

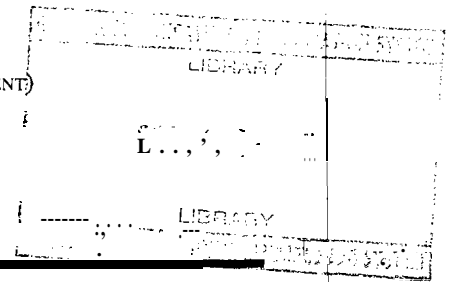
REPUBLIC OF SOUTH AFRICA

REDETERMINATION OF THE BOUNDARIES OF CROSS- BOUNDARY MUNICIPALITIES BILL

*(As introduced in the National Assembly as a section 75 Bill; explanatory
summary of Bill published in Gazette No. 21635 of 5 October 2000)
(The English text is the official text of the Bill)*

(MINISTER FOR PROVINCIAL AND LOCAL GOVERNMENT)

[B 69—2000]



REPUBLIEK VAN SUID-AFRIKA

WETSONTWERP OP DIE HERBEPALING VAN GRENSE VAN OORGRENSMUNISIPALITEITE

*(Soos ingedien in die Nasionale Vergadering as 'n artikel 75-wetsontwerp; verduidelikende
opsomming van Wetsontwerp in Staatskoerant No. 21635 van 5 Oktober 2000 gepubliseer)
(Die Afrikaans teks is die amptelike vertaling van die Wetsontwerp)*

(MINISTER VIR PROVINSIALE EN PLAASLIKE REGERING)

[W 69—2000]

ISBN O 621297054

BILL

To authorise the redetermination of the boundaries of certain cross-boundary municipalities; to amend the Local Government: Cross-boundary Municipalities Act, 2000; and to provide for matters connected therewith.

BE IT ENACTED by the Parliament of the Republic of South Africa, as follows:—

Authorisation of redetermination of boundaries of cross-boundary municipalities

1. Subject to section 2(a) of the Local Government: Cross-boundary Municipalities Act, 2000 (Act No. 29 of 2000), the redetermination of the boundaries of the municipalities referred to in the Schedule, is hereby authorised. 5

Amendment of Act 29 of 2000

2. The Local Government: Cross-boundary Municipalities Act, 2000 (Act No. 29 of 2000), is hereby amended by the substitution for the Schedule of the following Schedule: 10

“SCHEDULE

| Provinces | Municipal area | |
|----------------------------------|---|----|
| North West and Northern Cape | Local municipality CBLC 1 identified by Map No. 9 of the Schedule to Notice 207 of 2000 (North West) and Map No. 9 of the Schedule to Notice 99 of 2000 (Northern Cape), respectively. | 15 |
| Mpumalanga and Gauteng | Local municipality CBLC2 identified by Map No. 10 of the Schedule to Notice 291 of 2000 (Mpumalanga) and Map No. 10 of the Schedule to Notice 6574 of 2000 (Gauteng), respectively. | 20 |
| Mpumalanga and Northern Province | Local municipality CBLC3 identified by Map No. 11 of the Schedule to Notice 291 of 2000 (Mpumalanga), and Map No. 11 of the Schedule to Notice 288 of 2000 (Northern Province), respectively. | 25 |
| Mpumalanga and Northern Province | Local municipality CBLC4 identified by Map No. 12 of the Schedule to Notice 204 of 2000 (Mpumalanga), and Map No. 12 of the Schedule to Notice 205 of 2000 (Northern Province), respectively. | 30 |
| Mpumalanga and Northern Province | Local municipality CBLC5 identified by Map No. 13 of the Schedule to Notice 291 of 2000 (Mpumalanga), and Map No. 13 of the Schedule to Notice 288 of 2000 (Northern Province), respectively. | 35 |

| | | |
|----------------------------------|--|----|
| Mpumalanga and Northern Province | Local municipality CBLC6 identified by Map No. 14 of the Schedule to Notice 204 of 2000 (Mpumalanga), and Map No. 14 of the Schedule to Notice 205 of 2000 (Northern Province) respectively. | 5 |
| North West and Northern Cape | Local municipality CBLC7 identified by Map No. 15 of the Schedule to Notice 297 of 2000 (North West), and Map No. 15 of the Schedule to Notice 129 of 2000 (Northern Cape), respectively. | 10 |
| North West and Gauteng | Local municipality CBLC8 identified by Map No. 16 of the Schedule to Notice 207 of 2000 (North West), and Map No. 16 of the Schedule to Notice 4822 of 2000 (Gauteng), respectively. | |
| North West and Northern Cape | District municipality CBDC1 identified by Map No. 3 of the Schedule to Notice 297 of 2000 (North West), and Map No. 3 of the Schedule to Notice 129 of 2000 (Northern Cape), respectively. | 15 |
| Mpumalanga and Gauteng | District municipality CBDC2 identified by Map No. 4 of the Schedule to Notice 291 of 2000 (Mpumalanga) and Map No. 4 of the Schedule to Notice 6574 of 2000 (Gauteng), respectively. | 20 |
| Mpumalanga and Northern Province | District municipality CBDC3 identified by Map No. 5 of the Schedule to Notice 291 of 2000 (Mpumalanga), and Map No. 5 of the Schedule to Notice 288 of 2000 (Northern Province), respectively. | 25 |
| Mpumalanga and Northern Province | District municipality CBDC4 identified by Map No. 6 of the Schedule to Notice 204 of 2000 (Mpumalanga) and Map No. 6 of the Schedule to Notice 205 of 2000 (Northern Province), respectively. | 30 |
| North West and Gauteng | District municipality CBDC8 identified by Map No. 7 of the Schedule to Notice 297 of 2000 (North West), and Map No. 7 of the Schedule to Notice 6574 of 2000 (Gauteng), respectively. | 35 |
| North West and Northern Cape | District municipality DC9 identified by Map No. 8 of the Schedule to Notice 297 of 2000 (North West), and Map No. 8 of the Schedule to Notice 129 of 2000 (Northern Cape), respectively. | 40 |
| Mpumalanga and Gauteng | Metropolitan municipality East Rand identified by Map No. 1 of the Schedule to Notice 291 of 2000 (Mpumalanga), and Map No. 1 of the Schedule to Notice 6574 of 2000 (Gauteng), respectively. | 45 |
| North West and Gauteng | Metropolitan municipality Pretoria identified by Map No. 2 of the Schedule to Notice 297 of 2000 (North West), and Map No. 2 of the Schedule to Notice 6574 of 2000 (Gauteng), respectively.”. | 50 |

Short title

3. This Act is called the Redetermination of the Boundaries of Cross-boundary Municipalities Act, 2000.

55

SCHEDULE

(Section])

Local municipality CBLC2.
Local municipality CBLC3.
Local municipality CBLC5.
Local municipality CBLC7.
District municipality CBDC 1.
District municipality CBDC2.
District municipality CBDC3.
District municipality CBDC8.
District municipality DC9.
Metropolitan municipality East Rand,
Metropolitan municipality Pretoria.

MEMORANDUM ON THE OBJECTS OF THE REDETERMINATION OF THE BOUNDARIES OF CROSS-BOUNDARY MUNICIPALITIES BILL, 2000

1. Section 2 of the Local Government: Cross-boundary Municipalities Act, 2000 (Act No. 29 of 2000) (<'the Act''), authorises the re-determination of the boundaries of cross-boundary municipalities—

- (a) with the concurrence of the legislatures of the provinces involved; and
- (b) if the redetermination is authorised by national legislation.

2. The purpose of the Bill is to authorise the redetermination of the boundaries of certain cross-boundary municipalities in accordance with section 2(b) of the Act. The proposed redeterminations are set out hereunder.

3. GAUTENG AND MPUMALANGA

3.1 CHANGE TO BOUNDARY OF EAST RAND METROPOLITAN MUNICIPALITY

In the process of finalizing the boundaries of the Johannesburg Metropolitan Council it was agreed that the existing Midrand municipality's depot site and license offices be excluded from the proposed Greater East Rand Metropolitan into the Johannesburg Metropolitan Council. This boundary change entails moving Erf6113 18 of Kaalfontein and Erf 42/4 10JR of Olifantsfontein from the proposed East Rand Metropolitan into the Greater Johannesburg Metropolitan Council.

This boundary change will have no impact on the Voting District as it only entails moving the council buildings.

3.2 CHANGE TO BOUNDARY OF CBLC2/CBDC2

In the process of finalizing Ward boundaries of CBLC2, it was indicated that the provincial boundary line used is on a wrong farm boundary line of Mpumalanga. This was due to different provinces (Gauteng and Mpumalanga) supplying differing data sets. After confirming the matter with the Surveyor General's office, it has been agreed that the provincial boundary line be corrected.

In doing this correction, the outer boundaries of the cross-boundary district council CBDC2 and the cross-boundary local municipality CBLC2 will be affected. However, this alignment of the boundaries will not affect Voting Districts as it un-split a previously split Voting District number 54700062.

4. GAUTENG AND NORTH WEST

4.1 CHANGE TO BOUNDARY OF PRETORIA METROPOLITAN MUNICIPALITY

In the process of finalizing the boundaries of Greater Pretoria it was agreed that lot number 22 of the farm Doompoot 295JR be moved from local municipality GT02b 1 of the proposed cross-boundary district council CBDC2 into the proposed boundary of Greater Pretoria. This lot is part of lot number 23 of the same farm which currently falls in the proposed Greater Pretoria cross-boundary Metropolitan Council. Both these plots are part of same development.

Voting District number 33190017 will be split in the process. However no voters are likely to be affected.

4.2 CHANGE TO BOUNDARY OF CBDC8

In the process of finalizing the boundaries of Greater Johannesburg it was agreed that Extensions 11 and 12 of the Protea Glen area (currently part of Westonaria) would be incorporated into Johannesburg as they form part and parcel of the Greater Soweto area. Two extensions of Protea Glen (Extensions 11 and 12) were, however, left out of the

Greater Johannesburg area and after objections were lodged the Municipal Demarcation Board has agreed to their incorporation into Johannesburg.

Extensions 11 and 12 of Protea Glen must therefore be excluded from GT414 and CBDC8 and included in the Johannesburg Metropolitan Area.

5. MPUMALANGA AND NORTHERN PROVINCE

5.1 CHANGE TO BOUNDARY OF CBDC3, CBLC3 AND CBLC5

In the process of finalizing the Cross Boundary municipalities a number of representations were received in respect of following two areas:

The first represented a change from NP364/355 to CBLC3 involving the communities of Regae and the Matlala Traditional villagers. The Regae change (From NP364/355 to CBLC3 moves the following:

| VDNUMBER | VOTING STATION NAME |
|----------|-----------------------------|
| 76250550 | REGAE SCHOOL |
| 76250549 | KGOSI MATLALA TRIBAL OFFICE |

In the process, the proposed outer boundary of the cross-boundary district council CBDC3, district councils DC36 and DC35 were affected.

The second represents a change where a traditional area has been split. The Malekane change (From NP03A2 to CBLC5) moves the following:

| VDNUMBER | VOTING STATION NAME |
|----------|-------------------------------|
| 76390139 | MAPHOKO PRIMARY SCHOOL |
| 76390038 | MAREMELE PRIMARY SCHOOL |
| 76390106 | DIKGAGENG PRIMARY SCHOOL |
| 76390151 | IBA MOSHITO PRIMARY SCHOOL |
| 76390162 | NGWANANGINATO SCHOOL |
| 76390128 | MADIETE PRIMARY SCHOOL |
| 76390207 | MAPHOPHA TRIBAL OFFICE |
| 76390027 | NTAKI PRIMARY SCHOOL |
| 76390218 | MASHA PRIMARY SCHOOL |
| 76390184 | NGWAABE HIGH SCHOOL |
| 76390195 | NGWANA THULARE PRIMARY SCHOOL |
| 76390140 | MALEKANE TRIBAL OFFICE |
| 76390173 | PAPONG PRIMARY SCHOOL |

6. NORTH WEST AND NORTHERN CAPE

6.1 CHANGE TO BOUNDARY OF CBLC7/DC9

In the process of finalizing the boundaries of DC9, an objection was received stating that portions of the Jan Kempdorp municipality are excluded in the Cross-Boundary district. This includes a portion of farm Geldenskant 36 with portions of land owned by the municipality. These portions must therefore be excluded from NW396 and DC39 and included in the proposed cross-boundary district DC9 and cross-boundary local municipality CBLC7.

Voting District number 8682071 with Voting station of Jan Kempdorp school will be further split to accommodate this change.

6.2 CHANGE TO BOUNDARY OF CBDC1

In the process of finalizing the boundaries of local municipality NW1 it was agreed that the village of Ganap (at present demarcated under district municipality DC39) falls under the jurisdiction of the Traditional Area of Batlharo Ba Ga Phadima.

The village of Ganap must therefore be excluded from local municipality NW391 within the proposed district council DC39 and included in local municipality y NW 1 al of cross-boundary district council CBDC 1.

in catering for this boundary change, Voting District number 86741871 (Gamokatedi Primary School) which was previously split and a 'hatched Voting District' number 86749228 will be completely accommodated in NW 1 al.

7. The legislatures of the provinces involved concurred with the proposed redeterminations.

8. PARLIAMENTARY PROCEDURE

The State Law Advisers and the Department of Provincial and Local Government are of the opinion that this Bill must be dealt with in accordance with the procedure established by section 75 of the Constitution since it contains no provision to which the procedure set out in section 74 or 76 of the Constitution applies.