



# **NORTH WEST NOORDWES**

## **PROVINCIAL GAZETTE PROVINSIALE KOERANT**

**Vol. 259**

**MAHIKENG**  
7 JUNE 2016  
7 JUNIE 2016

**No. 7653**

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



**Prevention is the cure**

**AIDS  
HELPLINE**

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DEPARTMENT OF HEALTH

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ISSN 1682-4532



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# Government Printing Works

## Notice submission deadlines

Government Printing Works has over the last few months implemented rules for completing and submitting the electronic Adobe Forms when you, the customer, submit your notice request.

In line with these business rules, GPW has revised the notice submission deadlines for all gazettes. Please refer to the GPW website [www.gpwonline.co.za](http://www.gpwonline.co.za) to familiarise yourself with the new deadlines.

### CANCELLATIONS

Don't forget!

Cancellation of notice submissions are accepted by GPW according to the deadlines stated in the table above.

Non-compliance to these deadlines will result in your request being failed. **Please pay special attention to the different deadlines for each gazette.**

**Please note that any notices cancelled after the cancellation deadline will be published and charged at full cost.**

Requests for cancellation must be sent by the original sender of the notice and must be accompanied by the relevant notice reference number (N-) in the email body.

### AMENDMENTS TO NOTICES

take note!

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

### CUSTOMER INQUIRIES



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

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

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

### PROOF OF PAYMENTS



GPW reminds you that all notice submissions **MUST** be submitted with an accompanying proof of payment (PoP) or purchase order (PO). If any PoP's or PO's are received without a notice submission, it will be failed and your notice will not be processed.

When submitting your notice request to [submit.egazette@gpw.gov.za](mailto:submit.egazette@gpw.gov.za), please ensure that a purchase order (GPW Account customer) or proof of payment (non-GPW Account customer) is included with your notice submission. All documentation relating to the notice submission must be in a single email.

A reminder that documents must be attached separately in your email to GPW. (In other words, your email should have an Adobe Form plus proof of payment/purchase order – 2 separate attachments – where notice content is applicable, it should also be a 3rd separate attachment).

### REMINDER OF THE GPW BUSINESS RULES

- ☐ Single notice, single email – with proof of payment or purchase order.
- ☐ All documents must be attached separately in your email to GPW.
- ☐ 1 notice = 1 form, i.e. each notice must be on a separate form
- ☐ Please submit your notice **ONLY ONCE**.
- ☐ Requests for information, quotations and inquiries must be sent to the Contact Centre **ONLY**.
- ☐ The notice information that you send us on the form is what we publish. Please do not put any instructions in the email body.



**IMPORTANT NOTICE:**

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

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

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**NOTICE SUBMISSION DEADLINES FOR ORDINARY GAZETTES**

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

**GOVERNMENT PRINTING WORKS CONTACT INFORMATION****Physical Address:**

Government Printing Works  
149 Bosman Street  
Pretoria

**Postal Address:**

Private Bag X85  
Pretoria  
0001

**GPW Banking Details:**

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

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

**E-mail:** submit.egazette@gpw.gov.za

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

**E-mail:** info.egazette@gpw.gov.za

**Tel:** 012-748 6200

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

**E-mail:** subscriptions@gpw.gov.za

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

**Fax:** 012-323-9574

## LIST OF TARIFF RATES FOR PUBLICATION OF NOTICES

**COMMENCEMENT: 1 APRIL 2016**

### NATIONAL AND PROVINCIAL

Notice sizes for National, Provincial & Tender gazettes 1/4, 2/4, 3/4, 4/4 per page. Notices submitted will be charged at R1000 per full page, pro-rated based on the above categories.

Pricing for National, Provincial - Variable Priced Notices		
Notice Type	Page Space	New Price (R)
Ordinary National, Provincial	1/4 - Quarter Page	250.00
Ordinary National, Provincial	2/4 - Half Page	500.00
Ordinary National, Provincial	3/4 - Three Quarter Page	750.00
Ordinary National, Provincial	4/4 - Full Page	1000.00

### EXTRA-ORDINARY

All Extra-ordinary National and Provincial gazette notices are non-standard notices and attract a variable price based on the number of pages submitted.

The pricing structure for National and Provincial notices which are submitted as **Extra ordinary submissions** will be charged at **R3000** per page.

## GOVERNMENT PRINTING WORKS BUSINESS RULES

**Government Printing Works** has established rules for submitting notices in line with its electronic notice processing system, which requires the use of electronic Adobe Forms. Please ensure that you adhere to these guidelines when completing and submitting your notice submission.

1. No hand written notices will be accepted for processing, this includes Adobe forms which have been completed by hand.
2. Notices can only be submitted in Adobe electronic form format, to the email submission address [submit.egazette@gpw.gov.za](mailto:submit.egazette@gpw.gov.za). All notice submissions not on Adobe electronic forms will be rejected.
3. When submitting your notice request, please ensure that a purchase order (GPW Account customer) or proof of payment (non-GPW Account customer) is included with your notice submission. All documentation relating to the notice submission must be in a single email and must be attached separately. (In other words, your email should have an Adobe Form plus proof of payment/purchase order as 2 separate attachments. Where notice content is applicable, it should also be a 3rd separate attachment).
4. Notices brought to GPW by "walk-in" customers on electronic media can only be submitted in Adobe electronic form format.
5. All "walk-in" customers with notices that are not on electronic Adobe forms will be routed to the Contact Centre where they will be assisted to complete the forms in the required format. Where a customer walks into GPW with a stack of hard copy notices delivered by a messenger on behalf of any organisation e.g. newspaper publisher, the messenger will be referred back to the sender as the submission does not adhere to the submission rules.
6. For National or Provincial gazette notices, the following applies:
  - 6.1 These notices must be accompanied by an electronic Z95 or Z95Prov Adobe form
  - 6.2 The notice content (body copy) MUST be a separate attachment.
7. The current cut-off of all Gazette's remains unchanged for all channels. (Refer to the GPW website for submission deadlines – [www.gpwonline.co.za](http://www.gpwonline.co.za))
8. Incorrectly completed forms and notices submitted in the wrong format will be rejected to the customer to be corrected and resubmitted. Assistance will be available through the Contact Centre should help be required when completing the forms. (012-748 6200 or email [info.egazette@gpw.gov.za](mailto:info.egazette@gpw.gov.za))
9. All re-submissions will be subject to the standard cut-off times.
10. All submissions and re-submissions that miss the cut-off will be rejected to the customer to be submitted with a new publication date.
11. The electronic Adobe form will be taken as the primary source for the notice information to be published. Instructions that are on the email body or covering letter that contradicts the notice form content will not be considered.
12. Requests for Quotations (RFQs) should be received by the Contact Centre at least 24 hours before the submission deadline for that specific publication.

### APPROVAL OF NOTICES

13. Any notices other than legal notices are subject to the approval of the Government Printer, who may refuse acceptance or further publication of any notice.

### GOVERNMENT PRINTER INDEMNIFIED AGAINST LIABILITY

The Government Printer indemnified against liability

14. The Government Printer will assume no liability in respect of—
  - 14.1 any delay in the publication of a notice or publication of such notice on any date other than that stipulated by the advertiser;



- 14.2 erroneous classification of a notice, or the placement of such notice in any section or under any heading other than the section or heading stipulated by the advertiser;
- 14.3 any editing, revision, omission, typographical errors or errors resulting from faint or indistinct copy.

#### LIABILITY OF ADVERTISER

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

#### COPY

- 16. Copy of notices must be submitted using the relevant Adobe PDF form for the type of notice to be placed and may not constitute part of any covering letter or document.
- 17. Where the copy is part of a separate attachment document for **Z95, Z95Prov** and **TForm03**
  - 17.1 Copy of notices must be supplied in a separate document and may not constitute part of any covering letter, purchase order, proof of payment or other attached documents.

The content document should contain only one notice. (You may include the different translations of the same notice in the same document).
  - 17.2 The notice should be set on an A4 page, with margins and fonts set as follows:

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

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

#### PAYMENT OF COST

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

#### PROOF OF PUBLICATION

- 24. Copies of the Government Gazette which may be required as proof of publication, may be ordered from the Government Printer at the ruling price. The Government Printer will assume no liability for any failure to post such Government Gazette(s) or for any delay in despatching it them



**IMPORTANT ANNOUNCEMENT****Closing times for the ORDINARY WEEKLY  
NORTHWEST PROVINCIAL GAZETTE 2016**

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

- **22 April 2016**, Friday for the issue of Tuesday **03 May 2016**
- **03 May 2016**, Tuesday for the issue of Tuesday **10 May 2016**
- **10 May 2016**, Tuesday for the issue of Tuesday **17 May 2016**
- **17 May 2016**, Tuesday for the issue of Tuesday **24 May 2016**
- **24 May 2016**, Tuesday for the issue of Tuesday **31 May 2016**
- **31 May 2016**, Tuesday for the issue of Tuesday **07 June 2016**
- **07 June 2016**, Tuesday for the issue of Tuesday **14 June 2016**
- **13 June 2016**, Monday for the issue of Tuesday **21 June 2016**
- **21 June 2016**, Tuesday for the issue of Tuesday **28 June 2016**
- **28 June 2016**, Tuesday for the issue of Tuesday **05 July 2016**
- **05 July 2016**, Tuesday for the issue of Tuesday **12 July 2016**
- **12 July 2016**, Tuesday for the issue of Tuesday **19 July 2016**
- **19 July 2016**, Tuesday for the issue of Tuesday **26 July 2016**
- **26 July 2016**, Tuesday for the issue of Tuesday **02 August 2016**
- **02 August 2016**, Tuesday for the issue Tuesday **09 August 2016**
- **08 August 2016**, Monday for the issue of Tuesday **16 August 2016**
- **16 August 2016**, Tuesday for the issue of Tuesday **23 August 2016**
- **23 August 2016**, Tuesday for the issue of Tuesday **30 August 2016**
- **30 August 2016**, Tuesday for the issue of Tuesday **06 September 2016**
- **06 September 2016**, Tuesday for the issue of Tuesday **13 September 2016**
- **13 September 2016**, Tuesday for the issue of Tuesday **20 September 2016**
- **20 September 2016**, Tuesday for the issue of Tuesday **27 September 2016**
- **27 September 2016**, Tuesday for the issue of Tuesday **04 October 2016**
- **04 October 2016**, Tuesday for the issue of Tuesday **11 October 2016**
- **11 October 2016**, Tuesday for the issue of Tuesday **18 October 2016**
- **18 October 2016**, Tuesday for the issue of Tuesday **25 October 2016**
- **25 October 2016**, Tuesday for the issue of Tuesday **01 November 2016**
- **01 November 2016**, Tuesday for the issue of Tuesday **08 November 2016**
- **08 November 2016**, Tuesday for the issue of Tuesday **15 November 2016**
- **15 November 2016**, Tuesday for the issue of Tuesday **22 November 2016**
- **22 November 2016**, Tuesday for the issue of Tuesday **29 November 2016**
- **29 November 2016**, Tuesday for the issue of Tuesday **06 December 2016**
- **06 December 2016**, Tuesday for the issue of Tuesday **13 December 2016**
- **12 December 2016**, Monday for the issue of Tuesday **20 December 2016**
- **19 December 2016**, Monday for the issue of Tuesday **27 December 2016**
- **23 December 2016**, Friday for the issue of Tuesday **03 January 2017**

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**GENERAL NOTICES • ALGEMENE KENNISGEWINGS**

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**NOTICE 81 OF 2016****NOTICE IN TERMS OF SECTION 18(1) OF THE RUSTENBURG LOCAL MUNICIPALITY SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2015 FOR A CHANGE OF LAND USE RIGHTS, KNOWN AS A REZONING. RUSTENBURG AMENDMENT SCHEME 1497**

I, Dawid Jacobus Bos (ID No: 5712165113080), of the firm Maxim Planning Solutions (Pty) Ltd (2002/017393/07), being the authorised agent of the owner of Portion 3 of Erf 827, Rustenburg, Registration Division J.Q., North West Province hereby gives notice in terms of Section 18(1)(d) of the Rustenburg Local Municipality Spatial Planning and Land Use Management By-Law, 2015, that I have applied to the Rustenburg Local Municipality for the change of land use rights also known as rezoning with the following proposals: A) The rezoning of the property described above, situated at 56 Beyers Naude Drive, Rustenburg, from "Residential 1" to "Special" including two dwelling units and a service enterprise, as defined in Annexure 1803 to the Scheme. B) All properties situated adjacent to Portion 3 of Erf 827, Rustenburg, Registration Division J.Q., North West Province, could thereby be affected by the rezoning application. C) The rezoning entails that the two existing dwelling houses remain on site and that a portion of the one dwelling house be converted for the purposes of a service enterprise, as defined in Annexure 1803, with a maximum height of two(2) storeys, a maximum F.A.R of 0.35 and a maximum coverage of 50%.

Particulars of the application will lie for inspection during normal office hours at the office of the Municipal Manager, Room 319, Missionary Mpheni House, corner of Nelson Mandela- and Beyers Naude Drive, Rustenburg for the period of 30 days from **31 May 2016**. Objections to or representations in respect of the application must be lodged with or made in writing to the Municipal Manager at the above address or at P.O. Box 16, Rustenburg, 0300 within a period of 30 days from **31 May 2016**.

**Address of authorised agent: Maxim Planning Solutions (Pty) Ltd (2002/017393/07), @ Office Building, 67 Brink Street, Rustenburg, P.O. Box 21114, Proteapark, 0305, Tel: (014) 592-9489. (2/1670/R/L)**

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**KENNISGEWING 81 VAN 2016****KENNISGEWING INGEVOLGE ARTIKEL 18(1) VAN DIE RUSTENBURG PLAASLIKE MUNISIPALITEIT RUIMTELIKE BEPLANNING EN GRONDGEBRUIKBESTUUR VERORDENING, 2015 VIR 'N VERANDERING VAN DIE GRONDGEBRUIKSREGTE, BEKEND AS 'N HERSONERING. RUSTENBURG WYSIGINGSKEMA 1497**

Ek, Dawid Jacobus Bos (ID Nr: 5712165113080), van die firma Maxim Planning Solutions (Edms) Bpk (2002/017393/07), synde die gemagtigde agent van die eienaar van Gedeelte 3 van Erf 827, Rustenburg, Registrasie Afdeling J.Q., Noordwes Provinsie gee hiermee ingevolge Artikel 18(1)(d) van die Rustenburg Plaaslike Munisipaliteit Ruimtelike Beplanning en Grondgebruikbestuur Verordening, 2015 kennis dat ek by die Rustenburg Plaaslike Munisipaliteit aansoek gedoen het vir die verandering van grondgebruiksregte ook bekend as hersonering met die volgende voorstelle: A) Die hersonering van die eiendom hierbo beskryf, geleë te Beyers Naude Rylaan 56, Rustenburg, vanaf "Residensieel 1" na "Spesiaal" insluitende twee (2) woonhuise en 'n diensonderneming, soos omskryf in Bylae 1803 tot die Skema. B) Alle eiendomme geleë aanliggend tot Gedeelte 3 van Erf 827, Rustenburg, Registrasie Afdeling J.Q., Noordwes Provinsie, kan moontlik deur die hersonering geraak word. C) Die hersonering behels dat die twee bestaande woonhuise behoue sal bly en 'n gedeelte van die een woonhuis omskep sal word vir die doeleindes van 'n diensonderneming, soos omskryf in Bylae 1803, met 'n maksimum hoogte beperking van twee (2) verdiepings, 'n maksimum V.O.V van 0.35 en 'n maksimum dekking van 50%.

Besonderhede van die aansoek lê ter insae gedurende gewone kantoorure by die kantoor van die Munisipale Bestuurder, Kamer 319, Missionary Mpheni House, hoek van Nelson Mandela- en Beyers Naude Rylaan, Rustenburg vir 'n tydperk van 30 dae vanaf **31 Mei 2016**. Besware teen of verhoë ten opsigte van die aansoek moet binne 'n tydperk van 30 dae vanaf **31 Mei 2016** skriftelik by of tot die Munisipale Bestuurder by bovermelde adres of by Posbus 16, Rustenburg, 0300 ingedien of gerig word.

**Adres van gemagtigde agent: Maxim Planning Solutions (Edms) Bpk (2002/017393/07), @ Office Gebou, Brinkstraat 67, Rustenburg, Posbus 21114, Proteapark, 0305, Tel: (014) 592-9489. (2/1670/R/L)**

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**NOTICE 82 OF 2016****NOTICE IN TERMS OF SECTION 18(1) OF THE RUSTENBURG LOCAL MUNICIPALITY SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2015 FOR A CHANGE OF LAND USE RIGHTS, KNOWN AS A REZONING. RUSTENBURG AMENDMENT SCHEME 1521**

I, Dawid Jacobus Bos (ID No :5712165113080), of the firm Maxim Planning Solutions (Pty) Ltd (2002/017393/07), being the authorised agent of the owner of the Remainder of Erf 761, Rustenburg, Registration Division J.Q., North West Province hereby gives notice in terms of Section 18(1)(d) of the Rustenburg Local Municipality Spatial Planning and Land Use Management By-Law, 2015, that I have applied to the Rustenburg Local Municipality for the change of land use rights also known as rezoning with the following proposals: A) The rezoning of the property described above, situated at 44 President Mbeki Drive, Rustenburg, from "Residential 1" to "Business 1", as defined in Annexure 1824 to the Scheme. B) All properties situated adjacent to the Remainder of Erf 761, Rustenburg, Registration Division J.Q., North West Province, could thereby be affected by the rezoning application. C) The rezoning entails that the existing dwelling house be converted for business and office purposes as defined in Annexure 1824, with a maximum height of three (3) storeys, a maximum F.A.R of 0.22 and a maximum coverage of 50%.

Particulars of the application will lie for inspection during normal office hours at the office of the Municipal Manager, Room 319, Missionary Mpheni House, corner of Nelson Mandela- and Beyers Naude Drive, Rustenburg for the period of 30 days from **31 May 2016**. Objections to or representations in respect of the application must be lodged with or made in writing to the Municipal Manager at the above address or at P.O. Box 16, Rustenburg, 0300 within a period of 30 days from **31 May 2016**.

**Address of authorised agent:** Maxim Planning Solutions (Pty) Ltd (2002/017393/07), @ Office Building, 67 Brink Street, Rustenburg, P.O. Box 21114, Proteapark, 0305, Tel: (014) 592-9489. (2/1678/R/L)

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**KENNISGEWING 82 VAN 2016****KENNISGEWING INGEVOLGE ARTIKEL 18(1) VAN DIE RUSTENBURG PLAASLIKE MUNISIPALITEIT RUIMTELIKE BEPLANNING EN GRONDGEBRUIKBESTUUR VERORDENING, 2015 VIR 'N VERANDERING VAN DIE GRONDGEBRUIKSREGTE, BEKEND AS 'N HERSONERING. RUSTENBURG WYSIGINGSKEMA 1521**

Ek, Dawid Jacobus Bos (ID Nr: 5712165113080), van die firma Maxim Planning Solutions (Edms) Bpk (2002/017393/07), synde die gemagtigde agent van die eienaar van die Resterende Gedeelte van Erf 761, Rustenburg, Registrasie Afdeling J.Q., Noordwes Provinsie gee hiermee ingevolge Artikel 18(1)(d) van die Rustenburg Plaaslike Munisipaliteit Ruimtelike Beplanning en Grondgebruikbestuur Verordening, 2015 kennis dat ek by die Rustenburg Plaaslike Munisipaliteit aansoek gedoen het vir die verandering van grondgebruiksregte ook bekend as hersonering met die volgende voorstelle: A) Die hersonering van die eiendom hierbo beskryf, geleë te President Mbeki Rylaan 44, Rustenburg, vanaf "Residensieel 1" na "Besigheid 1", soos omskryf in Bylae 1824 tot die Skema. B) Alle eiendomme geleë aanliggend tot die Resterende Gedeelte van Erf 761, Rustenburg, Registrasie Afdeling J.Q., Noordwes Provinsie, kan moontlik deur die hersonering geraak word. C) Die hersonering behels dat die bestaande woonhuis omskep word vir besigheids- en kantoor doeleindes, soos omskryf in Bylae 1824, met 'n maksimum hoogte beperking van drie (3) verdiepings, 'n maksimum V.O.V van 0.22 en 'n maksimum dekking van 50%.

Besonderhede van die aansoek lê ter insae gedurende gewone kantoorure by die kantoor van die Munisipale Bestuurder, Kamer 319, Missionary Mpheni House, hoek van Nelson Mandela-en Beyers Naude Rylaan, Rustenburg vir 'n tydperk van 30 dae vanaf **31 Mei 2016**. Besware teen of versoë ten opsigte van die aansoek moet binne 'n tydperk van 30 dae vanaf **31 Mei 2016** skriftelik by of tot die Munisipale Bestuurder by bovermelde adres of by Posbus 16, Rustenburg, 0300 ingedien of gerig word.

**Adres van gemagtigde agent:** Maxim Planning Solutions (Edms) Bpk (2002/017393/07), @ Office Gebou, Brinkstraat 67, Rustenburg, Posbus 21114, Proteapark, 0305, Tel: (014) 592-9489. (2/1667/R/L)

31-7

**NOTICE 83 OF 2016****NOTICE OF APPLICATION FOR AMENDMENT OF TOWN-PLANNING SCHEME IN TERMS OF SECTION 56(1)(b)(i) OF THE TOWN-PLANNING AND TOWNSHIP ORDINANCE, 1986 (ORDINANCE 15 OF 1986)****KLERKSDORP LAND USE MANAGEMENT SCHEME 2005****AMENDMENT SCHEME 977**

I, Joze Maleta, being the authorized agent of the owner of Erf 528, of the township Flamwood Extension 1, Klerksdorp, hereby give notice in terms of Section 56(1)(b)(i) of the Town-Planning and Townships Ordinance, 1986, read together with the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013), that I have applied to the City of Matlosana for the amendment of the Town-Planning Scheme known as the Klerksdorp Land Use Management Scheme 2005, as amended, by the rezoning of Erf 528, in extent 1005m<sup>2</sup> of the township Flamwood Extension 1, Klerksdorp, situated adjacent to 63 Smit Avenue, Flamwood, Klerksdorp, from "Residential 1" to "Special" for the purposes of professional offices, shops, service enterprises, place of refreshment, medical consulting rooms, dwelling house as well as other purposes with the Special consent of the Local Authority as per Annexure 1062.

Particulars of the application will lie for inspection during normal office hours at the Records Division, Basement, Civic Centre, Bram Fisher Street, Klerksdorp for the period of 28 days from 31 May 2016.

Objections to or representations in respect of the application must be lodged with or made in writing to the Municipal Manager, City of Matlosana, at the above address or at P.O. Box 99, Klerksdorp, 2570, within a period of 28 days from 31 May 2016.

Address of Agent: J.Maleta, P.O. Box 1372, Klerksdorp, 2570, Tel.: (018) 462-1991

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31-7

**KENNISGEWING 83 VAN 2016****KENNISGEWING VAN AANSOEK OM WYSIGING VAN DORPSBEPLANNINGSKEMA  
INGEVOLGE ARTIKEL 56(1)(b)(i) VAN DIE ORDONNANSIE OP DORPSBEPLANNING  
EN DORPE, 1986 (ORDONNANSIE 15 VAN 1986)****KLERKSDORP LAND USE MANAGEMENT SCHEME 2005****WYSIGINGSKEMA 977**

Ek, Jozé Maleta, synde die gemagtigde agent van die eienaar van Erf 528 van die dorp Flamwood Uitbreiding 1, Klerksdorp, gee hiermee ingevolge Artikel 56(1)(b)(i) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986, saamgelees met die Spatial Planning and Land Use Management Wet, 2013 (Wet 16 van 2013), kennis dat ek by die City of Matlosana aansoek gedoen het om die wysiging van die Dorpsbeplanningskema bekend as Klerksdorp Land Use Management Scheme 2005, soos gewysig, deur die hersonering van Erf 528, groot 1005m<sup>2</sup> van die dorp Flamwood Uitbreiding 1, Klerksdorp, geleë aanliggend aan 63 Smitlaan, Flamwood, Klerksdorp, van "Residensieël 1" na "Spesiaal" vir die doeleindes van professionele kantore, winkels, diens ondernemings, plek van verversing, mediese konsultasie kamers, wooneenheid en ander gebruike met die Spesiale toestemming van die Plaaslike Bestuur soos per Bylae 1062.

Besonderhede van die aansoek lê ter insae gedurende gewone kantoorure by die Rekords Afdeling, Kelderverdieping, Burgersentrum, Bram Fisherstraat, Klerksdorp, vir 'n tydperk van 28 dae vanaf 31 Mei 2016.

Besware teen of vertoë ten opsigte van die aansoek moet binne 'n tydperk van 28 dae vanaf 31 Mei 2016, skriftelik by of tot die Munisipale Bestuurder, City of Matlosana, by bovermelde adres of by Posbus 99, Klerksdorp, 2570, ingedien of gerig word.

Adres van Agent: J.Maleta, Posbus 1372, Klerksdorp, 2570, Tel. (018) 462-1991.

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**NOTICE 84 OF 2016****NOTICE OF APPLICATION FOR AMENDMENT OF TOWN-PLANNING SCHEME IN TERMS OF  
SECTION 56(1)(b)(i) OF THE TOWN-PLANNING AND TOWNSHIP ORDINANCE, 1986  
(ORDINANCE 15 OF 1986)****KLERKSDORP LAND USE MANAGEMENT SCHEME 2005****AMENDMENT SCHEME 978**

I, Joze Maleta, being the authorized agent of the owner of Erf 104, of the township Flamwood, Klerksdorp, hereby give notice in terms of Section 56(1)(b)(i) of the Town-Planning and Townships Ordinance, 1986, read together with the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013), that I have applied to the City of Matlosana for the amendment of the Town-Planning Scheme known as the Klerksdorp Land Use Management Scheme 2005, as amended, by the rezoning of (a Portion in extent approximately 1011m<sup>2</sup>) of Erf 104 of the township Flamwood, Klerksdorp, situated adjacent to Harris Avenue, Flamwood, Klerksdorp, from "Residential 1" to "Residential 2" for four dwelling units.

Particulars of the application will lie for inspection during normal office hours at the Records Division, Basement, Civic Centre, Bram Fisher Street, Klerksdorp for the period of 28 days from 31 May 2016.

Objections to or representations in respect of the application must be lodged with or made in writing to the Municipal Manager, City of Matlosana, at the above address or at P.O. Box 99, Klerksdorp, 2570, within a period of 28 days from 31 May 2016.

Address of Agent: J.Maleta, P.O. Box 1372, Klerksdorp, 2570, Tel.: (018) 462-1991

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31-7

**KENNISGEWING 84 VAN 2016****KENNISGEWING VAN AANSOEK OM WYSIGING VAN DORPSBEPLANNINGSKEMA  
INGEVOLGE ARTIKEL 56(1)(b)(i) VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN  
DORPE, 1986 (ORDONNANSIE 15 VAN 1986)****KLERKSDORP LAND USE MANAGEMENT SCHEME 2005****WYSIGINGSKEMA 978**

Ek, Joze Maleta, synde die gemagtigde agent van die eienaar van Erf 104 van die dorp Flamwood, Klerksdorp, gee hiermee ingevolge Artikel 56(1)(b)(i) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986, saamgelees met die Spatial Planning and Land Use Management Wet, 2013 (Wet 16 van 2013), kennis dat ek by die City of Matlosana aansoek gedoen het om die wysiging van die Dorpsbeplanningskema bekend as Klerksdorp Land Use Management Scheme 2005, soos gewysig, deur die hersonering van ('n Gedeelte, groot ongeveer 1011m<sup>2</sup>) van Erf 104, van die dorp Flamwood, Klerksdorp, geleë aanliggend aan Harrislaan, Flamwood, Klerksdorp, van "Residensieël 1" na "Residensieël 2" vir vier wooneenhede.

Besonderhede van die aansoek lê ter insae gedurende gewone kantoorure by die Rekords Afdeling, Kelderverdieping, Burgersentrum, Bram Fisherstraat, Klerksdorp, vir 'n tydperk van 28 dae vanaf 31 Mei 2016.

Besware teen of vertoë ten opsigte van die aansoek moet binne 'n tydperk van 28 dae vanaf 31 Mei 2016, skriftelik by of tot die Munisipale Bestuurder, City of Matlosana, by bovermelde adres of by Posbus 99, Klerksdorp, 2570, ingedien of gerig word.

Adres van Agent: J.Maleta, Posbus 1372, Klerksdorp, 2570, Tel. (018) 462-1991.

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**NOTICE 86 OF 2016**

DRAFT NOTICE FOR NORTH WEST PROVINCIAL GAZETTE

**NOTICE: MAHIKENG LOCAL MUNICIPALITY.****THE REZONING OF ERF 564, MAFIKENG TOWNSHIP, REGISTRATION DIVISION JO, PROVINCE OF NORTH WEST, FROM "RESIDENTIAL" TO "BUSINESS" FOR THE PURPOSE OF OFFICE, CONFERENCE FACILITIES AND ENTERTAINMENT.**

Notice is hereby given in terms of the provisions of section 17(1) of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) read with the provisions of the Spatial Planning and Land Use Management Act, 2013 (SPLUMA, 16 OF 2013) that we the owners of erf 564 intent to rezone the said erf from "Residential 6" to "Business".

Full details of the above-mentioned application will be available for inspection at the offices of the Mahikeng Local Municipality, Directorate: Planning and Development, Office no: C122 (Head: Housing), Cnr Hector Peterson Street and University Drive, Mmabatho.

Venue: Mahikeng Local Municipality Building.

Objections in writing, if any, must reach the undersigned not later than 07 June 2016 at 12h00. Please quote the notice number as reference.

Further note that in terms of Section 21 of the Municipal System Act, 2000 (Act No. 32 of 2000) that any person who wants to object, but cannot write, may during office hours within the prescribed period attend on the Head of Housing of the Mahikeng Local Municipality to transcribe such comments, representations or objects.

Mr. R. Groenewald, Head: Housing, Directorate Planning and Development, Mahikeng Local Municipality. Private Bag X63, Mmabatho, 2735 or [rodger.groenewald@mafikeng.gov.za](mailto:rodger.groenewald@mafikeng.gov.za). Tel: 018 389 0351

**NOTICE 87 OF 2016****DRAFT NOTICE FOR NORTH WEST PROVINCIAL GAZETTE****NOTICE: MAHIKENG LOCAL MUNICIPALITY.****THE REZONING OF ERF 564,MAFIKENG TOWNSHIP,REGISTRATION DIVISION JO,PROVINCE OF NORTH WEST,FROM "RESIDENTIAL" TO "BUSINESS" FOR THE PURPOSE OF OFFICE,CONFERENCE FACILITIES AND ENTERTAINMENT.**

Notice is hereby given in terms of the provisions of section 17(1) of the Land Use Planning Ordinance,1985(Ordinance 15 of 1985)read with the provisions of the Spatial Planning and Land Use Management Act,2013(SPLUMA,16 OF 2013)that we the owners of erf 564 intent to rezone the said erf from "Residential 6" to "Business".

Full details of the above-mentioned application will be available for inspection at the offices of the Mahikeng Local Municipality, Directorate: Planning and Development, Office no: C122 (Head: Housing), Cnr Hector Peterson Street and University Drive, Mmabatho.

Venue: Mahikeng Local Municipality Building.

Objections in writing, if any, must reach the undersigned not later than 07 June 2016 at 12h00.Please quote the notice number as reference.

Further note that in terms of Section 21 of the Municipal System Act,2000(Act No.32 of 2000)that any person who wants to object ,but cannot write, may during office hours within the prescribed period attend on the Head of Housing of the Mahikeng Local Municipality to transcribe such comments, representations or objects.

Mr.R.Groenewald, Head: Housing, Directorate Planning and Development, Mahikeng Local Municipality.

Private Bag X63, Mmabatho, 2735 or [rodger.groenewald@mafikeng.gov.za](mailto:rodger.groenewald@mafikeng.gov.za).

Tel: 018 389 0351

**NOTICE 88 OF 2016****NOTICE IN TERMS OF SECTION 18(1) OF THE RUSTENBURG LOCAL MUNICIPALITY SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2015 FOR A CHANGE OF LAND USE RIGHTS, KNOWN AS A REZONING****RUSTENBURG AMENDMENT SCHEME 1502**

I, Dawid Jacobus Bos (ID No: 5712165113080), of the firm Maxim Planning Solutions (Pty) Ltd (2002/017393/07), being the authorised agent of the owner of Portion 6 of Erf 1412, Rustenburg, Registration Division J.Q., North West Province hereby gives notice in terms of Section 18(1)(d) of the Rustenburg Local Municipality Spatial Planning and Land Use Management By-Law, 2015, that I have applied to the Rustenburg Local Municipality for the change of land use rights also known as rezoning with the following proposals: A) The rezoning of the property described above, situated at 266A Beyers Naude Drive, Rustenburg from "Residential 1" to "Special" for offices and medical consulting rooms, as defined in Annexure 1808 to the Scheme. B) All properties situated adjacent to Portion 6 of Erf 1412, Rustenburg, Registration Division J.Q., North West Province, could thereby be affected by the rezoning application. C) The rezoning entails the retaining of the existing dwelling house and the erection of an additional storey thereon. The new entrance to the site will now be from Zand Street, as defined in Annexure 1808, with a maximum height of two (2) storeys, a floor area ratio of 0.45 and a maximum coverage of 65%.

Particulars of the application will lie for inspection during normal office hours at the office of the Municipal Manager, Room 319, Missionary Mpheni House, corner of Nelson Mandela- and Beyers Naude Drive, Rustenburg for the period of 30 days from **07 June 2016**. Objections to or representations in respect of the application must be lodged with or made in writing to the Municipal Manager at the above address or at P.O. Box 16, Rustenburg, 0300 within a period of 30 days from **07 June 2016**.

**Address of authorised agent:** Maxim Planning Solutions (Pty) Ltd (2002/017393/07), @ Office Building, 67 Brink Street, Rustenburg, P.O. Box 21114, Proteapark, 0305, Tel: (014) 592-9489. (2/1674/R/L)

07-14

**KENNISGEWING 88 VAN 2016****KENNISGEWING INGEVOLGE ARTIKEL 18(1) VAN DIE RUSTENBURG PLAASLIKE MUNISIPALITEIT RUIMTELIKE BEPLANNING EN GRONDGEBRUIKBESTUUR VERORDENING, 2015 VIR 'N VERANDERING VAN DIE GRONDGEBRUIKSREGTE, BEKEND AS 'N HERSONERING****RUSTENBURG WYSIGINGSKEMA 1502**

Ek, Dawid Jacobus Bos (ID Nr: 5712165113080), van die firma Maxim Planning Solutions (Edms) Bpk (2002/017393/07), synde die gemagtigde agent van die eienaar van Gedeelte 6 van Erf 1412, Rustenburg, Registrasie Afdeling J.Q., Noordwes Provinsie gee hiermee ingevolge Artikel 18(1)(d) van die Rustenburg Plaaslike Munisipaliteit Ruimtelike Beplanning en Grondgebruikbestuur Verordening, 2015 kennis dat ek by Rustenburg Plaaslike Munisipaliteit aansoek gedoen het vir die verandering van grondgebruiksregte ook bekend as hersonering met die volgende voorstelle: A) Die hersonering van die eiendom hierbo beskryf, geleë te Beyers Nauderylaan 266A, Rustenburg, vanaf "Residensieel 1" na "Spesiaal" vir kantore en mediese spreekkamers, soos omskryf in Bylae 1808 tot die Skema. B) Alle eiendomme geleë aanliggend tot Gedeelte 6 van Erf 1412, Rustenburg, Registrasie Afdeling J.Q., Noordwes Provinsie, kan moontlik deur die hersonering geraak word. C) Die hersonering behels dat die bestaande woonhuis behoue bly en 'n addisionele verdieping daarop opgerig word. Die nuwe ingang na die perseel sal nou vanuit Zandstraat wees, soos omskryf in Bylae 1808, met 'n maksimum hoogte beperking van twee (2) verdiepings, 'n vloeroppervlakte verhouding van 0.45 en 'n maksimum dekking van 65%.

Besonderhede van die aansoek lê ter insae gedurende gewone kantoorure by die kantoor van die Munisipale Bestuurder, Kamer 319, Missionary Mpheni House, hoek van Nelson Mandela- en Beyers Naude Rylaan, Rustenburg vir 'n tydperk van 30 dae vanaf **07 Junie 2016**. Besware teen of verhoë ten opsigte van die aansoek moet binne 'n tydperk van 30 dae vanaf **07 Junie 2016** skriftelik by of tot die Munisipale Bestuurder by bovermelde adres of by Posbus 16, Rustenburg, 0300 ingedien of gerig word.

**Adres van gemagtigde agent: Maxim Planning Solutions (Edms) Bpk (2002/017393/07), @ Office Gebou, Brinkstraat 67, Rustenburg, Posbus 21114, Proteapark, 0305, Tel: (014) 592-9489. (2/1674/R/L)**

07-14

**NOTICE 89 OF 2016**

**NOTICE OF APPLICATION FOR AMENDMENT OF TOWN PLANNING SCHEME IN TERMS OF SECTION 56(1)(b)(i) OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986), READ TOGETHER WITH SPLUMA, ACT 16 OF 2013, KLERKSDORP LAND USE MANAGEMENT SCHEME, 2005 - AMENDMENT SCHEME 972**

Maxim Planning Solutions (Pty) Ltd (2002/017393/07) being the authorised agent of the owner of Portion 576 (a portion of Portion 1) of the farm Townlands of Klerksdorp No. 424-IP, hereby gives notice in terms of Section 56(1)(b)(i) of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), read together with SPLUMA, Act 16 of 2013, that we have applied to the City of Matlosana for the amendment of the Town Planning Scheme known as Klerksdorp Land Use Management Scheme, 2005, as amended, by the rezoning of Portion 576 (a portion of Portion 1) of the farm Townlands of Klerksdorp No. 424-IP, situated South of the N12, close to the intersection of the N12 and Platan Avenue, in the eastern portion of Klerksdorp, from "Municipal" to "Special", for the purposes of a commercial use, light industry, service industry, vehicle workshop, wholesale trade and a shop.

Particulars of the application will lie for inspection during normal office hours at the Records Section, Basement Floor, Klerksdorp Civic Centre, for the period of 28 days from 10 June 2016.

Objections to or representations in respect of the application must be lodged with or made in writing to the Municipal Manager, City of Matlosana at the above address or posted to P.O. Box 99, Klerksdorp, 2570 within a period of 28 days from 10 June 2016.

**Address of authorised agent: Maxim Planning Solutions (Pty) Ltd (2002/017393/07), Unit 35 Corpus Novem Office Park, 35 Dr. Yusuf Dadoo Avenue, Wilkoppies, Klerksdorp, 2571, P.O. Box 6848, Flamwood, 2572, Tel: 018-468 6366 (2/1672)**

7-14

**KENNISGEWING 89 VAN 2016****KENNISGEWING VAN AANSOEK OM WYSIGING VAN DORPSBEPLANNINGSKEMA INGEVOLGE ARTIKEL 56(1)(b)(i) VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986 (ORDONNANSIE 15 VAN 1986), SAAMGELEES MET SPLUMA, WET 16 VAN 2013, KLERKSDORP LAND USE MANAGEMENT SCHEME, 2005 - WYSIGINGSKEMA 972**

Maxim Planning Solutions (Edms) Bpk (2002/017393/07) synde die gemagtigde agent van die eienaar van Gedeelte 576 ('n gedeelte van Gedeelte 1) van die plaas Townlands of Klerksdorp No. 424-IP, gee hiermee ingevolge Artikel 56(1)(b)(i) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986), saamgelees met SPLUMA, Wet 16 van 2013, kennis dat ons by die Stad van Matlosana aansoek gedoen het om die wysiging van die Klerksdorp Land Use Management Scheme, 2005, soos gewysig, deur die hersonering van Gedeelte 576 ('n gedeelte van Gedeelte 1) van die plaas Townlands of Klerksdorp No. 424-IP, geleë Suid van die N12, naby die kruising van die N12 en Plataanlaan, in die oostelike deel van Klerksdorp, vanaf "Munisipaal" na "Spesiaal", vir die doeleindes van 'n kommersiële gebruik, ligte nywerheid, diensnywerheid, voertuig werkswinkel, groothandelaar en 'n winkel.

Besonderhede van die aansoek lê ter insae gedurende gewone kantoorure by die Rekords Afdeling, Kelder Verdieping, Klerksdorp Burgersentrum, vir 'n tydperk van 28 dae vanaf 10 Junie 2016.

Besware teen of verhoë ten opsigte van die aansoek moet binne 'n tydperk van 28 dae vanaf 10 Junie 2016 skriftelik by of tot die Munisipale Bestuurder, Stad van Matlosana by bovermelde adres of by Posbus 99, Klerksdorp, 2570 ingedien of gerig word.

**Adres van gemagtigde agent: Maxim Planning Solutions (Edms) Bpk (2002/017393/07), Eenheid 35 Corpus Novem Kantoor Park, Dr. Yusuf Dadooiaan 35, Wilkoppies, Klerksdorp, 2571, Posbus 6848, Flamwood, 2572, Tel: (018) 468-6366 (2/1672)**

7-14

**PROVINCIAL NOTICES • PROVINSIALE KENNISGEWINGS****PROVINCIAL NOTICE 97 OF 2016****NOTICE IN TERMS OF SECTION 18(1) OF THE RUSTENBURG LOCAL MUNICIPALITY SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2015 FOR A CHANGE OF LAND USE RIGHTS KNOWN AS A REZONING. RUSTENBURG AMENDMENT SCHEME 1452**

I, Jan-Nolte Ekkerd of the firm NE Town Planning CC, being the authorised agent of the owner of **Erf 2633, Geelhoutpark Extension 6, Registration Division J.Q., North West Province** hereby give notice in terms of Section 18(1)(d) of the Rustenburg Local Municipality Spatial Planning and Land Use Management By-Law, 2015 that I 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 101 Santolina Avenue, Geelhoutpark Ext. 6 from "Residential 1" with 1 dwelling unit per 700m<sup>2</sup> to "Residential 1" with 1 dwelling unit per 500m<sup>2</sup> as defined in Annexure 1758 to the Scheme. This application contains the following proposals: A) that the property will be rezoned from "Residential 1" with a density of 1 dwelling unit per 700m<sup>2</sup> to "Residential 1" with a density of 1 dwelling unit per 500m<sup>2</sup>. This application also entails the subdivision of the above mentioned property into two portions of approximately 503m<sup>2</sup> and 687m<sup>2</sup> respectively. B) The adjacent properties as well as others in the area, could thereby be affected. C) the rezoning to "Residential 1" with a density of one dwelling unit per 500m<sup>2</sup> implies that a second dwelling can be erected on the property and the property can be subdivided; the following development parameters will apply: Max Height: 2 Storeys, Max Coverage: 65% and Max F.A.R: 0.4, Density: 1 Dwelling unit per 500m<sup>2</sup>. Any objection or comments, with the grounds therefore and contact details, shall be lodged within a period of 30 days from the first date on which the notice appeared, with or made in writing to: Municipality at: **Room 319, Missionary Mpheni House, cnr. Nelson Mandela and Beyers Naude Drives, Rustenburg, or to PO Box 16, Rustenburg 0300.** Full particulars and plans (if any) may be inspected during normal office hours at the above-mentioned offices, for a period of 30 days from the date of first publication of the advertisement in the Provincial Gazette, Beeld and Citizen and/or Site Notice. Closing date for any objections : **30 June 2016.** Address of applicant NE Town Planning CC, **155 Kock Street, Suite 204, De Dak, Rustenburg 0299 or P.O. Box 5717, RUSTENBURG, 0300;** Telephone No: 014 592 2777. Dates on which notice will be published: **31 May and 7 June 2016**

31-7

## PROVINSIALE KENNISGEWING 97 VAN 2016

**KENNISGEWING INGEVOLGE ARTIKEL 18 (1) VAN DIE RUSTENBURG PLAASLIKE MUNISIPALITEIT RUIMTELIKE BEPLANNING EN GRONDGEBRUIKBESTUURS VERORDENING, 2015 VIR 'N VERANDERING VAN DIE GRONDGEBRUIKSREGTE BEKEND AS 'N HERSONERING. RUSTENBURG WYSIGINGSKEMA 1452.**

Ek, Jan-Nolte Ekkerd, van die firma NE Town Planning BK, synde die gemagtigde agent van die eienaar van **Erf 2633, Geelhoutpark Uitbreiding 6, Registrasie Afdeling J.Q., Noord-Wes Provinsie**, gee hiermee ingevolge, Artikel 18(1)(d) van die Rustenburg Plaaslike Munisipaliteit Ruimtelike Beplanning en Grondgebruikbestuur Verordening, 2015 kennis dat ek by Rustenburg Plaaslike Munisipaliteit aansoek gedoen het vir die verandering van die grondgebruikregte, ook bekend as die hersonering van die eiendom hierbo beskryf, geleë te Santolinalaan 101, Geelhoutpark Uitbr. 6, vanaf "Residensieël 1" met 1 wooneenheid per 700m<sup>2</sup> na "Residensieël 1" met 1 wooneenheid per 500m<sup>2</sup> soos omskryf in Bylae 1813 tot die Skema. Hierdie aansoek behels A) dat die eiendom hersoneer sal word vanaf "Residensieël 1" met 'n digtheid van 1 wooneenheid per 700m<sup>2</sup> na "Residensieël 1" met 'n digtheid van 1 wooneenheid per 500m<sup>2</sup>. Die aansoek behels ook dat die eiendom onderverdeel sal word in 2 gedeeltes van ongeveer 503m<sup>2</sup> and 687m<sup>2</sup> onderskeidelik. B) die aangrensende eiendomme asook eiendomme in die omgewing kan kan moontlik hierdeur geraak word. C) die hersonering na 'n digtheid van 1 wooneenheid per 500m<sup>2</sup> behels 'n tweede wooneenheid op die eiendom opgerig kan word en dat die eiendom onderverdeel kan word; die volgende ontwikkelingsparameters is van toepassing: Maks Hoogte: 2 verdiepings, Max dekking: 65% en Maks VOV: 0.4, Dekking: 1 Wooneenheid per 500m<sup>2</sup>. Enige besware of kommentaar, met gronde daarvoor asook kontakbesonderhede, kan gebring word binne 'n tydperk van 30 vanaf die eerste datum waarop die kennisgewing verskyn het na die **Munisipaliteit: Kamer 319, Missionary Mpheni House**, h.v. Nelson Mandela en Beyers Naude Rylane, Rustenburg, of na Posbus 16, Rustenburg 0300. Besonderhede en planne (indien enige) is beskikbaar vir inspeksie gedurende gewone kantoorure by die bovermelde kantore, vir 'n tydperk van 30 dae van die datum van eerste publikasie van die kennisgewing in die Provinsiale Gazette, Beeld en Citizen en/of terrein kennisgewing. Sluitingsdatum vir enige besware: **30 Junie 2016**. Adres van applikant: **155 Kockstraat, Suite 204, De Dak, Rustenburg 0299 of NE Stadsbeplanners BK, Posbus 5717, RUSTENBURG, 0300; Telefoon nr: 014 592 2777**. Datums waarop kennisgewings gepubliseer word: **31 Mei en 7 Junie 2016**.

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## PROVINCIAL NOTICE 98 OF 2016

**NOTICE IN TERMS OF SECTION 18(1) OF THE RUSTENBURG LOCAL MUNICIPALITY SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2015 FOR A CHANGE OF LAND USE RIGHTS KNOWN AS A REZONING. RUSTENBURG AMENDMENT SCHEME 1510**

I, Jan-Nolte Ekkerd of the firm NE Town Planning CC, being the authorised agent of the owner of the **Remaining Extent of Portion 3 of Erf 1384, Rustenburg, Registration Division J.Q., North West Province** hereby give notice in terms of Section 18(1)(d) of the Rustenburg Local Municipality Spatial Planning and Land Use Management By-Law, 2015 that I 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 46 Unie Street, Rustenburg, from "Residential 1" to "Special" for offices, medical consulting rooms (including a dental laboratory service), service enterprises and a dwelling unit as defined in Annexure 1815 to the Scheme. This application contains the following proposals: A) That the property will be used for offices, medical consulting rooms (including a dental laboratory service), service enterprises and a dwelling unit. B) The adjacent properties as well as properties in the area, could thereby be affected. C) The rezoning from "Residential 1" to "Special" entails that the existing building will be utilised for the purposes mentioned above with the following development parameters: Max Height: 2 Storeys, Max Coverage: 65% and Max F.A.R: 0.3. Any objection or comments, with the grounds therefore and contact details, shall be lodged within a period of 30 days from the first date on which the notice appeared, with or made in writing to: Municipality at: **Room 319, Missionary Mpheni House, cnr. Nelson Mandela and Beyers Naude Drives, Rustenburg, or to PO Box 16, Rustenburg 0300**. Full particulars and plans (if any) may be inspected during normal office hours at the above-mentioned offices, for a period of 30 days from the date of first publication of the advertisement in the Provincial Gazette, Beeld and Citizen and/or Site Notice. Closing date for any objections : **30 June 2016**. Address of applicant : NE Town Planning CC, **155 Kock Street, Suite 204, De Dak, Rustenburg 0299 or P.O. Box 5717, RUSTENBURG, 0300; Telephone No: 014 592 2777**. Dates on which notice will be published: **31 May and 7 June 2016**

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## PROVINSIALE KENNISGEWING 98 VAN 2016

**KENNISGEWING INGEVOLGE ARTIKEL 18 (1) VAN DIE RUSTENBURG PLAASLIKE MUNISIPALITEIT RUIMTELIKE BEPLANNING EN GRONDGEBRUIKBESTUURS VERORDENING, 2015 VIR 'N VERANDERING VAN DIE GRONDGEBRUIKSREGTE BEKEND AS 'N HERSONERING. RUSTENBURG WYSIGINGSKEMA 1510.**

Ek, Jan-Nolte Ekkerd, van die firma NE Town Planning BK, synde die gemagtigde agent van die eienaar van die **Restant van Gedeelte 3 van Erf 1384, Rustenburg, Registrasie Afdeling J.Q., Noord-Wes Provinsie**, gee hiermee ingevolge, Artikel 18(1)(d) van die Rustenburg Plaaslike Munisipaliteit Ruimtelike Beplanning en Grondgebruikbestuur Verordening, 2015 kennis dat ek by Rustenburg Plaaslike Munisipaliteit aansoek gedoen het vir die verandering van die grondgebruikregte, ook bekend as die hersonering van die eiendom hierbo beskryf, geleë te Uniestraat 46, Rustenburg, vanaf "Residensieël 1" na "Spesiaal" vir kantore, mediese spreekkamers (insluitend tandtegnikus dienste en laboratorium), diensnywerhede en 'n wooneenheid soos omskryf in Bylae 1815 tot die Skema. Hierdie aansoek behels A) dat die eiendom gebruik sal word vir kantore, mediese spreekkamers (insluitend tandtegnikus dienste en laboratorium), diensnywerhede en 'n wooneenheid B) die aangrensende eiendomme asook eiendomme in die omgewing kan moontlik hierdeur geraak word. C) Die hersonering van "Residensieël 1" na "Spesiaal" behels dat die bestaande gebou gebruik sal word vir die doeleindes soos hierbo genoem en bevat die volgende ontwikkelingsparameters: Maks Hoogte: 2 verdiepings, Max dekking: 65% en Maks VOV: 0.3. Enige besware of kommentaar, met gronde daarvoor asook kontakbesonderhede, kan gebring word binne 'n tydperk van 30 vanaf die eerste datum waarop die kennisgewing verskyn het na die **Munisipaliteit: Kamer 319, Missionary Mpheni House, h.v. Nelson Mandela en Beyers Naude Rylane, Rustenburg, of na Posbus 16, Rustenburg 0300**. Besonderhede en planne (indien enige) is beskikbaar vir inspeksie gedurende gewone kantoorure by die bovermelde kantore, vir 'n tydperk van 30 dae van die datum van eerste publikasie van die kennisgewing in die Provinsiale Gazette, Beeld en Citizen en/of terrein kennisgewing. Sluitingsdatum vir enige besware: **30 Junie 2016**. Adres van applikant: **155 Kockstraat, Suite 204, De Dak, Rustenburg 0299 of NE Stadsbeplanners BK, Posbus 5717, RUSTENBURG, 0300; Telefoon nr: 014 592 2777**. Datums waarop kennisgewings gepubliseer word: **31 Mei en 7 Junie 2016**.

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## PROVINCIAL NOTICE 99 OF 2016

## APPLICATION FOR ESTABLISHMENT OF TOWNSHIP

The Ramotshere Moiloa Local Municipality, hereby gives notice in terms of section 69(6)(a) of the Town Planning and Township Ordinance, 1986 (Ordinance 15 of 1986), that an application for Township Establishment for the township referred to in the annexure below, has been received by it. Particulars of the application will lie for inspection during normal office hours at the offices of Ramotshere Moiloa Local Municipality, Technical Department Building, Office of the Town Planner, c/o President and Coetzee Streets, Zeerust for the period of 28 days from 31 May 2016. Objections to or representations in respect of the application must be lodged with or made in writing to the Municipal Manager at the above address or at P.O Box 92, Zeerust, 2865, within a period of 28 days from 31 May 2016.

**ANNEXURE**

Name of township:	Ikageleng Extension 3
Full name of applicant:	Sebadi Environmental and Social Services CC (Reg. No. 2010/146055/23), on behalf of Ramotshere Moiloa Local Municipality
Number of erven in proposed township:	492 Erven zoned "Residential 1", 2 Erven zoned "Public Open Space" and 1 Erf zoned "Cemetery"
Land description:	Remainder of Portion 17 of the farm Klein Marico's Poort 242-JP, North West Province
Location:	It is located north of and adjoining the Ikageleng Extension 1 township; west of and adjoining Ikageleng Extension 2 and east of and adjoining the Klein Marico River and Welt Street

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## PROVINSIALE KENNISGEWING 99 VAN 2016

### KENNISGEWING VAN AANSOEK OM STIGTING VAN DORP

Die Ramotshere Moiloa Plaaslike Munisipaliteit, gee hiermee ingevolge artikel 69(6)(a) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986), kennis dat 'n aansoek om die dorp in die bylae hieronder, te stig deur hom ontvang is. Besonderhede van die aansoek le te insae gedurende gewone kantoorure by die kantoor van die Ramotshere Moiloa Munisipaliteit, Tegniese Departement Gebou, Kantoor van die Stadsbeplanner, h/v President en Coetzeestraat, Zeerust, vir die tydperk van 28 dae vanaf 31 Mei 2016. besware teen of vertoe ten opsigte van die aansoek moet sodanige beswaar of voorlegging op skrif aan die Munisipale Bestuurder by bovermelde adres of by Posbus 92, Zeerust, 2865, binne 'n tydperk van 28 dae vanaf 31 Mei 2016.

#### BYLAE

Naam van dorp:	Ikageleng Uitbreiding 3
Naam van aansoeker:	Sebadi Environmental and Social Services CC (Reg. No. 2010/146055/23), namens Ramotshere Moiloa Plaaslike Munisipaliteit
Aantal erwe in die voorgestelde dorp:	492 Erwe gesoneer "Residensieel 1", 2 erwe gesoneer "Openbare Oop Ruimte" en 1 erf gesoneer "Begraafplaas"
Grondbeskrywing:	Restant van Gedeelte 17 van die plaas Klein Marico Poort 242-JP, Noordwes Provinsie
Ligging:	Dit is geleë noord van en aangrensend aan die Ikageleng Uitbreiding 1 dorp; wes van en aangrensende Ikageleng Uitbreiding 2 en oos van en aangrensend aan die Klein Marico Rivier en Weltstraat

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## PROVINCIAL NOTICE 100 OF 2016

### REMOVAL OF RESTRICTIONS ACT, 1967

#### REMOVAL OF RESTRICTIONS OF ERF 124, ROOSHEUWEL x 1, TOWNSHIP REGISTRATION DIVISION IP, NORTH WEST PROVINCE SITUATED AT 178 GOEDEHOOP STREET (AMENDMENT SCHEME 965 AND ANNEXURE 1052)

It is hereby notified that application has been made in terms of Section 3(1) of the Removal of Restrictions Act, 1967 (Act No. 84 of 1967) by Alexander Edward van Breda, ID. 620501 5073 08 2, authorized agent and registered Town Planner (A/013/2007) Klerksdorp, for:

- The removal of condition A. (8) on page 3 and A. (10) (i)-(ii) on pages 3, in Deed of Transfer T4555/2016 (Concept Title Deed) as well as
- The simultaneous rezoning from "Residential 1" to "Special" for the purposes of a dwelling house, professional offices, residential 2 purposes and related purpose with the consent of the Local Authority (Amendment scheme 965 and Annexure 1052).

The application and relative documents are open for inspection at the offices of the Deputy Director: Spatial Planning and Land Use, Department Local Government and Human Settlements, Office 728, 1<sup>st</sup> Floor, West Wing, Garona Building, University Drive, Mafikeng, and the office of the Municipal Manager, City of Matlosana, for a period of 28 days, from 31 May 2016.

Objections to the application may be lodged in writing with the Deputy Director: Spatial Planning and Land Use, Department Local Government and Human Settlements at the above address or to Private Bag X1213, Potchefstroom 2520 or e-mail to [mvanheerden@nwpg.gov.za](mailto:mvanheerden@nwpg.gov.za) on or before 30 June 2016 and shall reach this office not later than 14:00 on the said date.

GO 15/4/2/1/23/63

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**PROVINSIALE KENNISGEWING 100 VAN 2016****WET OP OPHEFFING VAN BEPERKINGS, 1967****DIE OPHEFFING VAN TITEL VOORWAARDES VAN ERF 124, ROOSHEUWEL x 1, DORPSGEBIED, REGISTRASIE AFDELING I.P, PROVINSIE NOORDWES GELEE TE 178 GOEDEHOOPSTAAT (WYSIGING SKEMA 965 EN BYLAE 1052)**

Hierby word bekend gemaak dat ingevolge die bepalings van artikel 3(1) van die Wet op Opheffing van Beperkings, 1967 (Wet No. 84 van 1967) aansoek gedoen is deur Alexander Edward van Breda, ID. 620501 5073 08 2, gevolmagtigde agent en geregistreerde Stadsbeplanner (A/013/2007) Klerksdorp vir:

- Die opheffing van voorwaarde A. (8) op bladsy 3 en A. (10)(i)-(ii) op bladsy 3 in Akte van Transport T4555/2016 (Konseptitelakte) en
- die gelyktydige hersonering van "Residensieel 1" na "Spesiaal" vir doeleindes van n woonhuis, professionele kantore, residensieel 2 gebruike en verwante gebruike met die toestemming van die Plaaslike Owerheid (Wysigingskema 965 en Bylae 1052).

Die aansoek en die betrokke dokumentasie is ter insae by die kantoor van die Adjunk Direkteur: Ruimtelike Beplanning en Grondgebruik, Departement Plaaslike Regering en Menslike Nedersettings, kantoor no. 728, 1ste Vloer, Westelike Vleuel, Garonagebou, Universiteitsweg, Mafikeng en die kantoor van die Munisipale Bestuurder, Matlosana Stadsraad vir 'n tydperk van 28 dae vanaf 31 Mei 2016.

Besware teen die aansoek kan skriftelik by die Adjunk Direkteur: Ruimtelike Beplanning en Grondgebruik, Departement Plaaslike Regering en Menslike Nedersettings by bovermelde adres of Privaatsak X1213, Potchefstroom, 2520 of per e-pos aan [mvanheerden@nwpg.gov.za](mailto:mvanheerden@nwpg.gov.za)

voor of op 30 Junie 2016 ingedien word en moet die kantoor nie later as 14:00 op genoemde datum bereik nie.

GO 15/4/2/1/23/63

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**PROVINCIAL NOTICE 101 OF 2016****REMOVAL OF RESTRICTIONS ACT, 1967****REMOVAL OF RESTRICTIONS OF ERF 124, ROOSHEUWEL x 1, TOWNSHIP REGISTRATION DIVISION IP, NORTH WEST PROVINCE SITUATED AT 178 GOEDEHOOP STREET (AMENDMENT SCHEME 965 AND ANNEXURE 1052)**

It is hereby notified that application has been made in terms of Section 3(1) of the Removal of Restrictions Act, 1967 (Act No. 84 of 1967) by Alexander Edward van Breda, ID. 620501 5073 08 2, authorized agent and registered Town Planner (A/013/2007) Klerksdorp, for:

- The removal of condition A. (8) on page 3 and A. (10) (i)-(ii) on pages 3, in Deed of Transfer T4555/2016 (Concept Title Deed) as well as
- The simultaneous rezoning from "Residential 1" to "Special" for the purposes of a dwelling house, professional offices, residential 2 purposes and related purpose with the consent of the Local Authority (Amendment scheme 965 and Annexure 1052).

The application and relative documents are open for inspection at the offices of the Deputy Director: Spatial Planning and Land Use, Department Local Government and Human Settlements, Office 728, 1<sup>st</sup> Floor, West Wing, Garona Building, University Drive, Mafikeng, and the office of the Municipal Manager, City of Matlosana, for a period of 28 days, from 31 May 2016.

Objections to the application may be lodged in writing with the Deputy Director: Spatial Planning and Land Use, Department Local Government and Human Settlements at the above address or to Private Bag X1213, Potchefstroom 2520 or e-mail to [mvanheerden@nwpg.gov.za](mailto:mvanheerden@nwpg.gov.za)

on or before 30 June 2016 and shall reach this office not later than 14:00 on the said date.

GO 15/4/2/1/23/63

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**PROVINSIALE KENNISGEWING 101 VAN 2016****WET OP OPHEFFING VAN BEPERKINGS, 1967  
DIE OPHEFFING VAN TITEL VOORWAARDES VAN GEDEELTE 262 VAN DIE PLAAS  
KROKODILDRIFT 446 JQ, NOORDWES PROVINSIE**

Hiermee word bekend gemaak dat ingevolge die bepalings van artikel 3(1) van die Wet op Opheffing van Beperkings, 1967 (Wet No. 84 of 1967) aansoek gedoen is deur Calcuplan Stadsbeplanners, Madibeng, vir die opheffing van voorwaarde "H" soos vervat in die Akte van Transport T53398/2011.

Die aansoek en die betrokke dokumentasie is ter insae by die kantoor van die Adjunk Direkteur: Ruimtelike Beplanning, Departement van Plaaslike Regering en Menslike Vestiging, Kantoor 728, 1ste Vloer, Westelike Vleuel, Garona Gebou, Universiteitsweg, Mahikeng, en in die kantoor van die Munisipale Bestuurder, Madibeng Plaaslike Munisipaliteit vir 'n tydperk van 28 dae vanaf **31 Mei 2016**.

Besware teen die aansoek kan skriftelik by Adjunk Direkteur: Ruimtelike Beplanning, Departement van Plaaslike Regering en Menslike Vestiging, Kantoor 728, 1ste Vloer, Westelike Vleuel Garona Gebou, Mahikeng, of Privaatsak X1213, Potchefstroom, 2520 of [mvanheerden@nwpg.gov.za](mailto:mvanheerden@nwpg.gov.za) voor of op **28 Junie 2016** ingedien word en moet die kantoor nie later as 14:00 op genoemde datum bereik nie.

**Verwysing: GO 15/4/2/1/10/105**

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**PROVINCIAL NOTICE 102 OF 2016****NOTICE IN TERMS OF SECTION 18(1) OF THE RUSTENBURG LOCAL MUNICIPALITY SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2015 FOR A CHANGE OF LAND USE RIGHTS, KNOWN AS A REZONING – RUSTENBURG AMENDMENT SCHEME 1527**

I, Esther Mpho Mmamadi (ID No: 800207 0345 085) of the firm Phure Trading and Consulting CC (Reg. No. 2005/140430/23) being the authorised applicant of the owners of Portion 3 of Erf 977, Rustenburg Township, North West Province hereby gives notice in terms of Section 18(1)(d) of the Rustenburg Local Municipality Spatial Planning and Land Use Management By-Law, 2015 that we have applied to the Rustenburg Local Municipality for a change of land use rights also known as rezoning with the following proposals: A) The rezoning of the property described above, situated at 80 Leyds Street, Rustenburg Township from "Residential 1" to "Business 1" including a Vehicle Workshop and a Car Wash, as defined in Annexure 1830 to the Rustenburg Land Use Management Scheme, 2005. B) All properties situated adjacent to Portion 3 of Erf 977, Rustenburg Township, North West Province, could be affected by the rezoning application. C) The rezoning entails that the proposed structures to be built on the property, will be used for "Business 1" land uses as defined in Annexure 1830, with a maximum height of six (6) storeys, maximum coverage of 80% and a maximum Floor Area Ratio (F.A.R) of 0.55. Particulars of the application will lie for inspection during normal office hours at the office of the Director Planning and Development, Room 319, Missionary Mpheni House, c/o Beyers Naude and Nelson Mandela Drive, Rustenburg for the period of 30 days from 31 May 2016. Objections to or representations in respect of the application must be lodged with or made in writing to the Municipal Manager at the above address or at P.O Box 16, Rustenburg, 0300, within a period of 30 days from 31 May 2016. **Address of applicant: Phure Consulting, 32 Nelson Mandela Drive, Frans Vos Building, Office No.9, 1<sup>st</sup> Floor, Rustenburg, Tel: 014 592 9408.**

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**PROVINSIALE KENNISGEWING 102 VAN 2016****KENNISGEWING INGEVOLGE ARTIKEL 18(1) VAN DIE RUSTENBURG PLAASLIKE MUNISIPALITEIT RUIMTELIKE BEPLANNING EN GRONDGEBRUIKSBESTUUR VERORDENING, 2015 VIR 'N VERANDERING VAN GRONDGEBRUIKSREGTE, BEKEND AS 'N HERSONERING-RUSTENBURG WYSIGINGSKEMA 1527**

**Ek, Esther Mpho Mmamadi (ID Nr. 800207 0345 085) van die firma Phure Trading and Consulting CC (Reg. Nr. 2005/140430/23),** synde die gemagtigde aansoeker van die eienaars van Gedeelte 3 van Erf 977, Rustenburg Dorpsgebeid, Noordwes Provinsie gee hiermee ingevolge Artikel 18(1)(d) van die Rustenburg Plaaslike Munisipaliteit Ruimtelike Beplanning en Grondgebruiksbestuur Verordening, 2015, kennis dat ons by die Rustenburg Plaaslike Munisipaliteit aansoek gedoen het om die wysiging van grondgebruiksregte, ook bekend as hersonering, met die volgende voorstelle: A) Die hersonering van die eiendom hierbo beskryf, geleë te Leydsstraat 80, Rustenburg Dorpsgebeid, vanaf "Residensieel 1" na "Besigheid 1" soos beskryf in Bylae 1830 tot die Rustenburg Land Use Management, 2005. B) Alle eiedomme geleë aanliggend tot Gedeelte 3 van Erf 977, Rustenburg Dorpsgebeid, Noordwes Provinsie, kan deur die hersoneringsaansoek geraak word. C) Die hersonering behels dat die voorgestelde strukture word gebou op die eiendom, sal gebruik word vir "Besigheid 1" grondgebruik soos beskryf in Bylae 1830, met 'n maksimum hoogte van ses (6) verdiepings, maksimum dekking van 80% en 'n maksimum Vloer Oppervlakte Verhouding (V.O.V) van 0.55. Besonderhede van die aansoek lê ter insae gedurende gewone kantoorure by die kantoor van Direkteur Beplanning en Ontwikkeling, Kamer 319, Missionary Mpheni House, H/v Beyers Naude- en Nelson Mandelarylaan, Rustenburg, vir 'n tydperk van 30 dae vanaf 31 Mei 2016. Besware teen of verhoë ten opsigte van die aansoek moet binne 'n tydperk van 30 dae vanaf 31 Mei 2016 skriftelik by of tot die Munisipale Bestuurder by bovermelde adres of by Posbus 16, Rustenburg, 0300 ingedien of gerig word. **Adres van applikant: Phure Consulting, 32 Nelson Mandelarylaan, Frans Vos Gebou, Kantoor Nr. 9, 1<sup>ste</sup> Vloer, Rustenburg, Tel: (014) 592-9408.**

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**PROVINCIAL NOTICE 103 OF 2016****RUSTENBURG LAND USE MANAGEMENT SCHEME 2005****RUSTENBURG AMENDMENT SCHEME 1407**

It is hereby notified in terms of the provisions of Section 57(1)(a) of the Town-planning and Townships Ordinance, 1986 (Ordinance No 15 of 1986), that the Rustenburg Local Municipality has approved the application for the amendment of the Rustenburg Land Use Management Scheme, 2005 being the rezoning of Portion 7 of Erf 1183, Rustenburg, to "Special" for Accommodation Enterprise with a Conference Facility and a Place of Refreshment subject to certain further conditions.

Map 3 and the scheme clauses of this amendment scheme are filed with the Head of the Department: Directorate Planning, Rustenburg Local Municipality, and are open to inspection during normal office hours.

This amendment is known as Rustenburg Amendment Scheme 1407 (with Annexure 1713) and shall come into operation on the date of publication of this notice.

**PROVINSIALE KENNISGEWING 103 VAN 2016****RUSTENBURG GRONDGEBRUIKBESTUURSKEMA 2005****RUSTENBURG WYSIGINGSKEMA 1407**

Hierby word ingevolge die bepalings van Artikel 57(1)(a) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie No 15 van 1986), bekend gemaak dat die Rustenburg Plaaslike Munisipaliteit die aansoek om die wysiging van die Rustenburg Grondgebruikbestuursskema, 2005, goedgekeur het, synde die hersonering van Gedeelte 7 van Erf 1183, Rustenburg, tot "Spesiaal" vir Akkommodasie onderneming met 'n konferensie fasiliteit en 'n verversingsplek onderworpe aan sekere verdere voorwaardes.

Kaart 3 en die skema klousules van hierdie wysigingskema word deur die Hoof van die Departement: Direktoraat Beplanning, Rustenburg Plaaslike Munisipaliteit, in bewaring gehou en lê gedurende gewone kantoorure ter insae.

Hierdie wysiging staan bekend as die Rustenburg Wysigingskema 1407 (met Aanhangsel 1713) en tree op die datum van publikasie van hierdie kennisgewing in werking.

**PROVINCIAL NOTICE 104 OF 2016****NOTICE OF APPLICATION FOR AMENDMENT OF TOWN PLANNING SCHEME IN TERMS OF SECTION 56(1)(b)(i) OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986), READ TOGETHER WITH SPLUMA, ACT 16 OF 2013, KLERKSDORP LAND USE MANAGEMENT SCHEME, 2005 – AMENDMENT SCHEME 960**

MALEPA PLANNING & PROJECTS (PTY)Ltd (2007/015316/07) being the authorised agent of the owner of Erf 3499, Wilkoppies, Extension 84, North West Province, hereby gives notice in terms of Section 56(1)(b)(i) of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), read together with SPLUMA, Act 16 of 2013, that we have applied to the City of Matlosana, for the amendment of the Town Planning Scheme known as Klerksdorp Land Use Management Scheme, 2005, as amended, by the rezoning of Erf 3499, Wilkoppies, Extension 84 adjacent to Stephanus Street from "Residential 1" to "Residential 2", for the purposes of erecting four (4) dwelling units with the special consent of the Local Authority.

Particulars of the application will lie for inspection during normal office hours at the Records Section, Basement Floor, Klerksdorp Civic Centre, Bram Fisher Street, Klerksdorp, for a period of 28 days from 07 June 2016.

Objections to or representation in respect of the application must be lodged with or made in writing to the Municipal Manager, City of Matlosana at the above address or posted to P.O. Box 99, Klerksdorp, 2570 within a period of 28 days from 07 June 2016.

**Address of authorised agent: Malepa Planning & Projects (PTY) Ltd., Anderson Street 101, Plansentrum, Klerksdorp, 2571, P O Box 451, Klerksdorp, 2570. Tel Nr: (018) 462 4465**

**PROVINSIALE KENNISGEWING 104 VAN 2016****KENNISGEWING VAN AANSOEK OM WYSIGING VAN DORPBEPLANNINGSKEMA INGEVOLGE ARTIKEL 56(1)(b)(i) VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986 (ORDONNANSIE 15 VAN 1986), SAAMGELEES MET SPLUMA, WET 16 VAN 2013, KLERKSDORP GRONDGEBRUIKSBESTUUR SKEMA, 2005 – WYSIGINGSKEMA 960**

MALEPA PLANNING & PROJECTS (PTY)Ltd (2007/015316/07) synde die gemagtigde agent van die eienaar van Erf 3499, Wilkoppies, Uitbreiding 84, gee hiermee ingevolge artikel 56(1)(b)(i) van die Ordonnasie op Dorpbeplanning en Dorpe, 1986 (Ordonnasie 15 van 1986), saamgelees met SPLUMA, Wet 16 van 2013, kennis dat ons by Stadsraad van Matlosana aansoek gedoen het om die wysiging van die dorpsbeplanningskema bekend as Klerksdorp Grondgebruiksbestuurskema, 2005, soos gewysig, deur die hersonering van Erf 3499, Wilkoppies, Uitbreiding 84 aangrensend aan Stephanus Straat, vanaf "Residensieël 1" na "Residensieël 2" vir die doeleindes van die oprigting van vier (4) wooneenhede met die spesiale toestemming van die Plaaslike Owerheid.

Besonderhede van die aansoek lê ter insae gedurende gewone kantoorure by die Rekords Afdeling, Kelder Verdieping, Burgersentrum, Bram Fisherstraat, Klerksdorp, vir 'n tydperk van 28 dae vanaf 07 Junie 2016.

Besware teen of versoë ten opsigte van die aansoek moet binne 'n tydperk van 28 dae vanaf 07 Junie 2016, skriftelik by of tot die Munisipale Bestuurder, Stadsraad van Matlosana by bovermelde adres of by Posbus 99, Klerksdorp, 2570 ingedien of gerig word.

**Adres van gemagtigde agent: Malepa Planning & Projects (PTY) Ltd., Anderson Straat 101, Plansentrum, Klerksdorp, 2571, Posbus 451, Klerksdorp, 2570. Tel Nr: (018) 462 4465.**

7-14

**PROVINCIAL NOTICE 105 OF 2016****RUSTENBURG MUNICIPALITY****INTEGRATED WASTE MANAGEMENT BY-LAW**

In terms of Section 156(2) of the Constitution, 1996 Rustenburg Municipality hereby enacts as follows:-

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2. Principles
3. Main objects
4. Duties and obligations

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INTEGRATED WASTE MANAGEMENT**

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6. Waste information system
7. Waste minimisation and recycling
8. Waste management activities

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9. Levels of service
10. Compulsory use of service
11. Frequency
12. Volume
13. Containers
14. Communal collection
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**Bulky Waste**

- 20. Removal and disposal

**Part 3**  
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**Part 4**  
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- 27. Storage
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## CHAPTER 1 GENERAL PROVISIONS

### Definitions and interpretation

1. In this By-law words used in the masculine gender include the feminine, the singular includes the plural and vice versa; a natural person includes a juristic person and vice versa and unless the context otherwise indicates -

**“agricultural and farm waste”** means all waste generated on farms as part of agricultural processes or through ordinary domestic and business activities and may include different types of waste;

**“applicable charge”** means the rate, charge, tariff, flat rate, subsidy or any other cost prescribed by the Municipality from time to time;

**“approved”** in the context of bins, bin liners, waste bags, containers, receptacles and wrappers, means approved by the Municipality or a licensed service provider for the collection and storage of waste;

**“approved container”** means a container approved for the temporary storage of domestic or business waste until removed by the municipality or an approved service provider;

**“approved business waste container”** means a container with a storage capacity of 240 litre, a container with a storage capacity of 770 litre or any other approved container prescribed by the Municipality;

**“approved domestic waste container”** means a container with a storage capacity of 240 litres or any other approved container prescribed by the Municipality;

**“authorised official”** means a waste management officer or other person in the employ of the Municipality, authorised by the Municipality for the purposes of this By-law, or if the Municipality has appointed a municipal service provider to perform municipal services, an employee of such service provider, authorised by it as an authorised official in terms of this By-law and acting within the scope of the powers, functions and duties assigned to that municipal service provider by the Municipality in terms of section 81(2) of the Local Government Municipal Systems Act, Act 32 of 2000 or another applicable law;

**“building waste”** means waste produced during the construction, alteration, repair or demolition of any structure both manmade or natural, and includes rubble, earth, vegetation, wood and rock displaced during such construction, alteration, repair or demolition but excludes hazardous waste and garden waste;

**“bulky waste”** means waste which can be classified as domestic or business waste but which, by virtue of its mass, shape, size or quantity, cannot easily be accumulated in or removed from an approved container;

**“business waste”** means waste, other than household and business hazardous waste, health care waste, health care risk waste, building waste, industrial waste, garden waste, bulky waste, special waste, e-Waste and special industrial waste generated on premises that are used wholly or mainly for commercial, retail, wholesale, entertainment or government administration purposes and at residential premises where any one or more of these activities are being conducted;

**“collection”** means the act of collecting domestic or business waste at the place of generation or storage by the Municipality or a licensed service provider and removal has a similar meaning;

**“commercial services”** means any waste management service, relating or connected to accumulating, collecting, managing, recycling, sorting, storing, treating, transporting, disposing, buying or selling of waste or any other manner of handling waste excluding municipal services rendered by the Municipality;

**“Constitution”** means the Constitution of the Republic of South Africa, 1996 (Act no. 108 of 1996);

**“dailies”** means putrescible business waste generated by hotels, restaurants, food shops, hospitals and canteens that must be collected on a more frequent basis, often a daily basis, to prevent the waste from decomposing and presenting a nuisance, environmental or health risk;

**“damage to the environment”** means any pollution, degradation or harm to the environment whether visible or not;

**“DEA”** means the national Department of Environmental Affairs;

**“development”** means a high density residential development with common property or facilities and which is managed by a home owners’ association, body corporate or other managing body;

**“DREAD”** means the provincial Department of Rural, Environment and Agricultural Development;

**“disposal coupon”** means a coupon approved by and purchasable from the Municipality and entitling the holder thereof to use it to dispose waste of a prescribed volume and type at a waste disposal facility or a waste handling facility;

**“domestic health care waste”** means health care waste generated in a household in minimum quantities consistent with the home use of materials for medical purposes and includes waste such as syringes, unused medicines and pills, used bandages, that could cause a health hazard when not appropriately disposed of;

**“domestic waste”** means waste that emanates from premises used wholly or mainly for--

- (a) residential purposes, such as a dwelling house, flat, boarding house, old age home or group development;
- (b) educational, sport or recreational purposes;
- (c) purposes of public worship, including a hall or other building used for religious purposes, and includes domestic health care waste but excludes household and business hazardous waste, business waste, building waste, garden waste, bulky waste, special waste, e-Waste, liquid matter or night soil;

**“dump”** means placing waste anywhere other than in an approved container or a place designated as a waste handling facility or waste disposal facility by the Municipality;

**“DWA”** means the National Department of Water Affairs;

**“ECA”** means the Environment Conservation Act, 1989 (Act 73 of 1989) and any regulations made in terms thereof, or any superseding legislation;

**“EIA”** means an environmental impact assessment as contemplated in NEMA, and/or the ECA and the EIA Regulations as published in Government Notice R 1183 on 5 September 1997, as amended from time to time;

**“enforcement notice”** means any notice issued by an authorised official under this By-law which instructs the person to whom it is issued to comply with the terms of the notice, and includes a compliance notice contemplated in section 59;

**“environment”** means the individual parts and total sum of all elements, properties, conditions and the like making up the surroundings within which living organisms exist and any part or combination of the interrelationships among and between them;

**“environmental emergency”** means any situation that has caused or may cause serious harm to human health or damage to the environment, irrespective of whether the potential for harm or damage is immediate or delayed;

**“EPR”** means extended producer responsibility;

**“event waste”** means waste that originates from the activities related to an event that is held in the municipal area;

**“e-Waste”** means all types of WEEE and its parts that have been discarded by the owner as waste without the intention of re-use, i.e. almost any household or home business item with circuitry or electrical components with power or battery supply which contain materials that, if mishandled, can be hazardous to human health and the environment but also materials that are valuable and scarce. Should hazardous components be removed from e-Waste it could be classified as general waste but should e-Waste still contain any parts or components that can be hazardous to human health or the environment, it is considered to be hazardous waste to which thresholds of listed activities for the storage and treatment limits of hazardous waste apply.

**“garden services activities”** means the provision of gardening services including the cutting of grass, pruning of trees or any other horticultural activity including landscaping, to any domestic, business, commercial, education and training, recreational, institutional or industrial premises;

**“garden waste”** means organic waste which emanates from domestic gardening activities, including grass cuttings, leaves, plants, flowers, branches, tree stumps and other similar waste;

**“general waste”** means waste that does not pose an immediate hazard or threat to health or to the environment, and includes-

- (a) domestic waste;
- (b) business waste;
- (c) building waste;
- (d) inert waste,
- (e) garden waste; or
- (f) any waste classified as non-hazardous waste in terms of NEM:WA;

**“hazardous chemical substance”** means any toxic, harmful, corrosive, irritant or asphyxiant substance, or a mixture of such substances for which-

- (a) an occupational exposure limit is prescribed;
- (b) an occupational exposure limit is not prescribed but which creates a hazard to health and the environment;

**“hazardous waste”** means any waste that contains organic or inorganic elements or compounds that may, owing to the inherent physical, chemical or toxicological characteristics thereof, have a detrimental impact on health and the environment;

**“health care risk waste”** means all hazardous waste generated at any health care facility such as a frail care centre, hospital, clinic, laboratory, medical research institution, dental or medical practitioner or veterinarian including but not limited to infectious waste, pathological waste, sharp waste, pharmaceutical waste, genotoxic waste, chemical waste, pressurized container waste, waste with heavy metals, radio-active waste,

or any waste that has been in contact with blood, bodily fluids or tissues from humans or infected animals from veterinary practices;

**“health care waste”** means all waste generated by or derived from medical care or medical research including but not limited to infectious waste, pathological waste, sharp waste, pharmaceutical waste, genotoxic waste, chemical waste, pressurized container waste, waste with heavy metals, radio-active waste, or any waste that has been in contact with blood, bodily fluids or tissues from humans or infected animals from veterinary practices;

**“holder of waste”** means any person or entity that imports, generates, collects, handles, accumulates, stores, transports, transfers, processes, treats, trades, exports, recovers, recycles, re-uses or disposes of waste including sorters of waste such as recycling or waste minimisation groups, scrap dealers and buy-back centres;

**“household and business hazardous waste”** means post-consumer waste which qualifies as hazardous waste when discarded. It includes household chemicals and other substances for which the owner no longer has a use, such as consumer products sold for home care, personal care, automotive care, pest control and other purposes. These products exhibit many of the same dangerous characteristics as fully regulated hazardous waste due to their potential for reactivity, ignitability, corrosivity, toxicity, or persistence. Examples include drain cleaners, oil paint, motor oil, antifreeze, fuel, poisons, pesticides, herbicides and rodenticides, fluorescent lamps, lamp ballasts, smoke detectors, medical waste, some types of cleaning chemicals, and all types of e-waste which contains hazardous parts or components;

**“industrial waste”** means waste generated as a result of manufacturing, industrial, fabricating, processing, dismantling or maintenance activities and may include waste generated by commercial agricultural, mining or power plant activities but does not include any other category of waste;

**“inert waste”** means waste that—

- (a) does not undergo any significant physical, chemical or biological transformation after disposal;
- (b) does not burn, react physically or chemically biodegrade or otherwise adversely affect any other matter or environment with which it may come into contact; and
- (c) does not impact negatively on the environment, because of its pollutant content and because the toxicity of its leachate is insignificant;

**“infectious waste”** means waste which is generated during diagnosis, treatment or immunization of humans or animals, in the research pertaining to this, in the manufacturing or testing of biological agents including blood products, cultures, pathological waste, sharp objects, human and animal anatomical waste and isolation waste that contain or may contain infectious substances;

**“integrated waste management plan”** means an integrated waste management plan required by the Municipality in terms of this By-law or that is required in terms of any other applicable legislation;

**“interest”** means a levy with the same legal property as service fees and calculated in terms of this By-law on all amounts in arrears in respect of prescribed fees for waste management services at a standard rate equal to an interest rate as determined by the Customer Care, Credit Control and Debt Collection By-law of the Municipality;

**“level of service”** means the frequency of municipal service and the type of service point;

**“licensed service provider”** means a person or entity approved by and registered with the Municipality and having obtained a licence to collect and transport specified types of waste in the municipal area;



**“litter”** means any object or matter which is discarded by a person in any place except in an approved container provided for that purpose or at a waste disposal facility or a waste handling facility;

**“minimisation”** means the steps are taken by the Municipality, residents, businesses and industries to avoid and reduce the amount and toxicity of waste generated and disposed of;

**“Minister”** means the Minister of the Department of Environmental Affairs;

**“mixed recyclables”** mean a mixture of commonly recycled materials (e.g. wood, metal, corrugated cardboard, plastics, cans or paper ) where ideally less than 10% by weight of the total load consists of non-recyclable materials;

**“municipality”** means the Rustenburg Local Municipality established in terms of Section 12 of the Municipal Structures Act, 117 of 1998, and includes any political structure, political office-bearer, duly authorised agent thereof or any employee thereof acting in connection with this by-law by virtue of a power vested in the municipality and delegated or sub-delegated to such political structure, political office-bearer, agent or employee;

**“municipal service”** means the municipal service relating to the collection of waste, including domestic waste, business waste and dairies and related waste activities provided by the Municipality or a municipal service provider on behalf of the Municipality, in accordance with this By-law;

**“municipal service provider”** means a person or entity which provides a municipal service on behalf of the Municipality and in accordance with this By-law;

**“NEMA”** means the National Environmental Management Act, 1998 (Act 107 of 1998), its amendments and regulations;

**“NEM:WA”** means the National Environmental Management: Waste Act, 2008 (Act 59 of 2008), its amendments and regulations;

**“nuisance”** means any injury, harm, damage, inconvenience or annoyance to any person which is caused in any way whatsoever by the improper handling or management of waste, including but not limited to, the storage, placement, collection, transport or disposal of waste or by littering;

**“occupier”** means a person who occupies any premises or part thereof, without regard to the title under which he or she so occupies, and includes –

- (a) any person in actual occupation of those premises;
- (b) any person legally entitled to occupy those premises;
- (c) in the case of those premises being subdivided and let to lodgers or various tenants, the person receiving the rent payable by such lodgers or tenants whether on the person’s own account or as agent for any person entitled thereto or interested therein;
- (d) any person having the charge of or management of those premises, and includes the agent of any such person when the person is absent from the Republic of South Africa or his or her whereabouts are unknown; or
- (e) the owner of those premises;

**“organ of state”** has the meaning assigned to it in section 239 of the Constitution;

**"owner"** includes -

- (a) the person in whom is vested the legal title to premises, including, but not limited to, the registered owner according to the title deed;
- (b) where the person in whom the legal title to the premises is vested is insolvent or dead, or is under any form of legal disability whatsoever, the person in whom the administration and control of such premises is vested as curator, trustee, executor, administrator, judicial manager, liquidator or other legal representative;
- (c) in any case where the Municipality is unable to determine the identity of such person, a person who is entitled to the benefit of the use of such premises or a building or buildings thereon; and
- (d) in the case of premises for which a lease agreement of ten years or longer has been entered into and registered in the Deeds Office, the lessee thereof;
- (e) in relation to
  - (i) a piece of land delineated on a sectional plan registered in terms of the Sectional Titles Act, 1986 (Act 95 of 1986), the developer or the body corporate in respect of the common property; or
  - (ii) a section as defined in the Sectional Titles Act, the person in whose name such section is registered under a sectional title deed, and includes the lawfully appointed agent of such a person;
- (f) the person who has purchased immovable property from the Municipality, in terms of a scheme that allows for the purchase price to be paid in instalments and who has not received transfer from the Municipality;

**"person"** means any natural person, local government body or like authority, a company incorporated under any law, a body of persons whether incorporated or not, a statutory body, public utility body, voluntary association or trust;

**"pollution"** means any change in the environment caused by –

- (a) substances; or
- (b) radio-active or other waves; or
- (c) noise, odours, dust or heat, emitted from any activity, including the storage or treatment of waste or substances, construction and the provision of services, whether engaged in by any person or an organ of state, where that change has an adverse effect on human health or well-being or on the composition, resilience and productivity of natural or managed ecosystems, or on materials useful to people, or will have such an effect in the future;

**"premises"** means an erf or any other portion of land, including any building thereon or any other structure utilised for business, industrial or residential purposes;

**"prescribed fee"** means a fee including a tariff or charge determined by Council resolution;

**"prescribed tariff"** means a schedule of prescribed fees as entailed in the Municipality's budget;

**"public notice"** means notice to the public in a manner determined by the Municipality;

**"public place"** includes any public building, public road, overhead bridge, subway, foot pavement, footpath, sidewalk, lane square, open space, garden, park, sports ground, enclosed space vested in a Municipality, and any road, place or thoroughfare however created which is in the undisturbed use of the public or which the public has the right to use or the right to access;

**“public road”** means any road, street or thoroughfare or any other place (whether a thoroughfare or not) which is commonly used by the public or any section thereof or to which the public or any section thereof has a right of access and includes—

- (a) the verge of any such road, street or thoroughfare;
- (b) any bridge, ferry or drift traversed by any such road, street or thoroughfare; and
- (c) any other work or object forming part of or connected with or belonging to such road, street or thoroughfare;

**“recovery”** means the controlled extraction or retrieval of any substance, material or object from waste;

**“recyclable waste”** means waste that could be separated from the waste stream and set aside for purposes of re-use or recycling and include mixed recyclables;

**“recycling”** means a process where recovered waste is further processed as a product or raw material;

**“re-use”** means to utilise the whole, a portion of or a specific part of any substance, material or object from the waste stream for a similar or different purpose without changing the form or properties of such substance, material or object;

**“SANS”** means South African National Standard;

**“SAWIS”** means the national waste information system established by the national government in accordance with NEM:WA;

**“special industrial waste”** means waste consisting of a liquid, sludge or solid substance, resulting from a manufacturing process, industrial treatment or the pre-treatment for disposal purposes of any industrial or mining liquid waste;

**“special waste”** means a non-hazardous industrial waste that may include a number of waste types which has physical or chemical characteristics, or both, that requires special handling at a waste disposal facility such as contaminated soil, raw animal manure, dead animals and any other material determined to be special waste by the Municipality;

**“storage”** means the accumulation of waste in a manner that does not constitute treatment or disposal of that waste;

**“Structures Act”** means the Local Government: Municipal Structures Act, 1998 (Act 117 of 1998);

**“sustainable development”** means the integration of social, economic and environmental factors into planning, implementation and decision-making so as to ensure that development serves present and future generations;

**“Systems Act”** means the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000);

**“tariff”** means the annually revised user charge for the provision of the municipal service, determined by the Municipality;

**“transport”** means the movement of waste from one place to another;

**“waste”** means:

any substance, material or object, whether or not that substance, material or object can be re-used, recycled or recovered—

- (a) that is unwanted, rejected, discarded, abandoned or disposed of, or that is intended or required to be discarded or disposed of, by the holder of that substance, material or object and includes all wastes as defined in NEM:WA;
- (b) any other substance, material or object that is not included in NEM:WA that is identified as a waste by the Minister by notice in the Gazette;

but any waste or portion of waste, referred in subsections (a) or (b), ceases to be a waste—

- (i) once an application for its re-use, recycling or recovery has been approved or, after such approval, once it is, or has been re-used, recycled or recovered;
- (ii) where approval is not required, once a waste is, or has been re-used, recycled or recovered;
- (iii) where the Minister has, in terms of NEM:WA, exempted any waste or a portion of waste generated by a particular process from the definition of waste; or
- (iv) where the Minister has, in the prescribed manner, excluded any waste stream or a portion of a waste stream from the definition of waste;

**“waste bag”** means a plastic bag at least 22 micron thick with dimensions of 750mm x 950mm or as otherwise prescribed by the Municipality and the same applies to a bin liner;

**“waste disposal facility”** means any site or premise which receives waste for treatment or disposal thereof, and which is operated in terms of a license obtained from a statutory licence authority or otherwise in accordance with NEMA;

**“waste handling facility”** means any site or premise that receives, accumulates, handles, recycles, sorts and temporarily stores or treats waste prior to its transfer for final disposal and is operated in terms of a license obtained from a statutory licence authority or otherwise in accordance with NEMA;

**“waste information system”** means SAWIS ;

**“waste management activity”** means any one or more of the activities, as listed in NEM:WA, that a holder of waste may be involved in;

**“waste management officer”** means a person designated by the Municipality to be responsible for co-ordinating matters pertaining to waste management;

**“waste management plan”** means a waste management plan required by the Municipality in terms of this By-law and NEM:WA;

**“waste management services”** means services that relate to any one or more of the waste management activities;

**“waste removal system”** means a system by means of which waste is removed and disposed of by the Municipality;

**“waste tyre”** means a new, used, retreaded, or un-roadworthy tyre, not suitable to be retreaded, repaired or sold as a part worn tyre and not fit for its original intended use;

**“WEEE”** means electrical and electronic equipment waste, e.g. computers, phones, TVs, radios, refrigerators, washing machines, lighting equipment, home entertainment and stereo systems, toys, toasters, kettles, etc. which if discarded and no longer re-useable, needs to be recycled for material recovery;

**"working day"** means a day other than a Saturday, Sunday or public holiday but in the context of the Municipality's waste handling and waste disposal facilities it includes all calendar days except Christmas Day and New Year's Day.

2. The interpretation and application of this By-law must be guided by NEM:WA and NEMA.
3. In the event of any conflict between a section of this By-law and national legislation, the national legislation will prevail. In the event of any conflict between any section of this By-law and provincial legislation, the provincial legislation will prevail.

### Principles

2. (1) The Municipality has the responsibility to ensure that—
  - (a) all domestic and business waste generated within the municipal area is collected, disposed of or recovered in accordance with this By-law; and
  - (b) such collection, disposal or recovery takes account of the waste management hierarchy outlined in subsection (2).
- (2) The principle underpinning this By-law is the establishment and enablement of a waste management hierarchy in the following order of priority—
  - (a) avoidance, minimisation and reduction of waste;
  - (b) re-use of waste;
  - (c) recycling, re-claiming, recovery, reprocessing and treatment of waste; and
  - (d) disposal of waste.
- (3) An official authorised in terms of this By-law must as is reasonably possible, take the hierarchy specified in subsection (2) into account.

### Main objects

3. (1) The main objects of this By-law are—
  - (a) to regulate the collection, handling, storage, transport, recycling, treatment and disposal of waste;
  - (b) to create an enabling environment for the private sector to fulfil their future EPR obligations of materials recovery that is linked to priority wastes and for which they are required to follow a DEA approved industrial waste management plan;
  - (c) to optimise the existing and future municipal waste collection scheme, handling practices, and public drop off facilities so that they allow for the most efficient recovery of materials;
  - (d) to regulate the pursuance of an integrated waste management approach;
  - (e) to regulate the provision of municipal services by a municipal service provider and commercial services by licensed service providers; and
  - (f) to enhance sustainable development.
- (2) In pursuing the main objects of this By-law, the Municipality shall, within its financial and administrative capacity—
  - (a) endeavour to ensure local community involvement in local waste planning;
  - (b) endeavour to effect and unlock the recovery of materials by private sector parties as part of their future EPR obligations
  - (c) endeavour to minimise the consumption of natural resources;
  - (d) promote the recycling and re-use of waste within government, within the public domain and

- within the private sector;
- (e) encourage waste separation at source (both at household and private sector level) to facilitate and optimise re-use and recycling opportunities;
- (f) promote the effective resourcing, planning and delivery of municipal services and commercial services;
- (g) endeavour to achieve integrated waste management, planning and services in a local context;
- (h) promote and ensure environmentally responsible municipal services and commercial services; and
- (i) endeavour to ensure compliance with the provisions of this By-law.

#### **Duties and obligations**

4. (1) A holder of waste must take all reasonable measures to:
- (a) reduce or avoid waste generation and minimise the amount and toxicity of waste generated;
  - (b) re-use, recycle and recover waste (e.g for repair and refurbishment);
  - (c) dispose waste in an environmentally sound manner;
  - (d) manage waste in a manner not endangering health or the environment and cause no nuisance related to sight, noise or odour;
  - (e) prevent waste from being used for an unauthorised purpose including the prevention of persons under his supervision from contravening this By-law;
- (2) A person who imports, manufactures and/or sells a product which may be used by the public and is likely to result in the generation of hazardous waste must as part of its EPR obligations take all reasonable steps to inform the public of the impact of that waste on health and the environment.
- (3) Any person subject to the duties and obligations imposed in subsections (1) and (2) may be required by the Municipality or an authorised official to take measures to ensure compliance with these duties and obligations, which measures may be to—
- (a) investigate, assess and evaluate the impact on the environment;
  - (b) inform and educate employees about the environmental risks of their work and the manner in which their tasks must be performed in order to avoid causing significant pollution or degradation of the environment;
  - (c) cease, modify or control any act, activity or process causing the pollution or degradation;
  - (d) contain or prevent the movement of pollutants or the cause of degradation;
  - (e) eliminate any source of the pollution or degradation;
  - (f) remedy the effects of the pollution or degradation.

## **CHAPTER 2**

### **INTEGRATED WASTE MANAGEMENT**

#### **Waste management plans**

5. (1) The Municipality shall—
- (a) establish, review and revise its integrated waste management plan in accordance with the prescriptions of national legislation;
  - (b) annually report on the implementation of its integrated waste management plan; and
  - (c) follow prescribed processes of community consultation in terms of subsections (1)(a) and (b).

- (2) All public events organised and hosted in the municipal area must at least one month prior to the event taking place submit to the Municipality a waste management plan that includes the waste management services to be provided, outline the strategy how to prevent and reduce waste from the planning outset and such other information as may be required by the Municipality.
- (3) An owner or occupier or any other person responsible for a new development must submit to the Municipality an integrated waste management plan including such information as the Municipality may require prior to the start of the development and also during the development, if so requested by the Municipality.
- (4) The Municipality may grant conditional exemption in terms of subsections (2) and (3) depending on the size, nature and duration of the event or the size of the development;
- (5) The Municipality shall require a holder of waste involved in a waste management activity listed in terms of section 19 of NEM:WA to submit its integrated waste management plan to the Municipality within a specified time and thereafter at intervals coinciding with the requirements of national and provincial legislation or standards.
- (6) The Municipality may require from any other holder of waste excluding domestic waste to submit within a reasonable time and thereafter at intervals determined by the Municipality an integrated waste management plan containing such information as the Municipality deems necessary or, if applicable, a copy of its industry waste management plan as required by national legislation.
- (7) If an integrated waste management plan as referred to in subsections (4), (5) or (6) is in any way changed or amended, the holder of waste must submit such changed or amended plan to the Municipality.

#### **Waste information system**

6. (1) The Municipality shall establish and maintain a waste information system including information on the levels and extent of waste management services provided by it and enter such information on the SAWIS as and when required.
- (2) The Municipality may require from a holder of waste or any person to furnish the Municipality within a reasonable time or on a regular basis with such data, documents, information, samples or materials and the verification of information reasonably required by the Municipality to discharge its responsibilities in terms of subsection (1).
- (3) The Municipality may request a person or holder of waste that it reasonably believes should be registered on the SAWIS or the provincial waste information system to effect such registration and submit proof thereof to the Municipality or to submit proof of not conducting a waste management activity obligating such registration within a reasonable time.

#### **Waste minimisation and recycling**

7. (1) The Municipality shall in accordance with its responsibilities and its resources progressively implement measures in partnership with EPR obligated private sector parties to reduce waste and promote the recovery, re-use and recycling of waste including waste separation at source.
- (2) The Municipality may on a regular basis and in a manner it deems suitable acknowledge outstanding achievements in respect of waste avoidance, waste minimisation, recycling or other waste



management practices advancing environmentally responsible integrated waste management.

#### **Waste management activities**

8. (1) The Municipality may require a holder of waste in possession of or responsible for waste that must be classified, recorded, labelled or in any way assessed or re-assessed, to submit proof of compliance with the relevant prescriptions of national and provincial legislation and standards as applicable thereto and the Municipality will strictly adhere to any such legislation or standards in respect of its own waste management activities.
- (2) The Municipality's approval, inspection and monitoring of waste storage facilities, scrap metal yards, private buy-back centres, vehicle scrapping or recovery facilities and any other facilities where materials suitable for re-use or recycling are recovered (for and without financial gain) shall be in accordance with national and provincial legislation and standards and the Municipality's by-laws and will require the owners or occupiers of these premises to submit such information, plans and records as the Municipality deems necessary to fulfil its duties as a waste management authority.

### **CHAPTER 3**

#### **COLLECTION OF WASTE**

##### **Levels of service**

9. (1) The levels of waste collection may differ between areas based on the practicality and cost-efficiency of delivering the service. Service levels in areas may vary between:
- (a) on-site appropriate and regularly supervised or monitored disposal;
  - (b) community transfer to a central collection point;
  - (c) organised transfer to a central collection point and kerbside collection; and
  - (d) a combination of these levels.

##### **Compulsory use of service**

10. (1) Subject to the provisions of section 68, no one except the municipality or a person authorised by the municipality may remove any waste from any premises or dispose thereof and each owner of residential and business premises must make use of the service provided by the municipality for the removal or disposal of waste.
- (2) The waste collection service rendered by the Municipality in terms of subsection (1) shall be in accordance with the agreement for services concluded with the Municipality; which agreement may be amended in writing to make provision for an increase in the frequency or volume of the waste removal service rendered should it be required by the Municipality or in response to a request by the owner or occupier of residential or business premises.
- (3) The tariff for domestic and business waste removal as fixed by the municipality shall be payable to the municipality by the owner, irrespective whether the service is being used, or not, except where exemption is granted in terms of section 68.
- (4) Availability tariffs may be charged on vacant premises.
- (5) The Municipality may determine which waste items are unsuitable for collection if it does not

constitute domestic waste or business waste or could be classified as bulky waste, household and business hazardous waste or e-Waste and, if waste is determined to be unsuitable for collection, a process for removal and disposal of such waste shall be recommended by the Municipality to the owner of the waste or occupier of the premises.

- (6) If the Municipality's scheduled waste collection services are interrupted for whatever reason, the Municipality must resume the service as soon as reasonably possible and address backlogs as a matter of priority.
- (7) Complaints about the Municipality's waste collection service will be dealt with in accordance with the Municipality's customer care policy.

#### Frequency

11. (1) The Municipality must collect domestic waste and business waste at least once per week on scheduled dates for different areas. Occupiers or owners of premises will be informed of revised collection arrangements reasonably in advance.
- (2) The Municipality may determine which business premises generate waste that can be regarded as dailies and may instruct an increase in the frequency of waste collection from such premises as provided for in section 10(2).
- (3) If the Municipality is of the opinion that a business creates a nuisance, health risk, odour or danger to public health due to the fact that waste is not removed during weekends, the Municipality may instruct the owner or occupier to make use of an additional waste collection service rendered by the municipality at a prescribed fee.
- (4) An owner or occupier of a business premise who receives a waste removal service once per week may apply to the Municipality in writing to increase the number of waste removals to multiple times per week if so available and as provided for in section 10(2).

#### Volume

12. (1) The Municipality may determine—
- (a) the number of containers to be collected from each residential premise per collection;
  - (b) the number of containers to be collected from each business premise per collection based on an inspection of the waste volumes with the owner or occupier; and
  - (c) the maximum amount of business waste that may be placed for collection without the provision of an additional service or the payment of an additional prescribed fee.
- (2) Should the Municipality require the provision of an additional service to a residential or business premise or the owner or occupier of a residential or business premise apply to the Municipality in writing to increase the number of containers to be collected per collection from its premises, these changes will be effected as provided for in section 10(2).
- (3) The Municipality may, if practical, institute measures to determine the weight of waste disposed of in a container to effect a 'pay as you throw' tariff based on the DEA pricing schedule.

#### Containers

13. (1) The Municipality will collect domestic waste placed in approved domestic waste containers and

business waste placed in approved business waste containers from a location and in a condition as determined. Waste placed in a location or a container not meeting the prescriptions of the Municipality will not be collected.

- (2) Where the Municipality notices the absence of an approved container, it may provide an approved container and recover the cost from the owner or occupier.
- (3) In case of damage caused through the negligence of the owner or occupier of the premises the container may be replaced by the Municipality after receiving a written request for such replacement and full payment of the cost involved.
- (4) The owner or occupier of a residential or business premise shall be responsible for marking his/her container/s with the stand number to ensure easy identification thereof and to assist the municipal employees to return it to the correct stand.
- (5) Containers for the temporary storage of waste at business and residential premises must be kept in good condition and fit for the safe storage of waste to prevent damage to the environment and harm to health.
- (6) No person may allow an animal in his or her control to interfere with, overturn or damage a container which has been placed for collection.
- (7) The owner or occupier of business or residential premises must ensure that—
  - (a) a container contains no hot ash, unwrapped glass or other domestic waste, business waste including dailies which may cause injury to the municipal employees while carrying out their duties or damage to the container;
  - (b) no material, including any liquid, which by reason of its mass or other characteristics is likely to render a container unreasonably difficult for the municipal employees to handle or carry, is placed in such container;
  - (c) a container contains no material which is of a hazardous nature or contains hazardous components, e.g. household and business hazardous waste and e-Waste; containers are kept closed to avoid animal and insect interference and wind-blown litter;
  - (d) containers are placed outside the entrance to the premises on a date and time specified by the Municipality by written notice to the owner or occupier of the premises, except where the Municipality has indicated, in writing, that it is satisfied that a person is physically infirm or otherwise incapable of complying with this provision;
  - (e) in accordance with the Municipality's specifications, space and any other facility deemed necessary by the Municipality are provided on the premises for the storage of containers without these been visible from a public road or public place and the space so allowed permitting convenient access to and egress for the Municipality's waste collection vehicles;
  - (f) the pavement in front of or abutting the premises is kept clean and free of waste.
- (8) If dailies are generated, the owner or occupier must ensure that—
  - (a) the dailies are not placed in a container where they could contaminate another waste stream;
  - (b) the containers are placed not more than 20 metres from the entrance to the premises from where the waste is collected by the Municipality.
- (9) Notwithstanding anything to the contrary contained in this By-law, the Municipality may, having regard to the avoidance of a nuisance and the convenience of collection of waste, indicate a specific position within or outside the premises concerned where approved containers must be placed for the

collection and removal of waste and such containers must then be placed in that position at such times and for such period as the Municipality may require.

- (10) No owner or occupier of premises is allowed to place any waste bags or other containers containing waste other than domestic or business waste outside the premises unless approved by the Municipality for a specific purpose and subject to conditions as the Municipality may impose.

#### **Communal collection**

14. (1) The Municipality shall in high density areas where a sustainable, formalised domestic waste collection service can be rendered, collect the waste of individual households on a weekly basis.
- (2) The Municipality shall place appropriate bulk containers at central communal collection points determined by the Municipality as suitable for communal collection.
- (3) Communal collection points will be clearly demarcated areas.
- (4) The bulk containers must be in accordance with the Municipality's specifications and its location will as far as reasonably possible—
- (a) allow secure and easy access to the community;
  - (b) prevent windblown litter;
  - (c) enable easy access for the Municipality's waste collection vehicles.
- (5) The waste will as far as reasonably possible be collected once per week or within 24 hours of a bulk container being reported full to the Municipality.
- (6) Waste separation at source will be encouraged in respect of communal collection by providing separate bulk containers for mixed recyclables and non-recyclable waste at the communal collection points should the Municipality determine it to be viable.

#### **Collection in rural areas**

15. (1) Where it is not economically viable for the Municipality to provide bulk waste containers or any other form of collection of waste in its rural areas, communities and farmers are encouraged to make use of the Municipality's coupon system to dispose of waste at designated municipal waste handling or waste disposal facilities.
- (2) Notwithstanding the above, the Municipality will in co-operation with rural communities work to find cost-effective ways to expand waste collection practices to the rural areas.
- (3) The Municipality is in accordance with national legislation generally not permitting on-site disposal of waste but may as an exception (and only with the relevant authorisation in place) allow on-site waste disposal in rural areas if no other feasible alternatives could be made available; in which case, the Municipality will supervise or monitor such practices and exercise control over it in so far as it is reasonably possible.

#### **Recycling**

16. (1) Any owner or occupier of a business or residential premise or any other holders of waste as determined by the Municipality and in areas as determined by the Municipality may be required to—
- (a) separate their waste in mixed recyclables (e.g. paper, glass and plastic) and non-recyclables

- in accordance with the directives of the Municipality;
  - (b) use different containers for waste so separated as directed or provided by the Municipality or an authorised service provider;
  - (c) place containers containing the mixed recyclables and non-recyclable waste outside the entrance to the premises at a time and day specified by the Municipality or, if so requested, drop containers off at places as directed by the Municipality; and
  - (d) follow any other reasonable prescribed procedures.
- (2) The Municipality may locate drop-off centres for mixed recyclables and non recyclable waste in all the towns at places ensuring easy and safe access for the public.

#### **Accumulation of waste**

- 17.** (1) The owner or occupier of a business or residential premise must ensure that all domestic or business waste generated on the premises be placed for collection and not be accumulated.
- (2) Where a type or quantity of waste is not collected by the Municipality or regularly removed by a licensed service provider, the owner or occupier of the premises or holder of the waste must arrange for the removal, transport and disposal of the waste at a waste handling or waste disposal facility, as often as may be necessary to prevent undue accumulation and any nuisance or detrimental impact on human health or the environment arising from the waste.
- (3) The Municipality may enter any premises where it suspects waste of any type is accumulated and may instruct the person generating the waste or the owner or the occupier of the premises where it is so accumulated to remove the waste immediately or the Municipality may proceed to do so at the cost of the owner or occupier of the premises where the waste is accumulated.

### **CHAPTER 4**

#### **Handling Different Waste Types**

##### **Part 1**

##### **Garden Waste**

#### **Composting**

- 18.** The owner or occupier of premises on which garden waste is generated may compost garden waste on the property, provided that such composting does not cause a nuisance nor has a detrimental impact on human and environmental health.

#### **Removal and disposal of garden waste**

- 19.** (1) The owner or occupier of premises on which garden waste is generated must remove and dispose of it within a reasonable time after generation of the waste at a waste handling or waste disposal facility determined by the Municipality.
- (2) At the request of the owner or occupier of any premises the Municipality could remove garden waste from premises subject to the payment of the charge and the conditions determined by the Municipality.

## **Part 2 Bulky Waste**

### **Removal and disposal**

20. (1) The owner or occupier of premises on which bulky waste is generated, shall ensure that such waste is removed and disposed of in terms of this By-law within fourteen days after generation thereof at a waste handling or waste disposal facility determined by the Municipality.
- (2) At the request of the owner or occupier of any premises the Municipality may remove bulky waste from premises, provided that the Municipality is able to do so with its waste removal equipment and subject to the payment of the prescribed charges.

## **Part 3 Building Waste**

### **Plans and inspection**

21. (1) An owner or occupier or any person responsible for the submission of building plans for a new building or an alteration to an existing building must include therein the manner in which building waste will be handled as well as the anticipated volumes of building waste to be generated.
- (2) An authorised official of the Municipality must inspect and verify that the waste arrangements contemplated in subsection (1) were followed and all building waste appropriately disposed of as part of the final municipal sign-off of the building activities.

### **Generation and storage**

22. (1) Notwithstanding the waste arrangements contemplated in section 21, the owner or occupier of premises on which building waste is generated and/or the person engaged in any activity which causes such waste to be generated, must ensure that—
- (a) all building waste and the containers used for the storage thereof is kept on the premises on which the building waste is generated;
  - (b) the premises on which the building waste is generated does not become unsightly or cause a nuisance as a result of accumulated building waste;
  - (c) any building waste which is blown off the premises, is promptly retrieved.
- (2) Upon written request and subject to conditions as it may determine the Municipality may approve the use of a bulk container placed on a verge for a specified duration.
- (3) The Municipality may instruct an owner or occupier of premises on which building waste is generated and/or the person engaged in any activity which causes such waste to be generated to make use of special containers to dispose of it and will determine a tariff for the use of such containers should these be provided by the Municipality.

### **Removal and disposal**

23. (1) The owner or occupier of premises on which building waste is generated and/or the person engaged in any activity which causes such waste to be generated, must ensure that all building waste is removed and disposed of continuously so as to prevent unnecessary accumulation of such waste.

- (2) Building waste must be disposed of at a waste handling and/or waste disposal facility determined by the Municipality.

**Part 4**  
**Special Industrial, Health Care and Hazardous Waste**

**Notification and verification**

- 24.** (1) Any person that will engage in activities which will generate special industrial, hazardous or health care waste must prior to the generation of such waste, notify the Municipality in writing of-
- (a) the expected or known composition of such waste;
  - (b) the quantity to be generated;
  - (c) how and where it will be stored;
  - (d) how it will be collected and disposed of; and
  - (e) the identity of the licensed service provider who will be responsible for its removal, transportation and disposal.
- (2) Any person engaged in waste activities as referred to in subsection (1) which were established and in operation prior to the commencement of this By-law, must notify the Municipality as contemplated in subsection (1) within ninety days of the commencement of this By-law of such activities and provide the information required in terms of subsection (1).
- (3) If so required by the Municipality, a notification referred to in subsection (1) or (2) must be substantiated by—
- (a) an assessment and analysis of the waste composition certified by an appropriately qualified industrial chemist;
  - (b) safety data sheets or completed waste manifest document/s; and
  - (c) such other records required to verify compliance with applicable legislation, national standards and SANS Codes.
- (4) The person referred to in subsection (1) or (2) must when changes occur and annually before or on the 30<sup>th</sup> of June submit to the Municipality a written report containing:
- (a) the information stipulated in subsection (1);
  - (b) the substantiating documents referred to in subsection (3); and
  - (c) any other information which the Municipality may reasonably require.
- (5) An authorised official may enter premises at any reasonable time to ascertain whether waste referred to in subsection (1) is generated or stored on such premises and may take samples and test any waste found on such premises to ascertain its composition.

**Storage**

- 25.** (1) Special industrial, health care and hazardous waste generated on premises must be stored thereon in an approved container until it is collected from the premises and it must be stored in a manner not creating a nuisance or causing harm to human health or polluting the environment and in accordance with applicable legislation, national standards and SANS Codes.
- (2) If the waste referred to in subsection (1) is not stored as stipulated, the Municipality may require a full record of the waste content, date of containment and quantity and if such a record is not available the Municipality may instruct the person generating the waste or the owner or the occupier of the premises where it is stored to remove the waste immediately or the Municipality may proceed



to do so at the cost of the owner or occupier of the premises where the waste is stored.

#### **Collection and disposal**

26. (1) Only a licensed service provider may collect special industrial, health care and hazardous waste from premises where it is stored and transport it to and dispose of it at a waste disposal facility designated by the Municipality to receive such waste.
- (2) A licensed service provider must collect, transport and dispose of the waste referred to in subsection (1) in accordance with its accreditation terms and conditions and in compliance with applicable legislation, national standards and SANS Codes.

### **Part 5**

#### **Industrial Waste and Special Waste including e-Waste**

#### **Storage**

27. (1) The owner or occupier of premises on which industrial waste or special waste is generated must ensure that until such time as the waste is collected by a licensed service provider from the premises on which it was generated—
- (a) the waste is stored in accordance with applicable legislation, national standards and SANS Codes in approved containers which are not kept in a public place; and
- (b) no nuisance, health risk or environmental damage is caused by the waste in the course of generation or storage.

#### **Collection and disposal**

28. (1) Only a licensed service provider may collect industrial or special waste from premises where it is stored and transport and dispose of it at a waste disposal facility designated by the Municipality to receive such waste.
- (2) A licensed service provider must collect, transport and dispose of the waste referred to in subsection (1) in accordance with its licence terms and conditions and subject to the requirements of any applicable legislation, national standards and SANS Codes.
- (3) The Municipality may determine specific times for acceptance of special waste at the site referred to in subsection (1).

### **Part 6**

#### **Tyres, Disused Vehicles or Machinery, Scrap Metal and WEEE**

#### **Storage and disposal**

29. (1) No owner or occupier of premises with an operational area in excess of the statutory determined limit may temporary accumulate, store or stockpile waste tyres, disused, scrapped, dismantled or recovered vehicles or machinery, scrap metal or WEEE unless the waste management activity is managed in accordance with national standards or licensed in terms of national legislation, whichever is applicable.
- (2) Waste tyres, disused, scrapped or dismantled vehicles or machinery, scrap metal and WEEE are not accepted at any of the Municipality's own waste handling or waste disposal facilities. Any person

having to dispose of any of these materials must dispose thereof at a waste disposal site and in terms of conditions determined for such waste disposal or at the premises of a legally compliant special industry body, local waste processor, buy-back centre or recycler as directed by the Municipality.

- (3) The Municipality may enter the premises of any person involved in the storage or stockpiling of waste tyres, disused vehicles or machinery, scrap metal or WEEE and request proof of any plans including its integrated waste management plan, licenses or other applicable documents to verify compliance with applicable legislation.

#### **Part 7**

#### **Household and Business Hazardous Waste**

##### **Storage, collection and disposal**

30. (1) An owner or occupier of residential or business premises generating very small quantities of household and business hazardous waste, may temporarily store such waste including WEEE in a manner not creating a nuisance or causing harm to human health or polluting the environment.
- (2) The materials stored in terms of subsection (1) must be either collected by an authorised service provider or dropped off by the owner or occupier of the residential or business premises to a waste handling or disposal facility designated by the Municipality and in terms of conditions determined for such waste handling or disposal facility or a legally compliant special industry body, waste processor, buy-back centre or recycler as directed by the Municipality.

#### **Part 8**

#### **Recyclable Waste**

##### **Storage, collection and disposal**

31. (1) An owner or occupier of premises or any other person may not temporary accumulate, sort, store or stockpile recyclable waste on any premises within the municipal area unless acting in accordance with subsection (2).
- (2) An owner or occupier of premises or any other person must prior to commencing an activity involving the re-use, reclamation or recycling of waste (including the wastes referred to in Part 6), comply with national and provincial legislation and standards and applicable SANS Codes for such activity and provide the Municipality with a copy of his integrated waste management plan and such other information as the Municipality may require.
- (3) Only a licensed service provider may collect recyclable waste from premises where it is generated or separated from other waste and transport and dispose of it at a material recovery facility or a waste disposal facility designated by the Municipality to receive such waste.

#### **Part 9**

#### **Agricultural and Farm Waste**

##### **Disposal**

32. (1) An owner or occupier of farm land may subject to subsections (2) and (3) use on-site disposal of waste but burning of waste is strictly prohibited unless authorised by the Chief Fire Officer in terms of

the Fire Safety By-law of the Municipality.

- (2) An owner or occupier of farm land may not dispose any quantity of hazardous waste, which may be present in agricultural waste, to the land unless in possession of the applicable waste management license in terms of national legislation, and if applicable, provincial legislation.
- (3) An owner or occupier of farm land may dispose of general waste, which may include agricultural and farm waste, to the land provided this is done in accordance with applicable legislation, national standards and SANS Codes and, if the quantity of waste requires it, authorisation thereof by a valid waste management license.
- (4) An authorised official of the Municipality may request an owner or occupier of farm land who he suspects is disposing hazardous waste and/or general waste exceeding the quantity allowed for disposal to provide proof of the licences referred to in subsections (2) or (3) and, irrespective of the composition or quantity of the waste disposed of to land by the owner or occupier, the Municipality may request the owner or occupier to submit an integrated waste management plan to the Municipality within a determined time frame.
- (5) An owner or occupier of farm land may apply in writing to make use of the Municipality's waste handling and waste disposal facilities, the approval of which will provide the applicant access to the Municipality's coupon system and disposal of waste excluding hazardous and health care waste at waste handling or waste disposal facilities as directed by the Municipality in its approval.

## CHAPTER 5

### Transportation and Disposal

#### Part 1

#### Transportation of Waste

##### Safe transportation

33. (1) No person may—
- (a) operate a vehicle for the conveyance of waste upon a public road unless the vehicle has a body of adequate size and construction for the type of waste being transported; and
  - (b) fail to maintain a vehicle used for the conveyance of waste in a clean, sanitary and roadworthy condition at all times.

##### No wastage or spillage

34. (1) A person transporting waste through the municipal area must ensure that—
- (a) loose waste on an open vehicle is covered with a tarpaulin or suitable net; and
  - (b) no waste become detached, leak or fall from the vehicle transporting it.

##### Legal compliance

35. (1) A transporter of waste, specifically hazardous waste, must ensure he or she operates in compliance with all relevant national and provincial legislation, national standards and SANS Codes.

## **Part 2**

### **Waste Disposal**

#### **Permitted use**

- 36.** (1) The Municipality may prescribe which types of waste may be disposed of at a particular waste handling or waste disposal facility as permitted in terms of the license stipulations of each facility and further in compliance with national legislation and standards.
- (2) Different tariffs for the disposal of different waste types and volumes are applicable but residents are allowed free disposal of a certain volume of general waste as determined by the Municipality.

#### **Liability**

- 37.** (1) No person may dispose of waste at a waste disposal facility which is not licensed for such use. Any person who acts in contravention of any prescriptions of the Municipality as contemplated in section 36(1) will be liable for all reasonable costs incurred by the Municipality in removing or otherwise dealing with the waste improperly disposed.
- (2) The Municipality shall not be liable for any claim resulting from access to any waste handling or waste disposal facility and any person who enters any of the sites of these facilities does so at own risk.

#### **Conduct at facilities**

- 38.** (1) No person may enter a waste handling or a waste disposal facility for any purpose other than the disposal of waste in terms of this By-law and only at such times and between such hours as the Municipality may determine and display on a clearly visible notice board at the entrance of the waste handling or waste disposal facility.
- (2) Every person who, for the purpose of disposing waste enters a waste handling or a waste disposal facility must—
- (a) enter and leave the facility at the designated entrance and exit points;
  - (b) supply all the particulars required regarding the source and composition of the waste, which waste may be inspected by the Municipality;
  - (c) follow all instructions with regard to access to the actual disposal, transfer or recycling point and the place where and the manner in which the waste should be deposited; and
  - (d) where applicable, purchase and/or show the required disposal coupon in accordance with the weight of the waste disposed.
- (3) No person may bring any intoxicating liquor or narcotic substances into any waste handling or waste disposal facility.
- (4) The Municipality may prescribe the maximum size of a vehicle allowed to enter a waste handling or waste disposal facility.

#### **Accepting waste from others**

- 39.** (1) The Municipality may consider an application from another municipality to dispose waste at a designated waste disposal facility provided that the acceptance of waste from another municipality will not impact on the Municipality's authority and ownership of the said waste disposal facility.
- (2) The Municipality may allow a person to dispose waste generated outside the Municipality's municipal

area at a designated waste disposal facility of the Municipality provided such person first becomes a licensed service provider as provided for in this By-law.

- (3) The tariffs applicable to licensed service providers referred to in subsection (2) may differ from the waste disposal tariffs stipulated in the Municipality's Tariff By-laws.

#### **Enabling Private Party Initiatives**

40. (1) The Municipality may allow for the provision of private drop-off and/or value-add treatment facilities at municipal waste handling and/or waste disposal facilities in order to enable the execution of EPR obligations, the reduction of waste disposed to landfill and the generation of renewable energy through public-private partnership arrangements in order to reach national targets in this regard.

### **CHAPTER 6**

#### **Littering and Dumping**

##### **Provision of facilities for litter**

41. (1) The Municipality must take reasonable steps to ensure that a sufficient number of containers are provided for the discarding of litter by the public on any premises to which the public has access.
- (2) The owner or occupier of private land to which the public has access must ensure that sufficient containers are provided to contain litter which is discarded by the public.
- (3) The Municipality or the owner or occupier of private land must ensure that a container provided in terms of subsections (1) or (2) is suitably located, sized, weighted, constructed and anchored to fulfil its intended purpose, regularly emptied and kept in a good and hygienic condition.

##### **Littering and dumping**

42. (1) No person may drop, throw, deposit, spill, dump or in any other way discard, any litter or waste into or onto any public place, public road, road, municipal drain, land, vacant erf, stream or any other places not allowed for in this By-law or allow any person under their control to do so.
- (2) No person may use a container provided for litter to dispose of domestic, business or garden waste or disturb or remove litter from such a container in a way that the litter is spilled.
- (3) An authorised official may act against any of the contraventions listed in subsections (1) or (2) through a written notice directing such person to—
- (a) cease the contravention within a specified time;
  - (b) prevent a repeat of the contravention or a further contravention;
  - (c) take whatever measures that the Municipality considers necessary to clean up or remove the waste and rehabilitate the affected environment within a specified time; and
  - (d) to pay a fine or appear in court in terms of the Criminal Procedure Act, 1977 (Act 51 of 1977).
- (4) An owner or occupier of land or premises or any other person in control of land or premises, may not use or permit the land or premises to be used for unlawful dumping of waste and must take reasonable steps to prevent the use of the land or premises for that purpose.

- (5) Should the Municipality regard it necessary to remove waste or litter from land or premises, the owner, occupier or person having control over the land or premises will be held liable for the costs incurred by the Municipality for the removal operation.
- (6) In the case of hazardous waste, the Municipality will immediately remove such waste and thereafter issue notices to the person liable for the cost of removal and rehabilitation of the environment.

#### **Burning of waste**

- 43.** Burning of waste is strictly prohibited unless authorised by the Chief Fire Officer in terms of the Fire Safety By-law of the Municipality.

#### **Abandoned objects**

- 44.** A person who abandons any article which may be classified as waste in terms of this By-law, is liable for any damage which that article has caused or may cause as well as for the cost of removing that article notwithstanding the fact that such person may no longer be the owner thereof.

### **CHAPTER 7**

#### **External Service Providers**

##### **Part 1**

#### **Licensed Service Providers for Commercial Services**

##### **Licence applications**

- 45.** (1) No person may provide commercial services for the collection and transport of waste in the municipal area unless such person has registered with the Municipality and obtained a licence authorising these waste management activities.
- (2) An application for a licence must be submitted in writing in a format or on a form prescribed by the Municipality including such information as the Municipality requires and the prescribed fee and, unless subsection (3) applies, the Municipality's prior approval for the collection and transportation of waste.
- (3) Any person already providing these commercial services at the commencement of this By-law, must within ninety days of such commencement date submit an application for accreditation in terms of subsection (1), failing which the person will as from the date that the said ninety days' period expired no longer be able to render such services in the municipal area.
- (4) The Municipality will consider and grant or reject the application submitted in terms of subsection (3) within thirty days of its receipt having regard to the health, safety and environmental record of the applicant and the nature of the commercial service to be provided and will furnish written reasons if such application is rejected.
- (5) Registration as a service provider does not entitle the service provider to render a waste removal service without the Municipality's approval of an exemption in terms of section 68.

**Terms and conditions of licences**

46. (1) A licence must-
- (a) clearly identify the licensed person or entity;
  - (b) specify the licence period;
  - (c) specify the categories of waste which the licensed service provider may collect, transport and dispose;
  - (d) outline the information recording and submission requirements of the Municipality for its own integrated waste management plan and SAWIS; and
  - (e) specify other procedural matters that may be necessary.
- (2) A licence—
- (a) may not be ceded or assigned without the prior written consent of the Municipality;
  - (b) is valid for one year from the date of issue; and
  - (c) is valid only for the categories of waste specified therein.
- (3) A licence authorisation will include a display sticker for each of the vehicles identified in the application indicating the validity period and the category of waste for which the licence is granted, which sticker must be clearly displayed on the front window of the vehicles.
- (4) The Municipality will not receive waste at its waste handling facilities or waste disposal facilities from service providers or contractors who are not able to provide proof of the licence authorisation should it be requested and without a licence sticker on the vehicle.
- (5) A licensed service provider may not fail or refuse to provide the Municipality with any information reasonably requested with regards to the terms and conditions of the licence or give false or misleading information.
- (6) A licensed service provider is fully liable for any act or omission by any of his or her employees if such act or omission is a transgression of the licence conditions or have a detrimental impact on human health or the environment.

**Renewal of licences**

47. (1) A licence renewal application must be submitted at least sixty days prior to the expiry date thereof and must be considered and either granted or rejected by the Municipality within thirty days of receipt of the renewal application. The Municipality must provide reasons for the rejection of a licence renewal.
- (2) Notwithstanding anything to the contrary in this By-law, the Municipality must temporary extend a licence for a specific duration not exceeding thirty days if a licensed service provider followed the correct procedure as contemplated in subsection (1) and due to the Municipality's processes, the renewal application has not been considered.

**Suspension and revocation of licences**

48. (1) The Municipality may suspend or revoke a licence if a service provider failed to comply with any of the terms and conditions of the licence or any other provision of this By-law, or any national or provincial legislation regulating the collection, transportation or disposal of waste or any other grounds considered by the Municipality as substantive reason to revoke or suspend a licence.



- (2) The Municipality must give a licensed service provider written notice of the intended suspension or revocation of his or her licence and thirty days from the date of issuing the notification to submit reasons for such action not to be taken by the Municipality.
- (3) Irrespective of a representation being made by the licenced service provider, the Municipality must notify him or her of its decision within 14 days after expiry of the time given for response.

#### **Licence exemptions**

49. The Municipality may exempt an external service provider or a commercial service from any or all of the provisions in Part 1 of Chapter 7 and such other sections as may be deemed necessary by the Municipality.

#### **Consumer responsibilities**

50. (1) The owner or occupier of premises or the holder of waste that contracts with a licensed service provider must ensure that—
- (a) the service provider is licensed to collect and transport the categories of waste for which he or she is contracted;
  - (b) until such time as the licensed service provider collects such waste from the premises on which it was generated, the waste is stored in an approved container and no nuisance, including but not limited to dust and smells, is caused by the handling of the waste in the course of its generation, storage or collection; and
  - (c) the service rendered is only in respect of the categories of waste authorised in the licence.

### **Part 2**

#### **Municipal Service Providers**

##### **Outsourcing of waste services and support activities**

51. The Municipality may enter into agreements with external service providers, whether public or private, for the rendering of municipal waste services and support activities and must do so in accordance with municipal, provincial and national legislation.

**Consumer charter**

52. If a municipal service provider as contemplated in section 51 is appointed by the Municipality, to render a service to a large geographical area or part of its population, the municipal service provider may be required to compile and adopt a consumer charter in consultation with the community.

**CHAPTER 8****General****Ownership**

53. (1) The person holding the licence to operate a waste handling or a waste disposal facility becomes the owner of all waste upon disposal thereof at that facility.
- (2) A person who generates domestic or business waste is the owner thereof until it is collected by the Municipality.

**Access to premises**

54. (1) Should the Municipality be impeded from collecting or handling waste due to the layout of the premises or such layout is likely to result in damage to private property or municipal property or injury to the Municipality's employees, the Municipality may require the owner or occupier to do such alterations as necessary at own cost to remove any impediments.
- (2) Should the owner or occupier fail or refuse to comply with the Municipality's request, the Municipality may suspend the service and require the owner or occupier to indemnify it in writing in respect of such damage or injury or any claims arising of either before resuming the service.

**CHAPTER 9****Compliance and Enforcement****Compliance with this By-law and other laws**

55. (1) The owner or occupier of premises is responsible for ensuring compliance with this By-law.
- (2) Any person or entity who requires a waste related license or authorisation must submit proof of such licence or authority to an authorised official upon request.

**Authorisation of an authorised official**

56. (1) The Municipality or a municipal service provider as contemplated in section 51 of this By-law, may authorise any person in its employ to give effect to the provisions of this By-law.
- (2) The waste management officer of the Municipality is an authorised official.

**Functions and powers of an authorised official**

57. (1) An authorised official may execute work, conduct an inspection and monitor and enforce compliance with this By-law and, as applicable, national and provincial legislation relating to waste management.

**Service of notices and documents**

58. (1) A notice or document issued by the Municipality in terms of this By-law must be deemed to be duly authorised if an authorised official signed it.
- (2) If a notice or document is to be served on an owner, occupier or any other person in terms of this By-law it shall be deemed to be effectively and sufficiently served on such a person-
- (a) when it has been delivered to him or her personally or to his or her duly authorised agent;
  - (b) when it has been left at his or her residence or place of business or employment to a person apparently not less than sixteen years of age and residing or employed there;
  - (c) if he or she has nominated an address for legal purposes, having been delivered to such an address;
  - (d) if he or she has not nominated an address for legal purposes, having delivered it to the address given by him or her in his or her application for the provision of waste services, for the reception of an account for the provision of waste services;
  - (e) when it has been sent by pre-paid registered or certified post addressed to his or her last known address for which an acknowledgement of the posting thereof will be obtained from the postal service;
  - (f) in the case of a legal person, by delivering it at the registered office or business premises of such legal person; or
  - (g) if service cannot be effected in terms of subsections (a) to (f), by affixing it to a conspicuous place on the premises concerned.

**Compliance notices**

59. (1) An authorised official may issue a written notice to any person contravening the provisions of this By-law.
- (2) A notice in terms of subsection (1) must
- (a) provide details of the provision of the By-law that has not been complied with;
  - (b) provide the owner, occupier, or other party a reasonable opportunity to make representations within a specified period;
  - (c) specify the steps that the owner, occupier or other person must take to rectify or remedy the failure;
  - (d) specify the period within which the owner, occupier or other person must take these steps to rectify the failure; and
  - (e) indicate that the Municipality may-
    - (i) if the notice is not complied with, undertake or allow the work that is necessary to rectify the failure to be undertaken and recover from the owner, occupier or other person the actual cost of such work; and
    - (ii) take any other action it deems necessary to ensure compliance.
- (3) If an owner or occupier or any other person fails to comply with a written notice served on him or her by the Municipality in terms of this By-law, the Municipality may take such action as in its opinion is necessary to ensure compliance, including-
- (a) Undertaking the actions and/or work necessary and recovering the cost of such actions

- and/or work from the owner, occupier or other person; or
- (b) Instituting legal proceedings against the owner, occupier, or other person in terms of the Criminal Procedure Act, 1977 (Act 51 of 1977).
- (4) In the event of an emergency, notwithstanding any other provisions of this By-law, the Municipality may without prior notice undertake the work contemplated in subsection (3) and recover such costs from the owner, occupier or other person.
- (5) The actual costs recoverable by the Municipality in terms of subsections (3) and (4) shall be the full costs associated with such work.
- (6) In the case where compliance with a notice is required within a specified number of working days, such period shall be deemed to commence on the date of issue of such notice.
- (7) A notice or document issued in terms of subsection (2) is valid until one of the following events occurs:
- (a) it is carried out;
  - (b) it is cancelled by the authorised official who issued it or, in that person's absence, by a person with similar authority;
  - (c) the purpose for which it was issued, has lapsed.

#### **Power of entry and inspection**

60. (1) An owner or occupier must, on request, allow an authorised official access to premises to carry out such inspection and examination as he or she may deem necessary to investigate any contravention of this By-law and ensure compliance therewith.
- (2) When accessing the premises, the authorised official must, if requested, identify him or herself by means of an appointment certificate.

#### **Using force to enter**

61. (1) Force may not be used to affect entry to execute work or conduct an inspection on any premises in terms of section 60, unless an environmental emergency arises.

#### **Liabilities and compensation**

62. The Municipality will not be liable for damages or compensation arising from anything done by it in terms of this By-law.

#### **False statement or information**

63. No person may make a false statement or furnish false information to the Municipality, an authorised official or an employee of the Municipality, or falsify a document issued in terms of this By-law.

#### **Appeals**

64. A person whose rights are affected by a decision of the Municipality in terms of delegated authority may appeal against that decision by giving written notice of the appeal and the reasons therefor in terms of section 62 of the Local Government Municipal Systems Act, Act 32 of 2000 to the municipal manager within twenty one days of the date of notification of the decision.

**Offences**

65. (1) It is an offence for any person to -
- (a) refuse to grant an authorised official access to premises to which that authorised official is duly authorised to have access;
  - (b) obstruct, interfere or hinder an authorised official who is exercising a power or carrying out a duty under this By-law;
  - (c) fail or refuse to provide an authorised official with a document or information that the person is required to provide under this By-law;
  - (d) give false or misleading information to an authorised official;
  - (e) unlawfully prevent the owner of any premises, or a person working for that owner, from entering the premises in order to comply with a requirement of this By-law;
  - (f) pretend to be an authorised official;
  - (g) alter an authorisation to an authorised official or written authorisation, compliance notice or compliance certificate issued in terms of this By-law;
  - (h) enter any premises without a written notification in circumstances requiring such notification;
  - (i) act contrary to a written notice or document issued in terms of this Chapter;
  - (j) disclose any information relating to the financial or business affairs of any person which was acquired in the performance of any function or exercise of any power in terms of this By-law, except –
    - (i) to a person who requires that information in order to perform a function or exercise a power in terms of this By-law;
    - (ii) if the disclosure is ordered by a court of law; or
    - (iii) if the disclosure is in compliance of the provisions of any law.
  - (k) contravene or fail to comply with any of the provisions of this By-law;
  - (l) fail to comply with any notice issued in terms of this By-law;
  - (m) fail to comply with any lawful instruction given in terms of this By-law;
  - (n) Contravene or fail to comply with any conditions imposed upon the granting of any licence, consent approval, concession, exemption or authority in terms of this By-law.
- (2) A person who causes or incites another person to commit an offence referred to in subsection (1), or who, being in a position of authority over another person, permits or allows him or her to commit an offence, will be guilty of that offence.

**Penalties**

66. (1) Any person who contravenes any of the provisions of section 65 shall be guilty of an offence and liable on conviction to-
- (a) a fine or imprisonment or to such imprisonment without the option of a fine or to both such fine and such imprisonment and,
  - (b) in the case of a continuing offence, to an additional fine or an additional period of imprisonment or to such additional imprisonment without the option of a fine or to both such additional fine and imprisonment for each day on which such offence is continued and,
  - (c) a further amount equal to any costs and expenses found by the court to have been incurred by the Municipality as a result of such contravention or failure.
- (2) In addition to any penalty imposed in terms of subsection (1) the Municipality may terminate the rendering of waste services to such a person.

**Application of this By-Law**

67. This by-law applies to all persons or bodies, including organs of State, situated within the area of jurisdiction of the Rustenburg Local Municipality.

**Exemptions**

68. (1) Any person may, by means of a written application, in which the reasons are given in full, apply to the municipality for exemption from any provision of this by-law.
- (2) The municipality may:
- (a) grant an exemption in writing in which the conditions and terms, if any, and the period for which such exemption is granted is stipulated,
  - (b) alter or cancel any existing exemption or condition in such exemption after due notice to the person concerned; or
  - (c) refuse to grant an exemption in which case reasons for the refusal must be furnished to the person concerned.
- (3) An exemption does not take effect before the applicant has undertaken in writing to comply with all conditions imposed by the municipality under subsection (2); however, if any activity is commenced before such undertaking has been submitted to the municipality, the exemption lapses.
- (4) If any condition of an exemption is not complied with, the municipality may revoke the exemption after due notice to the person concerned.

**Repeal of By-laws**

69. The provisions of any by-laws previously promulgated by the Municipality or by any of the disestablished municipalities now incorporated in the Municipality are hereby repealed as far as they relate to matters provided for in this by-law.

**Short title and commencement**

70. This By-law is called the Integrated Waste Management By-law and commences on the date of publication in the North West Provincial Gazette.

## PROVINCIAL NOTICE 106 OF 2016

**NOTICE IN TERMS OF SECTION 18(1) OF THE RUSTENBURG LOCAL MUNICIPALITY SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2015 FOR A CHANGE OF LAND USE RIGHTS KNOWN AS A REZONING. RUSTENBURG AMENDMENT SCHEME 1523**

I, Jan-Nolte Ekkerd of the firm NE Town Planning CC, being the authorised agent of the owner of **the Portion 4 of Erf 1252, Rustenburg, Registration Division J.Q., North West Province** hereby give notice in terms of Section 18(1)(d) of the Rustenburg Local Municipality Spatial Planning and Land Use Management By-Law, 2015 that I 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 24 Boshoff Street, Rustenburg, from "Residential 1" to "Residential 1" including a Service Enterprise as defined in Annexure 1826 to the Scheme. This application contains the following proposals: A) That the property will still be used mainly for residential purposes, but with the addition of a service enterprise. B) The adjacent properties as well as properties in the area, could thereby be affected. C) The rezoning from "Residential 1" to "Residential 1" including a service enterprise entails that the existing building will be utilised for the purposes mentioned above with the following development parameters: Max Height: 2 Storeys, Max Coverage: Single Storey: 50%, Double Storey: 40%. Any objection or comments, with the grounds therefore and contact details, shall be lodged within a period of 30 days from the first date on which the notice appeared, with or made in writing to: Municipality at: **Room 319, Missionary Mpheni House, cnr. Nelson Mandela and Beyers Naude Drives, Rustenburg, or to PO Box 16, Rustenburg 0300.** Full particulars and plans (if any) may be inspected during normal office hours at the above-mentioned offices, for a period of 30 days from the date of first publication of the advertisement in the Provincial Gazette, Beeld and Citizen and/or Site Notice. Closing date for any objections : **7 July 2016.** Address of applicant : NE Town Planning CC, **155 Kock Street, Suite 204, De Dak, Rustenburg 0299 or P.O. Box 5717, RUSTENBURG, 0300;** Telephone No: 014 592 2777. Dates on which notice will be published: **7 and 14 June 2016**

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## PROVINSIALE KENNISGEWING 106 VAN 2016

**KENNISGEWING INGEVOLGE ARTIKEL 18 (1) VAN DIE RUSTENBURG PLAASLIKE MUNISIPALITEIT RUIMTELIKE BEPLANNING EN GRONDGEBRUIKBESTUURS VERORDENING, 2015 VIR 'N VERANDERING VAN DIE GRONDGEBRUIKSREGTE BEKEND AS 'N HERSONERING. RUSTENBURG WYSIGINGSKEMA 1523.**

Ek, Jan-Nolte Ekkerd, van die firma NE Town Planning BK, synde die gemagtigde agent van die eienaar van **Gedeelte 4 van Erf 1252, Rustenburg, Registrasie Afdeling J.Q., Noord-Wes Provinsie**, gee hiermee ingevolge, Artikel 18(1)(d) van die Rustenburg Plaaslike Munisipaliteit Ruimtelike Beplanning en Grondgebruikbestuur Verordening, 2015 kennis dat ek by Rustenburg Plaaslike Munisipaliteit aansoek gedoen het vir die verandering van die grondgebruikregte, ook bekend as die hersonering van die eiendom hierbo beskryf, geleë te Boshoff Straat 24, Rustenburg, vanaf "Residensieël 1" na "Residensieël 1" insluitend 'n Diensnywerheid soos omskryf in Bylae 1826 tot die Skema. Hierdie aansoek behels A) dat die eiendom steeds hoofsaaklik gebruik sal word as 'n wooneenheid, met die toevoeging van 'n diensnywerheid B) die aangrensende eiendomme asook eiendomme in die omgewing kan moontlik hierdeur geraak word. C) Die hersonering van "Residensieël 1" na "Residensieël 1" insluitend 'n diensnywerheid behels dat die bestaande gebou gebruik sal word vir die doeleindes soos hierbo genoem en bevat die volgende ontwikkelingsparameters: Maks Hoogte: 2 verdiepings, Max dekking: Enkelverdieping: 50%, Dubbelverdieping: 40%. Enige besware of kommentaar, met gronde daarvoor asook kontakbesonderhede, kan gebring word binne 'n tydperk van 30 vanaf die eerste datum waarop die kennisgewing verskyn het na die **Munisipaliteit: Kamer 319, Missionary Mpheni House, h.v. Nelson Mandela en Beyers Naude Rylane, Rustenburg, of na Posbus 16, Rustenburg 0300.** Besonderhede en planne (indien enige) is beskikbaar vir inspeksie gedurende gewone kantoorure by die bovermelde kantore, vir 'n tydperk van 30 dae van die datum van eerste publikasie van die kennisgewing in die Provinsiale Gazette, Beeld en Citizen en/of terrein kennisgewing. Sluitingsdatum vir enige besware: **7 Julie 2016.** Adres van applikant: **155 Kockstraat, Suite 204, De Dak, Rustenburg 0299 of NE Stadsbeplanners BK, Posbus 5717, RUSTENBURG, 0300; Telefoon nr: 014 592 2777.** Datums waarop kennisgewings gepubliseer word: **7 en 14 Junie 2016.**

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**PROVINCIAL NOTICE 107 OF 2016****NOTICE OF APPLICATION FOR AMENDMENT OF THE ZEERUST TOWN PLANNING SCHEME 1980 IN TERMS OF SECTION 56 (1)(b)(i) OF THE TOWNPLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986) READ WITH SPLUMA, 2013, ACT 16 OF 2013****ZEERUST AMENDMENT SCHEME**

I, N.J. Blignaut (ID: 681211 5031 08 4) of Welwyn Town and Regional Planning CC, 1998/005829/23, being the authorised agent of the owner of Portion 2 (a Portion of Portion 1) of Erf 655, Zeerust Township, Registration Division J.P., Province North West, hereby give notice in terms of section 56(1)(b)(i) of the Town planning and Townships Ordinance, 1986, read with SPLUMA, 2013, Act 16 of 2013, that we have applied to the Ramotshere Moiloa Local Municipality for the amendment of the town planning scheme known as the Zeerust Town Planning Scheme, 1980, by the rezoning of the property described above, situated 4b Mooi Street, Zeerust, from "Residential 1" to "Residential 1" with annexure for a Veterinary Clinic limited to 90m<sup>2</sup>.

Particulars of the application will lay for inspection during normal office hours at the office of the Municipal Manager, c/o President Street and Coetzee Street, Zeerust, for a period of 30 days from 7 June 2016.

Objections to or representations in respect of the application must be lodged with or made in writing to the Municipal Manager at the above address or at PO Box 92, Zeerust, 2865, within a period of 30 days from 7 June 2016 quoting the relevant application, the objector's interest in the matter, the ground(s) of the objection/representation, the objector's erf and phone numbers and address.

**Address of applicant:****Welwyn Town and Regional Planners****P.O. Box 20508****Noordbrug****2522****Tel: (018) 293 1536****1<sup>st</sup> Publishment: 7 June 2016****2<sup>nd</sup> Publishment: 14 June 2016**

7-14

**PROVINSIALE KENNISGEWING 107 VAN 2016**

**KENNISGEWING VAN AANSOEK OM WYSIGING VAN DIE ZEERUST DORPSBEPLANNINGSKEMA 1980 INGEVOLGE ARTIKEL 56(1)(b)(i) VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986 (ORDONNANSIE 15 VAN 1986) GELEES SAAM SPLUMA, 2013, WET 16 VAN 2013**

**ZEERUST WYSIGINGSKEMA**

Ek, N.J. Blignaut (ID: 681211 5031 08 4) van Welwyn Stads- en Streekbeplanning BK, 1998/005829/23, synde die gemagtigde agent van die eienaar van Gedeelte 2 ('n Gedeelte van Gedeelte 1) van Erf 655, Zeerust Dorpsgebied, ingevolge artikel 56(1)(b)(i) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986, gelees saam met SPLUMA, 2013, Wet 16 van 2013, gee hiermee kennis dat ons by die Ramotshere Moiloa Plaaslike Munisipaliteit aansoek gedoen het om die wysiging van die dorpsbeplanningskema, bekend as die Zeerust Dorpsbeplanningskema, 1980, deur die hersonering van die eiendom hierbo beskryf, geleë te Mooistraat 4b, Zeerust, vanaf "Residensieël 1" na "Residensieël 1" met bylaag vir 'n veearts beperk tot 90m<sup>2</sup>.

Besonderhede van die aansoek lê ter insae gedurende gewone kantoorure by die kantoor van die Munisipale Bestuurder, h/v Presidentstraat en Coetzeestraat, Zeerust, vir 'n tydperk van 30 dae vanaf 7 Junie 2016.

Besware teen of verhoë ten opsigte van die aansoek moet binne 'n tydperk van 30 dae vanaf 7 Junie 2016 skriftelik tot die Munisipale Bestuurder by bovermelde adres of by Posbus 92, Zeerust, 2865, ingedien of gerig word en moet die relevante aansoek aanhaal, beswaarmaker se belange in die saak, gronde vir besware/verhoë en die beswaarmaker se erf, telefoon nommer en adres insluit.

**Adres van applikant:****Welwyn Stads - en Streekbeplanners****Posbus 20508****Noordbrug****2522****Tel: (018) 293 1536****1<sup>ste</sup> Afkondiging: 7 Junie 2016****2<sup>de</sup> Afkondiging: 14 Junie 2016**

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## PROVINCIAL NOTICE 108 OF 2016

**BY-LAWS RELATING TO PUBLIC CEMETERIES****RUSTENBURG LOCAL MUNICIPALITY (No. 8 of 2005)**

The Municipal Manager hereby publishes, in terms of Section 13 of the Local Government Municipal Systems Act, 2000 [Act 32 of 2000] read with Section 162 of the Constitution of the Republic of South Africa Act 1996 [Act 108 of 1996] the By-Law Relating to Public Cemeteries which shall come into operation on the date of publication thereof.

**[1]** In these by-laws:

**"adult"** where the word is used to describe a body, means any deceased person over the age 12 whose coffin will fit into the grave opening prescribed for adults in section 7[2]:

**"ashes"** means the cremated remains of a body;

**"body"** means any human dead body including the body of any stillborn child;

**"burial order"** means an order issued in terms of the Births and Deaths Registration Act, 1992 (Act 51 of 1992 )

**"caretaker"** means a person or official appointed by a municipality to be in charge of and to exercise control in or over a cemetery;

**"burial"** shall mean burial in earth or any other form of interment and shall include any other mode of disposal of a body;

**"cemetery"** means a piece of land duly set aside and demarcated By the municipality on an official plan for human burials, either within or outside the area of the municipality;

**"child"** where the word is used to describe a body, means any deceased person of the age of 12 years or under and whose coffin will fit into the grave opening prescribed for children in section 7[2];

**"garden of remembrance"** means a section of a cemetery set aside by the Municipality for the erection of memorial work to commemorate a deceased person whose body was cremated and for the placing of ashes;

**"grave"** means a demarcated plot for the burial of a body in a cemetery.

**"beam/garden section"** means a cemetery or section set aside by the Municipality where memorial work is restricted to a headstone only;

**"medical officer of health"** shall mean the officer appointed by the Municipality or any person acting in the capacity of medical officer of health;

**"monumental section"** means a cemetery or section of a cemetery which is not a beam section;

**"memorial wall"** means a wall in a crematorium section provided for the placement of inscribed tablets commemorating deceased persons who have been cremated;

**"memorial work"** means any tombstone, railing, fence, monument, memorial, inscription or other work erected or which may be erected on any grave to commemorate a deceased person and includes a kerb demarcating any grave;

**"municipality"** means the Municipality of Rustenburg and includes the council of the municipality and any duly authorized committee or official of the municipality;

**"name"** shall include any identifying description of a deceased human being who possessed no name or whose name is unknown at time of death;

**"non-resident"** means a person who at the time of his death was not a resident of the Rustenburg Local Municipality;

**"officer-in-charge"** means any person authorized by the Municipality to be in control of any cemetery;

**"plot"** means a piece of land in a cemetery. No grave can be purchased before the person to be buried has died and in such a case only one additional adjacent grave or niche will be made available to the surviving spouse on payment of the determined charges;

**“register of deaths”** means any person appointed as registrar or assistant registrar of death in terms of National legislation or any person fulfilling the description of such registrar;

**“regulation”** means a regulation published in terms of National or Provincial legislation;

**“indigent person”** means a person who has died in indigent circumstances, or if no relative or other person can be found to bear the burial costs of such deceased person. The onus of proof of being indigent rests with the applicant;

**“normal operational working hours”** means Monday to Sunday 07:00 to 16:00 excluding public holidays;

**“office hours”** means Monday to Friday 07:30 to 16:00 excluding Saturdays, Sundays and public holidays;

**“holder of private rights”** means the person or persons referred to in Chapter 3, Section 7 thereof;

**“urn”** means a place where the cremated remains of a deceased can be placed.

**“pauper”** means a person who has died as an unknown person or if no relative or other person can be found to bear the burial or cremation costs of such deceased person;

**“municipal manager”** means the person appointed by the municipal council as the municipal manager of the municipality in terms of section 82 of the Local Government Municipal Structures Act, 1998 (Act No. 117 of 1998) and includes any person -

[a] acting in such position; and

[b] to whom the municipal manager has delegated a power, function or duty in respect of such a delegated power, function or duty;

**“non-resident”** means any person who at the time of his or her death was not a resident of the municipality.

**“resident”** means a person who, at the time of death, is ordinarily resident within the municipality or any person who, at the time of death, shall have been the owner or fixed property within the municipality for a period of at least six months immediately prior to death: provided that unless otherwise provided herein, the term does not include inmates of hospitals, institutions or other persons temporarily resident within the municipality.

**"tariff"** means the charges as determined by the Council of the municipality from time to time in terms of these by-laws;

**[2]** The municipality may set aside any portion of a cemetery for the burial of the deceased of any religious group or other body or community; provided that:

**[a]** "religious group" shall not be construed as being a denomination, and

**[b]** such setting aside shall not entitle any person to be buried in any particular place in a cemetery.

**[3] [1]** The municipality may sell or otherwise dispose of the right of burial in plots on such conditions as it may determine from time to time, and shall issue the person thus acquiring such right with a certificate setting out the conditions attaching to such acquisition.

**[2]** The holder of a right of burial shall not dispose of such right except with the written permission of the municipality, and such holder or his/her next of kin shall not permit any other person who has not been approved by the municipality to be buried in the plot in respect of which such right exists.

**[4]**

**[1]** No person shall bury a body in a cemetery:-

**[a]** except under the authority of a written permit issued by the caretaker; or

**[b]** otherwise than in accordance with the conditions specified in such permit.

**[2]** An application for the permit referred to in subsection (1) shall be accompanied by the burial order issued in accordance with the Births and Deaths Registration Act, 1992 (Act 51 of 1992), and shall contain such information as may be required by the caretaker.

**[5]** Except with the permission of the caretaker who shall record the circumstances under which such permission is granted, no person shall bury a body in a cemetery during the hours between sunset and sunrise.

**[6]** No person shall:

**[a]** bury a body, unless the grave is of sufficient depth so that the top of the body, or, if contained in a coffin or container, the top of the coffin or container is not less than 1 050 mm

below the surface of the ground when the grave has been filled up;

**[b]** bury more than one body in a grave, unless the grave has been dug to a sufficient depth so that subsection (a) may be complied with and so that the first body or, if such body is in a coffin or container, such coffin or container may be covered with 100 mm of reinforced concrete or 300 mm of soil when the second body is buried, or

**[c]** remove a body from a grave in order to enlarge such grave.

**[7]**

**[1]** The standard measurements for burial plots shall be determined by the municipality.

**[2]** The standard measurements for graves shall be as follows:

**[a]** Adults:

Length: 2 200 mm  
Width : 1 200 mm  
Depth : 1 800 mm.

**[b]** Children:

Length: 1 350 mm  
Width: 600 mm  
Depth: 1 500 mm

**[8]**

**[1]** No person shall open a grave or exhume or cause a body to be exhumed from a grave :

**[a]** except under the authority of a written permit which may be issued by the municipality; or

**[b]** otherwise than in accordance with the conditions specified in such permit.

**[2]** Whenever a municipality deems it advisable that a body be removed from a grave, it may, after consultation, if possible, with any near relative of such deceased person and, with the

approval of the MEC for Housing and Local Government or other competent authority, remove such body to another grave.

**[9]**

**[1]** No person shall erect or place any kerb, tombstone, monument, railing or fence or any ornamentation upon a grave:

**[a]** except under the authority set out in a written permit issued by the caretaker;

**[b]** otherwise than in accordance with the conditions set out in such permit, or

**[c]** in such a manner as to exceed the boundaries of a burial plot.

**[2]** The size (outer dimensions) of any erections on burial plots shall not exceed the following measurements:

**[a]** Adults:

**[i]** Single burial plot: 2 500 mm x 1 250 mm; (exceptional cases will be accommodated subject to the approval of the cemetery manager)

**[ii]** Double burial plot: the size of two single burial plots;

**[iii]** Family burial plot: the appropriate multiple of a single burial plot;

**[iv]** Width of kerb: 150 mm;

**[v]** Tombstones shall not be higher than 1 600 mm above the surface of the ground.

**[b]** Children:

**[i]** Single burial plot: 1 500 mm x 1 000 mm;

**[ii]** Width of kerb: 150 mm;

**[iii]** Tombstones shall not be higher than 1 200 mm above the surface of the ground.

**[3]** An application for a permit referred to in subsection (1) shall contain such details as may be required by the municipality in respect of the erection concerned and the inscription to be placed thereon, and the municipality may refuse to issue such permit if, in its opinion, such erection is likely to be of



poor craftsmanship or quality or is likely in any way to disfigure a cemetery or is calculated to hurt or offend the feelings of the public.

**[10]** No person shall:

**[a]** use any portion of a cemetery for the cutting, dressing and manufacturing of tombstones, monuments, railings, kerbs or other grave fittings except with the permission of the municipality or otherwise than in accordance with the conditions determined by the municipality;

**[b]** carry out any work in connection with any kerb, tombstone, monument, railings or fence on or round a grave or bring any materials into a cemetery for the purposes of such work, except during the following hours:

Mondays to Saturdays (excluding public holidays): Sunrise to sunset, or

**[c]** at any time leave any building sand, stones, builders' rubble, soil, rubbish or other debris in the cemetery.

**[11]**

**[1]** Whenever the person who erected a memorial work in a cemetery allows it to fall into such state of disrepair as in the opinion of the municipality constitutes a danger or a disfigurement in the cemetery, the municipality may by written notice require him or her to effect such repairs as may be specified in such notice, and if his or her address is unknown, such notice may be published in a newspaper circulating within the area of such municipality.

**[2]** In the event of the required repairs not being effected within three months from the service or publication of such notice, the municipality may itself effect the repairs or remove the memorial work without paying compensation and may recover the expense of such repair or removal from such person.

**[12]**

**[1]** The holder of the right of burial in a plot in a cemetery shall keep that plot and the monuments, tombstones or other erections thereon in good order and repair.

**[2]** The municipality may undertake the upkeep of graves at the prescribed tariff.

**[3]** No person shall undertake the upkeep of graves in a cemetery except with the written consent of the municipality.

**[13]**

**[1]** No person shall

**[a]** plant a tree or shrub on a grave site without the permission of the caretaker; or

**[b]** when cleaning a grave plot, deposit the material cleared from the grave, in the cemetery at a place other than that provided for such purpose.

**[2]** The caretaker or his authorized assistant may prune, cut down, dig up or remove any shrub, plant or flower in a cemetery if such is in his opinion unsightly.

**[14]** No person shall:

**[a]** enter or leave a cemetery except by the proper gates;

**[b]** sit, stand or climb upon or over a memorial work, gate, wall, fence or building in a cemetery;

**[c]** drive a hearse in a cemetery except upon the carriage ways provided for that purpose;

**[d]** enter a cemetery

**[i]** with or on a bicycle; or

**[ii]** in any other vehicle without the permission of the caretaker;

**[e]** conduct a religious ceremony or service according to the rites of any denomination in that part of a cemetery set aside for members of any other denomination;

**[f]** expose or convey a body in an unseemly manner in a street, cemetery or other public place;

**[g]** mark, draw, scribble or erect an advertisement upon, or in any way deface a wall, building, fence, gate, memorial work or other erection in a cemetery;

**[h]** pick flowers in a cemetery;

**[i]** smoke in a cemetery;

**[j]** bring an animal into a cemetery;

**[k]** hold a demonstration or participate in such demonstration in a cemetery;

**[l]** create or allow to be created a nuisance in a cemetery;

**[m]** disrupt or allow to be disrupted any funeral proceedings in a cemetery, or

**[n]** discharge any fire-arm in a cemetery, except as a salute at a military funeral.

**[o]** use or cause any cemetery to be used for any immoral purpose;

**[p]** bring any dog, cat, fowl or other animal or bird into a cemetery or allow it to wander therein;

**[q]** trade or hawk goods or services in a cemetery;

**[r]** drive a permitted vehicle in a cemetery at a speed in excess of 20km/h;

**[s]** obstruct, resist or oppose the caretaker or any worker employed by the municipality in any cemetery in the course of his or her duty or refuse to comply with any order or request which the caretaker is entitled to make under these by-laws.

**[15]** The tariffs payable in terms of section 3 (1), as well as all other tariffs payable for burials, exhumations, re-interments or any other services rendered by the municipality in a cemetery or in connection with a funeral, shall from time to time be fixed by a resolution of the Council of the municipality.

**[16]** The Municipal Manager shall maintain a register of all burial plots disposed of by the municipality in terms of these by-laws and shall record therein the number of each plot in a cemetery which number shall be consecutive, the name of the owner of such plot and its date of purchase. The Municipal Manager shall, furthermore, record in such register details of burials in plots sold by the municipality in terms of these by-laws.

**[17]** Any person who contravenes or fails to comply with any provision of these by-laws or any instruction or permit issued hereunder shall be guilty of an offence and be liable on conviction to a fine not exceeding R1000 or such higher amount as is determined from time to time by the Minister of Justice as contemplated in section 1(1)(a) of the Adjustment of Fines Act 1991 (Act No. 101 of 1991) or to imprisonment for a period not exceeding six months or to both such fine and such imprisonment.

**[18]** Any by-law relating to public cemeteries adopted by the municipality or any municipality now comprising an administrative unit of the municipality is repealed from the date of promulgation of these by-laws.

**[19] Interment only in Allotted Grave**

Subject to the provisions of these by-laws, no interment shall take place in any grave not allotted by the officer-in-charge.

**[20] Private Rights**

The below mentioned private rights are applicable to Categories A and B only, unless stated otherwise.

Private rights in a grave shall give to the holder of such rights and obligations dealt with in these by-laws.

**[1]** The holder of Private Rights shall include, but shall not be limited to, the following:

**(a)** The person who purchased the grave or who received the grave as a gift from the original purchaser and whose name appears in the register of the Municipality.

**(b)** The person who paid the burial fees in respect of the first interment in the grave.

**(c)** The person to whom the holder of private rights has transferred his rights to.

**(d)** The person who has inherited the private rights by means of a testamentary disposition or in the absence thereof, by means of such customary of commonlaw of succession as may be applicable to the original holder of the private rights.

**[2]** The private rights in a grave shall be freely transferable, but such transfer shall only come into operation once the transfer has been registered by the Municipality.

**[3]** In the event of a dispute regarding the holder of private rights, the dispute shall be referred to the officer-in-charge for determination thereof.

**[4]** In the event of the private rights previously vesting in a now deceased person not being transferred or new person filing a claim for such rights, within 5 years of interment, the rights shall revert back to the Municipality.

**[21] Subsequent Interment**

**[1]** Not more than two interments may be made in any grave: Provided that a third interment may be made in such grave with the consent of the officer-in-charge if the grave has been deepened as contemplated in Section 10(1)(b).

**[2]** Any holder of rights desiring to have a body interred in a private grave as a second or third interment in such grave shall –

(a) remove all memorial work on such grave at his own expense and comply with any requirement of the officer-in-charge in respect of such removal;

(b) after compliance with paragraph (a), give at least 48 hours written notice to the officer-in-charge on the prescribed form of such interment, which period shall be calculated exclusive of any Saturday, Sunday or a public holiday.

**[3]** The notice referred to in subsection (2) shall be accompanied by written proof of the title of the holder of rights to the grave concerned and after payment of the appropriate charges.

**[22] Enlarging of Excavation**

**[1] (a)** If a coffin is too large to be accommodated within the excavation of an adult grave, such excavation may be enlarged to a size which will accommodate the coffin;

(b) a grave may be deepened at the request of an applicant contemplated in section 5 as to permit the interment in such grave of a third body.

**[2]** If a grave is to be enlarged or deepened as contemplated in Subsection (1), the officer-in-charge shall be notified accordingly, at least 24 hours before the interment, which period shall be calculated exclusive of any Saturday, Sunday or public holiday, and such notice shall be accompanied by payment of the appropriate charge.

**[23] Covering of Coffins**

**[1]** There shall be at least 900mm of soil between any coffin and the surface of the ground.

**[2]** At least 900mm of soil shall be placed over any coffin immediately after interment.

- After interment, the grave must be closed with soil by family / undertaker, except when pre-arranged with cemetery caretaker 48 hrs before.
- Closing of grave by municipal workers will be charged extra.

- Covering of coffins for paupers will be done by the assigned undertaker up to required level

#### **[24] Construction of Coffins**

No coffin intended to be placed in a grave shall be constructed of any material other than natural timber or other decomposable material, excluding lead caskets.

#### **[25] Duration of Services**

No person shall occupy for more than 60 minutes a cemetery for the purposes of a service or ceremony without the consent of the officer-in-charge.

#### **[26] Care of Graves**

##### **Gardening of graves and objects on graves**

**[1]** No person shall garden on any grave in the berm system.

**[2] (a)** No person shall erect, place or leave upon a grave any object or decoration, except during the first 30 days following the interment there-in in the berm system.

**(b)** Natural or artificial flowers and the receptacles in which they are contained may be placed on a grave at any time except in the berm system.

**(c)** The officer-in-charge or any member of his staff may remove natural or artificial flowers and any receptacle placed on a grave, when they become withered, faded or damaged, or when placed on a grave contrary to these by-laws.

**(d)** The Municipality cannot be held liable for any loss or damage to any object on any grave, as contemplated herein.

#### **[27] Memorial Work**

##### **Erection or Re-erection of Memorial Work**

**[1]** No memorial work may be erected on a grave in a pauper section.

**[2]** No person shall, without the prior written consent of the officer-in-charge, erect any memorial work in any cemetery. Or bring any material into any cemetery for the purpose of erecting any memorial work.

[3] Application for consent in terms of subsection (2) shall be made at least five working days before the proposed date of the erection to the officer-in-charge in the prescribed form.

[4] If any memorial work is removed for additional inscriptions or other alterations thereof, the provisions of subsection (2) shall mutatis mutandis apply.

[5] Save with the permission of the officer-in-charge, no work on any memorial work shall be performed on a Saturday, Sunday or a public holiday, or at any time between the hours of 16:00 and 09:00.

[6] No person shall erect or re-erect any memorial work at any time when the ground upon which such memorial work is to be erected or re-erected is, in the opinion of the officer-in-charge, in an unsuitable condition. The Municipality shall not be held liable for damage to memorial work resulting from subsiding soil or otherwise.

[7] The person in charge of the erection or re-erection of any memorial work shall produce the written consent referred to in Subsection (2), at the request of the officer-in-charge.

[8] No memorial work or material for use in connection therewith shall be conveyed in any cemetery in such a manner as may damage the roadways, paths or grounds.

[9] Any surplus material, rubbish or rubble resulting from the erection of any memorial work, shall be removed forthwith by the person responsible for such erection immediately on completion of work.

## **[28] General Requirements for Memorial Work**

Any person constructing any memorial work must comply with the following requirements:

(a) Wherever any part of the memorial work is joined to any other Section thereof, copper or galvanized iron pins shall be used as follows:

(i) memorial work up to a height of 500mm, two or more pins at least 5mm thick and 100mm long;

(ii) memorial work 501mm up to height of 1 000mm two or more pins at least 10mm thick and 200mm long;

(iii) memorial work 1 001mm and higher at least two or more pins 20mm thick and 300mm long;

- (b) Any part of such memorial which rests upon the ground or any stone or other foundation shall be properly squared and bedded;
- (c) No material of uneven thickness or having any corner wanting shall be used;
- (d) The undersides of every flat material work and the base of every memorial work shall be sunk at least 50mm below the natural level of the ground;
- (e) No border which is more than 225mm above the surface of the ground or more than 200mm deep shall be used without the consent of the Municipality;
- (f) All memorial work and border stones shall be securely clamped with round copper or galvanized iron clamps;
- (g) All memorial work up to 150mm in thickness shall be securely attached to the base in an approved manner;
- (h) Any kind of memorial work shall be completed as far as possible before being brought into any cemetery;
- (i) Foot stones shall consist of one solid piece;
- (j) Memorial work shall be constructed or made of a durable material with a life expectancy of at least 25 years;
- (k) No person shall do any work, chiselling or other work upon any memorial work not connected with the fixing of work in its position in the cemetery except where such work is expressly permitted in terms of these by-laws;
- (l) In all cases where any memorial work rests on a base –
  - (i) such a memorial work shall have a foundation as prescribed by the official-in-charge;
  - (ii) such memorial work shall be set with cement mortar

[29] Unveiling of tombstones

Unveiling of tombstones should be arranged with the caretaker /officer in charge 96 hrs in advance.

[30] Arrival time at cemetery for burial and unveiling of tombstone

No late arrival at the cemetery will be allowed. Arrival for burial / ceremony should not be later than 9:00 during weekends and not later than 15:00 during week days.



[31] Conditions to Rietvlei cemetery

- Graves are head to head to ensure easier maintenance
- No reserved graves due to unavailability of land.
- All graves are dug eight feet to allow dual burials and to safe costs.

**Date of commencement**

These by-laws commence on the date of publication thereof in the Provincial Gazette.

**BY-LAWS RELATING TO OPEN SPACES, PARKS, SIDE WALKS AND GARDENS**

**RUSTENBURGLOCALMUNICIPALITY(No. 11 of 2005)**



The Municipal Manager hereby publishes, in terms of Section 13 of the Local Government Municipal Systems Act, 2000 [Act 32 of 2000] read with Section 162 of the Constitution of the Republic of South Africa Act 1996 [Act 108 of 1996] the By-Laws Relating to Open Spaces which shall come into operation on the date of publication thereof.

**CHAPTER 1 – INTERPRETATION AND FUNDAMENTALS**

**Definitions**

[1] In these by-laws, unless the context indicates otherwise –

**“active game”** means any physical sport, game or other activity by one or more persons which is undertaken within a public open space other than in an area set aside for that purpose, and which may cause injury to other users of the public open space, a nuisance or damage to vegetation or municipal property within a public open space and includes rugby, golf, archery, football, tennis, badminton, hockey, netball, volleyball, skate-boarding, roller-skating and in-line skating;

**“authorised official”** means any official of the Council who has been authorised by the Council to administer, implement, and enforce the provisions of these by-laws;

**“conservation public open space”** means public open space that is managed by or on behalf of the Council for conservation purposes, and includes nature reserves, greenbelts, ravines, bird sanctuaries and sites of historic, ecological or archaeological value;

**“Council”** means –

**[a]** the municipal council of Rustenburg established in terms of Section 12 of the Municipal Structures Act 1998 as amended or its successors in title, and any committee or person to which or whom an instruction has been given or any power has been delegated or sub-delegated in terms of, or as contemplated in, section 59 of the Local Government: Municipal Systems Act, 2000 [Act No. 32 of 2000] or, where the context so requires, means the Municipality of Rustenburg; or

**[b]** a service provider in respect of any power, function or duty of the Council as contemplated in paragraph [a], which has been assigned for the purposes of these by-laws to that service provider in terms of section 81[2] of the Local Government: Municipal Systems Act, 2000 [Act No. 32 of 2000];

**“designated area”** means an area designated by the Council as an area in which an active game or any other activity, which would otherwise be prohibited under Chapter III of these by-laws, may be undertaken;

**“enforcement officer”** means any peace officer, as defined in the Criminal Procedure Act, 1977 [Act No. 51 of 1977], who is duly appointed by the Council to enforce any provision of these by-laws;

**“environment”** means the surroundings within which humans exist and that are made up of –

**[a]** the land, water and atmosphere of the earth;

**[b]** micro-organisms, plant and animal life;

**[c]** any part or combination of [a] and [b] and the interrelationships among and between them; and

**[d]** the physical, chemical, aesthetic and cultural properties and conditions of the foregoing that influence human health and well-being;

**“environmentally sustainable”** means the exercising of any decision-making powers or performance of any activities in a manner aimed at ensuring that –

- [a] the risk of harm to the environment and to human health and safety is minimised to the extent reasonably possible under the circumstances;
- [b] the potential benefits to the environment and to human health and safety are maximised to the extent reasonably possible under the circumstances; and
- [c] legislation intended to protect the environment and human health and safety is complied with;

**“local community”** means that body of persons comprising –

- [a] the residents of the area in which the public open space is situated;
- [b] the ratepayers of the area in which the public open space is situated; and
- [c] any civic organisations and non-governmental or private sector organisations or bodies which are involved in local affairs in the area in which the public open space is situated;

**“municipal manager”** means a person appointed as such by the Council in terms of section 82 of the Local Government: Municipal Structures Act, 1998 [Act 117 of 1998];

**“municipal property”** means any structure or thing owned or managed by or on behalf of the Council and which is incidental to the use and enjoyment of a public open space and includes buildings, lapas, kiosks, benches, picnic tables, playground equipment, fountains, statues, monuments, fences, poles, notices and signs;

**“notice”** means a clear and legible official notice drawn up by the Council in the official languages recognised by the Council and prominently erected in a public open space;

**“nuisance”** means an unreasonable interference or likely interference with –

- [a] the health or well-being of any person;
- [b] the use and enjoyment by an owner or occupier of his or her property; or
- [c] the use and enjoyment by a member of the public of a public open space;

**“organ of state”** means –

- [a] any department of State or administration in the national, provincial or local sphere of government; or
- [b] any other functionary or institution –

[i] exercising a power or performing a function in terms of the Constitution of the Republic of South Africa Act, 1996 [Act No. 108 of 1996] or a provincial Constitution; or

[ii] exercising a public power or performing a public function in terms of any legislation, but does not include a court or a judicial officer;

**“person”** means a natural person or a juristic person, and includes an organ of State;

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

**“printed matter”** includes any advertisement, billboard, poster, book, pamphlet or handbill;

**“prohibited activity”** means any activity or behaviour that is prohibited in terms of Chapter III from being undertaken in a public open space, either completely or without permission in terms of sections 22, 23 or 24;

**“public open space”** means any land which –

[a] is owned by an organ of State, or

[b] over which an organ of State has certain real rights arising from the filing in the Deeds Office or other registration office of a general plan of a township, agricultural holding or other division of land, or any alteration, addition to or amendment of such land approved by the Surveyor-General, on which is marked the land to which the public has a common right of use; and

[c] is controlled and managed by the Council; and

[d] is either –

[i] set aside in terms of any law, zoning scheme or spatial plan for the purposes of public recreation, conservation, the installation of public infrastructure or agriculture; or

[ii] predominantly undeveloped and open and has not yet been set aside for a particular purpose in terms of any law, zoning scheme or spatial plan;

**“public utility public open space”** means public open space that is managed by or on behalf of the Council for the purposes of providing a public service, which includes road reserves and areas subject to electrical, pipeline and other public utility servitudes, but excludes council housing, clinics and other social services;

**“recreational public open space”** means public open space that is managed by or on behalf of the Council for public recreational purposes, and includes parks, botanical gardens, sports grounds and play grounds, but excludes golf courses;

**“road reserve”** means that portion of a road, street or thoroughfare improved, constructed or intended for vehicular traffic which is between the edges of the roadway or that portion of a road, street or thoroughfare, including the sidewalk, which is not the roadway or shoulder;

**“service provider”** means a person or institution or any combination of persons and institutions which provide a municipal service in terms of the Local Government: Municipal Systems Act, 2000 [Act No. 32 of 2000];

**“special event”** means a parade, procession, race, concert, show, exhibition, festival, ceremony, film shoot, photographic shoot or similar event, which requires, for that purpose, exclusive use of a part of a public open space;

**“urban agricultural public open space”** means public open space that is managed by or on behalf of the Council for urban agricultural purposes;

**“vehicle”** means a device designed or adapted mainly to travel on wheels, but excludes wheelchairs and children’s pushchairs;

**“waste”** means any substance or article that the owner wishes to dispose of because it is unwanted, superfluous, broken, worn out, contaminated or otherwise spoilt and that has either been discarded or has been accumulated or stored so that it can be discarded, reused, reclaimed or recycled;

**“watercraft”** includes any boat, raft, yacht, canoe, inflatable mattress, model ship or boat, radio-controlled boat or similar device;

**“water body”** means any body of water within a public open space and includes a pond, fountain, artificial watercourse, dam, lake, canal, reservoir, stream, river or wetland.

## **Application**

[2] [1] These by-laws apply to all public open space that fall under the jurisdiction and control of the Council but do not apply to cemeteries.

[2] These by-laws are binding on the State.

## **Purpose**

[3] The purpose of these by-laws is to provide, in conjunction with other applicable legislation, an effective legal and administrative framework:

- [a] to ensure that the way in which the Council controls, manages and develops public open spaces, parks, side walks and gardens is environmentally sustainable, and is in the long-term interests of the whole community of Rustenburg, including future generations; and
- [b] that clearly defines the rights and obligations of the public in relation to public open spaces.

## **CHAPTER II: MANAGEMENT AND ADMINISTRATION OF PUBLIC OPEN SPACES**

### **Principles**

- [4] [1] Public open spaces must be managed, and where appropriate developed, in the interests of the whole community, and in determining the interests of the whole community –
  - [a] the long-term collective interests of the people of Rustenburg Local Municipality and of South Africa, must be prioritised over the interests of any specific interest group or sector of society;
  - [b] a long-term perspective, that takes account the interests of future generations, must be adopted; and
  - [c] the interests of other living organisms that depend on public open spaces must be taken into account.
- [2] Public open spaces must be managed in an environmentally sustainable manner.
- [3] Subject to subsection [5] and section 7, people must be given access to public open spaces on a non-discriminatory and equitable basis.
- [4] Where necessary, special measures must be taken to facilitate access to public open spaces by historically disadvantaged persons and by disabled persons.
- [5] Access to a public open space may be restricted in a manner that does not unjustifiably discriminate against any person or class of persons –
  - [a] if the restriction is authorised by these by-laws or by any other applicable legislation; or
  - [b] in order to achieve the purposes of these by-laws.
- [6] The recreational, educational, social and other opportunities which public open spaces offer must be protected and enhanced to enable local communities, particularly historically disadvantaged communities, and the public to improve and enrich their quality of life.
- [7] Local communities must be encouraged to use and care for public open spaces in their areas.

- [8] The natural environment and heritage resources within public open spaces must be identified, preserved, protected and promoted, for the benefit of the local community, the public and future generations.

### **Application of principles**

- [5] The public open space management principles set out in section 4, and the national environmental management principles set out in section 2 of the National Environmental Management Act, 1998 [Act 107 of 1998], must be considered and applied by any person –
- [a] exercising a power or function or performing a duty under these by-laws;
  - [b] formulating or implementing any policy that is likely to have a significant effect on, or which concerns the use of, public open spaces within the Council's jurisdiction; or
  - [c] exercising a public power or function or performing a public duty that is likely to have a significant effect on, or which concerns the use of, public open spaces.

### **General powers**

- [6] The Council may in relation to any public open space –
- [a] designate any area within a public open space as an area within which one or more activities otherwise prohibited in terms of these by-laws may be undertaken, and erect a prominent notice to this effect at entrances to the designated area;
  - [b] develop any public open space in accordance with the principles set out in section 4;
  - [c] erect, construct, establish or demolish municipal property; and
  - [d] exercise any other power reasonably necessary for the discharge of the Council's obligations in terms of these by-laws relating to the management of public open spaces.

### **Fees**

- [7] The Council may require members of the public to pay –
- [a] a reasonable prescribed fee to use recreational or other facilities that the Council provides within public open spaces;
  - [b] a reasonable prescribed fee for entrance to public open spaces which are significantly more expensive to maintain than other public open spaces, such as botanical gardens;
  - [c] a prescribed fee for the right to undertake a special event;

- [d]** a prescribed fee for the right to exclusively use municipal property for a specific period;
- [e]** a deposit prior to undertaking a prohibited activity;
- [f]** an annual or monthly fee for the right to use urban agricultural public open space to the exclusion of any other person; and
- [g]** a prescribed fee for processing applications for permits or letters of permission under these by-laws.

### **Restricting access**

- [8]** The Council may restrict access to any public open space or to any part of a public open space for a specified period of time –
  - [a]** to protect any aspect of the environment within a public open space;
  - [b]** to reduce vandalism and the destruction of property;
  - [c]** to improve the administration of a public open space;
  - [d]** to develop a public open space;
  - [e]** to enable a special event that has been permitted in terms of section 0 to proceed; or
  - [f]** to undertake any activity that the Council reasonably considers necessary or appropriate to achieve the purposes of these by-laws.

### **Procedure when exercising powers**

- [9]** If the rights or legitimate expectations of any person will be materially and adversely affected by the Council exercising any power in terms of sections 6, 7 or 8, before exercising the power the Council must –
  - [a]** give notice of the proposed administrative action, which notice must –
    - [i]** be published in the Provincial Gazette and in a newspaper circulating in the area or areas that will be directly affected by the proposed administrative action;
    - [ii]** contain a clear statement of the proposed administrative action;
    - [iii]** invite comments and objections within a specified period; and
    - [iv]** consider the comments and objections received in response to the notice.



**Powers of enforcement officers**

- [10]** In relation to any public open space, an enforcement officer may –
- [a]** issue a notice in terms of section 341 of the Criminal Procedure Act, 1977 [Act No. 51 of 1977];
  - [b]** issue a notice under section 21;
  - [c]** order any person to leave a public open space if the enforcement officer reasonably believes that that person has not complied with any provision of these by-laws; and
  - [d]** exercise any other power that may be exercised by a peace officer under the Criminal Procedure Act, 1977 [Act No. 51 of 1977].

**Obligations in relation to public open spaces****[11]**

- [1]** The Council must within a public open space, erect any notice required under these by-laws.
- [2]** In relation to recreational public open spaces, the Council must –
- [a]** ensure that they are open to the public between sunrise and sunset, unless specified otherwise in terms of a notice; and
  - [b]** erect prominently displayed notices at every entrance indicating:
    - [i]** the opening and closing times of that recreational public open space; and
    - [ii]** any rules made in relation to that recreational public open space.

**CHAPTER III: PROHIBITED CONDUCT****Prohibited activities**

- [12] [1]** Any person who undertakes an activity or behaves in a manner that is prohibited under sections 13 to 20 commits an offence unless the activity or conduct in question –
- [a]** took place in a designated area within which that activity was allowed;
  - [b]** is authorised in terms of a permission granted or permit issued under sections 22, 23 or 24; or
  - [c]** was deemed to have been authorised by the Council under subsection [2].
- [2]** Subject to subsection [3], a person is deemed to have permission to undertake a prohibited activity if that person needs to undertake the prohibited activity –

- [a]** to perform his or her obligations as an employee, agent or subcontractor of the Council under his or her contract with, or mandate from, the Council or to achieve the purposes of this by-law;
  - [b]** to carry out public duties as an employee, agent or subcontractor of an organ of State within a public open space which is subject to a public utility servitude in favour of an organ of State;
  - [c]** to fulfil his or her duties as an authorised officer to implement these by-laws; or
  - [d]** to fulfil his or her duties as a peace officer.
- [3]** No person is deemed to have permission to undertake an activity that is prohibited under Section 13 [a], [e] or [f] or an activity that the Council has expressly refused to permit.

### **General**

- [13]** No person shall within a public open space –
- [a]** act in a manner that is dangerous to life or property;
  - [b]** contravene the provisions of any notice within any public open space;
  - [c]** unlawfully enter a public open space to which access has been restricted in terms of section 8;
  - [d]** cause a nuisance;
  - [e]** behave in an indecent or offensive manner; or
  - [f]** obstruct any authorised official who is exercising a power under these by-laws.

### **Use**

- [14]** No person shall within a public open space –
- [a]** bathe, wade, or swim in or wash him- or herself, an animal or any object, including clothing, in any water body;
  - [b]** sail, row, paddle, propel or control any watercraft on any water body;
  - [c]** makelight or otherwise start a fire;
  - [d]** camp or reside in any public open space;
  - [e]** consume, brew, store or sell any alcoholic beverage;

- [f] use any sound equipment, including a radio, portable hi-fi or car stereo;
- [g] play an active game, except in an area designated for that purpose, on sport playing fields or on a golf course;
- [a] shoot a projectile of any nature; or
- [b] ride a horse or bicycle.

### **Waste**

- [15] No person shall within a public open space –
  - [a] deposit, dump or discard any waste, unless in a receptacle provided by the Council for that purpose; or
  - [b] pollute or deposit any waste or thing in a manner which may detrimentally impact on a water body.

### **Vehicles**

- [16] No person shall within a public open space –
  - [a] except at times and on roads or pathways prescribed by the Council, drive, draw or propel any vehicle;
  - [b] drive, draw or propel a vehicle in excess of 5 kilometres per hour; or
  - [c] park a vehicle in a public open space.

### **Animals and vegetation**

- [17] [1] Subject to subsection [2], no person shall within a public open space –
  - [a] disturb, damage, destroy or remove any vegetation;
  - [b] plant any vegetation;
  - [c] alter the slope or drainage pattern so as to interfere with the access of water, air or nutrients to any tree;
  - [d] capture or attempt to capture, chase, shoot at, injure, throw objects at, tease, molest or in any other way disturb any fish, bird or animal;
  - [e] disturb, damage or destroy any bird nest or eggs;
  - [f] walk, carry, ride or bring an animal, unless the animal is a guide dog and is accompanied by a person with a sight disability; or
  - [g] affix or place on any tree any printed matter.

- [2]** The provisions of subsections [1][a] and [b] do not apply to any person who has obtained a permit in terms of section 24 to undertake agricultural activities in an urban agricultural public open space.

### **Municipal property and erection of structures**

- [18]** [1] Subject to subsection [2], no person shall within a public open space-

- [a]** deface, damage, destroy or remove any municipal property;
  - [b]** disturb the surface of any land, whether by digging or undertaking any earthworks;
  - [c]** erect, build or assemble any structure, including a hut, tent, screen, bulletin board, pole, stand or stage;
  - [d]** affix or place on any municipal property, or distribute, any printed matter; or
  - [e]** plug, tamper with, or in any way damage any plumbing, electrical, heating or other fixtures or installations in any public open space.
- [2]** The provisions of subsection [1][b] do not apply to any person who has obtained a permit in terms of section 24 to undertake agricultural activities in an urban agricultural public open space.

### **Selling and special events**

- [19]** [1] No person shall within a public open space –
- [a]** use municipal property in a way that unfairly restricts or prevents other users of the public open space from enjoying that municipal property; or;
  - [b]** sell, hawk, offer or display any goods or articles for sale or hire;
- [2]** No person may undertake a special event, except in terms of a permit issued in terms of section 0.

### **Community service**

- [20]** No person shall within a public open space undertake any community or voluntary work of any description.

### **Restoration or removal notices**

- [21]** [1] Unless permission or a permit to do so has been obtained under sections 21, 23 or 24, an enforcement officer may issue a restoration or removal notice to any person who has directly or indirectly in a public open space –

- [a] damaged, defaced, disturbed, destroyed, demolished or removed vegetation or a municipal structure;
  - [b] erected, built or assembled a structure; or
  - [c] dumped, discarded or deposited any waste, unless in a receptacle provided by the Council for that purpose.
- [2] The restoration or removal notice may direct the person within the reasonable time stated in the notice to take stated reasonable action:
- [a] to restore or rehabilitate the affected area to the reasonable satisfaction of the Council; or
  - [b] to remove a structure or thing and restore the affected site, as nearly as practicable, to its former condition.

#### **CHAPTER IV: APPLICATIONS FOR AUTHORISATION**

##### **Application for permission**

- [22] [1]Any person who wants to undertake a prohibited activity must apply in writing to the Council for permission to do so.
- [2] The Council may, after receiving an application, request the applicant to provide additional information which the Council reasonably requires in order to consider the application.
- [3] The Council may refuse to consider an application until it has been provided with the information that it reasonably requires to make an informed decision and until the prescribed fee [if any] has been paid.
- [4] Subject to subsections [2] and [3], the Council must consider the application within a reasonable time and must either:
- [a] refuse the application; or
  - [b] grant permission in writing subject to whatever conditions the Council considers appropriate to best achieve the purposes of these by-laws, which may include payment of a deposit and/or a fee.
- [5] The Council must not grant permission for any person to behave in a manner that is prohibited under section 13[1][a], [e] or [f].

##### **Application for a special event permit**

- [23] [1]An application for permission to hold a special event in a public openspace must be made at least three weeks before the proposed date of the special event.

- [2]** The time period referred to in subsection [1] may be reduced on good cause at the Council's discretion.
- [3]** The application must contain the following information –
  - [a]** the name and full contact details of the applicant [including name, organisation [if any], address, telephone and fax numbers and email address, if available];
  - [b]** the nature and purpose of the special event;
  - [c]** the intended route or area proposed to be used by the special event; and,
  - [d]** the permissions, if any, required under Chapter III of these By-laws.
- [4]** Subject to any permit conditions imposed by the Council, the holder of a special events permit has the right to use the area of public open space specified on the permit to the exclusion of any other person during the period specified in the permit.

#### **Application for permission to farm in an urban agricultural public openspace**

- [24] [1]** An application for permission to farm in an urban agricultural public open space must contain the following information –
  - [a]** the name and full contact details of the applicant [including name, organisation [if any], address, telephone and fax numbers and email address, if available];
  - [b]** the nature of the agricultural activity that the applicant proposes to undertake; and
  - [c]** the size and location of the area on which the applicant wishes to undertake the proposed agricultural activity.
- [2]** A permit under this section may require the permit holder to pay an annual or monthly fee for the use of the land.
- [3]** The holder of an urban agricultural permit may, subject to any conditions in the permit, use the area of public open space specified in the permit for agricultural purposes to the exclusion of any other person.

#### **CHAPTER V: CO-OPERATIVE MANAGEMENT AGREEMENTS**

##### **[25]**

- [1]** The Council may enter into a written agreement with any organ of State, local community or organization to provide for –
  - [a]** the co-operative development of any public space; or

- [b] the co-operative management of any public open space; and
- [c] the regulation of human activities within a public open space.
- [2] The Council shall not enter into a co-management agreement in relation to a public open space unless it is reasonably believed that entering into the co-management agreement will promote the purpose of these by-laws.
- [3] The Council must monitor the effectiveness of the co-management agreement in achieving the purposes for which it was entered into and may cancel the agreement after giving reasonable notice to the other party if the Council has reason to believe that the co-management agreement is not effective, or is inhibiting the attainment of the purpose of these by-laws.

## **CHAPTER VI: TREE PRESERVATION ORDERS**

### **General**

#### **[26]**

- [1] If the Council believes that any tree or group of trees in a public open space requires legal protection the Council may issue a tree preservation order in respect of that tree or group of trees.
- [2] A tree preservation order:
  - [a] must indicate the tree or trees to which it relates; and
  - [b] may provide that any person who cuts, disturbs, damages, destroys, removes, transports, exports, purchases, sells, donates or in any other manner acquires or disposes of the tree or trees to which it relates, commits an offence.
- [3] The Council must erect a prominently displayed copy of any tree preservation order granted at or in the vicinity of the tree or trees to which the order relates.

### **Procedure**

- [27] Unless, in the Council's reasonable opinion, the issuing of a tree preservation order is required as a matter of urgency, the Council must, before issuing a tree preservation order under section 26 –
  - [a] give notice of the proposal to protect the tree or group of trees and invite comments and objections within a specified period, by publishing a notice in the Provincial Gazette and in two newspapers circulating in the area in which the tree or group of trees is situated;
  - [b] notify any affected organs of State; and
  - [c] consider the comments and objections received in response to the notice.

## CHAPTER VII: APPEALS

[28]

[1] A person whose rights are affected by a decision taken by any authorised official under these by-laws, may appeal against that decision by giving written notice of the appeal and reasons to the municipal manager within 21 days of the date of the notification of the decision.

[2] The municipal manager must promptly submit the appeal to the appropriate appeal authority mentioned in subsection [4].

[3] The appeal authority must consider the appeal, and confirm, vary or revoke the decision, but no such variation or revocation of a decision may detract from any rights that may have accrued as a result of the decision.

[4] An appeal submitted in terms of this section shall be dealt with in the manner prescribed by Section 62 of the Municipal Systems Act 32/2000.

## [4] CHAPTER VIII: GENERAL PROVISIONS

### Offences and penalties

[29] [1] Any person who –

[a] contravenes or fails to comply with any provisions of these By-laws;

[b] fails to comply with any notice issued in terms of these by-laws;

[c] fails to comply with any lawful instruction given in terms of these by-laws; or

[d] obstructs or hinders any authorised official in the execution of his or her duties under these by-laws is guilty of an offence and liable on conviction to a fine or in default of payment to imprisonment for a period not exceeding 6 months.

### Repeal

[30] Any by-law relating to open spaces, parks and/or gardens adopted by the municipality or any municipality now comprising an administrative unit of the municipality is repealed from the date of promulgation of these by-laws.

### [31] Operating hours

The operating hours for developed open spaces (parks) shall be as follows:

- 10:00 – 18:30 during summer months
- 10:00 – 17:30 during winter months



Packages for Private functions after hours (18h00 – 24h00) at all municipal Parks charging entrance fees

Category A

Use by schools, churches and welfare organizations = R350,00 rental per event per organization

Category B

Birthday parties, staff parties and other private parties = R1000.00 rental per event per day

Category C

Music Festival/Arts and Culture festivals= R5000.00 rental per event per day

Category D

Filming at Municipal Parks including civic centre garden

Commercial filming = R7000,00 per full day

Non-commercial filming = R3500,00 per full day

Wedding Functions

Booking for wedding pictures at Municipal Parks including civic centre garden

= R250, 00 per full day

Blessing of rings at the civic centre garden (one hour only) = R250, 00

### **Date of commencement**

These by-laws commence on the date of publication thereof in the Provincial Gazette.

**BY-LAWS RELATING TO SWIMMING POOLS AND SPA-BATHS****RUSTENBURG LOCAL MUNICIPALITY (No. 10 of 2005)**

The Municipal Manager hereby publishes, in terms of Section 13 of the Local Government Municipal Systems Act, 2000 [Act 32 of 2000] read with Section 162 of the Constitution of the Republic of South Africa Act 1996 [Act 108 of 1996] the By-Laws Relating to Swimming Pools and Spa-Baths which shall come into operation on the date of publication thereof.

**Definitions**

**[1]** In these by-laws, unless the context indicates otherwise –

**“authorized official”** means an official of the Council or the official of another municipality or another organ of state with which the Council has concluded an agreement for the rendering of services in terms of these by-laws and to whom the Council has delegated a duty, function or power under these by-laws;

**“Council”** means the Council of the Municipality or any committee, Political Office Bearer or official thereof acting by virtue of any power entrusted or delegated to it or him in terms of legislation with regard to the application and implementation of these by-laws;

**“spa-bath”** means a structure constructed of an approved material, provided with controlled circulating water supply and used for bathing;

**“spa-bath keeper”** means any person who owns or controls the operation of a spa-bath;

**“swimming pool”** means a structure with a controlled water supply used for swimming or bathing, including children's swimming and paddling pools, but excluding a tidal swimming pool or a swimming pool at a private home that is not used for commercial purposes;

**“swimming pool keeper”** means any person who owns or controls the operation of a swimming pool.

**Requirements for premises**

**[2]** No person may operate a swimming pool or spa bath in or on any premises that do not comply with the following requirements –

- [a] separate and readily accessible change-rooms, showers and toilet facilities must be provided for each sex in compliance with the National Building Regulations and Building Standards Act, 1977 (Act No.103 of 1977), as amended;
- [b] every swimming-pool must be surrounded by a wall or fence as prescribed by the National Building Regulations and Building Standards Act, 1977 (Act No.103 of 1977), as amended;
- [c] the surface of the floor area surrounding the spa-bath or swimming-pool must be constructed of an impervious, non-slip material;
- [d] an approved chemical gas mask must be provided at the chlorinator installation;
- [f] if notified in writing by an authorized official in writing, a prescribed oxygen or air breathing apparatus must be provided; and
- [g] an adequate number of refuse receptacles must be provided on the premises.

#### **Duties of the spa-bath keeper**

- [3] Every spa-bath keeper must –
  - [a] keep the premises in a safe, clean and sanitary condition and in good repair at all times;
  - [b] provide a properly maintained approved first-aid box in a prominent, easily accessible and protected position;
  - [c] purify, treat and maintain the spa-bath water quality to an adequate level at all times;
  - [d] provide and maintain, in good working order, equipment for testing the quality of the spa-bath water;
  - [e] be capable of undertaking routine tests on the water quality in the spa-bath and interpreting the tests results; and
  - [f] maintain a daily record of the spa-bath water quality.

#### **Duties of the swimming pool keeper**

- [4] Every swimming pool keeper must –
  - [a] keep the premises in a safe, clean and sanitary condition at all times;
  - [b] provide a properly maintained approved first-aid box in a prominent, easily accessible and protected position;

- [c]** be qualified and proficient in life saving, the rendering of first aid, the use of resuscitation appliances, the operation of the swimming pool as well as the testing and maintenance of the safety of the water;
- [d]** ensure that the water is purified, treated and maintained to an adequate quality at all times;
- [e]** provide and maintain, in proper working order, equipment for testing the quality of the swimming pool water;
- [f]** be capable of undertaking routine tests on the water quality in the spa-bath and interpreting the tests results; and
- [g]** maintain a daily record of the spa-bath water quality.

#### **Water supply**

- [5]** No person operating a spa-bath or swimming pool may use water from a source other than a municipal supply to clean, fill or maintain the level in a swimming pool or spa-bath.
- [6]** An authorized official must –
  - [a]** take samples of the swimming pool or spa-bath water, at intervals that he or she considers appropriate for the purpose of a chemical analysis or bacteriological examination;
  - [b]** submit the samples to an analyst authorized in terms of section 12 of the Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act No 54 of 1972) to conduct an analysis.

#### **Safety of water**

- [7]** Every spa-bath keeper and swimming pool keeper must ensure that the water in the spa-bath or swimming pool complies with the following requirements:
  - [a]** it must be free from floating, suspended or settled debris or swimming organisms and the walls, floor, access ladders or steps and gutters must be free from slime and algae;
  - [b]** the pH value of the water must be not less than 7 and not greater than 8;
  - [c]** where chlorine based disinfectants are used, a minimum free available chlorine residual of 0,5 mg/l, with a maximum free available chlorine residual of 3 mg/l, must be maintained;
  - [d]** where a disinfectant other than chlorine is used, the residual level must be equivalent in effect to the requirements of subparagraph (c);

[e] the total viable bacteriological count of any sample submitted for analysis must not exceed 100 organisms per ml of water; and

[f] Escherichia coli type 1 bacteria must not be present in any 100 ml of water.

#### **[8]Maximum number of visitors**

[1] The municipality may determine the maximum number of visitors who may be present at a specific time in or at a public swimming pool;

[2] The number contemplated in subsection [1] shall be made known by the municipality by means of a notice.

#### **[3]Admission to a public swimming pool**

[1] A public swimming pool is, subject to the provisions of these by-laws, open to the public during the times determined by the municipality and made known in a notice;

[2] No visitor shall enter or leave a public swimming pool at a place other than that indicated for that purpose.

#### **[4]Entrance fees**

[1] A visitor to a public swimming pool shall pay entrance fees determined from time to time by the municipality and such entrance fees shall be made known by means of a notice.

[2] Different entrance fees may be determined in respect of visitors of different ages and the municipality may exempt certain groups of persons from the payment of an entrance fee.

#### **[9] Nuisances**

No person shall perform or permit any of the following acts in or at a public amenity –

[a] the use of language or the performance of any other act which disturbs the good order;

[b] the firing of firearms, airguns, air pistols, fireworks or the use of sling-shots or catapults without the municipality's written consent;

[c] the burning of rubble or refuse;

[d] the causing of unpleasant or offensive smells;

**[e]**the production of smoke nuisances;

**[f]**the causing of disturbances by fighting, shouting, arguing, singing or the playing of musical instruments; or by the use of loudspeakers, radio reception devices, television sets, or similar equipment;

**[g]**the begging for money, food, work or the offering of services, or

**[h]** in any other manner cause a nuisance, obstruction, disturbance or annoyance to the public.

#### **[10] Health matters**

No person shall in or at a public swimming pool –

**[a]** dump, drop or place any refuse, rubble, material or any object or thing or permit it to be done, except in a container provided for that purpose in or at the swimming pool;

**[b]**pollute or contaminate in any way the water in any bath, swimming-bath, dam, spruit, river or water-course;

**[c]**enter any bath or swimming bath while suffering from an infectious or contagious disease or having an open wound on his body;

**[d]**perform any act that may detrimentally affect the health of any visitor to a public swimming pool.

#### **[11] Structures**

No person shall without the written consent of the municipality having first been obtained, erect or establish in or on a public amenity any structure, shelter or anything similar, except the parking of a caravan or tent erected for camping purposes on a site specifically set aside therefore by notice;

#### **[12] Liquor and food**

**[1]** No person shall, contrary to a provision of a notice, bring into a public amenity any alcoholic or any other liquor or any food of whatever nature.

**[2]** No person shall on, in or at a public amenity, contrary to a provision of a notice, cook or prepare food of any kind whatsoever, except at places set aside for such purposes by notice; provided that the preparation and cooking of food in or at a public swimming pool shall be done in a clean and hygienic manner so as not to

give rise to excessive smoke or other nuisances or entail any danger to health; provided further that no live animals, poultry or fish may be killed or skinned on, in or at a public swimming pool.

**[13] Use of public swimming pool**

**[1]** No person shall without the consent of the municipality or contrary to any condition which the municipality may impose when granting such consent –

**[a]** arrange or present any public entertainment;

**[b]** collect money or any other goods for charity or any other purpose from the general public;

**[c]** display or distribute any pamphlet, placard, painting, book, handbill or any other printed, written or painted work;

**[d]** arrange, hold or address any meeting;

**[e]** arrange or hold a public gathering or procession, exhibition or performance;

**[f]** conduct any trade, occupation or business;

**[g]** display, sell or rent out or present for sale or rent any wares or articles;

**[h]** hold an auction;

**[i]** tell fortunes for compensation;

**[2]** For the purposes of these by-laws “public gathering or procession” shall mean a procession or gathering of 15 or more persons and which is not regulated by national or provincial legislation.

**[14] Safety and order**

**[1]** No person shall, subject to subsection [2], in or at a public swimming pool –

**[a]** damage or disfigure anything within such amenity;

**[b]** use or try to use anything within such amenity for any purpose other than that for which it is designated or determined by notice;

**[c]** light a fire or prepare food, except at a place indicated for that purpose by notice;

**[d]** throw away any burning or smouldering object;

**[e]**throw or roll down any rock, stone or object from any mountain, koppie, slope or cliff;

**[f]**pull out, pick or damage any tree, plant, shrub, vegetation or flower;

**[g]**behave himself in an improper, indecent, unruly, violent or unbecoming manner;

**[h]**cause a disturbance;

**[i]**wash, polish or repair a vehicle;

**[j]** walk, stand, sit or lie in a flower bed;

**[k]**kill, hurt, follow, disturb, ill-treat or catch any animal, bird or fish or displace, disturb, destroy or remove any bird nests or eggs;

**[l]**walk, stand, sit or lie on grass contrary to the provisions of a notice;

**[m]**lie on a bench or seating-place or use it in such a manner that other users or potential users find it impossible to make use thereof;

**[n]**play or sit on play park equipment, except if the person concerned is a child under the age of 13 years;

**[o]**swim, walk or play, contrary to the provisions of a notice, in a fish-pond, fountain, stream or pond;

**[2]** The municipality may by way of notice and subject to such conditions as the municipality deems necessary and mentioned in a notice, authorize any of the actions contemplated in subsection [1].

**[15] Water**

No person may misuse, pollute or contaminate any water source or water supply or waste water in or at any public swimming pool.

**[16] Laundry and crockery**

No person may in or at a public swimming pool wash any crockery or laundry or hang out clothes, except at places indicated by notice for that purpose.



**[17] Vehicles**

**[1]** No person may bring into a public swimming pool any truck, bus, motorcar, motor cycle, motor tricycle, or any other vehicle, craft or aeroplane, whether driven by mechanical, animal, natural or human power, except in accordance with the directions of the municipality;

**[2]** The municipality shall determine the speed limit applicable in a public swimming pool;

**[3]** The directions contemplated in subsection [1] and the speed limit contemplated in subsection [2] shall be made known by the municipality by way of notice.

**Order and behaviour**

**[18]** No person may –

- [a]** interfere with the spa-bath keeper, swimming pool keeper or any authorized official of the Council in the execution of their duties;
- [b]** allow any dog or other pet belonging to him or under his care to enter or to remain within the premises;
- [c]** use any premises where he or she knows or suspects that he or she may suffering from any communicable or contagious disease; and
- [f]** urinate, defecate, spit or blow his or her nose in the spa-bath or swimming pool.

**Offences and Penalties**

**[19]**

**[1]** Any person who contravene or fails to comply with any provision of these by-laws or who fails to comply with any notice given in terms of these by-laws shall be guilty of an offence and upon conviction be liable to a fine or imprisonment for a period not exceeding six months or to both such fine and imprisonment.

**[2]** Any person who contravenes or fails to comply with a provision of these by-laws, a notice issued in terms of these by-laws or a condition imposed under these by-laws, irrespective of whether such contravention or failure has been declared as an offence elsewhere in these by-laws, shall be guilty of an offence and liable upon conviction to:

**[a]** a fine or imprisonment for a period not exceeding six months or either such fine or such imprisonment or both such fine and such imprisonment;

**[b]** in the case of a continuing offence, an additional fine or an

additional period of imprisonment of 10 days or either such additional fine or such additional imprisonment or both such additional fine and imprisonment for each day on which such offence is continued, and

[c] a further amount equal to any costs and expenses found by the court to have been incurred by the municipality as a result of such contravention or failure.

### **Repeal of By-Laws**

- [10]** Any by-laws adopted by the Council or the Council of a municipality now forming an administrative unit of the Council and relating to public swimming pools and spa-baths are, from the date of promulgation of these by-laws, hereby repealed.

### **Date of commencement**

#### **Accommodating Separate and Private Activities/Events**

Unless otherwise stated; the above mentioned activities shall be accommodated in all municipal swimming pools from **17h00-24h00** when all the general public would have vacated the facility.

**Booking for private activities exclude or prohibit learners from all educational institutions**

**Booking for private functions will only be permitted at Marais Street swimming pool and Middle street swimming pool**

#### **Open fires and Consumption of alcohol at the facility**

As per by-laws governing open fires; they should however be allowed although under strict supervision by the municipal officials and at a designated braaing area

Reasonable consumption of alcohol shall be permitted at the facilities only for private functions. However; they (users) will have to be restricted from swimming as this would compromise water safety.

In addition; we need to display a notice to the effect that "Rustenburg Local Municipality will not be held liable in an event of death and injury resulting from alcohol abuse".

#### **Rates payable**

Such activities or events should be subjected to the payment of a tariff per event. Such payments should be done before the actual event.

An amount not exceeding R 1000 .00 refundable deposit is payable within seven (7) days prior to the event.

Different tariffs are applicable per category and are as follows:

Category A

Birthday parties, staff parties and other private parties = R2000.00 rental per event per day

Category B

Music Festival/Arts and Culture festivals= R5000.00 rental per event per day

Category C

Filming at Municipal Pools

Commercial filming = R7000, 00 per full day

Non-commercial filming = R3500, 00 per full day

Wedding Functions

Booking for wedding pictures at Municipal Pools

= R250,00 per full day

These by-laws commence on the date of publication thereof in the Provincial Gazette.

**PROVINCIAL NOTICE 109 OF 2016****NOTICE IN TERMS OF SECTION 56(1) OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986), READ TOGETHER WITH PRESCRIBED OF THE SPATIAL PLANNING AND LAND USE MANAGEMENT ACT 16 OF 2013 FOR THE AMENDMENT OF THE RUSTENBURG LAND USE MANAGEMENT SCHEME, 2005: AMENDMENT SCHEME: 1438/2015**

We, Noksa 23 Consulting Services, being the authorized agent of the owners of the of Portion 2 Erf 1150, Rustenburg, hereby give notice in terms of sections 56(1) of the Town-Planning and Townships Ordinance, 1986, read together with prescribed of the Spatial Planning and Land Use Management Act 16 of 2013 that we have applied to the Rustenburg Local Municipality for the amendment of the Town Planning scheme known as the Rustenburg Land Use Management Scheme, 2005, in order to rezone the above mentioned, from "Special" to "Business1" for offices, shops, medical consulting rooms and guesthouse consisting of a maximum of 10 rooms

Particulars of the application will lie for inspection during normal office hours at the office of the Municipal Manager: Room 319, at the Missionary Mpheni House, cnr of Nelson Mandela and Beyers Naude Drives, Rustenburg, for the period of 28 days from 7 June 2016.  
Objections to or representations in respect of the application must be lodged with or made in writing to the Municipal Manager at the above address or posted to P.O. Box 16, Rustenburg, 0300, within a period of 28 days from 7 June 2016

*Address of authorized agent:* 22 Villa Egoli, West Village, Krugersdorp, 1739 or [noksa23@gmail.com](mailto:noksa23@gmail.com)

7-14

**PROVINSIALE KENNISGEWING 109 VAN 2016****KENNISGEWING IN TERME VAN ARTIKEL 56 (1) VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986 (ORDONNANSIE 15 VAN 1986), SAAMGELEES MET VOORGESKREWE VAN DIE RUIMTELIKE BEPLANNING EN GRONDGEBRUIKSBEHEER WET 16 VAN 2013 VIR DIE WYSIGING VAN DIE RUSTENBURG GRONDGEBRUIK DORPSBEPLANNINGSKEMA, 2005: WYSIGINGSKEMA: 1438/2015**

Ons, Noksa 23 Consulting Services, synde die gemagtigde agent van die eienaars van die van Gedeelte 2 Erf 1150, Rustenburg, gee hiermee ingevolge artikels 56 (1) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986, saamgelees met voorgeskryf van die Ruimtelike Beplanning en Grondgebruikbestuur Wet 16 van 2013 dat ons aansoek gedoen het om die Rustenburg Plaaslike Munisipaliteit vir die wysiging van die dorpsbeplanningskema bekend as die Rustenburg Land Use Management Scheme, 2005, ten einde die hersonering van die bogenoemde, van "Spesiaal "na" Business1 "vir kantore, winkels, mediese spreekkamers en gastehuis bestaande uit 'n maksimum van 10 kamers

Besonderhede van die aansoek le ter insae gedurende gewone kantoorure by die kantoor van die Munisipale Bestuurder: Kamer 319, Missionary Mpheni House, hoek van Nelson Mandela en Beyers Naudelaan, Rustenburg, vir die tydperk van 28 dae vanaf 7 June 2016.

Besware teen of vertoe ten opsigte van die aansoek moet sodanige besware of vertoe skriftelik aan die Munisipale Bestuurder by bovermelde adres of by Posbus Box 16, Rustenburg, 0300, binne 'n tydperk van 28 dae vanaf 7 June 2016

*Adres van gemagtigde agent:* 22 Villa Egoli, West Village, Krugersdorp, 1739 of [noksa23@gmail.com](mailto:noksa23@gmail.com)

7-14

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**LOCAL AUTHORITY NOTICES • PLAASLIKE OWERHEIDS KENNISGEWINGS**

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**LOCAL AUTHORITY NOTICE 89 OF 2016****CITY OF MATLOSANA****NOTICE CALLING FOR OBJECTIONS TO THE MUNICIPAL SUPPLEMENTARY VALUATION ROLL FROM 9 JUNE 2016 TO 8 JULY 2016**

Notice is hereby given in terms of Section 49(1)(a)(i) and (ii) read together with section 78(2) and (6) of the Local Government: Municipal Property Rates Act, Act 6 of 2004, as amended, hereinafter referred to as the "Act", that the Municipal Supplementary Valuation Roll for the period:

**1 April 2015 to 31 March 2016**

is open for public inspection during office hours: 7:45 – 13:00 and 13:45 – 16:30, from 9 June 2016 to 8 July 2016 at the following offices in the Department of the acting Chief Financial Officer of the City of Matlosana:

- 1) Klerksdorp: Room 47, Mayibuye Centre, office of the Treasury Department, Klerksdorp;
- 2) Jouberton: Old Pay point, Municipal Offices, Jouberton;
- 3) Alabama: Pay point, Municipal Offices, Alabama;
- 4) Orkney: Pay point, Rates Hall, Municipal Offices, Orkney;
- 5) Kanana: Old Pay point, Municipal Offices, Kanana;
- 6) Stilfontein: Pay point, Rates Hall, Municipal Offices, Stilfontein;
- 7) Khuma: Paypoint, Municipal Offices, Khuma;
- 8) Hartbeesfontein: Pay point, Municipal Offices, Hartbeesfontein;
- 9) Tigane: Pay point, Municipal Offices, Tigane, and

In addition the supplementary valuation roll is available at the Council's website <http://www.matlosana.gov.za>

Any owner of ratable property or other person who so desires to lodge an objection with the acting Municipal Manager in respect of any matter, regarding: Additional improvements, New Buildings, Rezoning: Subdivisions, Consolidations etc., recorded in the mentioned Municipal Supplementary Valuation Rolls as contemplated in Section 49 of the said Act, including the question whether or not such property or portion thereof is subject to the payment of rates or is exempted there from or in respect of any omission of any matter from such roll, must do so within the said period.

The form prescribed for the lodging of an objection is obtainable at Room 47 Mayibuye Centre Klerksdorp or the Council's website and attention is specifically directed to the fact that:

- no person is entitled to urge any objection before the Valuation Board unless he/she has timeously lodged an objection in the prescribed form;
- In terms of section 50(2) of the Act an objection must be in relation to a specific individual property and not against the valuation roll/supplementary valuation roll as such.

For further enquiries kindly contact the Assistant Director: Administration, Mrs. J.v.Rensburg at 0184878007 or email [jvrensburg@klerksdorp.org](mailto:jvrensburg@klerksdorp.org).

Civic Centre  
**KLERKSDORP**

SG MABUDA  
**Acting MUNICIPAL  
MANAGER**

Notice no: 103/2016

LOCAL AUTHORITY NOTICE 90 OF 2016

KAGISANO-MOLOPO LOCAL MUNICIPALITY

PROPERTY RATES BY-LAW  
(FINAL)

(2016/17)

FOR IMPLEMENTATION ON 1 JULY 2016

## KAGISANO-MOLOPO LOCAL MUNICIPALITY

### PROPERTY RATES BY-LAW

The Municipal Manager of Kagisano-Molopo Local Municipality hereby, in terms of Section 6 of the Local Government: Municipal Property Rates Act, 2004 (No. 6 of 2004), publishes the Property Rates By-law for the Kagisano-Molopo Local Municipality, as approved by its Council as set out hereunder.

#### PURPOSE OF BY-LAW

To allow Council to exercise its power to value and impose rates on immovable properties located within its area of jurisdiction in such a manner that it will contribute to effective and economic service delivery to the entire community.

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#### 1. Definitions

For the purpose of these by-laws any word or expression to which a meaning has been assigned in the Local Government: Municipal Property Rates Act, 2004 (Act No. 6 of 2004) shall bear the same meaning in these by-laws and unless the context indicates otherwise-

1.1 “**Act**” means the Local Government: Municipal Property Rates Act, 2004 (Act No. 6 of 2004);

1.2 “**Agent**”, in relation to the owner of a property, means a person appointed by the owner of the property-

- (a) to receive rental or other payments in respect of the property on behalf of the owner; or
- (b) to make payments in respect of the property on behalf of the owner;

1.3 “**Agricultural purpose**” in relation to the use of a property, includes the use of a property for the purpose of eco-tourism or for the trading in or hunting of game;

1.4 “**Annually**” means once every financial year;

1.5 “**Category**”

- (a) in relation to property, means a category of properties determined in terms of Section 7 of this policy;
- and
- (b) in relation to owners of properties, means a category of owners determined in terms of Section 8 of this policy.

1.6 **“Child-headed household”** means a household where the main caregiver of the said household is younger than 18 years of age. Child-headed household means a household headed by a child as defined in terms of section 28(3) of the Constitution.

1.7 **“Definitions, words and expressions”** as used in the Act are applicable to this policy document where ever it is used;

1.8 **“Land reform beneficiary”**, in relation to a property, means a person who -

- (a) acquired the property through -
  - (i) the Provision of Land and Assistance Act, 1993 (Act No. 126 of 1993); or
  - (ii) the Restitution of Land Rights Act, 1994 (Act No. 22 of 1994);
- (b) holds the property subject to the Communal Property Associations Act, 1996 (Act No 28 of 1996);
- (c) holds or acquires the property in terms of such other land tenure reform legislation as may pursuant to section 25(6) and (7) of the Constitution (Act No.108 of 1996) be enacted after this Act has taken effect;

1.9 **“Land tenure right”** means an old order right or a new order right as defined in section 1 of the Communal Land Rights Act, 2004 (Act No.11 of 2004);

1.10 **“Municipality”** means the Local Municipality of Kagisano-Molopo;

1.11 **“Newly Rateable property”** means any rateable property on which property rates were not levied before the end of the financial year preceding the date on which this Act took effect, excluding –

- (a) a property which was incorrectly omitted from a valuation roll and for that reason was not rated before that date; and
- (b) a property identified by the Minister by notice in the Gazette where the phasing-in of a rate is not justified;

1.12 **“Owner”**-

- (a) in relation to a property referred to in paragraph (a) of the definition of “property”, means a person in whose name ownership of the property is registered;
- (b) in relation to a right referred to in paragraph (b) of the definition of “property”, means a person in whose name the right is registered;
- (c) in relation to a land tenure right referred to in paragraph (c) of the definition of “property”, means a person in whose name the right is registered or to whom it was granted in terms of legislation; or
- (d) in relation to public service infrastructure referred to in paragraph (d) of the definition of “property”, means the organ of state which owns or controls that public service infrastructure as envisaged in the definition of “publicly controlled”,

provided that a person mentioned below may for the purposes of this Act be regarded by a municipality as the owner of a property in the following cases:-

- (i) a trustee, in the case of a property in a trust excluding state trust land;
- (ii) an executor or administrator, in the case of a property in a deceased estate;
- (iii) a trustee or liquidator, in the case of a property in an insolvent estate or in
- (iv) a judicial manager, in the case of a property in the estate of a person under
- (v) a curator, in the case of a property in the estate of a person under curatorship;
- (vi) a person in whose name a usufruct or other personal servitude is registered, in the case of a property that is subject to a usufruct or other personal servitude;
- (vii) a lessee, in the case of a property that is registered in the name of a municipality and is leased by it; or
- (viii) a buyer, in the case of a property that was sold by a municipality and of which possession was given to the buyer pending registration of ownership in the name of the buyer;

1.13 **“Privately owned towns serviced by the owner”** means single properties, situated in an area not ordinarily being serviced by the municipality, divided through sub division or township establishment into (ten or more) full title stands and/ or sectional units and where all rates related services inclusive of installation and maintenance of streets, roads, sidewalks, lighting, storm water drainage facilities, parks and recreational facilities are installed at the full cost of the developer and maintained and rendered by the residents of such estate.

1.14 **“Property”** means -

- (a) immovable property registered in the name of a person, including, in the case of a sectional title scheme, a sectional title unit registered in the name of a person;



- (b) a right registered against immovable property in the name of a person, excluding a mortgage bond registered against the property;
- (c) a land tenure right registered in the name of a person or granted to a person in terms of legislation; or
- (d) public service infrastructure.

1.15 **“Public service infrastructure”** means publicly controlled infrastructure of the following kinds:

- (a) national, provincial or other public roads on which goods, services or labour move across a municipal boundary;
- (b) water or sewer pipes, ducts or other conduits, dams, water supply reservoirs, water treatment plants or water pumps forming part of a water or sewer scheme serving the public;
- (c) power stations, power substations or power lines forming part of an electricity scheme serving the public;
- (d) gas or liquid fuel plants or refineries or pipelines for gas or liquid fuels, forming part of a scheme for transporting such fuels;
- (e) railway lines forming part of a national railway system;
- (f) communication towers, masts, exchanges or lines forming part of a communications system serving the public;
- (g) runways or aprons at national or provincial airports;
- (h) breakwaters, sea walls, channels, basins, quay walls, jetties, roads, railway or infrastructure used for the provision of water, lights, power, sewerage or similar services of ports, or navigational aids comprising lighthouses, radio navigational aids, buoys, beacons or any other device or system used to assist the safe and efficient navigation of vessels;
- (i) any other publicly controlled infrastructure as may be prescribed; or
- (j) rights of way, easements or servitudes in connection with infrastructure mentioned in paragraphs (a) to (i).

1.16 **“Residential property”** means improved property that:-

- (a) is used predominantly (60% or more) for residential purposes including any adjoining property registered in the name of the same owner and used together with such residential property as if it were one property. Any such grouping shall be regarded as one residential property for rate rebate or valuation reduction purposes.
- (b) Is a unit registered in terms of the Sectional Title Act and used predominantly for residential purposes.
- (c) Is owned by a share-block company and used solely for residential purposes.
- (d) Is a residence used for residential purposes situated on property used for or related to educational purposes.
- (e) Retirement schemes and life right schemes used predominantly (60% or more) for residential purposes.

And specifically exclude hostels, flats, old age homes, guest houses and vacant land irrespective of its zoning or intended use.

1.17 **“Rural communal settlements”** means the residual portion of rural communal land excluding identifiable and rateable entities within the property and excluding State Trust Land and land reform beneficiaries as defined in the Act.

1.18 **“state trust land”** means land owned by the state-

- (a) in trust for persons communally inhabiting the land in terms of a traditional system of land tenure;
- (b) over which land tenure rights were registered or granted; or
- (c) which is earmarked for disposal in terms of the Restitution of Land Rights Act, 1994 (Act No. 22 of 1994).

1.19 In this by-law, words used in the masculine gender include the feminine, the singular includes the plural and vice versa.

## 2. Principles

2.1 Rates will be levied in accordance with the Act as an amount in the rand based on the market value of all rateable property contained in the municipality's valuation roll and supplementary valuation roll.

2.2 The municipality will differentiate between various categories of property and categories of owners of property as contemplated in clause 5 and 6 of this by-law.

2.3 Some categories of property and categories of owners will be granted relief from rates.

2.4 The municipality will not grant relief in respect of payments for rates to any category of owners or properties, or to owners of properties on an individual basis.

2.5 There will be no phasing in of rates based on the new valuation roll, except as prescribed by legislation and in accordance with clause 14 of this by-law.

2.6 The municipality's rates policy will be based on the following principles:

(a) Equity

The municipality will treat all ratepayers with similar properties the same.

(b) Affordability

The ability of a person to pay rates will be taken into account by the municipality. In dealing with the poor/indigent ratepayers the municipality will provide relief measures through exemptions, reductions or rebates and cross subsidy from the equitable share allocation.

(c) Sustainability

Rating of property will be implemented in a way that:

i. it supports sustainable local government by providing a stable and buoyant revenue source within the discretionary control of the municipality;

ii. Supports local, social and economic development; and

iii. Secures the economic sustainability of every category of ratepayer.

(d) Cost efficiency

Rates will be based on the value of all rateable property and will be used to fund community and subsidised services after taking into account surpluses generated on trading (water, electricity) and economic (refuse removal, sewerage disposal) services and the amounts required to finance exemptions, rebates, reductions and phasing-in of rates as approved by the municipality from time to time.

### **3. Application of By-law**

3.1 Where this by-law contradicts national legislation, such legislation has preference over this by-law. The Municipal Manager shall bring such conflicts immediately to the attention of the municipality once he becomes aware of such conflicts and will propose changes to the municipality's by-laws to eliminate such conflicts.

3.2 If there is any conflict between this by-law and the Property Rates policy of the municipality, this by-law will prevail.

3.3 In imposing the rate in the rand for each annual operating budget component, the municipality shall grant exemptions, rebates and reductions to the categories of properties and categories of owners.

### **4. Principles applicable to financing services**

4.1 The municipal manager or his/her nominee must, subject to the guidelines provided by the National Treasury and Executive Committee of the municipality, make provision for the following classification of services:-

(a) Economic services

i. Refuse removal.

(b) Community and subsidised services

These include all those services ordinarily being rendered by the municipality excluding those mentioned in 4.1

(a).

4.2 Economic services as referred to in clause (a) must be ring fenced and financed from service charges while community and subsidised services referred to in clause (b) will be financed from surpluses on trading and economic services, regulatory fees, rates and rates related income.

### **5. Categories of property**

5.1 Different rates may be levied in respect of the categories of rateable properties as determined by the municipality's rates policy.

5.2 Such rates will be determined on an annual basis during the compilation of the municipality's budget.

5.3 In determining the category of a property referred to in 5.1 the municipality shall take into consideration the dominant use of the property regardless the formal zoning of the property;

5.4 Properties used for multiple purposes shall be categorised and rated as provided for in section 9 of the Act and as more fully described in clause 7 of this by-law.

## **6. Categories of owners**

6.1 For the purpose of granting exemptions, reductions and rebates in terms of clause 9, 10 and 11 respectively the following categories of owners of properties are determined:

- (a) Those owners who qualify and who are registered as indigents in terms of the adopted indigent policy of the municipality;
- (b) Pensioners who do not qualify as indigents in terms of the adopted indigent policy of the municipality but whose total monthly income is less than the amount annually determined by the municipality in its budget;
- (c) Owners of property situated within an area affected by-
  - i. a disaster within the meaning of the Disaster Management Act, 2002 (Act No. 57 of 2002); or
  - ii. serious adverse social or economic conditions.
- (d) Owners of residential properties with a market value below the amount as determined annually by the municipality in its budget;
- (e) Owners of properties situated in "privately owned towns" as determined by the municipality's rates policy;
- (f) Owners of agricultural properties as determined by the municipality's rates policy; and
- (g) Child headed families where any child of the owner or child who is a blood relative of the owner of the property, is responsible for the care of siblings or parents of the household.

## **7. Properties used for multiple purposes**

7.1 Rates on properties used for multiple purposes will be levied as follows:

- (a) In accordance with the "permitted use of the property".
- (b) In accordance with the "dominant use of the property" if (a) cannot be applied; or
- (c) In accordance with the "different uses" by apportioning the market value of a category of property to the different purposes for which the property is used if both (a) and (b) above cannot be applied.

## **8. Differential rating**

8.1 Criteria for differential rating on different categories of properties will be according to-

- (a) The nature of the property including its sensitivity to rating e.g. agricultural properties used for agricultural purposes.
- (b) The promotion of social and economic development of the municipality.

8.2 Differential rating among the various property categories will be done by way of setting different cent amount in the rand for each property category; and

8.3 by way of reductions and rebates as provided for in the municipality's rates policy document.

## **9. Exemptions and Impermissible Rates**

9.1 Categories of property and categories of owners as determined by the municipality's rates policy on an annual basis will be exempted from paying rates.

9.2 Conditions determined by the rates policy will be applied accordingly.

9.3 Exemptions will automatically apply where no applications are required.

9.4 Rates may not be levied by the municipality on properties prescribed in Section 17(1) of the Municipal Property Rates Act, 2004.

9.5 Public Benefit Organisations performing a specific public benefit activity and registered in terms of the Income Tax Act, 1962 (No 58 of 1962) for tax reduction because of those activities, may apply for exemption of property rates, on conditions as determined by the municipality's rates policy.

9.6 The municipality retains the right to refuse the exemption if the details supplied in the application form were incomplete, incorrect or false.

9.7 The extent of the exemptions implemented will annually be determined by the municipality and it must be included in the annual budget.

## **10. Reductions**

10.1 Reductions as contemplated in section 15 of the Act will be considered on an *ad-hoc* basis in the event of the following:

10.1.1 Partial or total destruction of a property.

10.1.2 Disasters as defined in the Disaster Management Act, 2002 (Act 57 of 2002).

10.2 The following conditions shall be applicable in respect of 10.1:-

10.2.1 The owner referred to in 10.1.1 shall apply in writing for a reduction and the onus will rest on such applicant to prove to the satisfaction of the municipality that his property has been totally or partially destroyed. He/she will also have to indicate to what extent the property can still be used and the impact on the value of the property.

10.2.2 Property owners will only qualify for a rebate if affected by a disaster as referred to in the Disaster Management Act, 2002 (Act No. 57 of 2002).

10.2.3 A maximum reduction determined annually by the municipality will be allowed in respect of both 10.1.1 and 10.1.2.

10.2.4 An ad-hoc reduction will not be given for a period in excess of 6 months, unless the municipality gives further extension on application.

10.2.5 If rates were paid in advance prior to granting of a reduction the municipality will give credit to such an owner as from the date of reduction until the date of lapse of the reduction or the end of the period for which payment was made whichever occurs first.

## **11. Rebates**

11.1. Categories of property

11.1.1 The municipality may grant rebates to categories of property as determined in the municipality's rates policy.

11.2. Categories of owners

11.2.1 The municipality may grant rebates to categories of owners as determined annually in the municipality's rates policy.

11.3 Conditions determined by the rates policy will be applied accordingly.

11.4 Applications for rebates must reach the municipality before the date determined by the property policy, preceding the start of the new municipal financial year for which relief is sought.

11.5 The municipality retains the right to refuse rebates if the details supplied in the application form were incomplete, incorrect or false.

11.6 Properties with a market value below a prescribed valuation level of an amount determined annually by the Municipality may, instead of a rate being determined on the market value, be rated a uniform fixed amount per property.

11.7 The extent of the rebate in terms of 11.1, 11.2 and 11.6 will annually be determined by the municipality and it must be included in the annual budget.

## **12. Payment of rates**

12.1 Council may levy assessment rates: -

(a) On a monthly basis or less regular as determined by the Municipal Finance Management Act, (No.56 of 2003) or

(b) Annually, as agreed with the owner of the property.

12.2 The municipality shall determine the due dates for payments in monthly installments and the single annual payment and this date shall appear on the accounts forwarded to the owner/ tenant/ occupants/ agent.

12.3 Rates payable on an annual basis, will be subject to a discount of 5% if paid in full on or before 31 December of each year.

12.4 Interest on arrears rates, whether payable on or before 31 December or in equal monthly instalments, shall be calculated in accordance with the provisions of the Credit Control and Debt Collection Policy of the Municipality.

12.5 If a property owner who is responsible for the payment of property rates in terms of the rates policy, fails to pay such rates in the prescribed manner, it will be recovered from him/her in accordance with the provisions of the Credit Control and Debt Collection By-law of the Municipality.

12.6 Arrears rates shall be recovered from tenants, occupiers and agents of the owner, in terms of section 28 and 29 of the Act and the Municipality's credit control en debt collection by-law.

12.7 Where the rates levied on a particular property have been incorrectly determined, whether because of an error or omission on the part of the municipality or false information provided by the property owner concerned or a contravention of the permitted use to which the property concerned may be put, the rates payable shall be appropriately adjusted for the period extending from the date on which the error or omission is detected back to the date on which rates were first levied in terms of the current valuation roll.

12.8 In addition, where the error occurred because of false information provided by the property owner or as a result of a contravention of the permitted use of the property concerned, interest on the unpaid portion of the adjusted rates payable shall be levied at the maximum rate permitted by prevailing legislation.

### **13. Accounts to be furnished**

13.1 The municipality will furnish each person liable for the payment of rates with a written account, which will specify:

- (i) the amount due for rates payable,
- (ii) the date on or before which the amount is payable,
- (iii) how the amount was calculated,
- (iv) the market value of the property, and
- (v) rebates, exemptions, reductions or phasing-in, if applicable.

13.2 A person liable for payment of rates remains liable for such payment, whether or not such person has received a written account from the municipality. If the person concerned has not received a written account, he/she must make the necessary enquiries with the municipality.

13.3 In the case of joint ownership the municipality shall consistently, in order to minimise costs and unnecessary administration, recover rates from one of the joint owners only provided that it takes place with the consent of the owners concerned.

### **14. Phasing in of rates**

14.1 The rates to be levied on newly rateable property shall be phased in as explicitly provided for in section 21 of the Act.

14.2 The phasing-in discount on the properties referred to in section 21 shall be as follows:

- First year : 75% of the relevant rate;
- Second year : 50% of the relevant rate; and
- Third year : 25% of the relevant rate.

14.3 No rates shall be levied on newly rateable properties that are owned and used by organisations conducting activities that are beneficial to the public and that are registered in terms of the Income Tax Act for those activities, during the first year. The phasing-in discount on these properties shall be as indicated below:-

- First year : 100% of the relevant rate;
- Second year : 75% of the relevant rate;
- Third year : 50% of the relevant rate; and
- Fourth year : 25% of the relevant rate.

### **15. Special rating areas**

15.1 The municipality will, whenever deemed necessary, by means of a formal Council resolution determine special rating areas in consultation with the relevant communities as provided for in section 22 of the Act.

15.2 The following matters shall be attended to in consultation with the committee referred to in clause 15.3 whenever special rating is being considered:

- 15.2.1 Proposed boundaries of the special rating area;
- 15.2.2 Statistical data of the area concerned giving a comprehensive picture of the number of erven with its zoning, services being rendered and detail of services such as capacity, number of vacant erven and services that are not rendered;
- 15.2.3 Proposed improvements clearly indicating the estimated costs of each individual improvement;
- 15.2.4 Proposed financing of the improvements or projects;
- 15.2.5 Priority of projects if more than one;
- 15.2.6 Social economic factors of the relevant community;
- 15.2.7 Different categories of property;
- 15.2.8 The amount of the proposed special rating;
- 15.2.9 Details regarding the implementation of the special rating;
- 15.2.10 The additional income that will be generated by means of this special rating.

15.3 A committee consisting of 6 members of the community will be established to advise and consult the municipality in regard to the proposed special rating referred to above. This committee will be elected by the inhabitants of the area concerned who are 18 years of age or older. No person under the age of 18 may be elected to serve on the committee. The election of the committee will happen under the guidance of the Municipal Manager. The committee will serve in an advisory capacity only and will have no decisive powers.

15.4 The required consent of the relevant community shall be obtained in writing or by means of a formal voting process under the chairmanship of the Municipal Manager. A majority shall be regarded as 50% plus one of the households affected. Each relevant household, i.e. every receiver of a monthly municipal account, will have 1 vote only.

15.5 In determining the special additional rates the municipality shall differentiate between different categories as referred to in clause 5.

15.6 The additional rates levied shall be utilised for the purpose of improving or upgrading of the specific area only and not for any other purposes whatsoever.

15.7 The municipality shall establish separate accounting and other record-keeping systems for the identified area and the households concerned shall be kept informed of progress with projects and financial implications on an annual basis.

## **16. Frequency of valuation**

16.1 The municipality shall prepare a new valuation roll every 4 (four) years.

16.2 The municipality, under exceptional circumstances, may request the MEC for Local Government and Housing in the province to extend the validity of the valuation roll to 5 (five) years.

16.3 Supplementary valuations will be done at least on an annual basis to ensure that the valuation roll is properly maintained.

## **17. Community participation**

17.1 Before the municipality adopts the rates by-law, the municipal manager will follow the process of community participation envisaged in chapter 4 of the Municipal Systems Act and comply with the following requirements:

17.1.1 Council must establish appropriate mechanisms, processes and procedures to enable the local community to participate and will provide for consultative sessions with locally recognised community organisations and where appropriate traditional authorities.

17.1.2 Conspicuously display the draft rates by-law for a period of at least 30 days (municipality to include period decided on) at the municipality's head and satellite offices and libraries (and on the website).

17.1.3 Advertise in the media a notice stating that the draft rates by-law has been prepared for submission to council and that such by-law is available at the various municipal offices and on the website for public inspection.

17.1.4 Property owners and interest persons may obtain a copy of the draft policy from the municipal offices during office hours at a fee as determined by Council as part of its annual tariffs.

17.1.5 Property owners and interest persons are invited to submit written comments or representations to the municipality within the specified period in the notice.

17.1.6 The municipality will consider all comments and/or representations received when considering the finalisation of the rates policy and by-law.



17.1.7 The municipality will communicate the outcomes of the consultation process in accordance with section 17 of the Municipal Systems Act 32 of 2000.

## **18. Register of properties**

18.1 The municipality will compile and maintain a register in respect of all properties situated within the jurisdiction of the municipality. The register will be divided into Part A and Part B.

18.2 Part A of the register will consist of the current valuation roll of the municipality and will include all supplementary valuations done from time to time.

18.3 Part B of the register will specify which properties on the valuation roll or any supplementary valuation roll are subject to:

- i. Exemption from rates in terms of section 15 of the Property Rates Act, 2004,
- ii. Rebate or reduction in terms of section 15 of the Act,
- iii. Phasing-in of rates in terms of section 21 of the Act, and
- iv. Exclusions as referred to in section 17 of the Act.

18.4 The register will be open for inspection by the public at the municipal main offices during office hours or on the website of the municipality.

18.5 The municipality will update Part A of the register during the supplementary valuation process.

18.6 Part B of the register will be updated on an annual basis as part of the implementation of the municipality's annual budget.

## **19. Regular review processes**

19.1 The municipality's rates policy must be reviewed on an annual basis to ensure that it complies with the Municipality's strategic objectives as contained in the Integrated Development Plan and with relevant legislation.

## **20. Short title**

This by-law is the rates by-law of the Kagisano-Molopo Local Municipality.

## **21. Commencement**

This by-law comes into force and effect on 1 July 2016.

**LOCAL AUTHORITY NOTICE 91 OF 2016****RUSTENBURG LOCAL MUNICIPALITY  
APPROVAL OF AMENDMENT OF RUSTENBURG LAND USE MANAGEMENT SCHEME, 2005  
AMENDMENT SCHEME 1069**

It is hereby notified in terms of Section 57(1) of the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), that the Rustenburg Local Municipality has approved the amendment of the Rustenburg Land Use Management Scheme, 2005, by the rezoning of Portion 2 (a portion of Portion 1) of Erf 1446, Rustenburg, from "Residential 1" to "Special" for offices.

Map 3 and the scheme clauses of the amendment scheme are filed with the Municipal Manager, Rustenburg Local Municipality, Municipal Offices, Rustenburg and the Chief: Town and Regional Planner, Sub-Directorate: Spatial Planning and Land Use Management, Department of Local Government and Human Settlement, Mmabatho and are open for inspection at all reasonable times.

This amendment is known as Amendment Scheme 1069, subject to Annexure 1349, and shall come into operation on the date of publication of this notice.

**Mr. Bheki Khanise, Municipal Manager, Municipal Offices, RUSTENBURG LOCAL MUNICIPALITY, RUSTENBURG, (2/1608), 07 June 2016, Notice number: 40/2016**

**PLAASLIKE OWERHEID KENNISGEWING 91 VAN 2016****RUSTENBURG PLAASLIKE MUNISIPALITEIT  
GOEDKEURING VAN WYSIGING VAN RUSTENBURG LAND USE MANAGEMENT SCHEME, 2005  
WYSIGINGSKEMA 1069**

Hierby word ooreenkomstig die bepalings van Artikel 57(1) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986), bekend gemaak dat die Rustenburg Plaaslike Munisipaliteit goedgekeur het dat die Rustenburg Land Use Management Scheme, 2005, gewysig word deur die hersonering van Gedeelte 2 ('n gedeelte van Gedeelte 1) van Erf 1446, Rustenburg, vanaf "Residensieel 1" na "Spesiaal" vir kantore.

Kaart 3 en die skemaklousules van die wysigingskema word in bewaring gehou deur die Munisipale Bestuurder, Rustenburg Plaaslike Munisipaliteit, Munisipale Kantore, Rustenburg en die Hoof: Stads- en Streekbeplanner, Sub-Direktoraat: Ruimtelike Beplanning en Grondgebruiksbestuur, Departement Plaaslike Regering en Menslike Vestiging, Mmabatho vir inspeksie te alle redelike tye.

Hierdie wysiging staan bekend as Wysigingskema 1069, beperk tot Bylae 1349, en tree in werking op datum van publikasie van hierdie kennisgewing.

**Mnr. Bheki Khanise, Munisipale Bestuurder, Munisipale Kantore, RUSTENBURG PLAASLIKE MUNISIPALITEIT, RUSTENBURG, (2/1608) 07 Junie 2016, Kennisgewingnommer: 40/2016**









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