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PROVINSIE OOS-KAAP

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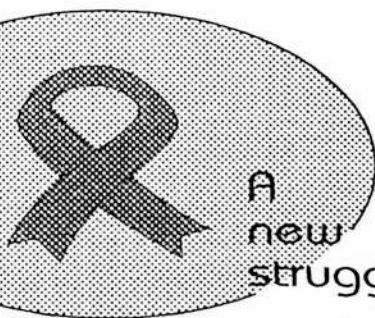
Vol. 12

BISHO/
KING WILLIAM'S TOWN, 16 MAY 2005

No. 1367

We all have the power to prevent AIDS

AIDS
affects
us all



A
new
struggle

Prevention is the cure

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DEPARTMENT OF HEALTH



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CONTENTS

No.		Page No.	Gazette No.
PROVINCIAL NOTICE			
19	Local Government: Municipal Structures Act (117/1998): Proposed adjustment of division of functions and powers between district and local municipalities.....	3	1367
GENERAL NOTICES			
158	Removal of Restrictions Act (84/1967): Buffalo City Municipality: Removal of title conditions: Erf 1322, Beacon Bay	9	1367
158	Wet op Opheffing van Beperkings (84/1967): Buffalostad Munisipaliteit: Opheffing van titelvoorwaardes: Erf 1322, Beacon Bay.....	9	1367
159	Removal of Restrictions Act (84/1967): Buffalo City Municipality: Removal of title conditions: Erf 11068, Bonnie Doon	10	1367
159	Wet op Opheffing van Beperkings (84/1967): Buffalostad Munisipaliteit: Opheffing van titelvoorwaardes: Erf 11068, Bonnie Doon	10	1367
160	Removal of Restrictions Act (84/1967): Buffalo City Municipality: Removal of title conditions: Erf 11795, Bunkers Hill	10	1367
160	Wet op Opheffing van Beperkings (84/1967): Buffalostad Munisipaliteit: Opheffing van titelvoorwaardes: Erf 11795, Bunkers Hill.....	10	1367
161	Removal of Restrictions Act (84/1967): Buffalo City Municipality: Removal of title conditions: Erf 10938, Nahoon	11	1367
161	Wet op Opheffing van Beperkings (84/1967): Buffalostad Munisipaliteit: Opheffing van titelvoorwaardes: Erf 10938, Nahoon	11	1367
162	Gambling and Betting Act (Eastern Cape) (5/1997): Lodgement of application in respect of gambling licences.....	12	1367
163	do.: Notice of public hearing	17	1367
164	do.: do	18	1367
165	do.: Extension of period of public hearing	19	1367
166	do.: Notice of public hearings	20	1367
167	do.: do	21	1367
LOCAL AUTHORITY NOTICES			
126	Local Government: Municipal Systems Act (32/2000): Amahlathi Municipality: Parking Meter and Parking Ground By-laws	22	1367
127	do.: do.: Parking Meter By-laws: Public comment.....	26	1367
128	Amahlathi Municipality: Council meeting to consider items contained in the agenda	26	1367
129	Municipal Ordinance (20/1974): Nelson Mandela Metropolitan Municipality: Closure: Portion of Erven 274 and 489, Fernglen.....	27	1367
129	Munisipale Ordonnansie (20/1974): Nelson Mandela Metropolitaanse Munisipaliteit: Sluiting: Gedeelte van Erwe 274 en 489, Fernglen.....	28	1367
130	Municipal Ordinance (20/1947): Nelson Mandela Metropolitan Municipality: Closure: Portion of public street: Erf 694, adjoining Erven 3698 and 3772, North End	28	1367
130	Munisipale Ordonnansie (20/1974): Nelson Mandela Metropolitaanse Munisipaliteit: Sluiting: Gedeelte van openbare straat: Erf 694, aangrensend aan Erwe 3698 en 3772, Noordeinde	28	1367
131	Municipal Ordinance (20/1947): Nelson Mandela Metropolitan Municipality: Closure: Portion of public street adjoining Erven 1514 and 1518, Newton Park	28	1367
131	Munisipale Ordonnansie (20/1974): Nelson Mandela Metropolitaanse Munisipaliteit: Sluiting: Gedeelte van openbare pad aangrensend Erwe 1514 en 1518, Newton Park	28	1367

PROVINCIAL NOTICE

No. 19**16 May 2005****PROVINCE OF THE EASTERN CAPE****DEPARTMENT OF HOUSING, LOCAL GOVERNMENT AND TRADITIONAL AFFAIRS****PUBLICATION FOR PUBLIC COMMENT****PROPOSED ADJUSTMENT OF DIVISION OF FUNCTIONS AND POWERS BETWEEN DISTRICT AND LOCAL MUNICIPALITIES ISSUED IN TERMS OF SECTION 85 OF THE LOCAL GOVERNMENT: MUNICIPAL STRUCTURES ACT, 1998 (ACT No. 117 OF 1998)**

1. In terms of the consultation requirements contained in the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998), as amended, the attached amendments are hereby published for public comment before their enactment.
2. Comments must please be submitted in writing to:
The Head of Department
Attention: Mr. Qwane K.
Department of Housing, Local Government and Traditional Affairs
Private Bag X0035
BISHO
5605
3. Comments may be faxed to facsimile number (040) 639-1768 at the above address.
4. Comments must be submitted within fourteen (14) days of the date of publication hereof.

**NOTICE IN TERMS OF SECTION 85 OF THE LOCAL GOVERNMENT:
MUNICIPAL STRUCTURES ACT, 1998 (ACT No. 117 OF 1998)**

I, Sam Kwelita, Acting Member of the Executive Council responsible for Local Government in the Province of the Eastern Cape, hereby under the powers vested in me by sections 85 (1) and 85 (6) of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998) adjusts the division of functions and powers by way of allocation in terms of paragraph 14 hereunder, which is inserted in Part 1 of the Schedule to the notices published in terms of section 12 of the said Act (as amended from time to time) and which are contained in Provincial Notices No's 105, 106, 107, 108, 109 and 110 of 2000 all dated 2 December 2000, as amended.

S. KWELITA**Acting Member of the Executive Council responsible for Local Government (Province of the Eastern Cape)****Adjustment of division of functions and powers between district municipalities and
local municipalities by way of allocation**

14. (1) In terms of section 85 of the Act and with effect from 1 July 2003, the division of functions and powers between the district municipality and the local municipalities is adjusted by way of allocations in accordance with Part 1 of the Annexures hereto, and for the purposes of the said Part 1, "function" includes "power".
- (2) (a) Subject to subparagraph (2) (b) and unless clearly inappropriate or inapplicable, the provisions of this Chapter which regulate the legal practical and other consequences of the disestablishment of municipalities including—
 - (i) the transfer of staff;
 - (ii) the transfer of assets, liabilities, rights and obligations and administrative and other records; and
 - (iii) the continued application of any by-laws, regulations and resolutions in the area of the municipalities concerned and the extent of such application continue to apply with the necessary changes required by the context, to the performance of a function or the exercise of a power where such function or power is allocated to the district municipality or a local municipality.
- (b) For the purposes of this paragraph—
 - (i) the provisions referred to in subparagraph (2) (a) must be construed as provisions which regulate any allocation in terms of subparagraph (1);
 - (ii) the continued application of such provisions is subject to the legal, practical and other consequences of any allocation effected in terms of subparagraph (1), including the consequences of the matters referred to in subparagraph (2) (a) (i), (ii) and (iii) being further or otherwise regulated before, on or after 1 July 2003; and

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(iii) any reference in this Chapter to—

- (aa) "disestablished municipality" must be construed as a reference to the district or local municipality which loses a function or power, such function or power being allocated to another municipality in terms of subparagraph (1);
- (bb) "effective date" must be construed as a reference to 1 July 2003; and
- (cc) "new municipality" must be construed as a reference to the district or local municipality to which a function or power is allocated in terms of subparagraph (1).

PROVINCIAL NOTICE No. 105, 2000, DATED 2 DECEMBER 2000

PART 1: DIVISION OF MUNICIPAL FUNCTIONS AND POWERS IN TERMS OF SECTION 85 (1)

Municipality No.	Name of Municipality	The district municipality performs the following local functions in the local areas indicated in brackets, and that the local municipalities perform the following district functions in their respective local areas:
DC13	Chris Hani District Municipality	The following powers and functions or aspects thereof in the area of the local municipalities indicated in brackets: Schedule 4 Part B • Municipal Planning (EC137).
EC131	Inxuba Yethemba Local Municipality	As listed in the following section of the Structures Act: 84 (1) (e) 84 (1) (h) 84 (1) (j) 84 (1) (l) 84 (1) (m) 84 (1) (n)—relating to the above functions.
EC132	Tsolwana Local Municipality	As listed in the following section of the Structures Act: 84 (1) (e) 84 (1) (h) 84 (1) (j) 84 (1) (l) 84 (1) (n)—relating to the above functions.
EC133	Inkwanca Local Municipality	As listed in the following section of the Structures Act: 84 (1) (e) 84 (1) (l) 84 (1) (n)—relating to the above functions
EC134	Lukanji Local Municipality	As listed in the following section of the Structures Act: 84 (1) (e) 84 (1) (h) 84 (1) (j) 84 (1) (l) 84 (1) (n)—relating to the above functions.
EC135	Intsika Yethu Local Municipality	As listed in the following section of the Structures Act: 84 (1) (e) 84 (1) (l) 84 (1) (m) 84 (1) (n)—relating to the above functions.
EC136	Emalahleni Local Municipality	As listed in the following section of the Structures Act: 84 (1) (e) 84 (1) (j) 84 (1) (l) 84 (1) (n)—relating to the above functions.

Municipality No.	Name of Municipality	The district municipality performs the following local functions in the local areas indicated in brackets, and that the local municipalities perform the following district functions in their respective local areas:
EC137	Engcobo Local Municipality	As listed in the following section of the Structures Act: 84 (1) (e) 84 (1) (l) 84 (1) (n)—relating to the above functions.
EC138	Sakhisizwe Local Municipality	As listed in the following section of the Structures Act: 84 (1) (e) 84 (1) (j) 84 (1) (l) 84 (1) (m) 84 (1) (n)—relating to the above functions.

PROVINCIAL NOTICE No. 106, 2000, DATED 2 DECEMBER 2000

PART 1: DIVISION OF MUNICIPAL FUNCTIONS AND POWERS IN TERMS OF SECTION 85 (1)

Municipality No.	Name of Municipality	The district municipality performs the following local functions in the local areas indicated in brackets, and that the local municipalities perform the following district functions in their respective local areas:
DC12	Amatole District Municipality	The following powers and functions or aspects thereof in the area of the local municipalities indicated in brackets: Schedule 4 Part B of the Constitution: — Building regulations in (EC121, and EC127). — Municipal public transport in (EC121, EC122, EC123, EC126, EC127 and EC128). — Fire fighting in (EC126). Schedule 5 Part B of the Constitution: — Local amenities in (EC122, EC123, EC126, EC127 and EC128). — Licensing and control of undertakings that sell food to the public in (EC122), (EC123), and (EC127). — Municipal roads in (EC126).
EC121	Mbhashe Local Municipality	As listed in the following section of the Structures Act: 84 (1) (f) 84 (1) (l) 84 (1) (n)—relating to the above functions.
EC122	Mnquma Local Municipality	As listed in the following section of the Structures Act: 84 (1) (f) 84 (1) (n)—relating to the above functions.
EC123	Great Kei Local Municipality	As listed in the following section of the Structures Act: 84 (1) (f) 84 (1) (n)—relating to the above functions.
EC124	Amahlati Local Municipality	As listed in the following section of the Structures Act: 84 (1) (f) 84 (1) (j) 84 (1) (n)—relating to the above functions.

Municipality No.	Name of Municipality	The district municipality performs the following local functions in the local areas indicated in brackets, and that the local municipalities performs the following district functions in their respective local areas:
EC125	Buffalo City Local Municipality	As listed in the following section of the Structures Act: 84 (1) (e) 84 (1) (f) 84 (1) (g) 84 (1) (j) 84 (1) (k) 84 (1) (l) 84 (1) (m) 84 (1) (n)—relating to the above functions.
EC126	Ngqushwa Local Municipality	No function as listed in the section of the Structures Act:
EC127	Nkonkobe Local Municipality	As listed in the following section of the Structures Act: 84 (1) (f) 84 (1) (j) 84 (1) (n)—relating to the above functions.
EC128	Nxuba Local Municipality	As listed in the following section of the Structures Act: 84 (1) (f) 84 (1) (j) 84 (1) (n)—relating to the above functions.

PROVINCIAL NOTICE No. 107, 2000, DATED 2 DECEMBER 2000

PART 1: DIVISION OF MUNICIPAL FUNCTIONS AND POWERS IN TERMS OF SECTION 85 (1)

Municipality No.	Name of Municipality	The district municipality performs the following local functions in the local areas indicated in brackets, and that the local municipalities performs the following district functions in their respective local areas:
DC15.....	O.R. Tambo District Municipality	The following powers and functions or aspects thereof in the area of the local municipalities indicated in brackets: Schedule 4 Part B of the Constitution: Schedule 5 Part B of the Constitution: — Municipal abattoirs in (EC152, EC154 and EC157).
EC151	Mbizana Local Municipality	As listed in the following section of the Structures Act: 84 (1) (e) 84 (1) (l) 84 (1) (n)—relating to the above functions.
EC152	Ntabankulu Local Municipality	As listed in the following section of the Structures Act: 84 (1) (e) 84 (1) (l) 84 (1) (n)—relating to the above functions.
EC153.....	Qaukeni Local Municipality	As listed in the following section of the Structures Act: 84 (1) (e) 84 (1) (l) 84 (1) (n)—relating to the above functions.
EC154.....	Port St Johns Local Municipality	As listed in the following section of the Structures Act: 84 (1) (e) 84 (1) (l) 84 (1) (n)—relating to the above functions.

Municipality No.	Name of Municipality	The district municipality performs the following local functions in the local areas indicated in brackets, and that the local municipalities performs the following district functions in their respective local areas:
EC155	Nyandeni Local Municipality	As listed in the following section of the Structures Act: 84 (1) (e) 84 (1) (j) 84 (1) (l) 84 (1) (n)—relating to the above functions.
EC156	Mhlonto Local Municipality	As listed in the following section of the Structures Act: 84 (1) (e) 84 (1) (l) 84 (1) (n)—relating to the above functions.
EC157	King Sabata Dalindyebo Local Municipality	As listed in the following section of the Structures Act: 84 (1) (e) 84 (1) (j) 84 (1) (k)—markets only. 84 (1) (l) 84 (1) (n)—relating to the above functions.

PROVINCIAL NOTICE No. 108, 2000, DATED 2 DECEMBER 2000

PART 1: DIVISION OF MUNICIPAL FUNCTIONS AND POWERS IN TERMS OF SECTION 85 (1)

Municipality No.	Name of Municipality	The district municipality performs the following local functions in the local areas indicated in brackets, and that the local municipalities performs the following district functions in their respective local areas:
DC14	Ukhahlamba District Municipality	The following powers and functions or aspects thereof in the area of the local municipalities indicated in brackets: Schedule 4 Part B of the Constitution: — Local tourism in (EC141). Schedule 5 part B of the Constitution: — Licensing and control of the selling of food to the public in (EC141).
EC141	Elundini Local Municipality	As listed in the following section of the Structures Act: 84 (1)(e) 84 (1) (n)—relating to the above functions.
EC142	Senqu Local Municipality	As listed in the following section of the Structures Act: 84 (1) (e) 84 (1) (n)—relating to the above functions.
EC143	Maletswai Local Municipality	As listed in the following section of the Structures Act: 84 (1) (e) 84 (1) (h) 84 (1) (n)—relating to the above functions.
EC144	Gariep Local Municipality	As listed in the following section of the Structures Act: 84 (1) (e) 84 (1) (h) 84 (1) (n)—relating to the above functions.

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PROVINCIAL NOTICE No. 109, 2000, DATED 2 DECEMBER 2000

PART 1: DIVISION OF MUNICIPAL FUNCTIONS AND POWERS IN TERMS OF SECTION 85 (1)

Municipality No.	Name of Municipality	The district municipality performs the following local functions in the local areas indicated in brackets, and that the local municipalities performs the following district functions in their respective local areas:
DC44	Alfred Nzo District Municipality	<p>The following powers and functions or aspects thereof in the area of the local municipalities indicated in brackets:</p> <p>Schedule 4 Part B of the Constitution:</p> <p>— Fire fighting services in (EC05b1) and (EC05b2).</p> <p>Schedule 5 part B of the Constitution:</p> <p>— No local functions listed in Schedule 5 Part B of the Constitution are allocated to the district to perform on behalf of the local municipalities in the local area.</p>
EC05b1	Umzimkhulu Local Municipality	<p>As listed in the following section of the Structures Act:</p> <p>84 (1)(e) 84 (1) (l) 84 (1) (n)—relating to the above functions.</p>
EC05b2	Umzimvubu Local Municipality	<p>As listed in the following section of the Structures Act:</p> <p>84 (1) (e) 84 (1) (l) 84 (1) (n)—relating to the above functions.</p>

PROVINCIAL NOTICE No. 110, 2000, DATED 2 DECEMBER 2000

PART 1: DIVISION OF MUNICIPAL FUNCTIONS AND POWERS IN TERMS OF SECTION 85 (1)

Municipality No.	Name of Municipality	The district municipality performs the following local functions in the local areas indicated in brackets, and that the local municipalities performs the following district functions in their respective local areas:
DC10	Cacadu District Municipality	<p>The following powers and functions or aspects thereof in the area of the local municipalities indicated in brackets:</p> <p>Schedule 4 Part B of the Constitution:</p> <p>— Municipal planning in EC103.</p> <p>Schedule 5 Part B of the Constitution:</p> <p>— Noise pollution in EC103, EC106, EC107 and EC109</p>
EC101	Camdeboo Local Municipality	<p>As listed in the following section of the Structures Act:</p> <p>84 (1) (h) 84 (1) (j) 84 (1) (n)—relating to the above functions.</p>
EC102	Blue Crane Route Local Municipality	<p>As listed in the following section of the Structures Act:</p> <p>84 (1) (j) 84 (1) (n)—relating to the above functions.</p>
EC103	Ikwezi Municipality	<p>As listed in the following section of the Structures Act:</p> <p>84 (1) (j) 84 (1) (n)—relating to the above functions.</p>
EC104	Makana Municipality	<p>As listed in the following section of the Structures Act:</p> <p>84 (1) (j) 84 (1) (n)—relating to the above functions.</p>

Municipality No.	Name of Municipality	The district municipality performs the following local functions in the local areas indicated in brackets, and that the local municipalities perform the following district functions in their respective local areas:
EC105	Ndlambe Local Municipality	As listed in the following section of the Structures Act: 84 (1) (j) 84 (1) (n)—relating to the above functions.
EC106	Sunday's River Valley Local Municipality ..	No function as listed in the section of the Structures Act:
EC107	Baviaans Local Municipality	As listed in the following section of the Structures Act: 84 (1) (j) 84 (1) (n)—relating to the above functions.
EC108	Kouga Local Municipality	As listed in the following section of the Structures Act: 84 (1) (h) 84 (1) (j) 84 (1) (n)—relating to the above functions.
EC109	Kou-Kamma Local Municipality	As listed in the following section of the Structures Act: 84 (1) (j) 84 (1) (n)—relating to the above functions.

GENERAL NOTICES

No. 158

BUFFALO CITY MUNICIPALITY

REMOVAL OF RESTRICTIONS ACT, 1967 (ACT 84 OF 1967)

It is hereby notified in terms of section 3 (6) of the above Act that the undermentioned application has been received and is open to inspection at Room 4145, 4th Floor, Department of Housing and Local Government and Traditional Affairs, Eastern Cape, Regional Office, Tyamzashe Building, Civic Square, Bisho, and at the Town-planning Enquiry Counter, First Floor, City Engineering Centre, 26 Oxford Street, East London, on weekdays from 08:00 to 13:00.

Any objections, with full reasons therefor, must be lodged in writing with the City Manager, P.O. Box 134, East London, not later than 6 June 2005, quoting the above Act and the objector's erf number.

Nature of application: Removal of title conditions 4(a), (b) (c) and (d) applicable to Erf 1322, 15 Harold Crescent, Beacon Bay, in order to subdivide the property.

Applicant: V.G. and S.F. Hawtrey.

M. B. TSIKA, City Manager (3320)

BUFFALOSTAD MUNISIPALITEIT

WET OP OPHEFFING VAN BEPERKINGS, 1967 (WET 84 VAN 1967)

Kragtens artikel 3 (6) van bostaande Wet word hiermee kennis gegee dat onderstaande aansoek ontvang is en ter insae lê by Kamer 4145, 4de Verdieping, Departement van Behuising, Plaaslike Regering en Tradisionele Sake, Oos-Kaap Streekkantoor, Tyamzashe Gebou, Burgerplein, Bisho, en by die navraetoonbank van die Stadsbeplanningstak, Eerste Verdieping, Stadsingenieursentrum, Oxfordstraat 26, Oos-Londen, op weekdae van 08:00 tot 13:00.

Enige besware, met volledige redes daarvoor, moet voor of op 6 Junie 2005 skriftelik by die Stadsbestuurder, Posbus 134, Oos-Londen, ingedien word met vermelding van bogenoemde Wet en die beswaarmaker se ernommer.

Aard van aansoek: Opheffing van titelvoorwaardes (4)(a), (b), (c) en (d) van toepassing op Erf 1322, Haroldsingel 15, Beacon Bay, sodat dit onderverdeel kan word.

Aansoeker: Hawtrey, G.V. en S.F. Hawtrey.

M. B. TSIKA, Stadsbestuurder (3320)

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No. 159**BUFFALO CITY MUNICIPALITY****REMOVAL OF RESTRICTIONS ACT, 1967 (ACT 84 OF 1967)**

It is hereby notified in terms of section 3 (6) of the above Act that the undermentioned application has been received and is open to inspection at Room 4145, 4th Floor, Department of Housing and Local Government and Traditional Affairs, Eastern Cape, Regional Office, Tyamzashe Building, Civic Square, Bisho, and at the Town-planning Enquiry Counter, First Floor, City Engineering Centre, 26 Oxford Street, East London, on weekdays from 08:00 to 13:00.

Any objections, with full reasons therefor, must be lodged in writing with the City Manager, P.O. Box 134, East London, not later than 6 June 2005, quoting the above Act and the objector's erf number.

Nature of application: Removal of title conditions 4(a), (b), (c), (d) and (e) applicable to Erf 11068, 6 Kenyon Crescent, Bonnie Doon, in order to subdivide the property.

Applicant: C.L. du Toit.

M. B. TSIKA, City Manager (3319)

BUFFALOSTAD MUNISIPALITEIT**WET OP OPHEFFING VAN BEPERKINGS, 1967 (WET 84 VAN 1967)**

Kragtens artikel 3 (6) van bostaande Wet word hiermee kennis gegee dat onderstaande aansoek ontvang is en ter insae lê by Kamer 4145, 4de Verdieping, Departement van Behuising, Plaaslike Regering en Tradisionele Sake, Oos-Kaap Streekkantoor, Tyamzashe Gebou, Burgerplein, Bisho, en by die navraetoonbank van die Stadsbeplanningstak, Eerste Verdieping, Stadsingenieursentrum, Oxfordstraat 26, Oos-Londen, op weksdae van 08:00 tot 13:00.

Enige besware, met volledige redes daarvoor, moet voor of op 6 Junie 2005 skriftelik by die Stadsbestuurder, Posbus 134, Oos-Londen, ingedien word met vermelding van bogenoemde Wet en die beswaarmaker se ernommer.

Aard van aansoek: Opheffing van titelvoorwaardes 4(a), (b), (c), (d) en (e) van toepassing op Erf 11068, Kenyonsingel 6, Bonnie Doon, sodat dit onderverdeel kan word.

Aansoeker: C.L. du Toit.

M. B. TSIKA, Stadsbestuurder (3319)

No. 160**BUFFALO CITY MUNICIPALITY****REMOVAL OF RESTRICTIONS ACT, 1967 (ACT 84 OF 1967)**

It is hereby notified in terms of section 3 (6) of the above Act that the undermentioned application has been received and is open to inspection at Room 4145, 4th Floor, Department of Housing and Local Government and Traditional Affairs, Eastern Cape, Regional Office, Tyamzashe Building, Civic Square, Bisho, at the Town-planning Enquiry Counter, First Floor, City Engineering Centre, 26 Oxford Street, East London, on weekdays from 08:00 to 13:00.

Any objections, with full reasons therefor, must be lodged in writing with the City Manager, P.O. Box 134, East London, not later than 6 June 2005, quoting the above Act and the objector's erf number.

Nature of application: Removal of title conditions D1(b), (c) and (d) and D11(e) applicable to Erf 11795, 4 Muirfield Road, Bunkers Hill, in order to subdivide the property.

Applicant: G.E. Burger.

M. B. TSIKA, City Manager (3318)

BUFFALOSTAD MUNISIPALITEIT**WET OP OPHEFFING VAN BEPERKINGS, 1967 (WET 84 VAN 1967)**

Kragtens artikel 3 (6) van bostaande Wet word hiermee kennis gegee dat onderstaande aansoek ontvang is en ter insae lê by Kamer 4145, 4de Verdieping, Departement van Behuising, Plaaslike Regering en Tradisionele Sake, Oos-Kaap Streekkantoor, Tyamzashe Gebou, Burgerplein, Bisho, en by die navraetoonbank van die Stadsbeplanningstak, Eerste Verdieping, Stadsingenieursentrum, Oxfordstraat 26, Oos-Londen, op weksdae van 08:00 tot 13:00.

Enige besware, met volledige redes daarvoor, moet voor of op 6 Junie 2005 skriftelik by die Stadsbestuurder, Posbus 134, Oos-Londen, ingedien word met vermelding van bogenoemde Wet en die beswaarmaker se ernommer.

Aard van aansoek: Opheffing van titelvoorwaardes D1(b), (c) en (d) en D11(e) van toepassing op Erf 11795, Muirfieldweg 4, Bunkers Hill, sodat dit onderverdeel kan word.

Aansoeker: G.E. Burger.

M. B. TSIKA, Stadsbestuurder (3318)

No. 161**BUFFALO CITY MUNICIPALITY****REMOVAL OF RESTRICTIONS ACT, 1967 (ACT 84 OF 1967)**

It is hereby notified in terms of section 3 (6) of the above Act that the undermentioned application has been received and is open to inspection at Room 4145, 4th Floor, Department of Housing and Local Government and Traditional Affairs, Eastern Cape, Regional Office, Tyamzashe Building, Civic Square, Bisho, and at the Town-planning Office, Tyamzashe Building, Civic Square, Bisho, and at the Town-planning Enquiry Counter, First Floor, City Engineering Centre, 26 Oxford Street, East London, on weekdays from 08:00 to 13:00.

Any objections, with full reasons therefor, must be lodged in writing with the City Manager, P.O. Box 134, East London, not later than 6 June 2005, quoting the above Act and the objector's erf number.

Nature of application: Removal of title conditions applicable to Erf 10938, 98 Beach Road, Nahoon, in order to subdivide the property.

Applicant: I. S. Muir.

M. B. TSIKA, City Manager (3317)

BUFFALOSTAD MUNISIPALITEIT**WET OP OPHEFFING VAN BEPERKINGS, 1967 (WET 84 VAN 1967)**

Kragtens artikel 3 (6) van bostaande Wet word hiermee kennis gegee dat onderstaande aansoek ontvang is en ter insae lê by Kamer 4145, 4de Verdieping, Departement van Behuising, Plaaslike Regering en Tradisionele Sake, Oos-Kaap Streekkantoor, Tyamzashe Gebou, Burgerplein, Bisho, en by die navraetoonbank van die Stadsbeplanningstak, Eerste Verdieping, Stadsingenieursentrum, Oxfordstraat 26, Oos-Londen, op weeksdag van 08:00 tot 13:00.

Enige besware, met volledige redes daarvoor, moet voor of op 6 Junie 2005 skriftelik by die Stadsbestuurder, Posbus 134, Oos-Londen, ingedien word met vermelding van bogenoemde Wet en die beswaarmaker se ernommer.

Aard van aansoek: Opheffing van titelvoorwaardes van toepassing op Erf 10938, Beachweg 98, Nahoon, sodat dit onderverdeel kan word.

Aansoeker: Muir I.S.

M. B. TSIKA, Stadsbestuurder (3317)

NOTICE 162 OF 2005

**GAMBLING AND BETTING ACT, 1997 (EASTERN CAPE)
(ACT NO. 5 OF 1997) (as amended)**

**NOTICE OF LODGEMENT OF APPLICATION IN RESPECT OF GAMBLING
LICENCES**

NOTICE IS HEREBY GIVEN that applications in regard to gambling licences, particulars of which are set out in the schedules hereunder, have been lodged with the Eastern Cape Gambling and Betting Board.

The applications may be inspected by any person at the offices of the Board and at the premises of the applicant concerned.

Any objections, petitions or representations shall be lodged with the Chief Executive Officer of the Board within one month of the date of publication of this notice.

All objections and comments shall specify: the application to which the objection or comment relates; the grounds on which the objection is founded; in the case of comment, full particulars and facts in substantiation thereof: the name, address, telephone and fax number of the objector or person making the comment and a statement whether the objector or person making the comment wishes to make oral representations when the application is heard.

A person lodging representations may show cause why the Board may determine that his or her identity should not be divulged.

The under-mentioned figures used in brackets in the schedules have the following meanings:

- 1 The name and address of the applicant;
- 2 If the applicant is a company or other corporate body, the names of all persons who have a financial or other interest of 5% or more in the applicant;
- 3 In the case of a company, the initials and surnames of all directors of the company;
- 4 The type of licence applied for;
- 5 The address of the premises from which the applicant intends to operate.

V G MATI
CHIEF EXECUTIVE OFFICER
EASTERN CAPE GAMBLING AND BETTING BOARD
ECGBB Building
Quenera Park
Quenera Drive
Beacon Bay
EAST LONDON



SCHEDULE A: APPLICATIONS RECEIVED FROM LUCK AT IT (EASTERN CAPE) (PTY) LTD

- | | | |
|----------|---|--|
| A | 1 | Marius Theodorus Doubell trading as Tiger's Tavern, 86 Old Grahamstown Road, Swartkops |
| | 2 | N/A |
| | 3 | N/A |
| | 4 | Limited Gambling Machine Site Licence (3 to 5 machines) |
| | 5 | 86 Old Grahamstown Road, Swartkops |
| B | 1 | Sidima Mati trading as Mthwakazi's Tavern, 16 Kruiseman Street, Zwide, Port Elizabeth |
| | 2 | N/A |
| | 3 | N/A |
| | 4 | Limited Gambling Machine Site Licence (3 to 5 machines) |
| | 5 | 16 Kruiseman Street, Zwide, Port Elizabeth |
| C | 1 | Ian George Rockman trading as Questions Sports Bar, 182 Durban Road, Port Elizabeth |
| | 2 | N/A |
| | 3 | N/A |
| | 4 | Limited Gambling Machine Site Licence (3 to 5 machines) |
| | 5 | 182 Durban Road, Port Elizabeth |

- | | | |
|---|---|---|
| D | 1 | Charles Forlee trading as Charlee's Take Away and Tavern, 2 Prince Alfred Road, Port Elizabeth |
| | 2 | N/A |
| | 3 | N/A |
| | 4 | Limited Gambling Machine Site Licence (3 to 5 machines) |
| | 5 | 2 Prince Alfred Road, Port Elizabeth |
| E | 1 | Simon van Vliet trading as Prince Alfred's Club, Milner Avenue, Port Elizabeth |
| | 2 | N/A |
| | 3 | N/A |
| | 4 | Limited Gambling Machine Site Licence (3 to 5 machines) |
| | 5 | Milner Avenue, Port Elizabeth |
| F | 1 | Ian George Rockman trading as Sweethearts Sports Bar, 10 Claire Street, Korsten, Port Elizabeth |
| | 2 | N/A |
| | 3 | N/A |
| | 4 | Limited Gambling Machine Site Licence (3 to 5 machines) |
| | 5 | 10 Claire Street, Korsten, Port Elizabeth |
| G | 1 | Edmund Oswald Joseph Visagie trading as Edmund's Tavern, 30 Imbuia Street, Arcadia, Port Elizabeth |
| | 2 | N/A |
| | 3 | N/A |
| | 4 | Limited Gambling Machine Site Licence (3 to 5 machines) |
| | 5 | 30 Imbuia Street, Arcadia, Port Elizabeth |
| H | 1 | Dolores De Lange trading as Dolly's Bar, 138 Russell Road, Central, Port Elizabeth |
| | 2 | N/A |
| | 3 | N/A |
| | 4 | Limited Gambling Machine Site Licence (3 to 5 machines) |
| | 5 | 138 Russell Road, Central, Port Elizabeth |
| I | 1 | Lorna Venessa Bulcher trading as Hilo's Tavern, 50 Catherine Street, Salsoneville, Port Elizabeth |
| | 2 | N/A |
| | 3 | N/A |
| | 4 | Limited Gambling Machine Site Licence (3 to 5 machines) |
| | 5 | 50 Catherine Street, Salsoneville, Port Elizabeth |
| J | 1 | Hamilton Mvuleni Chirwa trading as George's Tavern, 38 Maselana Street, New Brighton, Port Elizabeth |
| | 2 | N/A |
| | 3 | N/A |
| | 4 | Limited Gambling Machine Site Licence (3 to 5 machines) |
| | 5 | 38 Maselana Street, New Brighton, Port Elizabeth |
| K | 1 | Sandile Michael Mchata trading as Nosomi's Tavern, 57 Van Der Kemp Street, Zwide, Port Elizabeth |
| | 2 | N/A |
| | 3 | N/A |
| | 4 | Limited Gambling Machine Site Licence (3 to 5 machines) |
| | 5 | 57 Van Der Kemp Street, Zwide, Port Elizabeth |
| L | 1 | Leonard David Herman trading as Lennie's Tavern, 21 Buys Street, Bloemendal, Port Elizabeth |
| | 2 | N/A |
| | 3 | N/A |
| | 4 | Limited Gambling Machine Site Licence (3 to 5 machines) |
| | 5 | 21 Buys Street, Bloemendal, Port Elizabeth |
| M | 1 | Witness Dingiswayo trading as Makoti's Tavern, 12737 Ngwendu Street, Site and Service, Kwazakhele, Port Elizabeth |
| | 2 | N/A |
| | 3 | N/A |
| | 4 | Limited Gambling Machine Site Licence (3 to 5 machines) |
| | 5 | 12737 Ngwendu Street, Kwazakhele, Port Elizabeth |
| N | 1 | Withett Services CC (Registration No. 1993/019949/23) trading as Palm Inn Hotel, 16 |

- | | | |
|---|---|---|
| | | Alexander Street, Humansdorp |
| | 2 | Roger Malcolm Higham |
| | 3 | N/A |
| | 4 | Limited Gambling Machine Site Licence (3 to 5 machines) |
| | 5 | 16 Alexander Street, Humansdorp |
| O | 1 | Peter Jacobus Plaatjies trading as Dolfie's Place, Farm 467, Thornham, Humansdorp |
| | 2 | N/A |
| | 3 | N/A |
| | 4 | Limited Gambling Machine Site Licence (3 to 5 machines) |
| | 5 | Farm 467, Thornham, Humansdorp |
| P | 1 | Ian George Rockman trading as Beachfront Sports Bar, 47 Dunner Road, Pellrus, Jeffrey's Bay |
| | 2 | N/A |
| | 3 | N/A |
| | 4 | Limited Gambling Machine Site Licence (3 to 5 machines) |
| | 5 | 47 Dunner Road, Pellrus, Jeffrey's Bay |
| Q | 1 | Jaqueline Venter trading as Houtstok, 1 Wharf Street, Port Alfred |
| | 2 | N/A |
| | 3 | N/A |
| | 4 | Limited Gambling Machine Site Licence (3 to 5 machines) |
| | 5 | 1 Wharf Street, Port Alfred |
| R | 1 | Elizabeth Wilhelmina Meiring trading as The Logout Sports Bar, 24 Main Street, Bushmansrivermouth |
| | 2 | N/A |
| | 3 | N/A |
| | 4 | Limited Gambling Machine Site Licence (3 to 5 machines) |
| | 5 | 24 Main Street, Bushmansrivermouth |
| S | 1 | Mpho Mahleza trading as Ntloa's Tavern, 492 Polar Park, Bedford |
| | 2 | N/A |
| | 3 | N/A |
| | 4 | Limited Gambling Machine Site Licence (3 to 5 machines) |
| | 5 | 492 Polar Park, Bedford |
| T | 1 | Mpho Mahleza trading as Champs Sports Bar, 1 Buitekant Street, Adelaide |
| | 2 | N/A |
| | 3 | N/A |
| | 4 | Limited Gambling Machine Site Licence (3 to 5 machines) |
| | 5 | 1 Buitekant Street, Adelaide |

SCHEDULE B: APPLICATIONS RECEIVED FROM VUKANI GAMING (EASTERN CAPE) (PTY) LTD

- | | | |
|---|---|--|
| A | 1 | AST Africa Trading 494 CC (Registration No. CK 2001/0391723/23) trading as Quake Sports Bar, 9 Eastbourne Road, Port Elizabeth |
| | 2 | Gerald Michael Janse van Rensburg and Anna Maria Elizabeth Janse van Rensburg |
| | 3 | N/A |
| | 4 | Limited Gambling Machine Site Licence (3 to 5 machines) |
| | 5 | 9 Eastbourne Road, Port Elizabeth |
| B | 1 | Mzwamadoda Theo Zweni trading as Doplas Tavern, 3822 Site and Service, Kwazakhele |
| | 2 | N/A |
| | 3 | N/A |
| | 4 | Limited Gambling Machine Site Licence (3 to 5 machines) |
| | 5 | 3822 Site and Service, Kwazakhele |
| C | 1 | Brian Stevens trading as Albany Lounge, 72 Albany Road, Grahamstown |
| | 2 | N/A |
| | 3 | N/A |
| | 4 | Limited Gambling Machine Site Licence (3 to 5 machines) |
| | 5 | 72 Albany Road, Grahamstown |
| D | 1 | Elton Frans Liebrandt and Denise Liebrandt trading as A & K Sports Bar, 14 Armeria Crescent, Extension 30, Bethelsdorp |
| | 2 | N/A |
| | 3 | N/A |

- | | | |
|---|---|--|
| | 4 | Limited Gambling Machine Site Licence (3 to 5 machines) |
| | 5 | 14 Armeria Crescent, Exteion 30, Bethelsdorp |
| E | 1 | Lwando Malcome Fani trading as Melisizwe's Tavern, 46 Bird Drive, Earovale, Somerset East |
| | 2 | N/A |
| | 3 | N/A |
| | 4 | Limited Gambling Machine Site Licence (3 to 5 machines) |
| | 5 | 46 Bird Drive, Earolvale, Somerset East |
| F | 1 | Lwando Malcome Fani trading as Thembu's Tavern, 89 Angel Street, 3 rd – 4 th Avenue, Kwa Njoli, Somerset East |
| | 2 | N/A |
| | 3 | N/A |
| | 4 | Limited Gambling Machine Site Licence (3 to 5 machines) |
| | 5 | 89 Angel Street, 3 rd – 4 th Avenue, Kwa Njoli, Somerset East |
| G | 1 | Jacobus Hendrik Gouws trading as Pebbles Action Sports Bar, 1 Young Street, Uitenhage |
| | 2 | N/A |
| | 3 | N/A |
| | 4 | Limited Gambling Machine Site Licence (3 to 5 machines) |
| | 5 | 1 Young Street, Uitenhage |
| H | 1 | Mapela's Tavern CC (Registration No. CK 2005/031765/23) trading as Eyethu Hall of Fame, Cnr. Koyana & Njoli Road, Zwide, Port Elizabeth |
| | 2 | Lunga Mapela |
| | 3 | N/A |
| | 4 | Limited Gambling Machine Site Licence (3 to 5 machines) |
| | 5 | Cnr. Koyana & Njoli Road, Zwide, Port Elizabeth |
| I | 1 | Peter John Davenport trading as Pearston Hotel, 28 Voortrekker Street, Pearston |
| | 2 | N/A |
| | 3 | N/A |
| | 4 | Limited Gambling Machine Site Licence (3 to 5 machines) |
| | 5 | 28 Voortrekker Street, Pearston |
| J | 1 | Christian Jordaan trading as Isidingo Tavern, 439 Parliament Street, Colchester, Port Elizabeth |
| | 2 | N/A |
| | 3 | N/A |
| | 4 | Limited Gambling Machine Site Licence (3 to 5 machines) |
| | 5 | 439 Parliament Street, Colchester, Port Elizabeth |
| K | 1 | Hilton Property Holdings CC (Registration No. CK 1992/024889/23) trading as Da Mist Liquor Store: White House Tavern, 116 Durban Road, Uitenhage |
| | 2 | Steve Swart and Adele Swart |
| | 3 | N/A |
| | 4 | Limited Gambling Machine Site Licence (3 to 5 machines) |
| | 5 | 116 Durban Road, Uitenhage |
| L | 1 | Roelof Pitout trading as Devorce Inn, 71 Cuyler Street, Central, Uitenhage |
| | 2 | N/A |
| | 3 | N/A |
| | 4 | Limited Gambling Machine Site Licence (3 to 5 machines) |
| | 5 | 71 Cuyler Street, Central, Uitenhage |
| M | 1 | Miguel Paulo Jesus De France trading as Cartel Sports Bar, 25 Rundle Street, Sidwell, Port Elizabeth |
| | 2 | N/A |
| | 3 | N/A |
| | 4 | Limited Gambling Machine Site Licence (3 to 5 machines) |
| | 5 | 25 Rundle Street, Sidwell, Port Elizabeth |
| N | 1 | Shaun Donovan Ah Shene trading as Aiden's Sports Bar, 141 Glendinning Street, Shauderville, Port Elizabeth |
| | 2 | N/A |
| | 3 | N/A |
| | 4 | Limited Gambling Machine Site Licence (3 to 5 machines) |
| | 5 | 141 Glendinning Street, Shauderville, Port Elizabeth |

- | | | |
|---|---|---|
| O | 1 | Tabiso Kennedy Makawu trading as Guest House Tavern, 353 Bonani Street, Lingelihle, Adelaide |
| | 2 | N/A |
| | 3 | N/A |
| | 4 | Limited Gambling Machine Site Licence (3 to 5 machines) |
| | 5 | 353 Bonani Street, Lingelihle, Adelaide |
| P | 1 | Old Grey's Union c/o Gregory Garvin Ferguson trading as Old Grey's Union Club House, 2 Lenox Street, Glendingvale, Port Elizabeth |
| | 2 | N/A |
| | 3 | N/A |
| | 4 | Limited Gambling Machine Site Licence (3 to 5 machines) |
| | 5 | 2 Lenox Street, Glendingvale, Port Elizabeth |
| Q | 1 | Mlondolozzi Koba trading as Cross Roads Tavern, 1981 Poswa Street, Nomathamsanqa Location, Addo |
| | 2 | N/A |
| | 3 | N/A |
| | 4 | Limited Gambling Machine Site Licence (3 to 5 machines) |
| | 5 | 1981 Poswa Street, Nomathamsanqa Location, Addo |
| R | 1 | Lezmin 1878 CC (Registration No. 2002/060666/23) trading as The Lounge Bar, Shop A, 127 Durban Street, Uitenhage |
| | 2 | Nicholas Ricardo Gomes |
| | 3 | N/A |
| | 4 | Limited Gambling Machine Site Licence (3 to 5 machines) |
| | 5 | Shop A, 127 Durban Street, Uitenhage |
| S | 1 | Littlewood Trading CC (Registration No. CK 2003/055640/23) trading as Humepark Recreation Club, Perrot Avenue, Humerail, Port Elizabeth |
| | 2 | Frederick Reynhardt Rall and Gesina Susana Rall |
| | 3 | N/A |
| | 4 | Limited Gambling Machine Site Licence (3 to 5 machines) |
| | 5 | Humepark Recreation Club, Perrot Avenue, Humerail, Port Elizabeth |
| T | 1 | Littlewood Trading CC (Registration No. CK 2003/055640/23) trading as Humepark Sports Bar, Perrot Avenue, Humerail, Port Elizabeth |
| | 2 | Frederick Reynhardt Rall and Gesina Susana Rall |
| | 3 | N/A |
| | 4 | Limited Gambling Machine Site Licence (3 to 5 machines) |
| | 5 | Perrot Avenue, Humerail, Port Elizabeth |

NOTICE 163 OF 2005

GAMBLING AND BETTING ACT, 1997 (EASTERN CAPE) (ACT NO. 5 OF 1997) (as amended)**NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that in terms of section 28(1) of the Gambling and Betting Act, 1997 (Eastern Cape) (Act No. 5 of 1997) (as amended) a public hearing shall be held in respect of the application received from Phumelela Gaming & Leisure Ltd (Registration No. 1997/016610/06), 14 Turf Club Road, Turffontein who have applied for amendment of the totalisator licence to include the premises situate at 21 Albert Street, Port Elizabeth on **THURSDAY 26 MAY 2005 at 11:00** or as soon thereafter as the Board may be heard at the offices of the Eastern Cape Gambling and Betting Board, ECGBB Building, Quenera Park, Quenera Drive, Beacon Bay, East London.

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5241



NOTICE 164 OF 2005

GAMBLING AND BETTING ACT, 1997 (EASTERN CAPE) (ACT NO. 5 OF 1997) (as amended)**NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that in terms of section 28(1) of the Gambling and Betting Act, 1997 (Eastern Cape) (Act No. 5 of 1997) (as amended) a public hearing shall be held in respect of the application received from Johnnic Holdings Limited, Level 3 (West Wing), Gallagher House, Gallagher Estate, 19 Richards Drive, Midrand, who have applied for consent to hold an indirect financial interest of more than 5% in a licensee, namely Tsogo Sun Emonti (Pty) Ltd on **WEDNESDAY 25 MAY 2005** at **09:30** or as soon thereafter as the Board may be heard at the offices of the Eastern Cape Gambling and Betting Board, ECGBB Building, Quenera Park, Quenera Drive, Beacon Bay, East London.

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5241



NOTICE 165 OF 2005

**GAMBLING AND BETTING ACT, 1997 (EASTERN CAPE)
(ACT NO. 5 OF 1997) (as amended)****EXTENSION OF PERIOD FOR PUBLIC HEARING**

The Eastern Cape Gambling and Betting Board, acting in terms of section 28(1) of the Gambling and Betting Act, 1997 (Eastern Cape) (Act No. 5 of 1997) (as amended), hereby extends the period within which the public hearing must be held in respect of the application received from Universal Distributors of Nevada SA (Pty) Ltd (Registration No. 1995/06099/07) who have applied for consent to acquire an indirect financial interest in Luck At It (Eastern Cape) (Pty) Ltd to **31 JULY 2005**.

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EAST LONDON



NOTICE 166 OF 2005

GAMBLING AND BETTING ACT, 1997 (EASTERN CAPE) (ACT NO. 5 OF 1997) (as amended)**NOTICE OF PUBLIC HEARINGS**

NOTICE IS HEREBY GIVEN in terms of section 28(1) of the Gambling and Betting Act, 1997 (Eastern Cape) (Act No. 5 of 1997) (as amended) that public hearings will be held in respect of the applications received by the Eastern Cape Gambling Board for a Limited Gambling Machine Site licence (20 to 40 machines) as set out in the Schedules hereunder on **THURSDAY 26 MAY 2005 at 09:30 in respect of both Schedules A and B** or as soon thereafter as the applications may be heard, at the offices of the Eastern Cape Gambling and Betting Board, ECGBB Building, Quenera Park, Quenera Drive, Beacon Bay, East London.

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EAST LONDON

**SCHEDULE A****APPLICATIONS RECEIVED FROM LUCK AT IT (EASTERN CAPE) (PTY) LTD**

1. Satish Somasekaran Nair trading as Wayside Hotel, Cnr. Bell and Sauer Streets, Butterworth
2. Francis Edward Acton trading as Taxi Tavern, Erf 3402, Hill Street, Grey Square, Stutterheim

SCHEDULE B**APPLICATIONS RECEIVED FROM VUKANI GAMING (EASTERN CAPE) (PTY) LTD**

1. Gcaleka Trading Company (Pty) Ltd (Registration No. 1997/060109/07) trading as Idutywa Hotel, Erf 123, Richardson Road, Dutywa

NOTICE 167 OF 2005

GAMBLING AND BETTING ACT, 1997 (EASTERN CAPE) (ACT NO. 5 OF 1997) (as amended)**NOTICE OF PUBLIC HEARINGS**

NOTICE IS HEREBY GIVEN in terms of section 28(1) of the Gambling and Betting Act, 1997 (Eastern Cape) (Act No. 5 of 1997) (as amended) that public hearings in respect of the applications received by the Eastern Cape Gambling Board for a Limited Gambling Machine Site licence (3 to 5 machines) which were to have been held on 28 April 2005 were postponed to **WEDNESDAY 25 MAY 2005 at 11:30** or as soon thereafter as the applications may be heard, and will be held at the offices of the Eastern Cape Gambling and Betting Board, ECGBB Building, Quenera Park, Quenera Drive, Beacon Bay, East London.

The affected premises are: PW Mlenze t/a Gebane Tavern, 396 Ilitha Township, Berlin; Filerimos Trading CC t/a Shooters Sports Bar, 42 St Georges Road, Southernwood, East London; IC Myburgh t/a Madiba's Tavern, Cnr. Ayliff Street & Buffalo Road, King William's Town; ZF Nzimeni t/a Tembi's Tavern, 35686 Phase 1, Scenery Park, East London; DH Jegels t/a Doemies Tavern, 17 Sharp Street, Buffalo Flats, East London; RJ Seymour t/a Majestic Hotel, 21 Orient Road, East London; NM Mdubi t/a Nozuko's Tavern, 903 NU 9, Mdantsane; N Sihele t/a Kwamfani's Tavern, 539 NU 13, Mdantsane; M Mbali t/a Corner House Tavern, 223 Zone 9, Mdantsane; Sixbar Trading 927 CC t/a Esplanade Hotel, 6 Clifford Street, East London; MR Mantashe t/a Alex Msored Darts Club, Erf 4785, Vuyani; CN Moya t/a Ayabonga Max's Restaurant & Pub, Erf 1042, Zitulele Industrial Sites, Extension 7, Boundary Road, Butterworth; MM Mkunyana t/a Tsomo Hotel, 6 Epilsen Street, Tsomo; NC Mgyai t/a Spash's Inn, 247 Rhein Street, Dutywa; CC Leifeldt (Pty) Ltd t/a Willowvale Hotel, 26 and 27 Main Street, Willowvale; Momotheke Trade 1158 CC t/a The Lazy Lounge, 4 Bridge Street, Alice; Amadwala Trading 184 CC t/a Ekuphumleni Sports Tavern, 5A Milner Road, East London; NH Kamteni t/a Tuna's Tavern, Erf 46, Mzamomhle, Gonubie; Eziko-Ekhaya Caterers CC t/a Premier Loft, 276 Oxford Street, Southernwood, East London; ZA Singatha t/a Armies Tavern, 1057 Sophumelela Township, Keiskammahoek; NB Solwandle t/a Eyona Tavern, 18 McNab Drive, Alice; NS Gcillsana t/a Emsawawa Tavern, 1309 Dimbaza, Dimbaza; VS Bobo t/a Lwando's Tavern, 3316 Portion 6, Zone 4, Zwelitsha, King William's Town; King William's Town Golf Club, Hargreaves Avenue, King William's Town; Ezibeleni Security Training Centre CC t/a Pirates, Erf 1, King William's Town; AR Whitaker t/a Dorchester Hotel, 11 – 13 Rees Street, East London; Hunters Retreat Hotel CC t/a Hunter's Retreat Hotel, 622 Old Cape Road, Port Elizabeth; IP Ferreira t/a Savannah Sports Bar, 60 Main Street, Central, Despatch; PHSB Bothma t/a Big Waves Sports Bar, Shop 2 and 2A, Spar Shopping Centre, Sydenham Road, Sydenham, Port Elizabeth; Silver Solutions 168CC t/a Blue Dolphin Sports Bar, Shop 13, Cleary Park Shopping Centre, Cleary Park, Port Elizabeth; GR Butler t/a Die Opstal, Shop 3 and 4, GET Centre, 13 Newton Street, Newton Park, Port Elizabeth; TK Makawu t/a Da Place, 12 Hutton Street, Goodwin Park, Bedford; ME Kameni t/a Eyethu Entertainment Centre, 2276 Sneli Street, Fort Beaufort; JV Botha t/a Pool City Action Bar, 24 Newton Street, Newton Park, Port Elizabeth; Tynys Pub and Grub CC t/a Tiny's Pub & Grub, 59 Haupt Street, Port Elizabeth and Solid & Stripes Pool Bar CC t/a Solid & Stripes Sports Bar, 5 Grace Street, Port Elizabeth

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EAST LONDON



LOCAL AUTHORITY NOTICES

No. 126

AMAHLATI MUNICIPALITY

A. PARKING-METER AND PARKING-GROUND BY-LAWS

Notice is hereby given in terms of section 12 (3) of the Local Government Municipal Systems Act, 32 of 2000, that the Amahlati Municipality has resolved to approve new Parking-Meter and Parking-Ground By-Laws and to revoke the Parking Meter By-laws promulgated under Administrator's Notice No. 287 on 20 March 1968 and the Parking Ground By-Laws published under Administrator's Notice 91 of 31 January 1979, *in toto*.

PART I

DEFINITIONS

1. For the purpose of these by-laws, unless the context otherwise indicates—

"Council" means the Amahlati Municipality and includes the management committee of that Council or any officer employed by the Council, acting by virtue of any power vested in the Council in connection with these by-laws and delegated to him in terms of section 58 of the Local Government (Administration and Elections) Ordinance No. 40 of 1960;

"demarcated parking place" means a demarcated parking place as contemplated in the National Road Traffic Act, 1996, in conjunction wherewith a parking-meter device exists;

"parking ground" means any area of land set aside by the Council, or any area controlled by, or of which the Council has gained control, as a parking ground for the parking of vehicles therein by members of the public, whether or not charges are prescribed by these by-laws for use thereof;

"parking-meter attendant" means a person possessing a valid appointment card, employed by a service provider who for or on behalf of the Municipality or the Service provider collects parking fees under a contract with the Municipality or service provider;

"parking-meter" means a device for the registration, recording and display of the passage of the parking time period, including the display thereof in a mechanical or electronic format on a display panel and/or indicator and which is operated by a parking-meter attendant;

"parking period" means that period of time of parking in a demarcated parking place which is determined by a parking-meter device upon insertion into it of the registration number of a vehicle.

"service provider" means a person or legally constituted entity who for, or on behalf of the Municipality, collects parking fees under a contract with the Municipality;

"traffic officer" means a traffic officer appointed in terms of section 3 (1) (c) of the Road Traffic Act 1989 and includes a member of the South African Police Service and a traffic warden;

"vehicle" means a vehicle as defined in the National Road Traffic Act, 1996,

and any other word or expression has the meaning assigned thereto in the National Road Traffic Act, 1996.

PART II

CONTROL OF PARKING WITHIN DEMARCATED PARKING PLACES

2. (1) It shall be unlawful to park any vehicle in any demarcated parking place without at the same time inserting and submitting, or having the vehicles registration number inserted and submitted by the parking-meter attendant: Provided that the obligation to make payment as prescribed in subsection (3) shall apply only during such hours as the Council may by resolution determine.

(2) Each parking-meter shall—

- (a) clearly indicate the time taken for parking in such demarcated parking place (hereinafter referred to as the parking period);
- (b) clearly indicate the outstanding monetary value to be paid in respect of parking for the said period;
- (c) be fitted with an easily visible device (hereinafter referred to as an indicator) which shall clearly indicate the motor vehicle registration number and the bay number where the vehicle is parked;
- (d) When the "payment submitted" key or "refused" key is pressed, either by the parking-meter attendant or the motorist, a corresponding message of confirmation that the specific key has been activated, shall be clearly indicated.

3. No person shall park any vehicle, or cause any vehicle to be parked, in any demarcated parking place, unless at the completion of the parking period and before such vehicle leaves such demarcated parking bay he or she pays to the parking-meter attendant to whom such parking bay has been allocated, an amount equal to the amount indicated on the parking-meter device adjacent to such vehicle's registration number.

The duty to effect payment of the fees accrued to the vehicle in respect of parking, rest with the driver of such vehicle, such payment shall be made in South African coinage.

It is also lawful to effect such payment by means of an electronic transfer should the parking-meter device be able to accept such payment.

4. The payment for parking as contemplated in subsection 3 shall however, not entitle any person to contravene any road traffic sign prohibiting the parking of—

- (a) vehicles between specified hours;
- (b) specific categories of vehicles;
- (c) vehicles for periods in excess of specified time periods; and
- (d) any vehicle, where the parking and/or stopping of such vehicle contravenes any provision as determined by the National Road Traffic Act, 1996, relating to the parking and/or stopping of a vehicle.

5. The period during which a vehicle may be parked in any demarcated parking place and the amount payable in respect of that period to the parking attendant allocated to such place, shall be such as the Council may from time to time by resolution prescribe, in terms of section 80A of the National Road Traffic Act, 1996.

6. It shall be unlawful—

- (a) to park any vehicle, not being a vehicle as defined in section 1, in a demarcated parking place;
- (b) to offer any money other than South Africa currency in lieu of payment of parking fees;
- (c) to offer to a parking-meter attendant any false or counterfeit money or any foreign object, including bribes of money or bribes in any other form;
- (d) in any way whatsoever to cause or attempt to cause a parking-meter to record the passage of time incorrectly;
- (e) to jerk, knock, shake, damage or in any way interfere with a parking-meter which is not in proper working order, in order to make it do so, or for an other purpose;
- (f) to deface, soil, obliterate or otherwise render less visible or interfere with any mark painted on the roadway, or any legend, sign, or notice affixed or erected for the purposes of these by-laws;
- (g) to remove or attempt to remove the mechanism or any other part of a parking-meter or to attempt to physically interfere with the working of said parking-meter, or by word or deed hinder the parking-meter attendant in his duty; and
- (h) to fail to key in a vehicle's details into the parking-meter by means of the correctly displaced motor vehicle registration number and specific bay number that the vehicle occupies, directly upon arrival of that specific vehicle.

7. (1) No driver or person in charge of a vehicle, shall park such vehicle or cause it to be parked—

- (a) in a demarcated parking place across any painted line marking the confines of the parking place or in such a position that the said vehicle shall not be entirely within the area demarcated;
- (b) in a demarcated parking place which is already occupied by another vehicle;
- (c) in an area demarcated for commercial loading purposes.

(2) The person or driver in charge of a vehicle shall park such vehicle in a demarcated parking place—

- (a) if the demarcated parking place is parallel to the curb or sidewalk of the public road in such a way that it shall be headed in the general direction of the movement of traffic on the side of the road on which the vehicle is parked and so that the left-hand wheels of the vehicle are substantially parallel to and within 450 mm of the left-hand curb: Provided that where in a one-way street such demarcated parking place is in existence on the right-hand side of the road of a vehicle in such demarcated parking place, apply to the right-hand wheels and the right-hand curb respectively;
- (b) if the demarcated parking place is at an angle to the curb or sidewalk of a public road in such manner that it is headed substantially in the general direction of the movement of traffic on the side of the road on which such vehicle is parked.

8. Where by reason of the length of any vehicle, such vehicle cannot be parked wholly within a demarcated parking place, it shall be lawful to park such vehicle by encroaching upon a demarcated parking place adjoining the first-mentioned parking place, if such be the case, and any person so parking shall be liable for payment of parking fees in respect of both the said places.

9. The Chief Traffic Officer may, whenever he deems it necessary or expedient to do so in the interest of the movement or control of traffic, place or erect a road traffic sign or signs indicating that there shall be no parking at any demarcated parking place or places, and it shall be unlawful for any person to park or cause to permit to be parked a vehicle in such demarcated parking place or places while such sign is so displayed.

10. (1) It shall be unlawful for any person to cause, allow, permit or suffer any vehicle of which he is the driver or which is under his control to be parked in any demarcated parking place, except as permitted by the provisions of these by-laws.

(2) Where any vehicle is found to have been parked in contravention of these by-laws, it shall be deemed to have been caused, allowed, permitted or suffered to have been so parked by the person in whose name such vehicle is registered in terms of the Road Traffic Act, 1996, unless and until he shall have proved the contrary.

11. Notwithstanding anything contained in these by-laws—

- (a) the driver of a fire-fighting vehicle;
- (b) the driver of a rescue vehicle;
- (c) the driver of an ambulance;
- (d) a traffic officer;
- (e) the driver of a vehicle engaged in civil protection; and
- (f) the driver of a vehicle engaged in essential services;
- (g) a driver of a vehicle that is the property of the Council or a vehicle used by an official or member of the Council in his official capacity, provided that the official badge, designed and approved of by the Council, is displayed in a prominent place and in accordance with paragraph 24 (3),

who drives such vehicle in the performance of his or her duties, whilst parking in a demarcated parking place, shall be exempt from payment of the prescribed fees.

12. The passage of time as recorded by a parking-meter shall for the purposes of these by-laws and in any proceedings arising out of the enforcement thereof, be deemed to be correct unless and until the contrary be proved, and the burden of so proving to the contrary shall be on the person alleging that the parking-meter has recorded such passage of time inaccurately.

13. A duly appointed service provider shall supply the Municipality, within seven working days from the beginning of each month, with a report dealing with the number of vehicles, which during the previous month—

- (i) parked within each and every block under the jurisdiction of the service provider, each block's figures to be supplied separately from one another; and
- (ii) the number of parking-meter attendants within each and every block under the jurisdiction of the service provider, each block's figures to be supplied separately from one another.

14. Whenever a vehicle is parked in contravention of any provision of these by-laws it shall be presumed, until the contrary be proved, that it was so parked by the person registered as its owner in terms of the National Road Traffic Act, 1996.

PART III

CONTROL OF PARKING WITHIN PARKING GROUNDS

Place of Parking

15. Where demarcated spaces are marked on a parking ground no persons shall park a vehicle or cause or permit it to be parked or to remain in such parking ground unless it is parked in such a manner in a demarcated space that it will not obstruct the access or exit of another vehicle in or on an adjacent parking space.

Closure of Parking Grounds

16. (1) Notwithstanding anything to the contrary in these by-laws contained, the Council may at any time close any parking ground or portion thereof temporarily or permanently and shall indicate the fact and the period of such closure by notice displayed at the entrances to the ground closed or at the portion closed, as the case may be.

(2) No person shall introduce a vehicle into or park or cause or permit a vehicle to be parked or to remain in any parking ground or portion of a parking ground while it is closed in terms of subsection (1).

Defective Vehicles

17. No person shall park or cause or permit any vehicle to be parked or to be or remain in any parking ground which is out of order for any reason incapable of movement: Provided that no offence against this by-law shall be deemed to have been committed in respect of any vehicle which, after having been parked in a parking ground, develops a mechanical defect which immobilizes it if the person in control of the vehicle proves that he took reasonable steps to have the vehicle repaired or removed as soon as possible.

Behaviour in Parking Ground

18. (1) No person shall in any parking ground—

- (a) park or cause or permit to be parked or cause to be or remain, any vehicle other than a vehicle as defined in section 1;
- (b) when called upon by a traffic officer to do so, fail or refuse to furnish him with his full and correct name and address;
- (c) use or allow any vehicle to be used for plying for hire for the conveyance of passengers or goods or both;
- (d) clean, wash or, save in an emergency, work on or effect repairs to any vehicle or any part thereof;
- (e) drive any vehicle recklessly or negligently or without reasonable consideration for the safety or convenience of other persons;
- (f) drive any vehicle at more than 15 km/h;

- (g) park a vehicle otherwise than in compliance with any notice or sign displayed therein or with an instruction or direction given him by a traffic officer or introduce or remove a vehicle otherwise than through an entrance thereto or exit therefrom appointed for that purpose;
- (h) so park or load a vehicle or allow anything to be on it that it obstructs other vehicles or persons or impedes their movement or is likely to do so;
- (i) without reasonable cause or without the knowledge and consent of the owner or person in lawful control of a vehicle, enter or climb upon such vehicle or set the machinery thereof in motion or in any way tamper or interfere with its machinery or any other part of it or with its fittings, accessories or contents;
- (j) remove, obscure, deface, damage or interfere with any notice, sign or making erected or made by the Council or any other property belonging to it;
- (k) do any act or introduce anything which obstructs or is likely to obstruct the movement of persons and vehicles;
- (l) subject to the provisions of section 4, so park any vehicle that any part of its lies across or straddles any white line forming a boundary of a demarcated space or that it is not entirely within the confines of such a demarcated space;

(2) A sign which the Council displays in a parking ground and which conforms to a road traffic sign promulgated in terms of the National Road Traffic Act, 1996, shall for the purpose of these by-laws bear the same significance as is given to that sign by that act and regulations thereof.

Damage to Vehicles

19. The Council shall not be liable for the loss of any vehicle or for its unlawful removal from the parking ground, or for damage to any vehicle or its fittings, accessories or contents while in a parking ground or for such damage even if it is the consequence of it being moved in terms of section 20 or 21.

Obstruction

20. If a vehicle has been parked in such a position that in the opinion of traffic officer it is likely to obstruct or impede the movement of other vehicles or persons in the parking ground, he may move it or cause to be moved to another part of the ground.

Abandoned Vehicles

21. Any vehicle which has been parked in the same place on a parking area for a continuous period of seven days or longer, without being removed by the owner or his representative, shall be deemed to be an abandoned vehicle in terms of Regulation 320 of the National Road Traffic Regulations of 1999, and the vehicle shall be dealt with in accordance with the procedure prescribed in Regulation 320 of the said Regulations. The Council shall be indemnified accordingly.

Refusal of Admission

22. (1) It shall be in the discretion of a traffic officer to refuse to admit to a parking ground a vehicle which with or without any load is by reason of its length, width, height or weight likely to cause damage to persons or property or to cause an obstruction or undue inconvenience within said parking ground.

(2) Any person in control of a vehicle who, having been refused admission in terms of subsection (1), proceeds to drive it into a parking ground, shall be guilty of an offence.

23. (1) Subject to the conditions of Section 17, it is illegal to park a vehicle in a demarcated space on or in a parking-meter parking ground without making a payment at the same time as prescribed in these by-laws: Provided that the obligation to make such a payment is only applicable on the following days (exclusive of public holidays) and during the following hours:

Monday to Friday: 08h00 to 17h00.

Saturday: 08h00 to 13h00.

PART IV

ANNUALLY ISSUED PARKING DISCS

24. (1) Notwithstanding anything to the contrary contained in these by-laws, the Council may, subject to section 80 of the National Road Traffic Act, 1996, in respect of any demarcated parking place within a parking ground, annually issue on payment of an amount as determined by the relevant authorities, a parking disc entitling the holder thereof, to park a specified vehicle in any parking ground under the control of the Council, if space therein is available, for the period indicated on the parking disc. Such parking disc shall not be transferable.

(2) The Council may annually issue to any of its officers, a parking disc enabling the holder, when using a vehicle on the business of the Council, to park such vehicle free of charge within the confines of any parking ground under the control of the Council, if space therein is available, for the period indicated on the parking disc. Such parking disc shall not be transferable.

(3) A parking disc issued in terms of subsection (1) or (2) shall be affixed by the holder thereof to the windscreen of the vehicle in respect of which it is issued, in such manner and place that its written or printed context is readily legible from the outside of such vehicle, and the parking disc readily visible to a person standing in front or to the left in front of such vehicle.

PART V**TARIFFS**

25. (1) Parking fees shall be payable by a person any vehicle or causing any vehicle to be parked in any demarcated parking place.

(2) The Amahlathi Municipality has the right to determine parking tariffs from time to time by means of Council Resolution.

PART VI**PROHIBITIONS**

26. No person shall within the area of the local municipality operate as car guard formal or informal except were such person is registered with—

(1) SIRA The Security Industry Regulatory Authority;

(2) The car guard forum that consist of parties of the following organisations:

(a) Safety and security dept.

(b) Community Policy Forum (CPF).

(c) It's approved service provider as such.

PART VII**OFFENCES**

27. Any person who contravenes or cause or permits a contravention of any provision of these by-laws, shall be guilty of an offence and liable on conviction to a fine not exceeding R750 or, in default of payment, imprisonment for a period not exceeding six months.

B. REVOCATION OF THE PARKING METER BY-LAWS PROMULGATED UNDER ADMINISTRATOR'S NOTICE No. 287 ON 20 MARCH 1968 AND THE PARKING GROUND BY-LAWS PUBLISHED UNDER ADMINISTRATOR'S NOTICE 91 OF 31 JANUARY 1979.

No. 127**AMAHLATHI MUNICIPALITY**

NOTICE No. 45/2004

PARKING METER BY-LAW**PUBLIC COMMENT**

The Amahlathi Municipality in compliance with the provisions of the Local Government; Municipal Systems Act 2000 hereby publishes for public comment the parking meter and parking grounds by-law as proposed by the Municipal Council.

The proposed By-Law is available for inspection at the offices of Amahlathi and interested persons are to submit written comment to the Amahlathi Municipality on or before 15 October 2005. Please note that late submissions may be disregarded.

Submissions should be addressed to the office of the Municipal Manager and may be hand delivered to 12 Maclean Street, Stutterheim, posted to P/Bag X2, Stutterheim or faxed to (043) 683-1127. Telephone queries can be directed to the Manager Protection Services at (043) 683-1390.

Any person who cannot write may come to the Traffic Department Office, Stutterheim, during office hours where the Protection Services Manager will assist to transcribe that person's comments or representation.

N . C. MAGWANGQANA, Municipal Manager

P/Bag X2, Stutterheim, 4930. Tel. No: (043) 683-1100. Fax No: (043) 683-1127.

No. 128**AMAHLATHI MUNICIPALITY**

MINUTES OF THE ORDINARY COUNCIL MEETING OF THE AMAHLATHI MUNICIPALITY HELD ON 24 JUNE 2004 AT 12H00 IN THE BOARD ROOM, CORNER OF MACLEAN & HILL STREETS, STUTTERHEIM, TO CONSIDER ITEMS CONTAINED IN THE AGENDA

1. PRESENT**A. MEMBERS OF THE COUNCIL**

Councillor T.C. Jonas—His Worship the Mayor

Councillor S.W. Sorasi—The Speaker

Councillor J.P.J. Botha

Councillor M.M. Dyani
Councillor N.M. Jara
Councillor A.L. Kobese
Councillor N.H. Konza
Councillor Z.W. Krwentela
Councillor D.A. Kropf
Councillor P.G. Kyriacos
Councillor W.M. Magqaza
Councillor N.R. Magwaxaza
Councillor V.V. Mahlati
Councillor C.M. Mambu
Councillor D.T. Manyika
Councillor T.A. Mawisa
Councillor V.V. Mgunyasi
Councillor L.P. Mgwangqa
Councillor S. Mtyino
Councillor T.Z. Nqini
Councillor M.M. Pateka
Councillor B. Qolani
Councillor F.M. Shoba
Councillor M.F. Sigwabe
Councillor N. Singama
Councillor M.P. Sinono
Councillor M. Skotana
Councillor D. Tofile
Councillor S. Tshaka
Councillor G.B. Zuma

B. OFFICIALS OF THE COUNCIL

Mr N.C. Magwangqana (Municipal Manager)
Mr L.R.N. du Randt (Administration Manager)
Mr G. Hill (Finance Manager)
Mr M. Qalaba (Assistant Engineering Services Manager)
Ms N. Gwata (Trainee Manager: Community Services)
Mr H.H.W. Paper (Mentor Manager: Human Resources)
Mr D. Mnqanqeni (Acting Protection Services Manager)
Mrs N. Singiswa (Snr. Committee Clerk)

C. APPLICATIONS FOR LEAVE OF ABSENCE

Councillor N.N. Gajana
Councillor A.M. Mayekiso
Councillor K.A. Mhambi—on leave from 23–30 June 2004 is out of the country on personal business
Councillor T.E. Nonkewuse—on leave from 21 June 2004—2 July 2004—bereavement
Councillor N.P. Qwenga—on leave from 15 June 2004—15 September 2004—on maternity leave
Councillor L. Sulo

IT WAS RESOLVED that the applications for leave of absence BE ACCEPTED.

D. ABSENT WITHOUT LEAVE

Councillor M. Peter
Councillor P. Qaba
Councillor T. Wellem

No. 129

NELSON MANDELA METROPOLITAN MUNICIPALITY

CLOSING OF PORTION OF ERVEN 274 AND 489, FERNGLEN ALONG RALSTON ROAD: (E01/06/00489) (02120135)

Notice is given in terms of Section 137 (1) of the Municipal Ordinance 20 of 1974 that the abovementioned properties, as shown on Plan No. H8D-X-28, are now closed.

Surveyor-General's Reference: S/12805/12 v2 p. 196.

NELSON MANDELA METROPOLITAANSE MUNISIPALITEIT

SLUITING VAN GEDEELTE VAN ERWE 274 EN 489, FERNGLÉN AANGRENSEND AAN RALSTONWEG (E01/06/00489)
(02120135)

Kennis word ingevolge Artikel 137 (1) van die Munisipale Ordonnansie 20 van 1974 gegee dat bogenoemde eiendom, soos getoon op Plan Nr. H8D-X-28, gesluit is.

Landmeter-generaal se Verwysing: S/12805/12 v2 p. 196.

VC/LO (ERF-274)

No. 130**NELSON MANDELA METROPOLITAN MUNICIPALITY**

CLOSURE OF PORTION OF PUBLIC STREET ERF 694, ADJOINING ERVEN 3698 AND 3772, NORTH END

Notice is given in terms of section 137 (1) of the Municipal Ordinance 20 of 1974 that a portion of public street Erf 694, adjoining Erven 3698 and 3772, North End, is now closed.

Surveyor-General's Reference: S/8292/81 v1 p.180

NELSON MANDELA METROPOLITAANSE MUNISIPALITEIT

SLUITING VAN GEDEELTE VAN OPENBARE STRAAT ERF 694, AANGRENSEND AAN
ERWE 3698 EN 3772, NOORDEINDE

Kennis word ingevolge artikel 137 (1) van die Munisipale Ordonnansie 20 van 1974 gegee dat 'n gedeelte van openbare straat Erf 694, aangrensend aan Erwe 3698 en 3772, Noordeinde gesluit is.

Landmeter-generaal se Verwysing: S/8292/81 v1 p.180

No. 131**NELSON MANDELA METROPOLITAN MUNICIPALITY**

CLOSURE OF PORTION OF PUBLIC STREET ADJOINING ERVEN 1514 AND 1518, NEWTON PARK
(E01/17/01518) (02120135)

Notice is given in terms of section 137 (1) of the Municipal Ordinance 20 of 1974 that the above-mentioned property, as shown on Plan No. H7D-X-268, is now closed.

Surveyor-General's Reference: S/2285/31 v1 (p.102)

NELSON MANDELA METROPOLITAANSE MUNISIPALITEIT

SLUITING VAN GEDEELTE VAN OPENBARE PAD AANGRENSEND ERWE 1514 EN 1518, NEWTON PARK
(E01/17/01518) (02120135)

Kennis word ingevolge artikel 137 (1) van die Munisipale Ordonnansie 20 van 1974 gegee dat bogenoemde eiendom, soos getoon op Plan No. H7D-X-268, gesluit is.

Landmeter-generaal se Verwysing: S/2285/31 v1 (p.102)