



# **NORTH WEST NOORDWES**

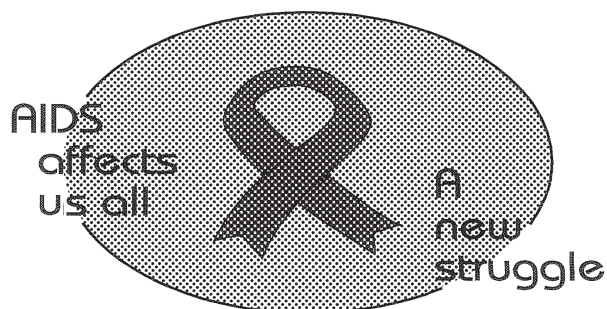
## **PROVINCIAL GAZETTE PROVINSIALE KOERANT**

**Vol: 265**

**MAHIKENG**  
8 November 2022  
8 November 2022

**No: 8433**

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

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

- **28 December 2021**, Tuesday for the issue of Tuesday **04 January 2022**
- **04 January**, Tuesday for the issue of Tuesday **11 January 2022**
- **11 January**, Tuesday for the issue of Tuesday **18 January 2022**
- **18 January**, Tuesday for the issue of Tuesday **25 January 2022**
- **25 January**, Tuesday for the issue of Tuesday **01 February 2022**
- **01 February**, Tuesday for the issue of Tuesday **08 February 2022**
- **08 February**, Tuesday for the issue of Tuesday **15 February 2022**
- **15 February**, Tuesday for the issue of Tuesday **22 February 2022**
- **22 February**, Tuesday for the issue of Tuesday **01 March 2022**
- **01 March**, Tuesday for the issue of Tuesday **08 March 2022**
- **08 March**, Tuesday for the issue of Tuesday **15 March 2022**
- **14 March**, Monday for the issue of Tuesday **22 March 2022**
- **22 March**, Tuesday for the issue of Tuesday **29 March 2022**
- **29 March**, Tuesday for the issue of Tuesday **05 April 2022**
- **05 April**, Tuesday for the issue of Tuesday **12 April 2022**
- **08 April**, Friday for the issue of Tuesday **19 April 2022**
- **19 April**, Tuesday for the issue of Tuesday **26 April 2022**
- **22 April**, Friday for the issue of Tuesday **03 May 2022**
- **03 May**, Tuesday for the issue of Tuesday **10 May 2022**
- **10 May**, Tuesday for the issue of Tuesday **17 May 2022**
- **17 May**, Tuesday for the issue of Tuesday **24 May 2022**
- **24 May**, Tuesday for the issue of Tuesday **31 May 2022**
- **31 May**, Tuesday for the issue of Tuesday **07 June 2022**
- **07 June**, Tuesday for the issue of Tuesday **14 June 2022**
- **14 June**, Tuesday for the issue of Tuesday **21 June 2022**
- **21 June**, Tuesday for the issue of Tuesday **28 June 2022**
- **28 June**, Tuesday for the issue of Tuesday **05 July 2022**
- **05 July**, Tuesday for the issue of Tuesday **12 July 2022**
- **12 July**, Tuesday for the issue of Tuesday **19 July 2022**
- **19 July**, Tuesday for the issue Tuesday **26 July 2022**
- **26 July**, Tuesday for the issue Tuesday **02 August 2022**
- **02 August**, Tuesday for the issue of Tuesday **09 August 2022**
- **08 August**, Monday for the issue of Tuesday **16 August 2022**
- **16 August**, Tuesday for the issue of Tuesday **23 August 2022**
- **23 August**, Tuesday for the issue of Tuesday **30 August 2022**
- **30 August**, Tuesday for the issue of Tuesday **06 September 2022**
- **06 September**, Tuesday for the issue of Tuesday **13 September 2022**
- **13 September**, Tuesday for the issue of Tuesday **20 September 2022**
- **20 September**, Tuesday for the issue of Tuesday **27 September 2022**
- **27 September**, Tuesday for the issue of Tuesday **04 October 2022**
- **04 October**, Tuesday for the issue of Tuesday **11 October 2022**
- **11 October**, Tuesday for the issue of Tuesday **18 October 2022**
- **18 October**, Tuesday for the issue of Tuesday **25 October 2022**
- **25 October**, Tuesday for the issue of Tuesday **01 November 2022**
- **01 November**, Tuesday for the issue of Tuesday **08 November 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 205 OF 2022****MADIBENG LOCAL MUNICIPALITY****BRITS TOWN PLANNING SCHEME, 1958, SCHEME No. 1/731**

It is hereby notified in terms of the provisions of Madibeng Land Use Management By-Laws, 2016, that Madibeng has approved the application for the amendment of the Brits Town Planning Scheme, 1958, being the rezoning of Erf 3000 Brits Extension 51 from "Special Residential" to "Special" for Dwelling houses, Residential Buildings, Stationery and furniture Shop with a coverage of 60%, FAR of 0,8, Height of 2 storeys and building lines: 5m along the street boundary, 2m from along any other boundary.

The Land Use Scheme and the scheme clauses and Annexures of this amendment scheme are filed with the Municipality and are open to inspection during normal office hours. This amendment is known as Brits Town Planning Scheme, 1958, Amendment Scheme No. 1/731 and shall come into operation on the date of publication of this notice.

Acting Municipal Manager: Ms. Beverley Gungisa (Reference number: 13/1/5/2/1/1/138)

(Date of publication) 08/11/ 2022

(Notice No. 22/2022)

**GENERAL NOTICE 206 OF 2022****NOTICE OF APPLICATION FOR REZONING: PORTIONS 15, 19, 45 AND 46 OF THE FARM GOEDGENOEG NO. 433-I.P., IN TERMS OF SECTION 94(1) OF THE CITY OF MATLOSANA SPATIAL PLANNING AND LAND USE MANAGEMENT MUNICIPAL BY-LAW ON SPATIAL PLANNING AND LAND USE MANAGEMENT, 2016, READ TOGETHER WITH SPLUMA, 2013 (ACT No. 16 OF 2013), CITY OF MATLOSANA – AMENDMENT SCHEME 1438**

I, Johannes Gerhardus Benadé (ID No: 621015 5064 08 1), of the firm Maxim Planning Solutions (Pty) Ltd (2002/017393/07) being the authorised agent of the owner of Portions 15, 19, 45 and 46 of the farm Goedgenoeg No. 433-I.P., hereby gives notice in terms of Section 94(1) of the City of Matlosana Spatial Planning and Land Use Management Municipal By-Law on Spatial Planning and Land Use Management, 2016, that we have applied in terms of Section 62 of the aforementioned by-law, read together with the Spatial Planning and Land Use Management Act, 2013 (Act No.16 of 2013) and with Section 56 of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), to the City of Matlosana for the rezoning of portions of the Remaining Extent of Portion 15 (a portion of Portion 1); Portion 19 (a portion of Portion 15); Portion 45 (a portion of Portion 19); and Portion 46 (a portion of Portion 18) of the farm Goedgenoeg No. 433-I.P., situated ±6 km to the west of Orkney, adjacent to the Orkney / Leeudoringstad Road, (Road R502), from "Agricultural" to "Special", for the purposes of a solar photovoltaic plant. The intention is to lease the portions of the concerned properties, comprising a total area of 313ha, from the current landowner, to be utilized for the erection of a 150 Mega Watt solar power plant.

Particulars of the application will lie for inspection during normal office hours at the Records Section of the City of Matlosana, Basement Floor, Klerksdorp Civic Centre, corner of Bram Fischer- and O.R. Tambo Street, Klerksdorp, for the period of 30 days from **08 November 2022**.

Objections to or representations in respect of the application, together with the reasons therefore, must be lodged with or made in writing, or verbally if the objector is unable to write, to the authorized agent and the Municipal Manager at the above address or posted to P.O. Box 99, Klerksdorp, 2570, within a period of 30 days from **08 November 2022**. The closing date for submission of comments, objections or representations is **08 December 2022**. Any person who cannot write may during office hours visit the City of Matlosana, where a named staff member of the City of Matlosana (Mr. Danny Selemoseng 018-487 8300) will assist those persons by transcribing their comments, objections or representations.

**ADDRESS OF AUTHORISED AGENT: MAXIM PLANNING SOLUTIONS (PTY) LTD (2002/017393/07), UNIT 35 CORPUS NOVEM OFFICE PARK, 35 DR. YUSUF DADOO AVENUE, WILKOPPIES, KLERKSDORP, 2571, P.O. BOX 6848, FLAMWOOD, 2572, TEL: 018-468 6366, e-mail: [johannes@maxim.co.za](mailto:johannes@maxim.co.za) (2/1962)**

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**ALGEMENE KENNISGEWING 206 VAN 2022****KENNISGEWING VAN AANSOEK OM HERSONERING: GEDEELTES 15, 19, 45 en 46 VAN DIE PLAAS GOEDGENOEG NO. 433-I.P., IN TERME VAN ARTIKEL 94(1) VAN DIE "CITY OF MATLOSANA SPATIAL PLANNING AND LAND USE MANAGEMENT MUNICIPAL BY-LAW ON SPATIAL PLANNING AND LAND USE MANAGEMENT, 2016", SAAMGELEES MET "SPLUMA, 2013 (ACT NO. 16 OF 2013)", STAD VAN MATLOSANA: WYSIGINGSKEMA 1438**

Ek, Johannes Gerhardus Benadé (ID Nr: 621015 5064 08 1), van die firma Maxim Planning Solutions (Edms) Bpk (2002/017393/07) synde die gemagtigde agent van die eienaar van Gedeeltes 15, 19, 45 en 46 van die plaas Goedgenoeg No. 433-I.P., gee hiermee ingevolge Artikel 94(1) van die "City of Matlosana Spatial Planning and Land Use Management Municipal By-Law on Spatial Planning and Land Use Management, 2016", kennis dat ons in terme van Artikel 62 van die voorafgaande By-Law saamgelees met die "Spatial Planning and Land Use Management Act, 2013 (Act No. 16 of 2013)" en met Artikel 56 van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986), by die Stad van Matlosana aansoek gedoen het vir die hersonering van gedeeltes van die Resterende Gedeelte van Gedeelte 15 ('n gedeelte van Gedeelte 1); Gedeelte 19 ('n gedeelte van Gedeelte 15); Gedeelte 45 ('n gedeelte van Gedeelte 19); en Gedeelte 46 ('n gedeelte van Gedeelte 18) van die plaas Goedgenoeg No. 433-I.P., geleë ±6 km Wes van Orkney, aanliggend tot die Orkney / Leeudoringstad pad, (Pad R502), vanaf "Agricultural" na "Special", vir die doeleindes van 'n sonkrag aanleg. Daar word beoog om gedeeltes van die betrokke eiendom, met 'n totale oppervlakte van 313ha, te huur vanaf die bestaande grondeienaar, vir die doeleindes van die oprigting van 'n 150 Mega Watt sonkrag aanleg.

Besonderhede van die aansoek lê ter insae gedurende gewone kantoorure by die Rekords Afdeling van die Stad van Matlosana, Kelder Verdieping, Burgersentrum, Klerksdorp, hoek van Bram Fischer- en OR Tambostraat, Klerksdorp, vir 'n tydperk van 30 dae vanaf **08 November 2022**.

Besware teen of verhoë ten opsigte van die aansoek, saam met die redes daarvoor, moet binne 'n tydperk van 30 dae vanaf **08 November 2022** skriftelik, of mondelings indien die beswaarmaker nie kan skryf nie, by of tot die gemagtigde agent en die Munisipale Bestuurder by bovermelde adres of by Posbus 99, Klerksdorp, 2570 ingedien of gerig word. Die sluitingsdatum vir die indiening van kommentaar, beswaar of verhoë is **08 Desember 2022**. Enige persoon wat nie kan skryf nie mag gedurende kantoor ure die Stad van Matlosana besoek, waar 'n aangewese amptenaar van die Stad van Matlosana (Mnr. Danny Selemoseng 018-487 8300) daardie persone sal assisteer deur die kommentaar, beswaar of verhoë te transkribeer.

**ADRES VAN GEMAGTIGDE AGENT: MAXIM PLANNING SOLUTIONS (EDMS) BPK (2002/017393/07), EENHEID 35 CORPUS NOVEM KANTOOR PARK, DR. YUSUF DADOO LAAN 35, WILKOPPIES, KLERKSDORP, 2571, POSBUS 6848, FLAMWOOD, 2572, TEL: (018) 468-6366, e-pos: [johannes@maxim.co.za](mailto:johannes@maxim.co.za) (2/1962)**

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**GENERAL NOTICE 207 OF 2022****RUSTENBURG LOCAL MUNICIPALITY  
NOTICE IN TERMS OF SECTION 17(1) OF THE RUSTENBURG LOCAL MUNICIPAL SPATIAL  
PLANNING AND LAND USE MANAGEMENT BY-LAW 2018 FOR A CHANGE OF LAND USE RIGHTS  
KNOWN AS REZONING**

We, **Abland (PTY) LTD** (Registration: 1990/005756/07), being the Applicant of **Portion 1 of Erf 1174 Cashan Extension 12** 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 we have applied to the Rustenburg Local Municipality for a change of land use rights also known as rezoning of the property described above, situated at the Waterfall Mall, Rustenburg. The site is enclosed by Augrabies Street (northern boundary), Cuckoo Street (western boundary) and Waterberg Street (southern boundary) in the township of Cashan Extension 12.

This application contains the following proposals:

**Portion 1 of Erf 1174 Cashan Extension 12** from "Special" for accommodation establishment, cafeteria, dispensing chemist, medical consulting rooms, office, parking garage, place of amusement, place of refreshment, service enterprise and shop, subject to certain conditions **TO** "Special" for accommodation establishment, cafeteria, dispensing chemist, medical consulting rooms, office, parking garage, place of amusement, place of refreshment, service enterprise, shop, and hotel, subject to certain conditions.

The intension with the application is to retain the existing land use rights and supplement same with a hotel with an associated increase in height and coverage from 3 storeys to 5 storeys and 45% to 50% respectively. The permissible FAR is unaffected by this proposal and will remain as 0.45. The proposed hotel will utilise part of the existing available bulk being 10 172m<sup>2</sup>.

Any objection or comments, with the grounds therefor 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 the Applicant or to the Municipality at: Municipal Manager in Room 319, Missionary Mpheni House at the corner of Nelson Mandela Street & Beyers Naude Street, Rustenburg or to P.O. Box 16, Rustenburg, 0300.

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

Closing date for any objections: 6 December 2022

Address of applicant: Abland, Hertford Office Park, 90 Bekker Road, Block D, 1<sup>st</sup> Floor, Midrand, 2196

Postal Address: Postnet Suite 6, Private Bag X59, Halfway House, 1685

Telephone No: 010 142 9000

Dates on which notice will be published:

- 8 November 2022
- 15 November 2022

**ALGEMENE KENNISGEWING 207 VAN 2022****RUSTENBURG PLAASLIKE MUNISIPALITEIT  
KENNISGEWING IN TERME VAN ARTIKEL 17(1) VAN DIE RUSTENBURG PLAASLIKE  
MUNISIPALE RUIMTELIKE BEPLANNING EN GRONDGEBRUIKBESTUURS WET, 2018 VIR 'N  
VERANDERING VAN GRONDGEBRUIKSREGTE BEKEND AS HERSONERING**

Ons, **Abland (EDMS) BPK** (Registrasie: 1990/005756/07), die Applikant van **Gedeelte 1 van Erf 1174 Cashan Uitbreiding 12** gee hiermee kennis ingevolge Artikel 17(1)(d) van die Rustenburg Plaaslike Munisipaliteit Ruimtelike Beplanning en Grondgebruikbestuurs Wet, 2018 dat ons by die Rustenburg Plaaslike Munisipaliteit aansoek gedoen het vir 'n verandering van grondgebruiksregte ook bekend as hersonering van die eiendom soos hierbo beskryf, geleë by die Waterfall Mall, Rustenburg. Die perseel word omring deur Augrabiessstraat (noordelike grens), Cuckoostraat (westelike grens) en Waterbergstraat (suidelike grens) in die dorp Cashan Uitbreiding 12.

Hierdie aansoek bevat die volgende voorstelle:

**Gedeelte 1 van Erf 1174 Cashan Uitbreiding 12** word hersoneer vanaf “Spesiaal” vir plek van akkommodasie, kafeteria, apteek, mediese spreekkamers, kantore, parkeergarage, plek van vermaak, plek van verversing, diensonderneming en winkel, onderhewig aan sekere voorwaardes **NA** “Spesiaal” vir plek van akkommodasie, kafeteria, apteek, mediese spreekkamers, kantore, parkeergarage, plek van vermaak, plek van verversing, diensonderneming, winkel en hotel, onderhewig aan sekere voorwaardes.

Die bedoeling met die aansoek is om die bestaande grondgebruiksregte te behou en dit aan te vul met 'n hotel met 'n gepaardgaande verhoging in hoogte en dekking van 3 verdiepings tot 5 verdiepings en 45% tot 50% onderskeidelik. Die toelaatbare VRV word nie deur hierdie voorstel geraak nie en sal 0.45 bly. Die voorgestelde hotel sal gebruik maak van die bestaande oorblywende ontwikkelbare area van 10 172m<sup>2</sup>.

Enige beswaar of kommentaar, met die gronde daarvoor en kontakbesonderhede, moet binne 'n tydperk van 28 dae vanaf die eerste datum waarop die kennisgewing verskyn het, by of skriftelik aan die Applikant of die Munisipaliteit ingedien word by: Munisipale Bestuurder in Kamer 319, Missionary Mpheni House op die hoek van Nelson Mandelastraat & Beyers Naudestraat, Rustenburg of na P.O. Box 16, Rustenburg, 0300.

Volledige besonderhede en planne kan gedurende gewone kantoorure by bogenoemde kantore besigtig word vir 'n tydperk van 28 dae vanaf die datum van eerste publikasie van die advertensie in die Provinsiale Koerant / The Citizen en Beeld koerant en/of Terreinkennisgewingbord.

Sluitingsdatum vir enige besware: 6 Desember 2022

Adres van applikant: Abland, Hertford Office Park, 90 Bekkerweg, Blok D, 1ste Vloer, Midrand, 2196

Posadres: Postnet Suite 6, Private Bag X59, Halfway House, 1685

Telefoonnommer: 010 142 9000

Datums waarop kennisgewing gepubliseer sal word:

- 8 November 2022
- 15 November 2022



**GENERAL NOTICE 208 OF 2022**

NOTICE OF THE APPLICATION FOR AMENDMENT OF TOWN-PLANNING SCHEME IN TERMS OF SECTION 17(1) OF RUSTENBURG LOCAL MUNICIPALITY SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2018 FOR CHANGE F LAND USE RIGHTS KNOWN AS REZONING

I Direla Planning Solutions (PTY) LTD ( 2012/200772/07), being the authorized agent of the owner of REMAINING EXTENT OF PORTION 72(PORION OF PORTION 71) OF FARM OORZAAK 335 JQ hereby give notice in terms of section 17 (1)(D) of the Rustenburg Local Municipality Spatial and Land use management by-Law, 2018 that we have applied to the Rustenburg Local Municipality for the amendment of the Land Use Scheme known as the Rustenburg Land Use Management Scheme, 2021 by the rezoning of the property described above From " Agriculture " to "Special for Service industry and related use"

Particulars of the application will lie for inspection during office hours at the office of the Director of planning and Development, Room 313, Missionary House, c/o Beyers Naude and Nelson Mandela Drive, Rustenburg for the period of 28 days from 08 November 2022

Objections to or presentations in respect of the application must be lodged with or made in writing to the Director Planning and Development at the above mentioned address or at P O Box 241 Tlhabane, 0309 within a period of 28 days from 08 November 2022

Address of the authorized agent: Direla Planning Solutions, 196a Mbeki Drive, Rustenburg, 0299

Contact Details of the authorized agent: Cell -0718869152

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**ALGEMENE KENNISGEWING 208 VAN 2022**

KENNIEGEIING VAN ANNSOEK OM WYSIGING VAN DORPSBEPLANNINGSKEMA INGEVOLGE ARTIKEL 17(1) VAN RUSTENBURG LOCAL MUNICIPALITY SPATIAL PLANNING AND LAND USE MANAGEMENT SCHEME, 2018 FOR CHANGE OF LAND USE RIGHTS KNOWN AS REZONING

EK Direla Planning Solutions ( Edms) Bpk ( 2012/200772/07), synde die gemagtige agent van die eienaar van REMAINING EXTENT OF PORTION 72(PORION OF PORTION 71) OF FARM OORZAAK 335 JQ gee hiemee ingevolge artikel 17(1) (d) van Rustenburg Local Municipality spatial and Land use management by Law ,2018 duer die hersonering van die eiendom hierbo beskryf, van " Residensieel 1" tot Spesiaal vir Diensbedryf n verwante gebruike

Besonderehede van die aansoek le ter insae geduende gewone kantoorure by die kantoor van die Direkteur Brplanning en Ontwikkeling, Kamer 319, Missionary Mpheni House, H/v Beyers Naude en Nelson Mandela Rylaan, Rustenburg vir 'n tydperk van 28 dae vanaf 08 November 2022

Besware teen of vertoe ten opsigte van die aansoek moet binne 'n tydperk van 28 dae vanaf 08 November 2022. Skriftelik by of tot die Direkteur Beplanning en Ontwikkeling by die bovermelde adres of by Posbud 241, Tlhabane, 0309 ingedien of gerig word.

Adres van gemagtige agent: Direla Planning Solutions, 196a Mbeki Drive, Rustenburg

Kontakpersoon: Cell- 071 8869152

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## PROVINCIAL NOTICES • PROVINSIALE KENNISGEWINGS

## PROVINCIAL NOTICE 398 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 3152

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 15/2034 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 Residential 3 for lettable rooms as defined in Annexure 3152 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: 407m<sup>2</sup>, Maximum Height: 2 Storeys, Maximum Coverage: 50% Maximum FAR: 0.5, 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 01 November 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: **01 November 2022**. Closing date for Objections: **29 November 2022**. Postal Address: 30717 Slocha Section, Mabeskraal, North West. 98 Oxford Street, Rustenburg Ext 7, 0299. Contact number 0797159557/ 0736774499.

1-8

## PROVINSIALE KENNISGEWING 398 VAN 2022

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

## WYSIGINGSKEMA 3152

Ek, Masilakhe Sydney Thuntubele van die maatskappy THE PALACE AFRIKA GROUP (PTY) LTD registrasienommer 2020/653790/07 soos gemagtig deur die eiendomseienaar van ERF 15/2034 Rustenburg, Registrasie Afdeling JQ Noordwes Provinsie gee hiermee kennis ingevolge Artikel 17(1) (d) van die Rustenburg Ruimtelike Beplanning en Grondgebruikbestuur Volgens 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 Hersonerings van die eiendom hierbo beskryf. van Residensieel 1 tot Residensieel 3 vir verhuurbare kamers soos omskryf in Bylae 3152 tot 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 hersonerings het die volgende ontwikkelingsparameters: Eiendomsgrootte: 407m<sup>2</sup>, Maksimum Hoogte: 2 Verdiepings, Maksimum Dekking: 50% Maksimum VER: 0.5, Besonderhede van die aansoek sal ter insae lê gedurende gewone werksure by die kantoor van die Munisipale Bestuurder Kamer 319 Missionary Mpheni House, H.v. Nelson Mandela- en Beyers Naudestraat Rustenburg vir twee opeenvolgende weke tot of vir 'n tydperk van **28 dae vanaf 01 November 2022**. Besware teen of vertoe ten opsigte van die aansoek moet skriftelik by die Munisipale Bestuurder by bogenoemde adres of by PO ingedien of gerig word aan die Munisipale Bestuurder BOX 16 Rustenburg 0300 binne 28 dae na die gespesifiseerde openbare deelname proses. Die kennisgewing sal op die Onderwerpseiendom geplaas word vir 'n tydperk van 28 dae vanaf die datum van die eerste publikasie op die Provinsiale Koerant, Beeld en Citizen Koerante. Eerste Publikasiedatum: **01 November 2022**. Sluitingsdatum vir Besware: **29 November 2022**. Pos. Adres: 30717 Slocha Seksie, Mabeskraal, Noordwes. 98 Oxford Straat, Rustenburg Ext 7, 0299. Kontaknommer 0797159557/ 0736774499.

1-8

**PROVINCIAL NOTICE 399 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 3151**

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 1256, ERF 1261, ERF 1262 & ERF 1263 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 Residential 2 for lettable rooms as defined in Annexure 3151 to the Scheme and Building Line relaxation.

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: 1227m<sup>2</sup>, Maximum Height: 2 Storeys, Maximum Coverage: 52.01% Maximum FAR: 1.04, 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 01 November 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: **01 November 2022**. Closing date for Objections: **29 November 2022**. Postal Address: 30717 Slocha Section, Mabeskraal, North West. Kgaka Street & Khudu Street, Boitekong Ext 1, 0299. Contact number 0797159557/ 0736774499.

1-8

**PROVINSIALE KENNISGEWING 399 VAN 2022**

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

**WYSIGINGSKEMA 3151**

Ek, Masilakhe Sydney Thuntubele van die maatskappy THE PALACE AFRIKA GROUP (PTY) LTD registrasienommer 2020/653790/07 soos gemagtig deur die eiendomseienaar van ERF 1256, ERF 1261, ERF 1262 & ERF 1263 Rustenburg, Registrasie Afdeling JQ Noordwes Provinsie gee hiermee kennis ingevolge Artikel 17(1) (d) van die Rustenburg Ruimtelike Beplanning en Grondgebruikbestuur Volgens 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 Hersonerings van die eiendom hierbo beskryf. van Residensieel 1 tot Residensieel 2 vir verhuurbare kamers soos omskryf in Bylae 3151 tot die Skema en Boulyn ontspanning.

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 hersonering het die volgende ontwikkelingsparameters: Eiendomsgrootte: 1227m<sup>2</sup>, Maksimum Hoogte: 2 Verdiepings, Maksimum Dekking: 52.01% Maksimum VER: 1.04, Besonderhede van die aansoek sal ter insae lê gedurende gewone werksure by die kantoor van die Munisipale Bestuurder Kamer 319 Missionary Mpheni House, Hv Nelson Mandela- en Beyers Naudestraat Rustenburg vir twee opeenvolgende weke tot of vir 'n tydperk van **28 dae vanaf 01 November 2022**. Besware teen of vertoe ten opsigte van die aansoek moet skriftelik by die Munisipale Bestuurder by bogenoemde adres of by PO ingedien of gerig word aan die Munisipale Bestuurder BOX 16 Rustenburg 0300 binne 28 dae na die gespesifiseerde openbare deelname proses. Die kennisgewing sal op die Onderwerpseiendom geplaas word vir 'n tydperk van 28 dae vanaf die datum van die eerste publikasie op die Provinsiale Koerant, Beeld en Citizen Koerante. Eerste Publikasiedatum: **01 November 2022**. Sluitingsdatum vir Besware: **29 November 2022**. Pos. Adres: 30717 Slocha Seksie, Mabeskraal, Noordwes. Kgaka Straat & Khudu Straat, Boitekong Ext 1, 0299. Kontaknommer 0797159557/ 0736774499.

1-8

**PROVINCIAL NOTICE 400 OF 2022****NOTICE IN TERMS OF TERMS OF SECTION 17(2) OF THE RUSTENBURG LOCAL MUNICIPALITY SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2018 FOR THE REMOVAL, AMENDMENT OR SUSPENSION OF A RESTRICTIVE CONDITION(S) IN THE TITLE DEED**

I, Jan-Nolte Ekkerd of the Firm NE Town Planning CC, being the authorised agent hereby give notice in terms of Sections 17(1)(d) and 17(2) of the Rustenburg Local Municipality Spatial Planning and Land Use Management By-Law, 2018 that I have applied to the Rustenburg Local Municipality for the removal of certain conditions 2(ii) and 2(iii) contained in the Title Deed (Nr. T120803/2004) of Portion 20 of the Farm Grootfontein 346, Registration Division JQ, North West Province, which property is situated approximately 30km south east of Rustenburg in the Buffelspoort area.

Any objection, with the grounds therefore and contact details, shall be lodged with or made in writing to: the Municipality at: Missionary Mpheni House, Room 319, Cnr. Beyers Naude and Nelson Mandela Drive, Rustenburg or at P.O. Box 16, Rustenburg, 0300 for a period of 28 days from date of first publication of the notice (1 November 2022). Full particulars and plans (if any) may be inspected during normal office hours at the above-mentioned office, for a period of 28 days after the publication of the advertisement in the Provincial Gazette/newspapers and/or Site Notice Boards. Closing date for any objections: 29 November 2022. Address of applicant: 155 Kock Street, Rustenburg, De Dak Building Room 203 or P.O. Box 21139 Protea Park, 0305, Telephone No: 014 5922777 Dates on which notice will be published: 1 and 8 November 2022.

1-8

**PROVINSIALE KENNISGEWING 400 VAN 2022****KENNISGEWING INGEVOLGE ARTIKEL 17(2) VAN DIE RUSTENBURG PLAASLIKE MUNISIPALITEIT RUIMTELIKE BEPLANNING EN GRONDGEBRUIKBESTUURS VERORDENING, 2018 VIR DIE VERWYDERING, WYSIGING OF OPSKORTING VAN BEPERKENDE VOORWAARDE(S) IN TITELAKTE VAN EIENDOM**

Ek Jan-Nolte Ekkerd van die firma NE Town Planning BK, synde die gemagtigde agent 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 die Rustenburg Plaaslike Munisipaliteit aansoek gedoen het vir die opheffing/verwydering van sekere voorwaardes 2(i) en 2(iii) in die Titel Akte (T120803/2004) van Gedeelte 20 van die Plaas Grootfontein 346, Registrasie Afdeling J.Q. Noordwes Provinsie, welke eiendom geleë is ongeveer 30km suid-oos van Rustenburg in die Buffelspoort area. 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 (1 November 2022). Sluitingsdatum vir enige besware: 29 November 2022. Adres van applikant: 155 Kockstraat, Suite 203, De Dak, Rustenburg 0299 of NE Stadsbeplanners BK, Posbus 21139, Protea Park, 0305; Telefoon nr: 014 592 2777. Datums waarop kennisgewings gepubliseer word: 1 en 8 November 2022.

1-8

**PROVINCIAL NOTICE 401 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 RUSTENBURG****AMENDMENT SCHEME 3149**

I Masilakhe Sydney Thuntubele of the company The Palace Afrika Group Reg No. 2020/ 653790/ 07 as the undersigned given power of attorney by the owner of Erf 1967 Extension 6 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 2018 by way of Rezoning the property described above from "Residential 1" to Special for Residential Buildings as defined in Annexure 3149 to the Scheme. This application contains the following proposals: A. The property shall be used entirely for the proposed. The adjacent properties and others in the area will be affected. The proposed rezoning has the following development parameters: Property size: 819m<sup>2</sup>, Maximum Height: 2 Storey, Maximum Coverage: 60% Maximum FAR: 0.60, 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 a period of 28 days from 01 November 2022. Objections to or representations in respect of the application must be lodged with or made in writing to the Municipal Manager at the abovementioned address or at P.O.BOX 16 Rustenburg 0300 within the specified date. 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. Publication dates: 01 and 08 November 2022. Closing date for Objections: 28 November 2022. Contact Address : 128 Beyers Naude Drive Floor 1 Suite 3 Rustenburg 0300 Contact number 0747355109.

1-8

**PROVINSIALE KENNISGEWING 401 VAN 2022****KENNISGEWING VAN AANSOEK OM WYSIGINGSKEMA INGEVOLGE ARTIKEL 17(1) VAN DIE RUSTENBURG RUIMTELIKE BEPLANNING EN GRONDGEBRUIKBESTUUR DEUR WET 2018 RUSTENBURG WYSIGINGSKEMA 3149**

I Masilakhe Sydney Thuntubele van die maatskappy The Palace Afrika Group Reg No. 2020/ 653790/ 07 as die ondergetekende gegee volmag deur die eienaar van Erf 1967 Uitbreiding 6 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 2018 deur middel van die Hersonering van die eiendom hierbo beskryf van "Residensiële 1" na Spesiaal vir Residensiële Geboue soos omskryf in Bylae 3149 tot die Skema. Hierdie aansoek bevat die volgende voorstelle: A. Die eiendom sal geheel en al vir die voorgestelde gebruik word. Die aangrensende eiendomme en ander in die area sal geraak word. Die voorgestelde hersonering het die volgende ontwikkelingsparameters: Eiendomsgrootte: 819m<sup>2</sup>, Maksimum Hoogte: 2 Verdieping, Maksimum Dekking: 60% Maksimum VERV: 0.60 Besonderhede van die aansoek sal ter insae lê gedurende normale werksure by die kantoor van die Munisipale Bestuurderkamer. Sendeling Mpheni House 319, Cnr van Nelson Mandela- en Beyers Naudestraat Rustenburg vir 'n tydperk van 28 dae vanaf 01 November 2022. Besware teen of verhoë ten opsigte van die aansoek moet skriftelik by die Munisipale Bestuurder by bogenoemde adres ingedien of gerig word aan die Munisipale Bestuurder, of by P.O.BOX 16 Rustenburg 0300 binne die gespesifiseerde datum. Die kennisgewing sal op die Onderwerpseiendom geplaas word vir 'n tydperk van 28 dae vanaf die datum van die eerste publikasie op die Provinsiale Koerant, Beeld en Citizen Newspapers. Publikasiedatums: 01 en 08 November 2022. Sluitingsdatum vir Besware: 28 November 2022. Kontak adres : Beyers Nauderylaan 128 Vloer 1 Suite 3 Rustenburg 0300 Kontaknommer 0747355109.

1-8

**PROVINCIAL NOTICE 403 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 RUSTENBURG****AMENDMENT SCHEME 3149**

I Masilakhe Sydney Thuntubele of the company The Palace Afrika Group Reg No. 2020/ 653790/ 07 as the undersigned given power of attorney by the owner of Erf 1967 Extension 6 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 2018 by way of Rezoning the property described above from "Residential 1" to Special for Residential Buildings as defined in Annexure 3149 to the Scheme. This application contains the following proposals: A. The property shall be used entirely for the proposed. The adjacent properties and others in the area will be affected. The proposed rezoning has the following development parameters: Property size: 819m<sup>2</sup>, Maximum Height: 2 Storey, Maximum Coverage: 60% Maximum FAR: 0.60, 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 a period of 28 days from 08 November 2022. Objections to or representations in respect of the application must be lodged with or made in writing to the Municipal Manager at the abovementioned address or at P.O.BOX 16 Rustenburg 0300 within the specified date. 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. Publication dates: 08 and 15 November 2022. Closing date for Objections: 05 December 2022. Contact Address :128 Beyers Naude Drive Floor 1 Suite 3 Rustenburg 0300 Contact number 0747355109.

8-15

**PROVINSIALE KENNISGEWING 403 VAN 2022****KENNISGEWING VAN AANSOEK OM WYSIGINGSKEMA INGEVOLGE ARTIKEL 17(1) VAN DIE RUSTENBURG RUIMTELIKE BEPLANNING EN GRONDGEBRUIKBESTUUR DEUR WET 2018 RUSTENBURG WYSIGINGSKEMA 3149**

I Masilakhe Sydney Thuntubele van die maatskappy The Palace Afrika Group Reg No. 2020/ 653790/ 07 as die ondergetekende gegee volmag deur die eienaar van Erf 1967 Uitbreiding 6 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 2018 deur middel van die Hersonering van die eiendom hierbo beskryf van "Residensiële 1" na Spesiaal vir Residensiële Geboue soos omskryf in Bylae 3149 tot die Skema. Hierdie aansoek bevat die volgende voorstelle: A. Die eiendom sal geheel en al vir die voorgestelde gebruik word. Die aangrensende eiendomme en ander in die area sal geraak word. Die voorgestelde hersonering het die volgende ontwikkelingsparameters: Eiendomsgrootte: 819m<sup>2</sup>, Maksimum Hoogte: 2 Verdieping, Maksimum Dekking: 60% Maksimum VERV: 0.60 Besonderhede van die aansoek sal ter insae lê gedurende normale werksure by die kantoor van die Munisipale Bestuurderkamer. Sendeling Mpheni House 319, Cnr van Nelson Mandela- en Beyers Naudestraat Rustenburg vir 'n tydperk van 28 dae vanaf 01 November 2022. Besware teen of verhoë ten opsigte van die aansoek moet skriftelik by die Munisipale Bestuurder by bogenoemde adres ingedien of gerig word aan die Munisipale Bestuurder, of by P.O.BOX 16 Rustenburg 0300 binne die gespesifiseerde datum. Die kennisgewing sal op die Onderwerpseiendom geplaas word vir 'n tydperk van 28 dae vanaf die datum van die eerste publikasie op die Provinsiale Koerant, Beeld en Citizen Newspapers. Publikasiedatums: 08 en 15 November 2022. Sluitingsdatum vir Besware: 05 Desember 2022. Kontak adres: Beyers Nauderylaan 128 Vloer 1 Suite 3 Rustenburg 0300 Kontaknommer 0747355109.

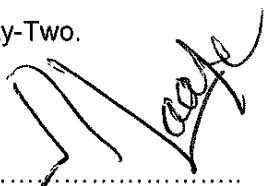
8-15

## PROVINCIAL NOTICE 404 OF 2022

**REGULATIONS IN TERMS OF SECTION 21(2)(a) and (b) OF THE TRADITIONAL AND KHOISAN LEADERSHIP ACT, 2019 (ACT NO. 3 OF 2019): CONSTITUTION AND RECONSTITUTION OF TRADITIONAL COUNCILS**

By virtue of the powers vested in me in terms section 21(2) of the Traditional and Khoisan Leadership Act, 2019 (Act No.3 of 2019), I Kaobitsa Bushy Maape, in my capacity as Premier, hereby publish the Regulations in the Schedule hereto.

Given under my Hand at Mahikeng this 13 day of October, Two thousand and Twenty-Two.



**Hon. K. B. Maape (MPL)**  
Premier: North West Province



RE-CERTIFIED: 22 SEPT 2022

Principal State Law Advisor

## CHAPTER 1 DEFINITIONS, INTERPRETATION AND SCOPE OF APPLICATION

### Definitions

1. In these Regulations any word or expression to which a meaning has been assigned in the principal Act, shall have that meaning and, unless the context otherwise indicates-

**“Act”** means the Traditional and Khoi-San Leadership Act, 2019 (Act No. 3 of 2019);

**“assigned official”** means a government official assigned in terms of regulation 8 to these regulations, to assist a traditional community during the traditional council elections;

**“by-election”** means an election of a member to fill a vacancy in the traditional council contemplated in regulation 33 of these regulations;

**“candidate”** means a person who has been nominated in terms of regulation 12 of these regulations;

**“day”** for the purposes of these regulations, means a working day, excluding weekends and public holidays, to the exception of the days allowed in the election timetable;

**“Department”** means the provincial department responsible for traditional affairs;

**“district”** means the area of jurisdiction of a district municipality;

**“election”** means an election of a member of a traditional council contemplated in regulation 9 of these regulations;

**“election timetable”** means the election timetable as published by the Premier in terms of regulation 9(3) of these regulations;

**“Independent Appeals Tribunal”** means the Appeals Tribunal appointed in terms of regulation 7 of these regulations;

**“Electoral Act”** means the Electoral Act, 1998 (Act No. 73 of 1998);

RE-CERTIFIED: 22 SEPT 2022

Principal State Law Advisor

**"Houses"** mean the Local Houses and the Provincial House of Traditional Leaders;

**"Independent Electoral Agency"** means the IEA appointed in terms of regulation 6 to these regulations to conduct traditional council elections;

**"MEC"** means the Member of the Executive Council responsible for Department of Cooperative Governance, Human Settlements and Traditional Affairs in the North West Province;

**"nomination"** means a nomination contemplated in regulation 12 of these regulations;

**"observer"** means a person accredited to observe an election in terms of regulation 34 of these regulations;

**"officer"** means –

- (a) an officer appointed in terms of regulation 14 of these regulations;
- (b) a presiding officer;
- (c) a deputy presiding officer;
- (d) a voting officer;
- (e) a ballot counting officer;
- (f) an officer of the Department.

**"permanent resident"** means a person who resides permanently in an area which forms part of a traditional community;

**"presiding officer"** means the person presiding at an election and appointed in terms of regulation 14(4) of these regulations;

**"Province"** means the North West Province;

**"resident"** means a person who is ordinarily resident in an area which forms part of a traditional community;

**"regulations"** include the annexures hereto;

RE-CERTIFIED: 22 SEPT 2022

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**"traditional community meeting"** means a consultative meeting as referred to in regulations 12(3), 33 and 34(1) which enjoin the traditional leader to convene a community meeting to announce the names of selected members and where the IEA declares the commencement of the nominations period; and for the purpose of announcing final results;

**"traditional council"** means a traditional council established in terms of section 16 of the Act;

**"traditional ward"** means a village, administrative area, moraka, isigodi, motse, location or farm;

**"voter"** means a person who is eligible to vote in the traditional council elections in terms of these regulations;

**"voter's roll"** means those segments of the voters roll to be used in an election in terms of these regulations and certified by the MEC in terms of regulation 16(4) of these regulations;

**"voting district"** for purposes of these regulations means an area comprising of one or part of *traditional ward* or a combination of two or more *traditional wards* for which a voter's roll is compiled in terms of regulation 16 of these regulations; and

**"voting station"** means a voting station within a voting district for voting purposes established in terms of regulation 13 of these regulations.

## Interpretation

2. A person interpreting or applying these regulations must –

- (a) do so in a manner that gives effect to the constitutional declarations, guarantees and responsibilities contained in the Constitution;
- (b) take into account the Traditional and Khoi-San Leadership Act, 2019 (Act No.3 of 2019); and
- (c) take into account the traditions and customs applicable to the traditional community, provided they do not contradict the Constitution and other applicable laws.

**RE-CERTIFIED: 22 SEPT 2022**

Principal State Law Advisor

**Scope of, application and interpretation of regulations**

3. These regulations apply to the selection of the 60% of the members of the traditional councils in terms of section 16(2)(c)(i) of the Act and the election of the 40% of members of traditional councils in terms of Section 16(2)(c)(ii) of the Act.

**CHAPTER 2  
SELECTIONS AND ELECTIONS****Selection of members of traditional councils**

4.(1) At least 45 days prior to the expiry of the term of office of a traditional council the selection of members of the traditional council must be finalised.

(2) The finalisation of the selection process contemplated in sub-regulation (1) must be reflected in the election timetable for it sets in motion a period of 21 days within which an election of the 40% membership must be held as stated in Section 16(2)(d) of the Act.

(3) The selection process must be conducted in the following manner –

- (a) the traditional leader must, within the period stated in the election timetable, request the royal family to designate a consultative forum of not more than five members of the royal family who must convene on a proposed date and venue to assist the traditional leader with the selection process;
- (b) the forum meeting contemplated in paragraph (a) must be hosted and chaired by the traditional leader who must keep a record of such meeting;
- (c) the selection of members is subject to concurrence of the consultative forum;
- (d) in case of no concurrence on the list of selected members, the traditional leader must submit the list of nominated candidates to the Premier who, after consulting with the traditional leader and the forum, must select the required number of members to fill the 60% quota of the traditional council;
- (e) the names of selected candidates must be submitted to the Department for vetting and verification of compliance with the qualification criteria in terms of section 16(14);
- (f) the list of names of the selected candidates must be published in the *Gazette* within 14 days from the date of the royal family forum meeting where the list of names was produced;

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(g) within 14 days from the date of the traditional council elections, a consolidated list of names of selected and elected members must be submitted to the Premier.

#### **Election of 40% quota of members of traditional council**

5. Each traditional community within the Province must conduct elections on the 40% quota of the members of the traditional council through a formal process as provided for in these regulations.

#### **Appointment of Independent Electoral Agency**

6.(1) Before the determination of the elections and the declaration of the date or dates of elections, the Department must appoint an Independent Electoral Agency through the official tender process to conduct the elections, including the nominations of candidates for the election, the announcement of the election results and the finalisation of any disputes that may have arisen during the elections.

(2) In appointing an Independent Electoral Agency, the Department must consider the following –

- (a) the experience and familiarity of the agency with the electoral processes;
- (b) the capacity of the agency to carry out its obligations;
- (c) the familiarity of the agency with traditional communities and leadership;
- (d) the familiarity of the agency with customary and traditional norms; and
- (e) any other consideration that the Department may consider necessary in compiling the tender documentation.

#### **Establishment of Independent Appeals Tribunal**

7.(1) The Premier must immediately after the proclamation of the election date, establish an Independent Appeals Tribunal consisting of not less than three people and not more than five people.

(2) The members of the Tribunal must be fit and proper persons and must possess at least one or more of the following basic skills and competencies –

- (a) knowledge of legal procedures;
- (b) knowledge of election processes;
- (c) knowledge of traditional leadership issues;

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- (d) knowledge of dispute resolution procedures; or
  - (e) any other competency as may be identified by the Premier.
- (3) The Premier must appoint one of the members of the Tribunal as the chairperson of the Tribunal.
- (4) The Tribunal must adopt rules of procedure for the conduct of its business.
- (5) The Tribunal will have jurisdiction over all electoral matters and infringements of the Code referred to it and may take any decision and may impose any reasonable sanction having due regard to any applicable law and prescripts.
- (6) The Tribunal may at its discretion after having had regard to the nature and magnitude of the transgression or complaint refer the matter to other competent agencies.
- (7) Any complaint must be lodged in writing in a form substantially similar to Appendix 5.
- (8) The Tribunal must convene within two days of the complaint being lodged or the contravention being committed.
- (9) The term of office of the Tribunal must end after the announcement of the results or such other time as may be recommended for the proper finalisation of its responsibilities.
- (10) The powers of the Tribunal are as contemplated in Annexure D to these regulations.

### **General management of elections**

- 8.(1) The Department must oversee and monitor the electoral process as well as the performance of the IEA and any incidental matters.
- (2) The elections must be managed by the IEA in order to ensure free and fair elections as contemplated in these regulations and any contract entered between the Department and the IEA.
- (3) The Department must provide funding for the elections in accordance with the budget submitted by the IEA and approved by the Department in terms of the tender processes.
- (4) The Department must make available staff to assist the IEA in managing the elections.

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**Proclamation of, and preparation for elections**

**9.(1)** The Premier must, after consultation with the MEC, proclaim the date or dates for the elections of traditional councils.

(2) The proclaimed date or dates of the elections must be published in the provincial gazette at least one month before the actual election date or dates, allowing for the following processes to take place –

- (a) proper communication processes with traditional communities;
- (b) nominations, election and the announcement of results to happen within at least three months after publication of election timetable;
- (c) submission of names of the newly elected members to the Premier or the MEC, as the case may be, at least two weeks before the gazette containing the names of the newly elected members of the traditional council is issued; and
- (d) the gazetting of names referred to in paragraph (c) must be done at least 14 days after the results have been declared;

(3) After the proclamation of the election date, the election timetable must immediately be compiled by the IEA in consultation with the MEC and must be published in the provincial gazette.

(4) The election timetable may be amended by the IEA in consultation with the MEC if it considers it necessary for a free and fair election, and it must be published in the provincial gazette.

(5) The elections in general or for a particular traditional community may only be postponed before the proclaimed date of the election if the IEA, in consultation with the Head of the Department or the official assigned or designated by him or her is of the opinion that proceeding with the elections may grossly prejudice the administration of justice, order, peace and security, subject to approval by the Premier.

**Qualification to vote**

**10.** A person who wishes to participate in the elections of any traditional council must –

- (a) be a citizen of the Republic of South Africa;
- (b) be a resident of the traditional community concerned;



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- (c) be in possession of a valid identity document;
- (d) be eighteen years of age or older; and
- (e) be registered on the traditional community's voter's roll.

#### **Qualification for nomination**

**11.** A person who wishes to stand for and accept nomination as a candidate in the traditional council election of any traditional community must –

- (a) be a citizen of the Republic of South Africa;
- (b) be a permanent resident within the traditional community concerned;
- (c) be eighteen years of age and above;
- (d) be in possession of an identity document;
- (e) be registered on the voters' roll of the community concerned;
- (f) not have been previously convicted and sentenced to an effective period of imprisonment of twelve months or more without the option of a fine for an offence relating to dishonesty, incitement or any other offence involving violence and public disorder;
- (g) not be a serving office bearer of a political party or a political movement;
- (h) not be a member of any municipal council, provincial or national parliament or an employee of any Government Department; and
- (i) not have been nominated by the senior traditional leader as part of the 60% selected members for the traditional council.

### **CHAPTER 3 PROCESSES AND PROCEDURES OF ELECTIONS**

#### **Nomination procedures for 40% quota members of Traditional Council**

**12.(1)** A senior traditional leader must convene a meeting of a traditional community where the senior traditional leader will announce the list of names of the selected members of the traditional council and the IEA will announce the number of council positions as per ministerial formula to be contested in the election and declare the commencement of the nominations period and explain the nomination procedures;

(2) Each nominated candidate must acknowledge and confirm acceptance of the nomination by completing the relevant form of acceptance of nomination using the form in Appendix 1, which must contain –

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- (a) the signature or mark of the nominee;
- (b) the signature of the IEA officer;
- (c) signatures of the two persons seconding the nomination;
- (d) the name/s and surname of the candidate as they appear on the identity document;
- (e) the identity number of the candidate;
- (f) any other name or non-offensive nickname by which the nominee is known in the community;
- (g) the physical address of the candidate including traditional ward or village;
- (h) the date of the nomination;
- (i) confirmation or declaration of acceptance of the Code of Conduct, nomination to stand as a candidate and that the nominee understands that the nomination is valid only for that specific round of elections and not any other subsequent or previous election or by-election; and
- (j) contact details of the nominee.

(3) The IEA must record the proceedings of the traditional community meeting and compile the preliminary list of candidates for the traditional council upon closure of the nominations period.

(4) The IEA shall publish the preliminary list of candidates for the community to scrutinise and shall hand over the said lists to the Department to verify compliance of the nominated candidates with the eligibility criteria set out in Regulation 11 above.

(5) During the public scrutiny period the IEA must receive objections, if any, for processing and determination, and prepare reports on the compliance of each nominated candidates, and allow for the period of appeals, if any, to the Independent Appeals Tribunal to run its course before producing the final list of candidates.

(6) Decisions of the IEA on objections and on lack of compliance with the eligibility criteria, and of the Independent Appeals Tribunal must be communicated to the affected individuals.

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(7) Upon closure of the nominations period the IEA shall publish the final list of candidates to contest the traditional council elections.

(8) The period of the nominations process including the fulfilment of its procedures must be provided in the Proclamation of the date of the elections and shall be reflected in the Elections Timetable.

(9) Any candidate nomination submission may be disqualified on the following grounds –

- (a) Failure to submit a fully completed and compliant nomination form;
- (b) Failure to submit the nomination form on time stipulated in the Election Timetable;
- (c) Failure of the nominee to meet the qualification criteria stated in Regulation 11 above;
- (d) Confirmation of an objection lodged against a nominated candidate; or
- (e) General non-compliance with nomination procedures.

### **Objections to nominations**

**13.(1)** Any person may object to the nomination of any candidate on the following grounds –

- (a) the candidate is not qualified to stand for the elections;
- (b) the nominated candidate did not formally accept the nomination as prescribed in these regulations; and
- (c) The candidate did not sign or undertake to be bound by the Code of Conduct.

(2) The objection must be lodged with the IEA within the period stipulated in the Election Timetable in a form as appears in Appendix 4 and promptly served on the candidate.

(3) Depending on the determination of the IEA, the objector or the candidate may lodge an appeal with the Independent Appeals Tribunal against the decision of the IEA within the time period prescribed in the Election Timetable whereupon the Independent Appeals

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Tribunal shall inform the appellant, the candidate where applicable, and the IEA of its decision.

### **Candidate certificates**

**14.(1)** Soon after publishing the final list of nominated candidates, the IEA must convene a workshop for the candidates in order to –

- (a) accredit and issue candidates with certificates of candidature;
- (b) brief them about the Code of Conduct;
- (c) agree on the sequential list of candidates on the ballot paper;
- (d) agree on the design of the ballot paper;
- (e) accredit the candidate agents; and
- (f) declare the campaigning period open.

### **Delimitation of voting districts**

**15.(1)** With the technical assistance of the IEA and administrative guidance from traditional councils, the Department may delimit traditional council areas into voting districts within and/or across village boundaries relying, inter alia, on the traditional council maps and Independent Electoral Commission delimitation data to determine the number of voting stations per traditional community.

(2) The boundaries of each village must be determined in accordance with the provisions of Section 61 of the Electoral Act, 1998 (Act 73 of 1998).

(3) The Department must establish one or more voting stations, and mobile voting stations where required, or only mobile voting stations, in each village in which the election will be held.

(4) Delimitation must: –

- (a) sub-divide the jurisdictional area of the traditional council into villages;
- (b) define a traditional ward to be a village; and
- (c) where the size of the village so requires, establish more than one voting

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station using sub-regulations (1) and (2) above.

(5) A voting station must be established within traveling distance of the residents of a traditional ward, failing which the IEA must determine the need to establish additional voting or mobile stations.

(6) By not later than the relevant date stated in the election timetable, the IEA must give notice that copies of a list containing the address of each voting station inside the traditional council will be available for public inspection.

(7) Each voting station must generally comply with the provisions of section 64 of the Electoral Act and regulations made in terms of that Act.

#### **Appointment of election staff**

**16.(1)** Each voting station shall be managed by efficient and competent election staff members appointed by the IEA from within the traditional community where the elections will take place.

(2) In appointing the election staff members, the IEA must exercise fairness, equity and equality and avoid practices that may be viewed as bias, nepotism or favouritism.

(3) To qualify for appointment as an election staff member each person must prove that she or he –

- (a) is not an agent for any candidate who has been nominated to contest the elections;
- (b) is not a candidate in the election;
- (c) does not hold political office in any political party;
- (d) is not a member of any legislature; and
- (e) meets the academic and other criteria set by the IEA.

(4) Each voting station must be staffed by the following officials –

- (a) the presiding officer;

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- (b) the deputy presiding officer;
- (c) not less than three other staff members including voting and counting Officers;
- (d) voting and counting officers are responsible for all activities within each voting station including but not limited to: –
  - (i) verification of the registration status of each voter;
  - (ii) stamping and issuing of ballot papers;
  - (iii) marking of voters' left thumb nail with indelible ink;
  - (iv) assisting voters who need assistance;
  - (v) ensuring that cast ballots are deposited into the ballot box by voters;
  - (vi) ensuring that full ballot boxes are sealed and stored in a secure place in the voting station;
  - (vii) reconciling voting materials supplied to each voting station; and
  - (viii) counting of ballots papers.

(5) The presiding officer must –

- (a) manage, co-ordinate and supervise the voting proceedings at the voting station;
- (b) take reasonable steps to ensure the orderly conduct of voting proceedings at the voting station;
- (c) may order a security member to assist in ensuring orderly conduct;
- (d) may exclude persons for valid reasons from the area within the boundary of the voting station; and
- (e) make all determinations, recommendations and decisions regarding disputes and any other matters relating to the voting proceedings within the voting station including the decision whether a dispute should be referred to the Independent Appeals Tribunal appointed in terms of these regulations.

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(6) Election staff members must subscribe to the Code of Conduct as set out in Annexure B to these regulations.

(7) The IEA may at any time terminate the appointment of any election staff member that contravenes the Code of Conduct as set out in Annexure B to these regulations, provided that such termination is in line with applicable labour legislation.

(8) The IEA is responsible for the training of election staff members deployed at each voting station and must equip them with the voting materials set out in Annexure C to these regulations.

(9) Election staff members will be appointed by and be responsible to the IEA which will make contractual arrangements with the election staff members, and no liability arising out of this contractual arrangement shall accrue against the Department.

### **Election materials**

17. The IEA must ensure the availability of sufficient voting materials as set out in Annexure C to these regulations, including equipment deemed necessary for the successful conduct of the elections.

### **Voter registration and compilation of voters' roll**

18.(1) The IEA must compile the voters' roll for each village within the traditional council where elections are to be conducted: provided that the Department ensures that the affected communities are sufficiently informed of what is required of them and of the date and venues of voter registration.

(2) Any South African citizen of 18 years or above who resides within the village of a traditional council where elections are to be held is qualified to register upon presenting a valid South African identity document including a temporary identity document issued by the Department of Home Affairs.

(3) In compiling the Voter's Roll, the IEA must consider the provisions of Chapter 2 of the Electoral Act.



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(4) The Voter's Roll must be certified by the MEC on the date contemplated in the Election Timetable.

## CHAPTER 4 VOTING, VOTING PROCEDURE AND MANAGEMENT OF RESULTS

### *Part I: Voting*

#### **Hours of voting**

**19.** The voting hours on election day must be from 07h00 to 19h00 unless the Premier determines otherwise by notice in the Provincial Gazette.

#### **Outer boundaries of voting stations**

**20.**(1) On voting day, after consultation with the traditional leader, candidate agents and members of security services, if available, the presiding officer must determine the outer boundaries of the venue of the voting station before voting commences.

(2) The presiding officer must demarcate the outer boundary of the voting station by marking the outer boundary using visible signs, markers or demarcation tape along the boundary line to ensure that the outer boundary is visible to anyone at the voting station.

#### **Mobile voting stations and special votes**

**21.**(1) To ensure free and fair elections the IEA may decide to use mobile voting stations in addition to or instead of a fixed voting station and must give proper public notice of all intended routes, estimated stopping times and venues of the mobile voting stations.

(2) The IEA must ensure that information on the institution of the mobile voting station is widely publicised within the affected communities.

(3) The same procedures outlined in regulations 20 and 21 of these regulations must be followed when a mobile voting station is used.

#### **Special votes**

**22.**(1) A voter who is unable to cast his or her vote on a voting day at a voting station due to physical infirmity or disability must apply to be afforded the opportunity to cast a special vote at a place where he or she resides.

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(2) The application for a special vote must be done by no later than the date stated in the election timetable, in a prescribed written application form provided by the IEA.

**Initial voting process**

**23.**(1) Immediately before opening a voting station for voting, the presiding officer must show all accredited observers and candidates present that each ballot box to be used at that voting station is empty.

(2) If all persons present are satisfied that a ballot box is empty, the presiding officer must seal that box by means of a seal designed and supplied to the presiding officer for that purpose by closing all openings of the ballot box except the slot to allow the completed ballot papers to be deposited.

(3) The presiding officer must confirm the availability of all required materials, namely ballot papers, ballot stamp, indelible ink, segment of the Voter's Roll, voting pen and the voter verification device, and all the required forms, seals, stationery and staff.

**Voting procedures**

**24.**(1) A voter may vote only once for each position that is being contested in an election only at the voting station in the village and voting district in which that voter is registered to vote.

(2) A voter may vote at a voting station on production of that voter's identity document to the presiding officer or a voting officer at the voting station and if that voter's name is on the certified segment of the voters' roll for the village and voting district for which that voting station is established.

(3) When a voter produces an identity document to a presiding officer or voting officer, that officer must examine the identity document and determine whether –

- (a) the voter is the person described in that identity document;
- (b) the voter's name appears on the certified segment of the Voters' Roll for the village concerned; and
- (c) the voter has not already voted in the election.

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(4) If the presiding officer or voting officer is satisfied that the voter has satisfied the requirements of sub-regulation (2) above, such officer must –

- (a) record that the voter is regarded as having voted at that voting station;
- (b) mark the hand of the voter as described in regulation 24;
- (c) stamp the back of the ballot paper with the official stamp for the election; and
- (d) hand the ballot paper to the voter.

(5) Once the voter has received a ballot paper marked in terms of sub-regulation above, the voter must: –

- (a) be ushered into an empty voting compartment;
- (b) mark the ballot paper in secrecy in a way that clearly indicates the candidate/s the voter is voting for;
- (c) fold the ballot paper to conceal the voter's choice;
- (d) place the ballot paper in the ballot box; and
- (e) leave the voting station without delay.

#### **Assistance to voters**

**25.(1)** A presiding officer or a voting officer, may allow a voter to be assisted to vote, but only if –

- (a) the voter requires assistance due to physical disability;
- (b) the voter has requested to be assisted by a specific person; and
- (c) the presiding officer is satisfied that the person rendering such assistance is –
  - (i) at least 18 years old; and
  - (ii) is not an observer, an agent or a candidate.

(2) The presiding officer or a voting officer, at the request of a voter who is unable to read, must assist that voter to cast a vote and provide such assistance in the presence of –

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(a) an accredited observer, if available; and

(b) another voting officer.

(3) In applying these regulations, the secrecy of the ballot must always be observed.

### **Issuing of new ballot papers**

26.(1) If a voter accidentally marks a ballot paper in a way that does not indicate for whom the voter wishes to vote and the ballot paper has not yet been placed in the ballot box, the voter may return that ballot paper to the presiding officer or a voting officer.

(2) Upon receiving the ballot paper from a voter, the presiding officer or voting officer must mark "cancelled" on the back of the ballot paper and file it separately and thereafter hand the voter a new ballot paper.

### **Marking of hand of voter**

27.(1) The hand of a voter must be marked by drawing a short line on the voter's left thumb nail with visible indelible ink.

(2) If the voter does not have a left thumb or thumb nail or if it is impractical due to injury, disease or any other cause to mark, then any one of the left-hand or right-hand fingers and nails must be so marked.

(3) If for any of the reasons referred to in sub-regulation (2), no finger and nail of a voter can be marked, the presiding officer must keep a record of that voter's name, address, identity number and the reasons why the voter's hand could not be marked.

### **Closing of balloting**

28.(1) At exactly 19h00 the hour of closing the voting proceedings, the presiding officer shall announce the closure of the voting station: provided that the voters that are on the queue shall be allowed to vote.

(2) When all voters have cast their ballot, the presiding officer must ensure that it is only accredited persons that are allowed to remain in the voting station while closing procedures and preparations for counting are underway.

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*Part II:*

*Voting Closure and Counting Procedures*

**Sealing of ballot boxes**

**29.**(1) The presiding officer, in the presence of any observers and candidates present, must as soon as a ballot box is full, seal the ballot box by closing the opening of the ballot box with a seal and after the last vote has been cast, similarly seal the last ballot box and any unused ballot boxes.

(2) A sealed ballot box must remain sealed inside the voting station until opened for the counting of votes.

**Completing of ballot paper statement**

**30.** As soon as practicable after a voting station has been closed for voting, the presiding officer, in the presence of any observers and candidates present, must –

(a) complete a ballot paper statement on a form similar to Appendix 2 reflecting the number of: –

- (i) ballot boxes entrusted to that presiding officer;
- (ii) used ballot boxes;
- (iii) unused ballot boxes;
- (iv) ballot papers entrusted to that presiding officer;
- (v) issued ballot papers;
- (vi) unissued ballot papers;
- (vii) cancelled ballot papers; and
- (viii) spoilt ballot papers.

(b) seal each unused ballot box entrusted to that presiding officer;

Seal in separate containers: —

- (i) the certified segment of the voters' roll;
- (ii) the unused ballot papers entrusted to that presiding officer;
- (iii) the cancelled ballot papers; and
- (iv) the written record of any objections concerning voting.

**Counting procedures of ballot papers cast**

**31.**(1) The counting officer must ensure that the procedures provided for in these regulations are complied with and vote counting commence as soon as practicable after

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the voting station is closed for voting and continue uninterrupted until such counting is completed.

(2) The presiding officer may act as the ballot counting officer, and before counting commences, the ballot counting officer must examine whether the seals are intact on the sealed items.

(3) After examining the seals, the counting officer must open all the sealed ballot boxes and containers and must deal with any irregularities and discrepancies found, and if any of the voting material appears to have been unlawfully tampered with or is missing, the counting officer must call in the assistance of a member of the security forces to investigate the matter and to assist in the search for any missing voting material.

(4) If no irregularities are found, the ballot counting officer must open all the used sealed ballot boxes and proceed as follows –

- (a) the counting officer must reject a ballot paper that indicates –
  - (i) the identity of the voter;
  - (ii) votes cast for more than the permitted number of vacancies;
  - (iii) no mark or that the ballot paper is marked in such a way that it is not reasonably possible to determine the voter's choice;
- (b) the official stamp is not appearing on the back of the ballot paper; or
- (c) that it is not an official ballot paper.

(5) The counting officer must –

- (a) mark "rejected" on the back of each rejected ballot paper; and
- (b) file the rejected ballot papers separately.

(6) The agent may object to any irregularity in the sorting of the ballot papers in terms of sub-regulation (4).

(7) The objection contemplated in sub-regulation (6) must be made to the counting officer in the prescribed manner at any stage before the counting officer has completed the results form.

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(8) An agent may object to an alleged inaccuracy in the counting of the votes or the determination of a result.

(9) The ballot counting officer must decide the objection in the prescribed manner and whether to order a recount.

(10) The counting officer must notify the objector and any other parties involved in the objection, of the decision made in terms of sub-regulation (9).

(11) If the counting officer orders a recount, the counting officer must determine afresh the result.

(12) An appeal against the decision of the counting officer may be noted with the Independent Appeals Tribunal in the prescribed manner and time.

(13) The counting officer must keep a written record in the prescribed manner of each objection in terms of sub-regulation (7) and each decision in terms of sub-regulation (9).

*Part III:  
Management of Results*

**Issuing of preliminary results**

**32.**(1) The ballot counting officer must determine the result of the count of all the ballot papers cast in that voting station and record the result by completing a result form substantially similar to Appendix 3, reflecting the result of the count in respect of the election conducted at the voting station.

(2) The counting officer must announce the provisional result of that voting station concerned after completion of the result form.

(3) Once the counting officer has complied with sub-regulation (1), the counting officer must seal all the voting material, including the used and unused ballot papers, together



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with the result form, in separate containers and deliver such containers to the Results Transmission Centre at the designated sub-district.

(4) Once the results of each voting station in each Results Transmission Centre have been obtained, the Results Transmission Centre will forward all its results to the District Results Centre which will tally the results for each traditional council within its jurisdiction and transmit such results to the Provincial Results Centre to enable the IEA to declare the provisional results and to announce final results at a traditional community meeting called by the senior traditional leader for that purpose.

(5) The traditional community meeting contemplated in sub-regulation (4) must be held within seven days after the IEA has declared the provisional results.

**Election ties**

**33.**(1) After the counting of all votes and before the announcement of results at a traditional community meeting, election ties shall be resolved by conducting a draw using identical envelopes with the names of the candidates who are involved in the tie placed therein.

(2) The draw of an envelope must be presided over by the senior traditional leader and conducted by the IEA which at its discretion shall select anyone present to pick an envelope.

(3) A candidate whose name is picked first must be declared elected.

(4) Where the required minimum of one third of women representatives has not been reached, the female candidate should be declared elected in order to satisfy the provisions of gender representatives outlined in the Act provided that where only women candidates are involved in a tie the draw must still be conducted.

(5) The results of the draw shall form part of the results announced at a traditional community meeting convened for that purpose.

**Election disputes**

**34.**(1) Where any interested party, including an observer or candidate wishes to lodge a complaint regarding the procedures or processes of the election or the results of the

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elections he or she must do so by lodging such complaint in writing with the presiding officer at the voting station.

(2) The presiding officer must seek to resolve the dispute through mediation or negotiation failing which the presiding officer must take a decision.

(3) The presiding officer must record the objection and his or her decision and inform the objector and any other party involved or affected verbally of the decision taken.

(4) Where the objector is still not satisfied with the decision of the presiding officer the objector may lodge an appeal within 24 hours with the Independent Appeals Tribunal as established in terms of regulation 7 of these regulations.

## CHAPTER 5 GENERAL PROVISIONS

### *Part I: Filling of Vacancies*

#### **By-elections**

**35.**(1) Whenever a vacancy arises in any traditional council in terms of the Act, and subject to sub-regulations (2) and (3) under this regulation, the vacancy occurring in the traditional council must be filled by the candidate who got the next highest number of votes in the election contemplated in these regulations.

(2) A candidate who did not receive any votes in the election contemplated in these regulations may not become a member of the Traditional Council in terms of sub-regulation (1) above and is regarded as being disqualified.

(3) In the event that a female member of the Traditional Council caused the vacancy to arise, the next available female candidate on the remaining list of candidates who received the highest number of votes in the election contemplated in these regulations must fill the vacancy.

(4) Where the next candidate who obtained the highest number of votes in the election contemplated in these regulations is for whatever reason not available to fill the vacancy, the next person with the highest number of votes will become a member of the Traditional Council.

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(5) The name of the person who becomes a member of the Traditional Council in terms of this regulation must be published in the Provincial Gazette.

(6) Where a tie exists among the candidates on the list, such a tie must be resolved in terms of regulation 33 to these regulations.

(7) Where no person is available to take up the membership of a Traditional Council in terms of this regulation, then a new election must be conducted in terms of these regulations.

(8) In the event that a new election must be conducted, the Premier must proclaim the date for the by-election in a provincial gazette and allow for the required number of days to give effect to the election timetable.

(9) Once the date of the election has been proclaimed in terms of sub-regulation 32.8, the date must also be published in a newspaper circulating in the area where the by-election is held.

(10) The voter's roll to be used for the by-election is the voter's roll as it exists on the date that the Premier proclaims the date of the by-election but only those segments of the voter's roll for those Traditional Council affected by the vacancy.

(11) The councilor elected at the by-elections must be elected for the remainder of the term of office of the existing Traditional Council.

#### **Election observers and candidate agents**

**36.**(1) Any person or organisation that wishes to observe the traditional council elections must make an application to the assigned official, in respect of an election conducted in a community meeting, or to the IEA, in respect of an election conducted by the IEA, for accreditation as a candidate agent or an observer to observe an election as contemplated in these regulations, by completing a form substantially similar to Appendix 5.

(2) Every accredited candidate agent and observer is bound by the Code of Conduct for accredited Observers as set out in Annexure E.

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*Part III:  
Prohibited Conduct*

**Code of Conduct**

**37.** Every candidate participating in the election is bound by and must comply with these regulations, the Act as well as the Code of Conduct provided for in Annexure D to these regulations.

**Unacceptable conduct**

**38.(1)** No person may conduct himself or herself in a manner that may –

- (a) unduly influence a person to vote or not to vote;
- (b) compel or unlawfully persuade a person to vote or not to vote for a particular candidate;
- (c) interfere with the independence of the IEA;
- (d) unlawfully prevent voters from access to voting stations;
- (e) make intentional false statements or publish false information which may disrupt or prevent an election taking place;
- (f) unlawfully create hostility or fear in order to influence the conduct or outcome of an election;
- (g) unlawfully remove, destroy or damage any election material;
- (h) unlawfully print, transport or remove ballot papers or manufacture any election material;
- (i) unlawfully remove or damage any billboard or placard;
- (j) unlawfully carry or display any dangerous weapon within the boundaries of the voting station;
- (k) within the boundaries of the voting station engage in any political activity other than casting a vote.

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(2) Any person who contravenes or fails to comply with the provision of these regulation is guilty of a misconduct and on conviction liable to an appropriate sanction determined by a competent Tribunal.

### **Election campaigns**

**39.** Election campaigns must be conducted in compliance with the provisions of Annexure D to these regulations.

### **Declaration of secrecy**

**40.** The declaration of secrecy must be signed before appointment as an officer, using the form in Appendix 6.

### **Short title**

**41.** These Regulations are called the Regulations for the Constitution and Reconstitution of Traditional Councils in the North West Province. 2022

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**ANNEXURE A****NUMBER OF MEMBERS OF TRADITIONAL COUNCILS AS PER THE MINISTERIAL FORMULA IN LINE WITH SECTION 16(2)(a) OF THE TRADITIONAL AND KHOI-SAN LEADERSHIP ACT, 2019**

Senior traditional leader	h: Selected headmen /headwomen	c: Selected community members	Number of Women Selected	e: Elected Members of a traditional council (40% component)	Number of Women Elected	Total number of Traditional Council Members
1	4	1	1	4	1	10
1	6	2	3	6	2	15
1	9	2	4	8	3	20
1	11	3	5	10	3	25
1	14	3	6	12	4	30
1	16	4	7	14	5	35

**NB.** The determination of the numbers of a Traditional Council is based on the Minister's formula for determination of the number of members of a traditional council published in the government gazette no. 45859 on 04 February 2022.

The table above is a breakdown of the composition of the traditional councils as per the Ministerial Formula.

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**ANNEXURE B****CODE OF CONDUCT FOR APPOINTED OFFICERS****(REGULATION 14)****1. All appointed officers must –**

- (1) Come to work on time and knock off after counting is completed;
- (2) Abide by the instructions given by the Presiding Officer
- (3) Carry out all their assigned duties competently and efficiently;
- (4) Be and act impartial and do not favour or side with any candidate;
- (5) Serve voters with respect, dignity and courtesy;
- (6) Be accurate and thorough in their work;
- (7) Keep their work above question;
- (8) Preserve the secrecy of the vote;
- (9) Treat their colleagues, observers and security personnel with respect
- (10) Dress respectfully and be presentable;
- (11) Conduct themselves in a professional manner;
- (12) Make sure that the voting station is presentable and tidy;
- (13) Always act in accordance with the law; and
- (14) Approach the presiding officer or the deputy for clarity on issues where and when necessary.

**2. During the Election Day, a voting officer is not allowed to:**

- (1) Canvass or campaign for any candidate;
- (2) Use equipment or assets of a candidate;
- (3) Behave negligently;
- (4) Behave fraudulently;
- (5) Wear clothing with any candidate names, signs or logos;
- (6) Abuse equipment for personal interests during the hours of voting and counting;
- (7) Use drugs and alcohol-related substances; and
- (9) Disclose any information regarding how a voter voted.



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### **ANNEXURE C**

#### **VOTING MATERIALS**

The following minimum voting material is needed in each voting station: -

- i. ballot papers;
- ii. ballot boxes;
- iii. voting compartments;
- iv. the certified segment of the voters' roll for the voting district;
- v. indelible ink;
- vi. seals;
- vii. official stamp;
- viii. all prescribed forms;
- ix. pencils and pens;
- x. rulers;
- xi. boundary tape;
- xii. banners;
- xiii. industrial tape;
- xiv. envelopes;
- xv. paper clips;
- xvi. stickers and name tags;
- xvii. puncher.

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## ANNEXURE D

### ELECTORAL CODE OF CONDUCT FOR CANDIDATES PARTICIPATING IN TRADITIONAL COUNCIL ELECTIONS

#### *Part 1* *Prohibited conduct*

#### **Undue influence**

##### **1.(1) No person may –**

- (a) compel or unlawfully persuade any person –
  - (i) to register or not to register as a voter;
  - (ii) to vote or not to vote;
  - (iii) to vote or not to vote for any nominated candidate; or
  - (iv) to support or not to support any nominated candidate;
- (b) interfere with the independence or impartiality of the Independent Electoral Agency, any member, employee or officer of the Independent Electoral Agency;
- (c) prejudice any person because of any past, present or anticipated performance of a function in terms of these regulations;
- (d) advantage, or promise to advantage, a person in exchange for that person not performing a function in terms of these regulations;
- (e) prevent any of the following persons from gaining reasonable access to voters, whether in a public or private place –
  - (i) any representative of a candidate or a candidate;
  - (ii) any candidate in an election;
  - (iii) any member, employee or officer of the Independent Electoral Agency;
  - (iv) any person appointed by an accredited observer; or
  - (v) any person accredited to provide voter education;

(2) Subject to these regulations, no person may prevent anyone from exercising a right conferred by these regulations.

(3) No person, knowing that another person is not entitled to be registered as a voter, may –

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- (a) persuade that other person that that other person is entitled to be registered as a voter; or
  - (b) represent to anyone else that that other person is entitled to be registered as a voter.
- (4) No person, knowing that another person is not entitled to vote, may –
- (a) assist, compel or persuade that other person to vote; or
  - (b) represent to anyone else that that other person is entitled to vote.

### **Impersonation**

#### **2. No person –**

- (a) may apply to be registered as a voter in the name of any other person, whether living, dead or fictitious;
- (b) may apply for a ballot paper at a voting station in the name of another person, whether living, dead or fictitious;
- (c) who is not entitled to vote in an election or at a voting station, may vote in that election or at that voting station;
- (d) may cast more votes than that person is entitled to; or
- (e) may impersonate –
  - (i) a representative of a candidate or candidates;
  - (ii) a candidate in an election;
  - (iii) a member, employee or officer of the Independent Electoral Agency;
  - (iv) a person appointed by an accredited observer; or
  - (v) a person accredited to provide voter education.

### **Intentional false statements**

**3.(1)** No person, when required in terms of these regulations to make a statement, may make the statement –

- (a) knowing that it is false; or
- (b) without believing on reasonable grounds that the statement is true.

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(2) No person may publish any false information with the intention of –

- (a) disrupting or preventing an election;
- (b) creating hostility or fear in order to influence the conduct or outcome of an election; or
- (c) influencing the conduct or outcome of an election.

### **Infringement of secrecy**

4.(1) No person may interfere with a voter's right to secrecy while casting a vote.

(2) Except as permitted in terms of these regulations, no person may –

- (a) disclose any information about voting or the counting of votes; or
- (b) open any ballot box or container sealed in terms of these regulations or break its seal.

### **Prohibitions concerning voting and election materials**

5.(1) Except as permitted in terms of these regulations, no person may –

- (a) print, manufacture or supply any voting or election material;
- (b) remove or conceal any voting or election material;
- (c) damage or destroy any voting or election material; or
- (d) use the voters' roll or any voting or election material for a purpose other than an election purpose.

(2) The IEA may authorise –

- (a) the printing, manufacture or supply of any voting or election material;
- (b) the use of the voters' roll or any voting or election material for a purpose other than an election purpose; and
- (c) the removal or destruction of any voting or election material.

### **Prohibitions concerning placards and billboards during election**

6. From the date on which an election is called to the date the result of the election is determined and declared in terms of regulation 4, no person may deface or unlawfully remove any billboard, placard or poster published by a candidate.

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**Obstruction of or non-compliance with, directions of Independent Electoral Agency and assigned officials**

7.(1) No person may refuse or fail to give effect to a lawful direction, instruction or order of the Independent Electoral Agency, or a member, employee or officer of the Independent Electoral Agency.

(2) A person may not obstruct or hinder the Independent Electoral Agency, or a person mentioned in sub-regulation (1), or a person appointed by an accredited observer, in the exercise of their powers or the performance of their duties.

**Contravention of the Code**

8. No candidate bound by the Code may contravene or fail to comply with provisions of this Code.

*Part 2: Enforcement***Institution of and intervention in civil proceedings by Independent Electoral Agency**

9.(1) Subject to these regulations and any other law, the MEC either personally or through the Independent Electoral Agency may institute civil proceedings before a court to enforce a provision or provisions of these regulations or the Code of conduct.

(2) The Premier either personally or through the Independent Electoral Agency may intervene in any civil proceedings if the Premier or Independent Electoral Agency has a legal interest in the outcome of those proceedings.

**Jurisdiction and powers of the Independent Appeals Tribunal**

10.(1) The Independent Appeals Tribunal has jurisdiction in respect of all electoral disputes and complaints about infringements of the Code of conduct.

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(2) If the Independent Appeals Tribunal finds that a person has contravened a provision of Part 1 of this Chapter it may in the interest of a free and fair election impose any appropriate penalty or sanction on that person, including –

- (a) a formal warning;
- (b) a fine not exceeding R10 000;
- (c) an order prohibiting that person from -
  - (i) using any public media;
  - (ii) holding any public meeting, demonstration, march or other event;
  - (iii) entering any voting district for the purpose of canvassing voters or for any other election purpose;
  - (iv) erecting or publishing billboards, placards or posters at or in any place;
  - (v) publishing or distributing any campaign literature;
  - (vi) electoral advertising; or
- (d) an order imposing limits on the right of that person or to perform any of the activities mentioned in paragraph (d);
- (e) an order excluding that person or any agents of that person from entering a voting station;
- (f) an order reducing the number of votes cast in favour of that person;
- (g) an order disqualifying the candidature of that person; or

(3) Any penalty or sanction provided for in this section will be in addition to any penalty provided for in Part 3 of this Chapter.

(4) Any penalty paid in terms of this regulation is payable to the magistrate's court in whose area of jurisdiction the matter arose.

*Part 3:*

*Additional powers and duties of the Independent Electoral Agency*

**Electoral Code of Conduct and other Codes**

**11.(1)** The Electoral Code of Conduct must be subscribed to-

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- (a) by every registered candidate before that candidate is allowed to contest an election; and
  - (b) by every candidate before that candidate may be placed on a list of candidates.
- (2) In order to promote free, fair and orderly elections, the Independent Electoral Agency may compile and issue any other Code.
- (3) The Independent Electoral Agency may change or replace a Code issued in terms of subsection (2).
- (4) A Code issued in terms of subsection (2), or a change to or replacement of such a Code, must be published in the Provincial Gazette.



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## **ANNEXURE E CODE OF CONDUCT FOR ACCREDITED OBSERVERS**

1. Every accredited observer and person appointed by the observer must —
  - 1.1 Observe the election impartially and independently of any candidate contesting the election.
  - 1.2 Remain non-partisan and neutral.
  - 1.3 Be competent and professional in observing the election.
  - 1.4 Provide the Independent Electoral Agency with a comprehensive review of the elections taking into account all relevant circumstances including: -
    - (a) the degree of impartiality shown by the Independent Electoral Agency;
    - (b) the degree of freedom of candidates to organise, move, assemble and express their views publicly;
    - (c) the opportunity for candidates to have their agents observe all aspects of the electoral process;
    - (d) the fairness of access for candidates to national media and other resources of the state;
    - (e) the proper conduct of polling and counting of votes; and
    - (f) any other issue that concerns the essential freedom and fairness of the election.
  - 1.5 Comply with all instructions given and every obligation imposed by—
    - (a) the Independent Electoral Agency;
    - (b) any electoral officer; or
    - (c) any employee or officer of the Independent Electoral Agency; or
    - (d) a member of the security services acting on the instructions of an officer.
2. The accredited observer and any person appointed by that observer should—

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- 2.1 Avoid doing anything that would indicate or be seen as indicating partisan support for a candidate.
- 2.2 Act in a strictly neutral and unbiased manner.
- 2.3 Disclose to the Independent Electoral Agency any relationship that could lead to conflict of interest regarding the performance of their duties as observers or with the process of observation or assessment of the election.
- 2.4 Not accept any gifts or favour from a candidate, organisation or person involved in the election process.
- 2.5 Not participate in any function or activity that could lead to a perception of sympathy for a particular candidate.
- 2.6 Not express a view or opinion on any matter, which is the subject of electoral campaigning.
- 2.7 Not influence or attempt to influence the choice of a voter regarding any candidate in an election.
- 2.8 Not wear, carry, or display any political party's symbols or colours.

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**APPENDIX 1****INDEPENDENT ELECTORAL AGENCY****NOMINATION OF CANDIDATES FOR TRADITIONAL COUNCIL ELECTIONS**

---

**Election date:****Traditional Community:****Traditional ward:**

---

I, \_\_\_\_\_ (Identity number)  
\_\_\_\_\_

being ordinarily resident in the abovementioned Traditional Community and traditional ward and being registered as a voter on that Traditional Community's segment of the voters' roll, hereby nominate \_\_\_\_\_ (Identity number) \_\_\_\_\_ to contest the election in the abovementioned Traditional Community as a candidate.

Attached is—

- (a) the prescribed acceptance of nomination signed by the candidate;
- (b) a certified copy of the page of the candidate's identification document on which the candidate's photo, name and identity number appear; and

Signature:

Place:

Date:

Contact details of—

(a)

Nominator

(b)

Candidate

**ACCEPTANCE OF NOMINATION BY A CANDIDATE FOR TRADITIONAL COUNCIL ELECTIONS**

I, \_\_\_\_\_ (Identity number: \_\_\_\_\_)

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---

hereby accept my nomination as a candidate in the abovementioned election by

(Note: Insert name of nominating individual)

Place:

Date:

Signature of candidate:

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**APPENDIX 2****INDEPENDENT ELECTORAL AGENCY****PRESIDING OFFICER'S BALLOT PAPER STATEMENT IN THE TRADITIONAL COUNCIL ELECTION****Election date:****Traditional Community:****Voting District:****Traditional ward:****Voting Station:****PART 1: BALLOT BOXES**

Total number of ballot boxes received	
Number of ballot boxes used	
Number of unused ballot boxes	
Used plus unused must equal total received	

**PART 2: BALLOT PAPERS**

(a) Total No. of ballot papers received	
(b) Total No. of ballot papers issued	
(c) Total No. of ballot papers unissued	
(d) Total (b) + (c)	
(e) Total No. of ballot papers cancelled	
(f) Total of ballot papers in the used boxes	
(g) Total (e) + (f)	

**NOTE:**

The figures at column (d) should be the same as that in column (a).

The figures at column (g) should be the same as that at column (b).

*Signature of Presiding Officer**Date*

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**APPENDIX 3****INDEPENDENT ELECTORAL AGENCY****RESULTS FORM TO BE COMPLETED BY COUNTING OFFICER IN RESPECT OF VOTES CAST FOR CANDIDATES IN THE TRADITIONAL COUNCIL ELECTIONS**

Election date:

Traditional Community:

District Management Area [If applicable]:

Voting District:

**RESULTS OF COUNT**

CANDIDATE NAME	NUMBER VOTES	SIGNATURE OF CANDIDATE / AGENTS/ OBSERVER
Signature of Counting Officer:	Name of Counting Officer:	Identity number:
Date:	Telephone contact number:	After Hours contact number:

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**APPENDIX 4****INDEPENDENT ELECTORAL AGENCY****OBJECTION CONCERNING VOTING IN THE TRADITIONAL COUNCIL ELECTIONS****Election date:****Traditional Community:****Voting District:****Traditional ward:****Objector***Identity number:***Full Names***Agent/Candidate/  
(Where applicable)**Voter:***I object to:**☐

A voter being allowed to vote

☐

A voter being allowed to vote at this station

☐

A voter (or myself) being refused a ballot paper

☐

The conduct of an officer, an agent or other person at this voting station

**Reasons for objection (giving full particulars of voter, officer, agent or other person involved)***Signature of Objector**Date***Presiding Officer's decision**



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**APPENDIX 5****INDEPENDENT ELECTORAL AGENCY****APPLICATION FOR ACCREDITATION AS OBSERVER IN TRADITIONAL COUNCIL ELECTIONS**

Application in respect of all the Traditional Council elections to take place on

\_\_\_\_\_ (Date of election)

1.1 Name of Applicant:

1.2 Address of Registered Office of Applicant

1.3 Telephone Number:

1.4 Facsimile Number (if any):

1.5 E-mail Address (if any):

1.6 Registration Number of Applicant (if applicable):

1.7 Date of Founding:

1.8 Number of persons that will be appointed as observers:

1.9 Person in charge of coordinating the applicant's observers:

1.10 Mark or Symbol of applicant:

1.11 Particulars of persons appointed by applicant:				
Name	Capacity	Identity/Passport Number	Nationality	Date of arrival in and departure from South Africa (if applicable)

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NB. If the space is insufficient, foolscap paper on which the necessary columns have been drawn, may be used.

Supporting Documents:

The application must be accompanied by the following:

- (a) Copy of deed of foundation or constitution of the applicant.
- (b) A statement of the reasons why the applicant is suitable for accreditation to observe the election process.
- (c) An affirmation that the applicant commits itself to co-operate with the Commission in relation to the training, conduct and deployment of persons.

We hereby apply for accreditation as observer and certify that the particulars furnished in this form and the supporting documents are true and correct and certify that all persons appointed by us will subscribe to the Code of Conduct for Observers.

Signature of duly authorized person on behalf of applicant

Date:

Capacity:

Name:

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## APPENDIX 6

### INDEPENDENT ELECTORAL AGENCY DECLARATION OF SECRECY IN THE TRADITIONAL COUNCIL ELECTIONS

**Election date:**

I,

(full names) about to be appointed as  
an officer in the capacity of

1. acknowledge that I will be involved in the business of the Independent Electoral Agency
2. acknowledge that in my position as local electoral staff member, information and documentation regarding the business of the Electoral Commission will be disclosed to me;
3. agree and confirm that I will treat all such information and documentation in the strictest confidence and that I will protect it and not disclose it to any person, unless authorised to do so;
4. confirm that I will be bound by this Declaration of Secrecy notwithstanding the termination of my appointment.

Signature:

Date

WITNESSESS:

**LOCAL AUTHORITY NOTICES • PLAASLIKE OWERHEIDS KENNISGEWINGS**  
**LOCAL AUTHORITY NOTICE 268 OF 2022**

**NOTICE IN TERMS OF SECTION 17(7) OF THE RUSTENBURG LOCAL MUNICIPALITY SPATIAL PLANNING AND  
 LAND USE MANAGEMENT BY-LAW, 2018 FOR THE ESTABLISHMENT OF A TOWNSHIP**

**RUSTENBURG LOCAL MUNICIPALITY  
 NOTICE OF APPLICATION FOR ESTABLISHMENT OF TOWNSHIP  
 MARIKANA EXTENSION 15**

I, Sibusiso Masoka on behalf of Reneilwe Consulting & Planners being the Applicant of Remaining Extent of Portion 11 of Farm Rooikoppies 297, Registration Division J.Q, North-West Province hereby give notice in terms of Section 17(1)(d) and in terms of Section 17(7) of the Rustenburg Local Municipality Spatial Planning and Land Use Management By-Law, 2018, that an application to establish the township referred to in the Annexure hereto, has been submitted to the Rustenburg Local Municipality.

Particulars of the application are open to inspection during normal office hours at the office of the Municipality at: Municipal Manager, Room 319, Missionary Mpheni House, corner of Beyers Naude and Nelson Mandela Street, Rustenburg CBD, Rustenburg, 0300 for a period of 28 days from **01 November 2022**.

Objections to or representations together with contact details in respect of the application must be lodged in writing and in duplicate with the Municipality at the above office or posted to him/her at PO Box 16, Rustenburg, 0300, within a period of 28 days from **01 November 2022**.

Closing date for any objections  
**29 November 2022.**

**Address of authorised agent:** Reneilwe Consulting & Planning: Unit 22 Block A Willowbrook Office Park, Willowbrook, 1724

**Telephone No:** 079 290 2016; **Cell:** 084 619 2962; **Fax:** 086 599 2873

**E-mail:** [admin@reneilweprojects.co.za](mailto:admin@reneilweprojects.co.za)

Dates on which notice will be published:

**01 November 2022 & 26 08 November 2022.**

**ANNEXURE**

**Name of township:** Marikana Extension 15

**Full name of applicant:** Reneilwe Consulting & Planners

**Number of erven, proposed zoning, and development control measures:**

677 Erven

Proposed Erven	Proposed Zoning	Number of Erven
Erven 1, 272, 273	Business 1	3
Erf 2	Institutional	1
Erven 274 - 675	Residential 1	402
Erven 3 – 269	Residential 2	267
Erven 270, 271	Residential 3	2
Erf 676, 677	Private Open Space	2

**Description of land on which township is to be established:**

Remaining extent of portion 11 of the farm Rooikoppies 297 JQ, Marikana, Rustenburg.

**Locality of the proposed township:** The proposed township is situated at Marikana main road in Marikana, east of Rustenburg CBD.

1-8

**PLAASLIKE OWERHEID KENNISGEWING 268 VAN 2022****KENNISGEWING IN TERME VAN ARTIKEL 17(7) VAN DIE RUSTENBURG PLAASLIKE MUNISIPALITEIT  
VERORDENING VIR DIE STIGTING VAN 'N DORP EN GRONDGEBRUIKBEHEER VERORDENING, 2018****RUSTENBURG PLAASLIKE MUNISIPALITEIT  
KENNISGEWING VAN AANSOEK OM STIGTING VAN DORP  
MARIKANA UITBREIDING 15**

Ek, Sibusiso Masoka namens Reneilwe Consulting & Planners synde die Aansoeker van Resterende Gedeelte van Gedeelte 11 van Plaas Rooikoppies 297, Registrasie Afdeling J.Q, Noordwes Provinsie gee hiermee kennis ingevolge Artikel 17(1)(d) en in terme van van Artikel 17(7) van die Rustenburg Plaaslike Munisipaliteit Ruimtelike Beplanning en Grondgebruikbestuur Verordening, 2018, dat 'n aansoek om die dorp te stig waarna in die Bylae hierby verwys word, by die Rustenburg Plaaslike Munisipaliteit ingedien is.

Besonderhede van die aansoek lê ter insae gedurende gewone kantoorure by die kantoor van die Munisipaliteit by: Munisipale Bestuurder, Kamer 319, Missionary Mpheni House, hoek van Beyers Naude en Nelson Mandelastraat, Rustenburg SSK, Rustenburg, 0300 vir 'n tydperk van 28 dae vanaf **01 November 2022**.

Besware teen of vertoe tesame met kontakbesonderhede ten opsigte van die aansoek moet skriftelik en in duplikaat by die Munisipaliteit by bogenoemde kantoor ingedien word of aan hom/haar gepos word by Posbus 16, Rustenburg, 0300, binne 'n tydperk van 28 dae vanaf **01 November 2022**.

Sluitingsdatum vir enige besware  
**29 November 2022.**

**Adres van gemagtigde agent:** Reneilwe Consulting & Planning: Eenheid 22 Blok A Willowbrook Kantoorpark, Willowbrook, 1724

**Telefoonnommer:** 079 290 2016; **Sel:** 084 619 2962; **Faks:** 086 599 2873

**E-pos:** [admin@reneilweprojects.co.za](mailto:admin@reneilweprojects.co.za)

Datums waarop kennisgewing gepubliseer sal word:  
**01 November 2022 en 08 November 2022.**

**BYLAE**

**Naam van dorp:** Marikana Uitbreiding 15

**Volle naam van aansoeker:** Reneilwe Consulting & Planners

**Aantal erwe, voorgestelde sonering en ontwikkelingsbeheermaatreëls:**  
677 Erven

<b>Voorgestelde Erven</b>	<b>Voorgestelde Sonering</b>	<b>Aantal Erven</b>
Erven 1, 272, 273	Besigheid 1	3
Erf 2	Institusioneel	1
Erven 274 - 675	Residensieel 1	402
Erven 3 – 269	Residensieel 2	267
Erven 270, 271	Residensieel 3	2
Erf 676, 677	Privaat oop ruimte	2

**Beskrywing van grond waarop dorp gestig gaan word:**

Resterende omvang van gedeelte 11 van die plaas Rooikoppies 297 JQ, Marikana, Rustenburg.

**Ligging van die voorgestelde dorp:** Die voorgestelde dorp is geleë te Marikana hoofweg in Marikana, oos van Rustenburg CBD

**LOCAL AUTHORITY NOTICE 269 OF 2022****NOTICE IN TERMS OF SECTION 86 (2) OF MADIBENG SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2016 FOR A CHANGE OF LAND USE RIGHTS**

We, Rirothe Planning Consulting, being the authorised agent of the owner of the remaining extent of portion 24 of the Farm Elandsdraal 469, Reg Division JQ, North West Province, hereby give notice in terms of Section 86 (2) (a) of the Madibeng Spatial Planning and Land Use Management By-Law, 2016 that we have applied to the Madibeng Local Municipality for the amendment of the Town Planning Scheme known as the Peri Urban Areas Town Planning scheme, 1975 for a change of land use rights also known as rezoning in terms of section 56 Madibeng Spatial Planning and Land Use Management By-Law, 2016 of the properties as described above. The rezoning is from "Agriculture" to "Special" for the purpose of Retail Centre, Warehouse and Truck Hub with diesel depot, small shop, ablutions and guard house.

Particulars of the applications will lie for inspection during normal office hours at the Office of the Municipal Manager: Madibeng Municipal Offices, 53 Van Velden Street, Madibeng Local Municipality, Brits 0250 for a period of 30 days from 01 November 2022. Objections to or representations in respect of the application must be lodged with or made in writing to the Municipal Manager: Madibeng Municipal Offices, 53 Van Velden Street, Madibeng Local Municipality, Brits 0250 within a period of 30 days from 01 November 2022.

Address of Agent: 662 Seshego Zone 8, Polokwane 0742, P.O Box 5 Tshidimbini 0972 Tel: 0842870467

1-8

**PLAASLIKE OWERHEID KENNISGEWING 269 VAN 2022****KENNISGEWING INGEVOLGE ARTIKEL 86 (2) VAN MADIBENG RUIMTELIKE BEPLANNING EN GRONDGEBRUIKBESTUUR VERORDENING, 2016 VIR 'N VERANDERING VAN GRONDGEBRUIKSREGTE**

Ons, Rirothe Planning Consulting, synde die gemagtigde agent van die eienaar van die oorblywende omvang van gedeelte 24 van die Plaas Elandsdraal 469, Reg Afdeling JQ, Noordwes Provinsie, gee hiermee kennis ingevolge Artikel 86 (2) (a) van die Madibeng Ruimtelike Beplanning en Grondgebruikbestuursverordening, 2016 wat ons by die Madibeng Plaaslike Munisipaliteit aansoek gedoen het vir die wysiging van die Dorpsbeplanningskema bekend as die Peri Urban Areas Dorpsbeplanningskema, 1975 vir 'n verandering van grondgebruiksregte ook bekend as hersonering ingevolge artikel 56 Madibeng Ruimtelike Beplanning en Grondgebruikbestuur Verordening, 2016 van die eiendomme soos hierbo beskryf. Die hersonering is van "Landbou" na "Spesiaal" vir die doel van Kleinhandelsentrum, Pakhuys en Truck Hub met dieseldepot, klein winkeltjie, ablusies en waghuys.

Besonderhede van die aansoeke lê ter insae gedurende gewone kantoorure by die Kantoor van die Munisipale Bestuurder: Madibeng Munisipale Kantore, Van Veldenstraat 53, Madibeng Plaaslike Munisipaliteit, Brits 0250 vir 'n tydperk van 30 dae vanaf 01 November 2022. Besware teen of vertoe ten opsigte van die aansoek moet binne 'n tydperk van 30 dae vanaf 01 November 2022 by of skriftelik by die Munisipale Bestuurder: Madibeng Munisipale Kantore, Van Veldenstraat 53, Madibeng Plaaslike Munisipaliteit, Brits 0250 ingedien word.

Adres van Agent: 662 Seshego Zone 8, Polokwane 0742, Posbus 5 Tshidimbini 0972 Tel: 0842870467

1-8

**LOCAL AUTHORITY NOTICE 271 OF 2022****NOTICE FOR APPLICATION FOR AMENDMENT OF THE TLOKWE TOWN PLANNING SCHEME 2015, ON PORTION 1 OF ERF 1576, POTCHEFSTROOM IN TERMS OF SECTION 62 OF CHAPTER 5 OF THE TLOKWE CITY COUNCIL SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2015, READ WITH THE SPATIAL PLANNING AND LAND USE MANAGEMENT ACT, 2013 (ACT 16 OF 2013) – AMENDMENT SCHEME 2422**

Notice is hereby given in terms of Section 92 of Chapter 6 of the Tlokwe City Council Spatial Planning and Land Use Management By-Law, 2015, that the under-mentioned application has been received by the JB Marks Local Municipality and is open for inspection during normal office hours at the Office of the Department Human Settlements and Planning, JB Marks Local Municipality, Office 210, Second floor, Dan Tloome Complex, Corner of Wolmarans Street and Sol Plaatjie Avenue, Potchefstroom (email: mariusl@jbmarks.gov.za) or at the imminent address of the authorised agent below.

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

**CLOSING DATE FOR SUBMISSION OF OBJECTIONS/REPRESENTATIONS: 8 December 2022**

**NATURE OF APPLICATION**

I, L.J. Botha of H & W Town Planners CC [Reg Nr. 2006/148547/23], being the authorised agent of the owner, intends to apply to the JB Marks Local Municipality to amend the town planning scheme known as the Tlokwe Town Planning Scheme, 2015, by the rezoning of Portion 1 of Erf 1576, Potchefstroom (situated at 102 Rissik Street) from "**Residential 1**" to "**Residential 3**". It is the intention of the applicant/owner to utilise the existing dwelling on the property, with the aim of providing student accommodation.

**Owner:** Rissik 102 Pty Ltd (Reg No.: 2020/572013/07)

**Address of authorised agent:** H & W TOWN PLANNERS CC (2006/148547/23), 246 MC ROODE DRIVE, POTCHEFSTROOM, 2531, P.O. BOX 1635, POTCHEFSTROOM, 2520, TEL: 076 051 8979, e-mail: louis@hwtp.co.za (HB202216)

**ACTING MUNICIPAL MANAGER: S. Tyatya**

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**PLAASLIKE OWERHEID KENNISGEWING 271 VAN 2022****KENNISGEWING VAN AANSOEK OM WYSIGING VAN DIE TLOKWE DORPSBEPLANNINGSKEMA 2015, OP GEDEELTE 1 VAN ERF 1576, POTCHEFSTROOM, IN TERME VAN ARTIKEL 62 VAN HOOFSTUK 5 VAN DIE TLOKWE STADSRAAD RUIMTELIKE BEPLANNING EN GRONDGEBRUIKBESTUURSKEMA VERORDENING, 2015, SAAMGELEES MET DIE WET OP RUIMTELIKE BEPLANNING EN GRONDGEBRUIKSBESTUUR, 2013 (WET 16 VAN 2013) – WYSIGINGSKEMA 2422**

Kennis geskied hiermee in terme van Artikel 92 van Hoofstuk 6 van die Tlokwe Stadsraad Ruimtelike Beplanning en Grondgebruikbestuurskema Verordening 2015, dat ondergemelde aansoek deur die JB Marks Plaaslike Munisipaliteit ontvang is en ter insae beskikbaar is gedurende gewone kantoorure te die kantoor van die Departement Menslike Nedersettings en Beplanning, JB Marks Plaaslike Munisipaliteit, Kantoor 210, Tweede Vloer, Dan Tloome Kompleks, op die hoek van Wolmaransstraat en Sol Plaatjelaan, Potchefstroom (epos: mariusl@jbmarks.gov.za) of by die hieropvolgende adres van die gemagtigde agent soos onderaan genoem.

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

**SLUITINGSDATUM VIR DIE INDIENING VAN BESWARE/VERTOË: 8 Desember 2022****AARD VAN AANSOEK:**

**Ek, L.J. Botha van H & W Town Planners BK [Reg No. 2006/148547/23]**, synde die gemagtigde agent van die eienaar, is van voorneme om by die JB Marks Plaaslike Munisipaliteit aansoek te doen om die dorpsbeplanningskema bekend as die Tlokwe dorpsbeplanningskema, 2015, te wysig, deur die hersonering van Gedeelte 1 van Erf 1576, Potchefstroom, [geleë te Rissikstraat 102] vanaf "**Residensieel 1**" na "**Residensieel 3**". Dit is die voorneme van die eienaar om die Erf te hersoneer ten einde die bestaande woning/wooneenheid op die eiendom aan te wend vir die doel om studente akkommodasie te voorsien.

**Eienaar:** Rissik 102 Pty Ltd (Reg No.: 2020/572013/07)

**Adres van gemagtigde agent:** H & W TOWN PLANNERS CC (2006/148547/23), MC ROODE RYLAAN 246, POTCHEFSTROOM, 2531, POSBUS 1635, POTCHEFSTROOM, 2520, TEL: 076 051 8979, e-pos: louis@hwtp.co.za (HB202216)

**WAARNEMENDE MUNISIPALE BESTUURDER: S. Tyatya**

8-15

**LOCAL AUTHORITY NOTICE 272 OF 2022****MADIBENG LOCAL MUNICIPALITY  
CONSENT USE APPLICATION**

Notice is hereby given, that in terms of the Peri Urban Town Planning Scheme, 1975, read with Section 68 of the Madibeng Local Municipality Spatial Planning And Land Use Management By-Law 2016, that I/ we Manna Development Consultancy (Pty) Ltd represented by Maartin Ludolph Friedrich, applied to Madibeng Local Municipality for Consent for a pub / restaurant, a thematic photo house (selfie house) with associated and related uses and an additional dwelling unit on Portion 5 of the Farm Leeuwenkloof 480 JQ

Any objection, the grounds thereof and contact details shall be lodged with or made in writing to the Municipality at, P.O. Box 106, Brits, 0250 or 45 Van Velden Street, Brits within 30 days of the publication of the notice in the Provincial Gazette, viz 8 November 2022.

Full particulars and plans may be inspected during normal office hours at the above-mentioned offices for a period of 30 days after the publication of the notice in the Provincial Gazette.  
Closing date for any objections: 8 December 2022

Applicant: Manna Development Consultancy (Pty) Ltd, P.O. Box 2882, Noordheuwel, 1756, Cell: 072 188 4505, Email: maartin@mannadc.co.za

Date of first publication: 8 November 2022

8-15

**PLAASLIKE OWERHEID KENNISGEWING 272 VAN 2022****MADIBENG PLAASLIKE MUNISIPALITEIT  
TOESTEMMINGSGEBRUIK AANSOEK**

Kennis word hiermee gegee, dat ingevolge die Buitestedelike Dorpsbeplanningskema, 1975, gelees met Artikel 68 van Madibeng Plaaslike Munisipaliteit Ruimtelikebeplanning en Grondgebruikbestuur Verordening 2016, dat ek /ons Manna Development Consultancy (Edms) Bpk verteenwoordig deur Maartin Ludolph Friedrich, aansoek gedoen het by die Madibeng Plaaslike Munisipaliteit vir Toestemming vir 'n kroeg/restaurant, 'n tema-fotohuis (selfie huis) met geassosieerde en verwante gebruike en 'n addisionele woonhuis op Gedeelte 5 van die Plaas Leeuwenkloof 480 JQ.

Enige beswaar, die gronde daarvan en kontakbesonderhede sal ingedien word of skriftelik voorsien word aan die Munisipaliteit by Posbus 106, Brits, 0250 of Van Veldenstraatt 45, Brits binne 30 dae vanaf die publikasie van die kennisgewing in die Provinsiale koerant, viz 8 November 2022.

Besonderhede van die aansoek lê ter insae gedurende gewone kantoorure by die bogenoemde kantore vir 'n periode van 30 dae na die publikasie van die kennisgewing in die Provinsiale Koerant.  
Sluitingsdatum vir enige besware: 8 Desember 2022

Aansoeker: Manna Development Consultancy (Edms) Bpk, Posbus 2882, Noordheuwel, 1756, Sel: 072 188 4505, Epos: maartin@mannadc.co.za

Datum van eerste publikasie: 8 November 2022

8-15

**LOCAL AUTHORITY NOTICE 273 OF 2022****RUSTENBURG LOCAL MUNICIPALITY****AMENDING NOTICE IN TERMS OF SECTION 33(4) OF THE DEVELOPMENT FACILITATION ACT, 1995 (ACT 67 OF 1995)**

**IT IS HEREBY NOTIFIED IN TERMS OF SECTION 33(4) OF THE DEVELOPMENT FACILITATION ACT, 1995 (ACT 67 OF 1995), THAT THE RUSTENBURG LOCAL MUNICIPALITY HAS, IN TERMS OF SECTION 33 OF THE DEVELOPMENT FACILITATION ACT, 1995 (ACT 67 OF 1995) APPROVED THE ESTABLISHMENT OF A LAND DEVELOPMENT AREA, TO BE KNOWN AS IKEMELENG, ON PORTION 273 OF THE FARM KROONDAL 304, REGISTRATION DIVISION J.Q., NORTH WEST PROVINCE, SUBJECT TO THE FOLLOWING CONDITIONS**

**1. CONDITIONS TO BE COMPLIED WITH PRIOR TO THE COMMENCEMENT OF REGISTRATION OF OWNERSHIP OF ERVEN BY THE REGISTRAR OF DEEDS IN TERMS OF SECTION 38 OF THE DEVELOPMENT FACILITATION ACT, 1995 (ACT 67 OF 1995):**

**(1) CONSOLIDATION OF COMPONENT FARM PORTIONS**

The Land Development Applicant shall cause the component farm portions comprising the land development area i.e. Portion 129 (a portion of Portion 63), Portion 157 (a portion of Portion 85), Portion 268 (a portion of Portion 53), Portion 269 (a portion of Portion 99), Portion 270 (a portion of Portion 158), Portion 271 (a portion of Portion 164) and Portion 272 (a portion of Portion 185) of the farm Kroondal 304, Registration Division J.Q., North West Province to be consolidated.

**(2) SATISFACTORY ACCESS TO TOWNSHIP**

The Land Development Applicant shall at its own expense arrange for satisfactory access to the township.

**(3) REMOVAL/SUSPENSION OF EXISTING TITLE RESTRICTIONS / OBLIGATIONS / SERVITUDES**

(a) In terms of Section 33(2)(d) of the Development Facilitation Act, 1995 (Act 67 of 1995), the following conditions of title are suspended from date of publication of this notice in the North West Provincial Gazette and must be removed in terms of Section 34(3) when the subdivision/township register is opened:

- (i) In Deed of Transfer T82778/2005 in respect of the Remaining Extent of Portion 53 of the farm Kroondal No. 304-JQ:
  - (aa) Conditions (a), (b), (c), (e) and (f)
- (ii) In Deed of Transfer T8795/1925 in respect of Portion 99 of the farm Kroondal No. 304-JQ:
  - (aa) Notarial Deed of Servitude No. K1540/1975S;
  - (bb) Notarial Deed of Servitude No. K399/1988S;
  - (cc) Notarial Deed No. 254/1973S;
  - (dd) Notarial Deed of Servitude No. K2585/1989S;
  - (ee) Notarial Deed of Servitude K3680/2001S; and
  - (ff) Notarial Deed of Servitude K4152/2005S
- (iii) In Deed of Transfer T42708/1971 in respect of Portion 129 of the farm Kroondal No. 304-JQ:
  - (aa) Conditions I, II(i) and II(ii)
  - (bb) Water Court Ruling 254/1973S
- (iv) In Deed of Transfer T14962/1978 in respect of Portion 157 of the farm Kroondal No. 304-JQ:
  - (aa) Conditions 1(a)(i), 1(a)(ii), 1(a)(iii), 1(b), 2, 3, 4, 5 and 6.
- (v) In Deed of Transfer T15249/2003 in respect of the Remaining Extent of Portion 158 of the farm Kroondal No. 304-JQ:
  - (aa) Conditions A1, A2, A3, B1, B2, B3, B4, B5 and C1.
- (vi) In Deed of Transfer T111541/2003 in respect of the Remaining Extent of Portion 164 of the farm Kroondal No. 304-JQ:
  - (aa) Conditions 7.2, 7.2.1, 7.2.2, 7.2.2.1, 7.2.2.2, 7.2.3, 7.3, 7.4, 7.5, 7.6 and 7.8.
- (vii) In Deed of Transfer T82783/2005 in respect of Portion 185 of the farm Kroondal No. 304-JQ:
  - (aa) Conditions 1, 2(a)(i), 2(a)(ii), 2(a)(iii), 2(b), 3, 4, 5, 6 and 8 in respect of the former Portion 183;
  - (bb) Conditions 2(a), 2(b) and 2(c) in respect of the former Portion 83;
  - (cc) Conditions B1, B2, B3, B4 and B5 in respect of the former Portion 84;
  - (dd) Conditions (a), (c), (e), (f), (g), (h), (i) and (j) in respect of the former Portion 180; and
  - (ee) Conditions C and F in respect of "The Whole" (i.e Portion 185 of the farm Kroondal No. 304-JQ)

(b) The Land Development Applicant shall provide proof to the Rustenburg Local Municipality of the cancellation/suspension of the title conditions referred to in paragraph 1(3)(a).

**(4) SUSPENSION OF THE SUBDIVISION OF AGRICULTURAL LAND ACT, 1970 (ACT 70 OF 1970)**

In terms of Section 33(4) of the Development Facilitation Act, 1995 (Act 67 of 1995), the provisions of the Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970) are suspended from date of publication of this notice in the North West Provincial Gazette.

**(5) CONSENT FROM XTRATA ALLOYS**

The Land Development Applicant shall obtain the written confirmation from Xtrata Alloys that the said entity no longer opposes the Land Development Application.

- (6) **CONSENT FROM THE DEPARTMENT MINERAL RESOURCES AND ENERGY (DMRE)**  
The Land Development Applicant shall procure the consent from the Department Mineral Resources and Energy (DMRE) in terms of Section 53 of the Mineral and Petroleum Resources Development Act, 2002 (Act 28 of 2002).
- (7) **ENACTMENT OF AMENDMENT SCHEME 1675**  
The Land Development Applicant shall in collaboration with the Rustenburg Local Municipality, and at the cost of the Land Development Applicant, arrange for the publication of an appropriate notice in terms of the provisions of Section 33(4) of the Act to enact Amendment Scheme 1675.
- (8) **GENERAL**
  - (a) The Land Development Applicant shall comply with the provisions of Section 37(a) of the Development Facilitation Act, 1995 (Act 67 of 1995).
  - (b) The Land Development Applicant shall submit a copy of the General Plan of the township to the Rustenburg Local Municipality.
  - (c) The Land Development Applicant shall comply with the provisions of Section 37(b) of the Development Facilitation Act, 1995 (Act 67 of 1995).

## **2. CONDITIONS OF ESTABLISHMENT**

- (1) **NAME**  
The name of the township shall be Ikemeleng
- (2) **LAYOUT / DESIGN**  
The township shall consist of erven and streets as indicated on General Plan SG No. 1211/2011.
- (3) **ACCESS**
  - (a) Ingress from Provincial Road P1122 to the township and egress to Provincial Road P1122 from the township shall be restricted to the junction / intersection of the street between Erven 1 and 1246 with the said road.
  - (b) The Land Development Applicant shall at its own expense, submit a geometric design layout plan (scale 1:500) of the ingress and egress point referred to in (a) above, and specifications for the construction of the access, to the Department of Public Works and Roads, for approval. The Land Development Applicant shall after approval of the layout and specifications, construct the said ingress and egress point at its own expense to the satisfaction of the Department of Public Works and Roads.
  - (c) The Land Development Applicant shall comply with the conditions imposed by the former North West Department of Transport, Roads and Community Safety.
- (4) **ACCEPTANCE AND DISPOSAL OF STORMWATER**
  - (a) The Land Development Applicant shall arrange for the drainage of the township to fit in with that of Provincial Road P1122 and for all stormwater running off or being diverted from the road to be received and disposed of.
  - (b) Adequate culvert crossings are to be introduced in respect of both crossings of the watercourse as per paragraph 3.2 of page 4 on the report dated May 2005, prepared by SRK Consulting Engineers and Scientists.
- (5) **RESTRICTION ON THE DISPOSAL OF ERVEN 2 AND 1245**  
The Land Development Applicant shall not, offer for sale or alienate Erven 2 and 1245 within a period of six (6) months after the erven become registrable to any person or body other than the State unless the Department of Education has indicated in writing that the Department does not wish to acquire the erven.
- (6) **ENVIRONMENTAL MANAGEMENT**  
The Land Development Applicant must ensure that all conditions imposed by the North West Department of Agriculture, Conservation and Environment (DACE) in terms of the Environmental Authorisation are adhered to.
- (7) **OPEN SPACE AND ENDOWMENT**  
The Land Development Applicant shall not pay any amount in lieu of open space
- (8) **SUSPENSION OF OTHER LAWS**  
The provisions of the Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970) shall in terms of the provisions of Section 33(2)(j)(iv) of the Development Facilitation Act, not apply to the Land Development Area.
- (9) **INSTALLATION AND PROVISION OF SERVICES**  
The Land Development Applicant shall install and provide appropriate, affordable and upgradable internal and external services in or for the township area to the satisfaction of the Rustenburg Local Municipality..

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

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

#### 4. CONDITIONS OF TITLE

(1) CONDITIONS OF TITLE IMPOSED IN TERMS OF THE PROVISIONS OF SECTION 33(1) OF THE DEVELOPMENT FACILITATION ACT, 1995 (ACT 67 of 1995)

(a) ALL ERVEN WITH THE EXCEPTION OF ERVEN 724, 725 AND 1248 (PARK) TO 1250 (PARK)

- (i) The erf is subject to a servitude, 2m wide, in favour of the local authority, for sewerage and other engineering services, along any two boundaries other than a street boundary and in the case of a panhandle erf, an additional servitude for municipal services, 1m wide across the access portion of the erf, if and when required by the local authority: Provided that the local authority may dispense with any such servitude.
- (ii) No building or other structure shall be erected within the aforesaid servitude area and no large-rooted trees shall be planted within the area of such servitude or within 3m thereof.
- (iii) The local authority shall be entitled to deposit temporarily on the land adjoining the aforesaid servitude such material as may be excavated by it during the course of the construction, maintenance or removal of such 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 works being made good by the local authority.

(b) ERVEN SUBJECT TO SPECIAL CONDITIONS

In addition to the relevant conditions set out above, the undermentioned erven shall be subject to the conditions as indicated:

(i) All Erven

The erf lies in an area where soil conditions can affect buildings and structures and result in damage to them. Building plans submitted to the local authority for consideration shall indicate measures to be taken, to limit possible damage to buildings and structures as a result of detrimental foundation conditions. These measures shall be in accordance with the recommendations contained in the Geo-technical report for the township, unless it is proved to the local authority that such measures are unnecessary or that the same purpose can be achieved by other more effective means.

(ii) Erven 1248 (Park) to 1250 (Park)

No building of any nature shall be erected within that part of the erf which is likely to be inundated by floodwater on an average every 100 years, as shown on the approved layout plan: Provided that the local authority may consent to the erection of buildings on such part if it is satisfied that the said part or building/s will no longer be subject to inundation. No terracing or other changes within the floodplain shall be carried out unless with the approval by the local authority of proposals prepared by a professional engineer.

(2) CONDITIONS OF TITLE IMPOSED BY THE DEPARTMENT: MINERAL RESOURCES AND ENERGY TO BE REGISTERED/CREATED ON THE FIRST REGISTRATION OF THE ERVEN CONCERNED.

(a) ALL ERVEN

As this erf forms part of land which is, or may be, undermined and liable to subsidence, settlement, shock and cracking due to mining operations past, present or future, the owner thereof accepts all liability for any damage thereto or any structure thereon which may result from such subsidence, settlement, shock or cracking.

**Mr. Sello Victor Makona, Municipal Manager, Municipal Offices, Rustenburg Local Municipality, corner of Nelson Mandela- and Beyers Naude Drive, Rustenburg, 0299** (Notice Number: 63/2022)







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