantle, alter, or disturb, any memorial work on a grave.
- (2) Dismantled memorial work must either be removed from a cemetery or be left on the grave on which such memorial work had been erected.
- (3) The officer-in-charge may in the case of a second or subsequent burial in such grave, permit memorial work to be left elsewhere in the cemetery, for a period not exceeding 30 days after such burial.
- (4) The person dismantling the work must immediately after the work is completed, remove any surplus material, or rubble, resulting from the dismantling of any memorial work.
- (5) If a holder of rights or person referred to in subsection (1) -
- (a) fails to re-erect dismantled memorial work within 30 days after it was dismantled; or
  - (b) leaves such memorial work within the cemetery in contravention of subsection (2), the Council may give 30 days' written notice to such holder of rights or person, instructing him or her to remove such memorial work from the cemetery with any rubble resulting there from, at his or her own expense or to re-erect such memorial work.

(6) If any memorial work has –

(a) been damaged;  
(b) become a danger to the public; or  
(c) been erected in contravention of these by-laws,  
the Council may give written notice to the holder of rights or person referred to in subsection (1), instructing him or her, at his or her own expense, within a period specified in the notice, to –

- (i) alter or make such memorial work safe so that it complies with the provisions of these By-laws ;
- (ii) (ii) dismantle and remove such memorial work from the cemetery together with all rubble resulting there from.

(7) If such holder of rights or person referred to in subsection (1) fails to comply with a notice in terms of subsection (5) or (6), the Council may –

(a) re-erect the memorial work;  
(b) dismantle and dispose of the memorial work and remove any rubble resulting there from; or  
(c) make the memorial work safe, and such holder or person will be liable for any costs incurred by the Council.

(8) The Council may without giving any notice, or incurring any liability to the holder of rights or person referred to in subsection (1) –

(a) dismantle the memorial work and remove it and any rubble resulting there from, except memorial work that is protected by the provisions of the National Heritage Resources Act, 1999; or  
(b) make the memorial work safe, if such memorial work has become so dangerous to the public that immediate steps to safeguard the public are essential.

(9) After the Council has acted in terms of subsection

(8), it must immediately, in writing, notify the holder of rights or person that, unless he or she reclaims the memorial work from the cemetery within a specified period, the Council will dispose of the memorial work.

(10) Such holder of rights or person referred to in subsection (1) is liable for costs incurred by the Council, when the Council has acted in the manner contemplated in subsection (8).

(11) If the holder of rights or person referred to in subsection (1) fails to pay the costs referred to in subsection (10), or to reclaim the memorial work dismantled by the Council, the Council may dispose of such memorial work in any manner it deems fit.

(12) If any proceeds are derived from the disposal, such proceeds will be offset against the cost of the dismantling, removal, storing, and disposing, of memorial work and rubble resulting there from.

### **General requirements for memorial work**

28. (1) Memorial work must be constructed or made of durable material, approved by the South African Bureau of Standards with a life expectancy of at least 25 years.

- (2) Any person erecting memorial work in a cemetery or crematorium must do so with the approval of the officer-in-charge.
- (3) A person erecting memorial work must comply with the following requirements-
- (a) when joining any part of the memorial work to any other part of the memorial work the person must use copper or galvanized iron pins as follows-
    - (i) for memorial work up to a height of 500 mm, two or more pins of at least 5mm thick and 100 mm long;
    - (ii) for memorial work 501 mm up to a height of 1000 mm, two or more pins at least 10 mm thick and 200 mm long; or
    - (iii) for memorial work 1001 mm and higher at least two or more pins 20 mm thick and 300 mm long;
  - (b) any part of memorial work which rests on the ground, stone or foundation must be properly secured and bedded;
  - (c) a material of uneven thickness must not be used;
  - (d) the undersides of every flat memorial work and the base of every memorial work must be sunk at least 50 mm below the natural level of the ground;
  - (e) a border which is more than 225 mm above the surface of the ground or more than 200 mm deep must not be used without the consent of the Council;
  - (f) all memorial work and border stones must be securely clamped with round copper or galvanized iron clamps;
  - (g) all memorial work up to 150 mm in thickness must be securely attached to the base;
  - (h) all the components of memorial work must be completed before being brought into a cemetery;
  - (i) footstones must consist of one solid piece;
  - (j) in all cases where memorial work rests on a base –
    - (i) such memorial work must have a foundation;
    - (ii) such memorial work must be set with cement mortar;
    - (iii) the bottom base of a single memorial work must not be less than 1050mm width x 2500mm long, 200 mm wide x 110 mm thick
      - 2. **(1050 x 2500 x 200 x 110)** and that of a double memorial work not less than 2500 mm long x 2550 mm width, 200 mm wide x 110 mm thick
      - 3. **(2550 x 2500 x 200 x 110)**; and
    - (iv) if loose stone chips are placed on a grave, the level of such stone chips must not be higher than 10 mm below the level of the surrounding curbstones.
      - 4.
      - 5.
      - 6.
      - 7.

#### Requirements for memorial work in lawn section

29. The following provisions apply to memorial work and graves in a lawn Section –

- (a) the dimensions of the base length and height of headstones on an adult's grave must not exceed 900 mm, the base in thickness 250 mm, **(900 x 900 x 250)**, but if the base of the headstone is erected over two adjoining graves, such base must not exceed 2500 mm in length and 250 mm in width;
- (b) the dimensions of the of memorial work of a child's grave must not exceed 1000 mm in width, and 1500 mm in length, frame: 200 mm height, x 110 mm width **(1000 x 1500 x 200 x 110)**

- (c) no portion of any headstone may extend beyond the horizontal dimensions of its base;
- (d) headstones must be erected on the concrete berms supplied by the Council, except in the case of a temporary erection where the applicant must provide a foundation suitable to support the headstone, until the Council has installed the berm;
- (e) no part of any memorial work **may exceed 1 700 mm in height** above the berm;
- (f) any headstone must be so positioned that the front edge of the headstone is at least 130 mm from the edge of the berm;
- (g) (i) no object other than a headstone which may incorporate more than two sockets for receptacles for flowers may be placed on any grave; and  
(ii) a vase containing natural flowers, or artificial flowers and foliage, may be placed in a socket built in the headstone and such vase must not exceed 300 mm in height; and
- (h) a kerb demarcating any grave and a slab covering are not permitted.

#### **Requirements for memorial work in memorial section**

30. The maximum horizontal measurements of any memorial work erected on a grave in a memorial section must -

- (a) in the case of an adult's grave, be 2500 mm in length and 1050 mm in width; or
- (b) in the case of a child's grave, be 1500 mm in length and 1000 mm in width.

#### **Requirements for memorial work in landscape section**

31. (1) The Council may set aside a section in a cemetery as a landscape section;

(2) Memorial work erected on a grave in a landscape section must –

- (a) not exceed 500 mm in length, 500 mm in width and a minimum of 30 mm thick;
- (b) not be made of ferrous material.

(3) The memorial work must be embedded horizontally on the ground level on a suitable foundation.

(4) Where memorial work is restricted to a plaque or memorial slab, 500 mm by 500 mm, such plaque or memorial slab must be placed horizontal at 30 mm below grass level.

## **CHAPTER 7**

### **CREMATIONS**

#### **Application for cremation**

32. (1) A person intending to cremate must submit the prescribed and duly completed application form supplied by the officer-in-charge for approval not later than 15:00, a day before the intended date of cremation, and such application must be accompanied by –

- (a) a prescribed fee;
- (b) a burial or removal order issued in terms of the Births and Deaths Registration Act, 1992;
- (c) a death certificate; and
- (d) cremation forms A, B, C, D, and E.

(2) If all the above requirements are met, the officer-in-charge must approve such application.

(3) The cremation may only take place in a crematorium.

(4) If the application is made in terms of subsection (1) in respect of a body of a person-

(a) who at the time of death was suffering from a communicable disease as defined in section 1 of the Health Act; or

(b) in whom at any time a pacemaker or radioactive material was inserted, the applicant must clearly indicate this fact and in the case of a body referred to in paragraph (b), whether such pacemaker or radioactive material was removed from the deceased.

### **Cremation times**

33. (1) Cremation may take place from Monday to Friday between 09:00 and 14:00.

(2) No cremation may take place on Saturdays, Sundays, and public holidays.

(3) Despite the provisions of subsection (1), the officer-in-charge to whom an application is made, may if he or she is satisfied that the case is one of emergency, permit cremation outside cremation time on payment of the prescribed fee.

### **Provision of receptacles**

34. (1) The applicant must provide a receptacle for receiving ashes with the full names of the deceased, unless such ashes are to be buried by the Council.

(2) (a) A receptacle which is intended to be placed in a niche in the columbarium must be made of wood, stone, or other suitable material, and must be of such a size and design as to fit readily into such niche.

(b) An inscription plate may be affixed to such a receptacle, or the niche may be closed with a suitable marble or other plaque.

(c) A prescribed form be completed, (the original cremation certificated be attached said form) and the payment of the prescribed fee.

### **Ash collection and disposal**

35. (1) After cremation the ashes must be entrusted to the care of the person who applied for the cremation, should he or she so desire, if not, be kept by the owner of the crematorium.

(2) The person collecting the ash must indicate in the prescribed application forms the quantity of ash to be retained for collection.

(3) If there are no express arrangements for burial or safekeeping, the owner of a crematorium may bury or place the ashes in wall of remembrance on their expense.

### **Burial and exhumation of ashes**

36. (1) A person who wants to bury ashes in a grave, exhume ashes from a grave or scatter ashes must make an application to the officer-in-charge.

(2) The officer-in-charge must, on payment of a prescribed fee, give written permission to the applicant for burial, or exhumation, or scattering of ashes, and prepare such grave for burial or exhumation of ashes.

(3) An ash grave in a crematorium section or wall of remembrance must measure 610 mm in length and 610 mm in width.

#### **Use of niches and spaces, affixing of memorial**

37. (1) Ashes may be deposited in a columbarium or garden of remembrance if an application accompanied by the prescribed fee is made to the officer-in-charge, and if the officer-in-charge gives written permission.

(2) A niche or a space abutting on a path in a garden of remembrance or a niche or a space in a memorial wall, must not be used for storing ashes or for affixing memorial work, without the consent of the officer-in-charge and payment of the prescribed fee.

(3) Identity plaques must be made of material approved by the officer-in-charge and affixed simultaneously with the placing of the ashes.

(4) Ashes and plaques may be removed with the consent of the officer-in-charge.

(5) Flower holders may be affixed to the plaque only with the consent of the officer-in-charge.

#### **Memorial work in crematorium**

38. (1) A person may erect a memorial work in a crematorium in remembrance of the deceased if he or she—

(a) was cremated at that crematorium in terms of section 32; or

(b) presents a cremation certificate from another crematorium

(2) Memorial work erected in a garden of remembrance must be made of marble, granite, or other suitable material, and measure either 225 mm by 245 mm by 25 mm thick, or 200 mm by 200 mm (as per application form) by 25 mm thick, as arranged with the Officer-in-charge, if it is intended -

(a) to be placed on a space on a memorial wall or on a space abutting on a path in a garden of remembrance;

(b) to seal a niche, must be of the same material and size as to conform with the memorial work next to it and have no items affixed to it except the lettering or photo of the deceased; or

(c) for erection on a grave, not exceed 610 mm in length, 610 mm in width and 1,2 m in height.

(3) Memorial work must only be removed from or affixed to a memorial wall or to a space abutting on a path in the garden of remembrance with the written consent of the Officer-in-charge.

#### **Book of remembrance, memorial cards and miniature books**

39. (1) If the Council provides a book of remembrance in a cemetery or crematorium, a memorial inscription may be entered in such book on application to the officer-in-charge and on payment of the prescribed fee.

- (2) If an inscription is entered in the book of remembrance, an inscription memorial card or an inscribed miniature may be purchased, if it is available, on payment of the prescribed fee.

### **Duplicate cremation certificates**

40. A person may obtain a duplicate cremation certificate on application and on payment of the prescribed fee to the said Crematorium Offices.

## **CHAPTER 8**

### **INDIGENT PERSONS**

#### **Burial of indigent persons**

41. (1) A person making an application for an indigent person's burial must make a declaration to that effect.
- (2) An indigent person may be buried or cremated according to conditions determined by the Council.
- (3) If an indigent person is cremated the ashes must be retained by the said Crematorium Office for a period of not less than 12 months.
- (4) If ashes are not claimed within the period of 12 months be buried in an ash grave.

## **CHAPTER 9**

### **GENERAL**

#### **Prohibited acts**

42. (1) No person -
- (a) under the age of 16 years may enter any cemetery or crematorium unless when accompanied by an adult, or with the consent of the officer-in-charge;
  - (b) may enter or leave any cemetery or crematorium, except by the gateway provided;
  - (c) may enter any office or enclosed place in a cemetery or crematorium, where entry is prohibited, without the consent of the officer-in-charge, which may be given only when such person is attending business connected with such cemetery or crematorium.
- (2) No person may, within any cemetery or crematorium -
- (a) interfere with any fountain, statue, monument, equipment, fence, grave or Council property;
  - (b) pick, damage, deface or destroy any flower, plant or seed;
  - (c) damage, deface or remove any memorial work, grave, building, fence or fixtures;
  - (d) throw litter outside containers provided by the Council for that purpose;
  - (e) sit, stand, walk, climb, draw, or write on any grave or memorial work;
  - (f) swim, bath or wash himself him or herself or any animal in a pond, fountain, artificial watercourse, dam or stream;
  - (g) reside in a cemetery, or, without the written consent of the officer-in-charge, build any structure or encroach on any land;
  - (h) capture, chase, shoot at, or interfere with any fish, bird, or animal, except where licensed to do so, or take, touch or damage birds' eggs or nests;
  - (i) light any fire or burn any object unless there is special provision therefore made by the Council;

- (j) drive, ride or park any vehicle, bicycle, tricycle or push-cart, wear roller blades or draw or propel any vehicle, except in the places and at the times referred to in these By-laws;
- (k) drive or ride any vehicle, except in the places referred to in paragraph (j) at a speed exceeding 15 km per hour;
- (l) carry on or solicit business, hold any demonstration, or perform an activity which is not normally associated with a cemetery or crematorium;
- (m) cause a nuisance or commit any offensive or indecent act;
- (n) play any game except in a designated area;
- (o) use a facility provided for the opposite sex;
- (p) brew, sell or drink alcohol or abuse drugs;
  
- (q) play any musical instrument without the written consent of the officer-in-charge;
- (r) deliver a public speech except for a funeral service or cremation, without the written consent of the officer-in-charge;
- (s) do anything which may endanger or cause disturbance to any person ;
- (t) hold organized functions, advertise, dig any hole, trench or place any tent, caravan, booth screen, stand, or any construction or obstruction, without the written consent of the officer-in-charge;
- (u) undertake any community or voluntary work, without the written consent of the officer-in-charge;
- (v) make any film, without the written consent of the officer-in-charge, and payment of the prescribed fee;
- (w) remain between sunset and sunrise without the written consent of the officer-in-charge;
- (x) bring or allow an animal, except a guide dog, without the consent of the officer-in-charge; and
- (y) hinder, obstruct or resist the officer-in-charge or any official of the Council in the performance of his or her duties or in the exercise of any authority assigned to him or her by or in terms of these By-laws.

(3) Any animal found in a cemetery may be impounded and must be released on payment of a fee.

### **Penalty clause**

43. Any person who-

- (a) Contravenes or fails to comply with any provision of these By-laws;
  - (b) fails to comply with any notice issued in terms of these By-laws;
  - (c) fails or fails to comply with any lawful instruction given in terms of these By-laws; or
  - (d) obstructs or hinders an authorized official or employee of the Council in the execution of his or her duties under these By-laws,
- is guilty of an offence and liable on conviction to a fine or in default of payment of such a fine to imprisonment for a period not exceeding six months, and in the case of a continuing offence, to a further fine not exceeding R300, or in default of payment, to imprisonment not exceeding one day, for every day during the continuance of such offence, after a written notice has been issued by the Council, and served on the person concerned, requesting the discontinuance of such offence.

### **Repeal of by-laws**

44. The By-laws listed in Schedule 1 hereto are hereby repealed.

**Short title**

45. These By-laws are called the Cemeteries and Crematoria By-laws, 2019.





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