

LIMPOPO PROVINCE
LIMPOPO PROVINSIE
XIFUNDZANKULU XA LIMPOPO
PROFENSE YA LIMPOPO
VUNDU LA LIMPOPO
IPHROVINSI YELIMPOPO

**Provincial Gazette • Provinsiale Koerant • Gazete ya Xifundzankulu
Kuranta ya Profense • Gazethe ya Vundu**

(Registered as a newspaper) • (As 'n nuusblad geregistreer)
(Yi rhijistariwile tanihi Nyuziphapha)
(E ngwadisitšwe bjalo ka Kuranta)
(Yo redzhistariwa sa Nyusiphapha)

Vol. 17

POLOKWANE,

23 APRIL 2010
23 DZIVAMISOKO 2010
23 APORELE 2010
23 LAMBAMAI 2010

No. 1773

IMPORTANT NOTICE

The Government Printing Works will not be held responsible for faxed documents not received due to errors on the fax machine or faxes received which are unclear or incomplete. Please be advised that an "OK" slip, received from a fax machine, will not be accepted as proof that documents were received by the GPW for printing. If documents are faxed to the GPW it will be the sender's responsibility to phone and confirm that the documents were received in good order.

Furthermore the Government Printing Works will also not be held responsible for cancellations and amendments which have not been done on original documents received from clients.

CONTENTS • INHOUD

<i>No.</i>		<i>Page No.</i>	<i>Gazette No.</i>
GENERAL NOTICES • ALGEMENE KENNISGEWINGS			
116	Town-planning and Townships Ordinance (15/1986): Modimolle Amendment Scheme.....	8	1773
116	Ordonnansie op Dorpsbeplanning en Dorpe (15/1986): Modimolle-wysigingskema	8	1773
117	Town-planning and Townships Ordinance (15/1986): Polokwane/Perskebult Amendment Scheme 124	8	1773
117	Ordonnansie op Dorpsbeplanning en Dorpe (15/1986): Polokwane/Perskebult-wysigingskema 124	9	1773
118	Town-planning and Townships Ordinance (15/1986): Polokwane/Perskebult Amendment Scheme 125	9	1773
118	Ordonnansie op Dorpsbeplanning en Dorpe (15/1986): Polokwane/Perskebult-wysigingskema 125	9	1773
119	Town-planning and Townships Ordinance (15/1986): Polokwane/Perskebult Amendment Scheme 126	10	1773
119	Ordonnansie op Dorpsbeplanning en Dorpe (15/1986): Polokwane/Perskebult-wysigingskema 126	10	1773
120	Town-planning and Townships Ordinance (15/1986): Polokwane/Perskebult Amendment Scheme 136	10	1773
120	Ordonnansie op Dorpsbeplanning en Dorpe (15/1986): Polokwane/Perskebult-wysigingskema 136	11	1773
121	Town-planning and Townships Ordinance (15/1986): Lephallale Amendment Scheme 286	11	1773
121	Ordonnansie op Dorpsbeplanning en Dorpe (15/1986): Lephallale-wysigingskema 286	11	1773
122	Removal of Restrictions Act (84/1967): Removal of conditions: Erf 80, Ellisras Extension 1	12	1773
122	Wet op die Opheffing van Beperkings (84/1967): Opheffing van voorwaardes: Erf 80, Ellisras-uitbreiding 1	12	1773
123	Development Facilitation Act (67/1995): Application for land development: Portion 44, farm Sterkloop 688 LS.....	13	1773
LOCAL AUTHORITY NOTICES • PLAASLIKE BESTUURSKENNISGEWINGS			
62	Thulamela Local Municipality: Rezoning/change of land use: Erf 866, Thohoyandou P	14	1773
63	do.: do.: Erf 21, Thohoyandou P	14	1773
64	do.: do.: Erf 12, Giyani B	15	1773
67	Town-planning and Townships Ordinance (15/1986): Mogalakwena Municipality: Greater Piet Potgietersrus Amendment Scheme 288	16	1773
67	Ordonnansie op Dorpsbeplanning en Dorpe (15/1986): Mogalakwena Munisipaliteit: Groter Piet Potgietersrus-wysigingskema 288.....	16	1773
68	Modimolle Local Municipality: Policy on Spazas, Taverns, Containers and any other Micro Business on Residential Stands.....	17	1773

IMPORTANT NOTICE

The
Limpopo Provincial Gazette Function
will be transferred to the
Government Printer in Pretoria
as from 1 November 2004

NEW PARTICULARS ARE AS FOLLOWS:

Physical address:

Government Printing Works
149 Bosman Street
Pretoria

Postal address:

Private Bag X85
Pretoria
0001

New contact persons: Louise Fourie Tel.: (012) 334-4686
Mrs H. Wolmarans Tel.: (012) 334-4591

Fax number: (012) 323-8805

E-mail address: hester.wolmarans@gpw.gov.za
louise.fourie@gpw.gov.za

Contact person for subscribers:

Mrs J. Wehmeyer Tel.: (012) 334-4753
Fax.: (012) 323-9574

This phase-in period is to commence from **15 October 2004** (suggest date of advert) and notice comes into operation as from **1 November 2004**.

Subscribers and all other stakeholders are advised to send their advertisements directly to the **Government Printing Works**, two weeks before the 1st November 2004.

*In future, adverts have to be paid in advance
before being published in the Gazette.*

AWIE VAN ZYL
Advertising Manager

IT IS THE CLIENTS RESPONSIBILITY TO ENSURE THAT THE CORRECT AMOUNT IS PAID AT THE CASHIER OR DEPOSITED INTO THE GOVERNMENT PRINTING WORKS BANK ACCOUNT AND ALSO THAT THE REQUISITION/COVERING LETTER TOGETHER WITH THE ADVERTISEMENTS AND THE PROOF OF DEPOSIT REACHES THE GOVERNMENT PRINTING WORKS IN TIME FOR INSERTION IN THE PROVINCIAL GAZETTE.

No ADVERTISEMENTS WILL BE PLACED WITHOUT PRIOR PROOF OF PRE-PAYMENT.

1/4 page R 187.37
Letter Type: Arial Size: 10
Line Spacing: At:
Exactly 11pt

**A PRICE
INCREASE OF
8,5% WILL BE
EFFECTIVE ON
ALL TARIFFS
FROM
1 MAY 2008**

1/4 page R 374.75
Letter Type: Arial Size: 10
Line Spacing: At:
Exactly 11pt

1/4 page R 562.13
Letter Type: Arial Size: 10
Line Spacing: At:
Exactly 11pt

1/4 page R 749.50
Letter Type: Arial Size: 10
Line Spacing: At:
Exactly 11pt



REPUBLIC
OF
SOUTH AFRICA

LIST OF FIXED TARIFF RATES AND CONDITIONS

FOR PUBLICATION OF LEGAL NOTICES
IN THE *LIMPOPO PROVINCE*
PROVINCIAL GAZETTE

COMMENCEMENT: 1 NOVEMBER 2004

CONDITIONS FOR PUBLICATION OF NOTICES

CLOSING TIMES FOR THE ACCEPTANCE OF NOTICES

1. (1) The *Limpopo Province Provincial Gazette* is published every week on Friday, and the closing time for the acceptance of notices which have to appear in the *Limpopo Province Provincial Gazette* on any particular Friday, is **15:00 two weeks prior to the publication date**. Should any Friday coincide with a public holiday, the publication date remains unchanged. However, the closing date for acceptance of advertisements moves backwards accordingly, in order to allow for ten working days prior to the publication date.
- (2) The date for the publication of a **separate** *Limpopo Province Provincial Gazette* is negotiable.
2. (1) Copy of notices received **after closing time** will be held over for publication in the next *Limpopo Province Provincial Gazette*.
- (2) Amendment or changes in copy of notices cannot be undertaken unless instructions are received **before 10:00 on Thursdays**.
- (3) Copy of notices for publication or amendments of original copy can not be accepted over the telephone and must be brought about by letter, by fax or by hand. The Government Printer will not be liable for any amendments done erroneously.
- (4) In the case of cancellations a refund of the cost of a notice will be considered only if the instruction to cancel has been received on or before the stipulated closing time as indicated in paragraph 2 (2).

APPROVAL OF NOTICES

3. In the event where a cheque, submitted by an advertiser to the Government Printer as payment, is dishonoured, then the Government Printer reserves the right to refuse such client further access to the *Limpopo Province Provincial Gazette* until any outstanding debts to the Government Printer is settled in full.

THE GOVERNMENT PRINTER INDEMNIFIED AGAINST LIABILITY

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

- (3) any editing, revision, omission, typographical errors or errors resulting from faint or indistinct copy.

LIABILITY OF ADVERTISER

5. 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

6. Copy of notices must be typed on one side of the paper only and may not constitute part of any covering letter or document.
7. At the top of any copy, and set well apart from the notice, the following must be stated:

Where applicable

- (1) The heading under which the notice is to appear.
- (2) The cost of publication applicable to the notice, in accordance with the "Word Count Table".

PAYMENT OF COST

9. **With effect from 1 NOVEMBER 2004 no notice will be accepted for publication unless the cost of the insertion(s) is prepaid in CASH or by CHEQUE or POSTAL ORDERS. It can be arranged that money can be paid into the banking account of the Government Printer, in which case the deposit slip accompanies the advertisement before publication thereof.**
10. (1) The cost of a notice must be calculated by the advertiser in accordance with the word count table.

(2) 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 **Advertising Section, Government Printing Works, Private Bag X85, Pretoria, 0001 [Fax: (012) 323-8805], before publication.**
11. 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 the notice(s) will not be published until such time as the full cost of such publication has been duly paid in cash or by cheque or postal orders, or into the banking account.

12. *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.*
13. 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 Word Count Table, are subsequently found to be excessively lengthy or to contain overmuch or complicated tabulation.

PROOF OF PUBLICATION

14. **Copies of the *Limpopo Province Provincial 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 *Limpopo Province Provincial Gazette(s)* or for any delay in despatching it/them.

GOVERNMENT PRINTERS BANK ACCOUNT PARTICULARS

Bank:	ABSA
	BOSMAN STREET
Account No.:	4057114016
Branch code:	632005
Reference No.:	00000049
Fax No.:	(012) 323 8805

Enquiries:

Mrs. L. Fourie	Tel.: (012) 334-4686
Mrs. H. Wolmarans	Tel.: (012) 334-4591

GENERAL NOTICES • ALGEMENE KENNISGEWINGS

GENERAL NOTICE 116 OF 2010

MODIMOLLE LAND USE SCHEME, 2004

AMENDMENT SCHEME

NOTICE OF APPLICATION FOR THE AMENDMENT OF THE MODIMOLLE LAND USE SCHEME, 2004, IN TERMS OF SECTION 56 (1) (b) (i) OF THE TOWN-PLANNING AND TOWNSHIP ORDINANCE, 1986 (ORDINANCE No. 15 of 1986)

We, Jacques du Toit & Associates, Town and Regional Planners, being the authorised agent of the owner of the property mentioned below, hereby give notice in terms of section 56 (1) (b) (i) of the Town-planning and Townships Ordinance, 1986 (Ordinance 15 of 1986), that we have applied to the Modimolle Municipality for the amendment of the Modimolle Land Use Scheme, 2004, by the rezoning of the property described below:

Part of R/Portion 24 of the farm Boekenhoutskloof 187KR, approximately 5ha in extent, from "Agriculture" to "Special for farmstall, restaurant, general dealer, butchery, liquor store, filling station, fastfood restaurant and convenience store".

Particulars of the application will lie for inspection during normal office hours at the office of the Municipal Manager, Civic Centre, O R Thambo Square, Harry Gwala Street, Modimolle, for the period of 28 days from 16 April 2010.

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 X1008, Modimolle, 0510, within a period of 28 days from 16 April 2010.

Address of agent: Jacques du Toit & Associates, PO Box 754, Tzaneen, 0850.

ALGEMENE KENNISGEWING 116 VAN 2010

MODIMOLLE-GRONDGEBRUIKSKEMA, 2004

WYSIGINGSKEMA

KENNISGEWING VAN AANSOEK VIR DIE WYSIGING VAN DIE MODIMOLLE-GRONDGEBRUIKSKEMA, 2004, IN TERME VAN ARTIKEL 56 (1) (b) (i) VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986 (ORDONNANSIE No. 15 VAN 1986)

Ons, Jacques du Toit & Medewerkers, Stads- en Streeksbeplanners, synde die gemagtigde agent van die eienaar van die eiendom hieronder genoem, gee hiermee ingevolge artikel 56 (1) (b) (i) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986), kennis dat ons by die Modimolle Munisipaliteit aansoek gedoen het om die wysiging van die Modimolle-grondgebruikskema, 2004, deur die hersonering van die eiendom hieronder beskryf:

Deel van R/Gedeelte 24 van die plaas Boekenhoutskloof 187KR, ongeveer 5ha groot, van "Landbou" na "Spesiaal vir padstal, restaurant, algemene handelaar, slaghuis, drankwinkel, vulstasie, kitskosrestaurant en geriefswinkel".

Besonderhede van die aansoek lê ter insae gedurende gewone kantoorure by die kantoor van die Munisipale Bestuurder, Burgersentrum, O R Thambo-Plein, Harry Gwalastraat, Modimolle, vir 'n tydperk van 28 dae vanaf 9 April 2010.

Besware teen of verhoë ten opsigte van die aansoek moet binne 'n tydperk van 28 dae vanaf 16 April 2010, skriftelik by of tot die Munisipale Bestuurder by bovermelde adres of by Posbus X1008, Modimolle, 0510, ingedien of gerig word.

Adres van agent: Jacques du Toit & Medewerkers, Posbus 754, Tzaneen, 0850.

16-23

GENERAL NOTICE 117 OF 2010

POLOKWANE/PERSKEBULT TOWN-PLANNING SCHEME, 2007

AMENDMENT SCHEME 124

I, Timothy Tshilidzi Mudzielwana of Fulwana Planning Consultants, being the authorized agent of the registered owner of Erf 1553, Pietersburg Extension 6 Township, Registration Division LS, Limpopo Province, hereby give notice in terms of section 56 (1) (b) (i) of the Townships and Town-planning Ordinance (Ordinance 15 of 1986), that I have made an application to the Polokwane Local Municipality for the amendment of the town-planning scheme, known as the Polokwane/Perskebult Town-planning Scheme, 2007, by rezoning of the property described above, situated at 97 Thabo Mbeki Street, from "Residential 1" to "Residential 4" for the purpose of "Residential Building" in order to erect "Bachelor Flats".

Particulars of the application will lie for inspection, during normal office hours at the office of the Manager Planning: Directorate Planning and Development, First Floor, West Wing, Civic Centre, Landros Maré Street, Polokwane, for a period of 28 days from the date of the first publication of the notice.

Objections against or representations in respect of the application shall be made within a period of 28 days from the first date of publication of the notice in writing, handed or addressed to Manager Planning: Directorate Planning and Development, First Floor, West Wing Civic Centre, Landros Maré Street, Polokwane, or Box 111, Polokwane, 0700.

Address of authorised agent: Fulwana Planning Consultants, P.O. Box 55980, Polokwane, 0700. Tel: (015) 297-6060. Fax: 086 663 5119/(015) 297-4040.

ALGEMENE KENNISGEWING 117 VAN 2010
POLOKWANE/PERSKEBULT-DORPSBEPLANNINGSKEMA, 2007

WYSIGINGSKEMA 124

Ek, Tshilidzi Timothy Mudzielwana, van die firma Fulwana Planning Consultants, gee hiermee kennis vir die aansoek vir hersonering van Erf 1553, Pietersburg Extension 6, Registrasieafdeling LS, Noordelike Provinsie, by Thabo Mbekistraat 97, in terme van artikel 56 (1) (b) (i) van die Dorpsbeplanning en Dorpe Ordonnansie, Ordonnansie 15 van 1986, vanaf "Residensieel 1" na "Residensieel 4" vir 'n residensieel-gebou op te rig.

Planne en besonderhede van die aansoek lê ter insae gedurende normale kantoorure by die kantoor van die Stadsbeplanner, Eerste Vloer, Kamer 125, Burgersentrum, Polokwane Munisipaliteit, vir 'n tydperk van 28 dae vanaf datum van publikasie.

Besware en/of kommentare teen/rakende die aansoek, moet skriftelik tot die munisipale bestuurder by bogenoemde adres of by Posbus 111, Polokwane, 0700, binne 'n tydperk van 28 dae vanaf datum van publikasie gerig word.

Adres van aplikant: Fulwana Planning Consultants, 91 Hans van Rensburg Street, Polokwane, 0699.

16-23

GENERAL NOTICE 118 OF 2010
POLOKWANE/PERSKEBULT TOWN-PLANNING SCHEME, 2007

AMENDMENT SCHEME 125

I, Timothy Tshilidzi Mudzielwana of Fulwana Planning Consultants, being the authorized agent of the registered owner of Portion 1 of Erf 823, Pietersburg Township, Registration Division LS, Limpopo Province, hereby give notice in terms of section 56 (1) (b) (i) of the Townships and Town-planning Ordinance (Ordinance 15 of 1986), that I have made an application to the Polokwane Local Municipality for the amendment of the town-planning scheme, known as the Polokwane/Perskebult Town-planning Scheme, 2007, by rezoning of the property described above, situated at 48A Rissik Street, from "Residential 1" to "Special for Overnight Accommodation with conditions outlined on Annexure 58".

Plans and particulars of the application will lie for inspection during normal office hours at the office of the Town Planner, First Floor, Room 125, Civic Centre, and Polokwane Municipality, for the period of 28 days from the first date of the publication.

Objections and/or comments or representation in respect of the application must be lodged with or made in writing to the municipality manager at the above address or at P.O. Box 111, Polokwane, 0700, within 28 days from the date of first publication.

Address of the applicant: Fulwana Planning Consultants, P.O. Box 55980, Polokwane, 0700. Tel: (015) 297-6060. Fax: (015) 297-4040/086 663 5119. Cell: 072 426 6537.

ALGEMENE KENNISGEWING 118 VAN 2010
POLOKWANE/PERSKEBULT-DORPSBEPLANNINGSKEMA, 2007

WYSIGINGSKEMA 125

Ek, Tshilidzi Timothy Mudzielwana, van die firma Fulwana Planning Consultants, gee hiermee kennis vir die aansoek vir hersonering van Erf Gedeelte 1 van Erf 823, Registrasieafdeling LS, Noordelike Provinsie, by Rissikstraat 48, in terme van artikel 56 (1) (b) (i) van die Dorpsbeplanning en Dorpe Ordonnansie, Ordonnansie 15 van 1986, vanaf "Residensieel 1" na Spesiaal vir Oornag Akkommodasie met voorwaardes soos vervat in Bylae 58.

Planne en besonderhede van die aansoek lê ter insae gedurende normale kantoorure by die kantoor van die Stadsbeplanner, Eerste Vloer, Kamer 125, Burgersentrum, Polokwane Munisipaliteit, vir 'n tydperk van 28 dae vanaf datum van publikasie.

Besware en/of kommentare teen/rakende die aansoek, moet skriftelik tot die munisipale bestuurder by bogenoemde adres of by Posbus 111, Polokwane, 0700, binne 'n tydperk van 28 dae vanaf datum van publikasie gerig word.

Adres van aplikant: Fulwana Planning Consultants, P.O. Box 55980, Polokwane, 0700. Tel: (015) 297-6060. Fax: (015) 297-4040/086 663 5119. Cell: 072 426 6537.

16-23

GENERAL NOTICE 119 OF 2010

POLOKWANE/PERSKEBULT TOWN-PLANNING SCHEME, 2007

AMENDMENT SCHEME 126

I, Timothy Tshildzi Mudzielwana of Fulwana Planning Consultants, being the authorized agent of the registered owner of Portion 2 of Erf 653, Pietersburg Township, Registration Division LS, Limpopo Province, hereby give notice in terms of section 56 (1) (b) (i) of the Townships and Town-planning Ordinance (Ordinance 15 of 1986), that I have made an application to the Polokwane Local Municipality for the amendment of the town-planning scheme, known as the Polokwane/Perskebult Town-planning Scheme, 2007, by rezoning of the property described above, situated at 69 Dorp Street, from "Residential 1" to "Residential 4" for the purpose of "Residential Building" in order to erect "Bachelor Flats".

Particulars of the application will lie for inspection, during normal office hours at the office of the Manager Planning: Directorate Planning and Development, First Floor, West Wing, Civic Centre, Landros Maré Street, Polokwane, for a period of 28 days from the date of the first publication of the notice.

Objections against or representations in respect of the application shall be made within a period of 28 days from the first date of publication of the notice in writing, handed or addressed to Manager Planning: Directorate Planning and Development, First Floor, West Wing, Civic Centre, Landros Maré Street, Polokwane, or Box 111, Polokwane, 0700.

Address of authorised agent: Fulwana Planning Consultants, P.O. Box 55980, Polokwane, 0700. Tel: (015) 297-6060. Fax: 086 663 5119/(015) 297-4040.

ALGEMENE KENNISGEWING 119 VAN 2010

POLOKWANE/PERSKEBULT-DORPSBEPLANNINGSKEMA, 2007

WYSIGINGSKEMA 126

Ek, Tshildzi Timothy Mudzielwana, van die firma Fulwana Planning Consultants, gee hiermee kennis vir die aansoek vir hersonering van Gedeelte 2 van Erf 653, Pietersburg, Registrasieafdeling LS, Noordelike Provinsie, by Dorpstraat 69, in terme van artikel 56 (1) (b) (i) van die Dorpsbeplanning en Dorpe Ordonnansie, Ordonnansie 15 van 1986, vanaf "Residensieel 1" na "Residensieel 4" vir 'n residensieel gebou op te rig.

Planne en besonderhede van die aansoek lê ter insae gedurende normale kantoorure by die kantoor van die Stadsbeplanner, Eerste Vloer, Kamer 125, Burgersentrum, Polokwane Munisipaliteit, vir 'n tydperk van 28 dae vanaf datum van publikasie.

Besware en/of kommentare teen/rakende die aansoek, moet skriftelik tot die munisipale bestuurder by bogenoemde adres of by Posbus 111, Polokwane, 0700, binne 'n tydperk van 28 dae vanaf datum van publikasie gerig word.

Adres van aplikant: Fulwana Planning Consultants, 91 Hans van Rensburg Street, Polokwane, 0699.

16-23

GENERAL NOTICE 120 OF 2010

POLOKWANE/PERSKEBULT AMENDMENT SCHEME 136

Davel Consulting Planners CC and/or Willem Gabriel Davel, being the authorized agent of the owner Portion 2 of Erf 599, Pietersburg, hereby give notice in terms of section 56 (1) of the Town-planning and Townships Ordinance (Ordinance 15 of 1986), that we have applied to the Polokwane Municipality for the amendment of the Town-planning Scheme known as the Polokwane/Perskebult Town-planning Scheme, 2007, by the rezoning of the property described above, situated at 69 Voortrekker Street, Polokwane, from "Residential 1" to "Special" for purposes of medical consulting rooms subject to further conditions as set out in Annexure 59 of the scheme, which *inter alia* provide for a maximum FAR of 0,5 and 50% coverage.

Particulars of the application will lie for inspection during normal office hours at the office of the Town Planners, First Floor, West Wing, Civic Centre, Polokwane, for the period of 28 days from 23 April 2010.

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 111, Pietersburg, 0700, within a period of 28 days from 23 April 2010.

Address of agent: Davel Consulting Planners, PO Box 11110, Bendor, 0699. Tel No. 082 468 0468 or 13 Watermelon Street, Platinum Park, Bendor. E-mail: davel.planner@vodamail.co.za

ALGEMENE KENNISGEWING 120 VAN 2010**POLOKWANE/PERSKEBULT-WYSIGINGSKEMA 136**

Davel Consulting Planners BK en/of Willem Gabriel Davel, synde die gemagtigde agent van die eienaar van Gedeelte 2 van Erf 599, Pietersburg, gee hiermee ingevolge artikel 56 (1) van die Ordonnansie op Dorpsbeplanning en Dorpe (Ordonnansie 15 van 1986), kennis dat ons by die Polokwane Munisipaliteit aansoek gedoen het om die wysiging van die Dorpsbeplanningskema bekend as die Polokwane/Perskebult-dorpsbeplanningskema, 2007, deur die hersonering van genoemde eiendom, geleë te Voortrekkerstraat 69, Polokwane, vanaf "Residensieel 1" na "Spesiaal" vir doeleindes van mediese spreekkamers onderworpe aan verdere voorwaardes soos uiteengesit in Bylae 59 van die skema, wat onder andere voorsiening maak vir 'n maksimum VOV van 0,5 en 50% dekking.

Besonderhede van die aansoek lê ter insae gedurende gewone kantoorure by die kantoor van die Stadsbeplanners, Eerste Verdieping, Wesvleuel Burgersentrum, Polokwane, vir 'n tydperk van 28 dae vanaf 23 April 2010.

Besware teen of verhoë ten opsigte van die aansoek moet binne 'n tydperk van 28 dae vanaf 23 April 2010 skriftelik by of tot die Munisipale Bestuurder, by bovermelde adres of by Posbus 111, Polokwane, 0700, ingedien of gerig word.

Adres van agent: Davel Consulting Planners, Posbus 11110, Bendor, 0699, Tel No. 082 468 0468 of Watermelonstraat 13, Platinum Park, Bendor. E-pos: davel.planner@vodamail.co.za

23-30

GENERAL NOTICE 121 OF 2010

NOTICE OF APPLICATION FOR THE AMENDMENT OF THE LEPHALALE TOWN-PLANNING SCHEME, 2005 IN TERMS OF SECTION 56 (1) (b) (i) OF THE TOWN-PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986)

LEPHALALE AMENDMENT SCHEME No. 286

I, Kamantha Veerasamy, the authorized agent of the owner of Erf 1865, Ellisras Ext. 16, hereby give notice in terms of section 56 (1) (b) (i) of the Town-planning and Townships Ordinance, that I have applied to the Lephalale Local Municipality for the amendment of the Lephalale Town-planning Scheme, 2005, as approved on 30 November 2005, by virtue of Council resolution A29/2005(11), for the rezoning of the above-mentioned property, situated at 101 Rivier Street, Ellisras, as from "Public Open Space" to "Special for Public Open Space and Transport Purposes" to accommodate a 30 m high telecommunications monopole mast and base station.

Particulars of the application will lie for inspection during normal office hours at the office of the Manager: Corporate Services, Room D105, Municipal Offices, Lephalale Municipality, Lephalale, for a period of 28 days from the date of first publication i.e. 23 April 2010.

Objections to or representations in respect of the application must be lodged with or made in writing to the Manager: Corporate Services, at the above address or at Private Bag X136, Lephalale, 0555, within a period of 28 days from the date of first publication.

Address of authorized agent: DLC Town-Planners (Pty) Ltd. *Postal address:* P.O. Box 35921, Menlo Park, Pretoria, 0102. *Physical address:* 46 26th Street, Menlo Park, Pretoria, 0081. Tel. (012) 346-7890. Fax (012) 346-3526. *Contact person:* Kamantha Veerasamy. Our Ref: VC/GS/006.

Dates on which notice will be published: 23 April 2010 and 30 April 2010.

ALGEMENE KENNISGEWING 121 VAN 2010

KENNISGEWING VAN AANSOEK VIR WYSIGING VAN DIE LEPHALALE-DORPSBEPLANNINGSKEMA, 2005, INGEVOLGE ARTIKEL 56 (1) (b) (i) VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986 (ORDONNANSIE 15 VAN 1986)

LEPHALALE-WYSIGINGSKEMA No. 286

Ek, Kamantha Veerasamy, synde die gemagtigde agent van die eienaar van Erf 1865, Ellisras Uitbreiding 16, gee hiermee ingevolge artikel 56 (1) (b) (i) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986, kennis dat ek aansoek gedoen het by Lephalale Plaaslike Munisipaliteit, vir die wysiging van die Lephalale-dorpsbeplanningskema, 2005, soos goedgekeur op 30 November 2005, by wyse van Raadsbesluit A29/2005 (11), deur die hersonering van die eiendom hierbo beskryf, geleë op Rivierstraat No. 101, Lephalale Uitbreiding 16 van "Publieke Oopruimte" na "Spesiaal vir Publieke Oopruimte en Vervoer Doeleindes" vir die oprigting van 'n 30 m hoë sellulêre monopoolantenne mas en ondersteunde toerusting.

Besonderhede van die aansoek lê ter insae gedurende gewone kantoorure by die Bestuurder: Korporatiewe Dienste, Kamer D105, Munisipaliteits Kantore, Lephalale Plaaslike Munisipaliteit, Lephalale, vir 'n tydperk van 28 dae vanaf 23 April 2010 (die eerste dag van publikasie van kennisgewing).

Besware teen of vertoë ten opsigte van die aansoek moet binne 28 dae vanaf die datum van eerste publikasie van kennisgewing, skriftelik by of tot die Bestuurder: Korporatiewe Dienste, by bovermelde adres of by Privaatsak X136, Ellisras, 0555, ingedien word.

Adres van die gevolmagtigde agent: DLC Town-Planners (Pty) Ltd. *Posadres:* Posbus 35921, Menlo Park, Pretoria, 0102. *Fisiese Adres:* 26de Straat No. 46, Menlo Park, Pretoria, 0081. Tel. (012) 346-7890. Faks (012) 346-3526. *Kontak persoon:* Kamantha Veerasamy. *Ons Verw:* VC/GS/006.

Datums waarop kennisgewing gepubliseer moet word: 23 April 2010 en 30 April 2010.

23-30

GENERAL NOTICE 122 OF 2010

NOTICE IN TERMS OF SECTION 2 OF THE REMOVAL OF RESTRICTIONS ACT, 1967 (ACT 84 OF 1967)

I, Wally Ross, being the authorized agent of the owner hereby give notice in terms of section 2 of the Removal of Restrictions Act, 1967 (Act 84 of 1967), that we have applied to the Limpopo Provincial Department of Local Government and Housing for the removal of conditions 3 (a); 3 (b) and 3 (d) as contained in Deed of Transfer Number T025279/2009 under which Erf 80, Ellisras Extension 1, which property is situated along Ellis Street, Ellisras Extension 1, Ellisras.

All relevant document relating to the application will be open for inspection during normal office hours at the office of the Head of Department: Limpopo Provincial Department of Local Government and Housing Building, 28 Market Street, Polokwane, 0700, from 16 April 2010 and 23 April 2010.

Any person who wishes to object to the application or submit representations in respect thereof must lodge the same in writing with the said authorized Provincial Authority at its physical address specified above on or before 22 April 2010.

Name and address of the authorised agent: Ross and Cilliers Architects CC, Private Bag 20, Postnet, Onverwacht, 0557; 48 Ellis Street, Ellisras, 0555. [Tel. (071) 600-3426.] [Fax (086) 513-0691.]

ALGEMENE KENNISGEWING 122 VAN 2010

KENNISGEWING IN TERME VAN ARTIKEL 2 VAN DIE OPHEFFING VAN BEPERKINGSWET, 1967 (WET 84 VAN 1967)

Ek, Wally Ross, synde die gemagtigde agent van die eienaar, gee hiermee ingevolge artikel 2 van die Opheffing van Beperkingswet, 1967 (Wet 84 van 1967), kennis dat ons by die Limpopo Provinsiale Departement van Plaaslike Owerheidsliggaam en Behuising aansoek gedoen het vir die opheffing van beperkende voorwaardes 3 (a), 3 (b) and 3 (d) soos vervat in die Titelakte T025279/2009 van Erf 80, Ellisras Extension 1, geleë na Ellisstraat, Ellisras Uitbreiding 1, Ellisras.

Besonderhede van die aansoek lê ter insae gedurende gewone kantoorure by die kantoor van die Hoof van Departement, Limpopo Provinsiale Departement van Plaaslike Owerheidsliggaam en Behuising Geboue, Marketstraat 28, Polokwane, 0700, vanaf 16 April 2010 en 23 April 2010.

Enige persoon wat beswaar wil maak teen of vertoë wil rig ten opsigte van die aansoek, moet sodanige besware of vertoë skriftelik by die gemelde gemagtigde plaaslike owerheid indien voor of op 22 April 2010 by gemelde fisiese adres hierbo vermeld.

Naam en adres van gemagtigde agent: Ross en Cilliers Architects CC, Private Bag 20, Postnet, Onverwacht, 0557; 48 Ellis Street, Ellisras, 0555. [Tel. (071) 600-3426.] [Fax (086) 513-0691.]

23-30

GENERAL NOTICE 123 OF 2010**DEVELOPMENT FACILITATION ACT, 1995 (ACT NO. 67 OF 1995)**

It is hereby notified in terms of Section 33 (4) of the Act that the Limpopo Province Development Tribunal has approved the land development application on Portion 444 of the farm Sterkloop 688 LS (previously known as Holdings 60 and 61 of Ivydale Agricultural Holdings) – Ivy Park Extension 42 (Polokwane Municipality), subject thereto that :

- The National Building Regulations apply to the development;
- In terms of Section 34 of the Act, the following conditions of title are cancelled: Title Deed T023676/2008: Conditions I: 2 to 11 and II: 2 to 12;
- The Polokwane/Perskebult Town-planning Scheme, 2007, be amended by Amendment Scheme 18, which shall come into operation on the date of publication of this notice;
- The Agricultural Holdings (Transvaal) Registration Act, 1919 (Act 22 of 1919) in terms of section 33(2)(j)(vi) of the Facilitation Act, 1995 (Act No. 67 of 1995) with respect to the Land Development Area be suspended;
- Holdings 60 and 61, Ivypark Agricultural Holdings be excised from the provisions of the Agricultural Holdings (Transvaal) Registration Act, 1919 (Act 22 of 1919) as contemplated in section 6 of the said act.

M. H. LINDEQUE, Designated Officer

LOCAL AUTHORITY NOTICES PLAASLIKE BESTUURSKENNISGEWINGS

LOCAL AUTHORITY NOTICE 62

THULAMELA LOCAL MUNICIPALITY

NOTICE FOR REZONING/CHANGE OF LAND USE

It is hereby notified that application has been made by the firm Fulwana Planning Consultants on behalf of the registered owner for the amendment of the zoning and use of land of Erf 866, Thohoyandou P from "Residential 1" to "Business 2" for offices and businesses.

The application and the relevant documents are open for inspection at the offices of the Senior Manager: Planning and Development, Thulamela Local Municipality, First Floor, Thohoyandou, for 28 days from the first date of publication of this notice.

Objection to the application must be lodged with or made in writing to the Municipal Manager: Thulamela Municipality, PO Box 5066, Thohoyandou, 0700, for a period of 28 days from the first date of publication of this notice.

Address of authorised agent: Fulwana Planning Consultants, PO Box 55980, Polokwane, 0700. Tel: (015) 297-6060. Fax: 086 663 5119/(015) 297-4040.

LOCAL AUTHORITY NOTICE 62

NDIVHADZO YA U SHANDUKISWA HA KUSHUMISELE KWA MAVU

Vha khou divhadziwa uri huna khumbelo yo itiwaho nga vha Fulwana Planning Consultants, vho imela mune wa Tshitenisi tsh divheyaho sa Erf 866, Thohoyandou P, u shandukisa kushumisele u bva kha "Residential 1" vhune ha vha vhudzulo ha muta muthihi u ya kha "Business 2", vhune ha vha dziofisi and vhubindudzi.

Vhane vha takalela u vhala nga ha khumbelo iyi na manwalo a yelanaho nayo, vha nga a wana ofisini ya Minidzhere muhulwane: wa ku Dzudzanyele na Mvelaphanda, kha luta lwa u thoma kha Masipala wa Thulamela Thohoyandou. Manwalo ayo a downala lwa tshifhinga tshi edanaho maduvha a fumbili malo (28) u va kha duvha la u thoma la u a ndadziwa ha iyi khumbelo.

Vhane vha vha na mbilaelo malugana na iyi khumbelo vha nwalele Minidzhere wa Masipala wa Thulamela kha diresi itevhelaho: PO Box 5066, Thohoyandou, 0950. Mbilaelo dzi do tangedziwa lwa maduvha a fumbili malo (28) u va duvha la u thoma la u a ndadziwa ha iyi khumbelo.

Diresi ya dzhendedzi lire mulayoni malugana na iyi khumbelo: Fulwana Planning Consultants, PO Box 55980, Polokwane, 0700. Tel: (015) 297-6060. Fax: 086 663 5119/(015) 297-4040.

16-23

LOCAL AUTHORITY NOTICE 63

THULAMELA LOCAL MUNICIPALITY

NOTICE FOR REZONING/CHANGE OF LAND USE

It is hereby notified that application has been made by the firm Fulwana Planning Consultants on behalf of the registered owner for the amendment of the zoning and use of land of Erf 21, Thohoyandou P from "Residential 1" to "Business 2" for offices and businesses.

The application and the relevant documents are open for inspection at the offices of the Senior Manager: Planning and Development, Thulamela Local Municipality, First Floor, Thohoyandou, for 28 days from the first date of publication of this notice.

Objection to the application must be lodged with or made in writing to the Municipal Manager: Thulamela Municipality, PO Box 5066, Thohoyandou, 0700, for a period of 28 days from the first date of publication of this notice.

Address of authorised agent: Fulwana Planning Consultants, PO Box 55980, Polokwane, 0700. Tel: (015) 297-6060. Fax: 086 663 5119/(015) 297-4040.

LOCAL AUTHORITY NOTICE 63

NDIVHADZO YA U SHANDUKISWA HA KUSHUMISELE KWA MAVU

Vha khou divhadziwa uri huna khumbelo yo itiwaho nga vha Fulwana Planning Consultants, vho imela mune wa Tshitenisi tsh divheyaho sa Erf 21, Thohoyandou P, u shandukisa kushumisele u vha kha "Residential 1" vhune ha vha vhudzulo ha muta muthihi u ya kha "Business 2", vhune ha vha dziofisi and vhubindudzi.

Vhane vha takalela u vhala nga ha khumbelo iyi na manwalo a yelanaho nayo, vha nga a wana ofisini ya Minidzhere muhulwane: wa ku Dzudzanyele na Mvelaphanda, kha luta lwa u thoma kha Masipala wa Thulamela Thohoyandou. Manwalo ayo a downala lwa tshifhinga tshi edanaho maduvha a fumbili malo (28) u va kha duvha la u thoma la u a ndadziwa ha iyi khumbelo.

Vhane vha vha na mbilaelo malugana na iyi khumbelo vha nwalele Minidzhere wa Masipala wa Thulamela kha diresi itevhelaho: PO Box 5066, Thohoyandou, 0950. Mbilaelo dzi do tangedziwa lwa maduvha a fumbili malo (28) u va duvha la u thoma la u andadziwa ha iyi khumbelo.

Diresi ya dzhendedzi lire mulayoni malugana na iyi khumbelo: Fulwana Planning Consultants, PO Box 55980, Polokwane, 0700. Tel: (015) 297-6060. Fax: 086 663 5119/(015) 297-4040.

16-23

LOCAL AUTHORITY NOTICE 64

GREATER GIYANI LOCAL MUNICIPALITY

NOTICE FOR REZONING/CHANGE OF LAND USE

It is hereby notified that application has been made by the firm Fulwana Planning Consultants on behalf of the registered owner for the amendment of the zoning and use of land of Erf 12, Giyani B (Kremetart) Township from "Residential 1" to "Special for overnight accommodation" subject to conditions listed on the attached Annexure.

The application and the relevant documents are open for inspection at the offices of the Manager, Planning and Development, Greater Giyani Local Municipality, Giyani Town for 28 days from the first date of publication of this notice.

Objection to the application must be lodged with or made in writing to the Municipal Manager, Greater Giyani Local Municipality, Giyani Town for a period 28 days from the first date of publication of this notice.

Address of authorised agent: Fulwana Planning Consultants, P.O. Box 55980, Polokwane, 0700. Tel: (015) 297-6060. Fax: 086 663 5119/015 297-4040.

LOCAL AUTHORITY NOTICE 64

GREATER GIYANI LOCAL MUNICIPALITY

XITIVISO XA KU CINCIWA KA MATIRHISELO YA XITANDZI

Mi tivisiwa hi ta xikombelo lexi nga endliwa hi va Fulwana Planning Consultants hi ku yimela n'winyi loyi a tsarisiweke ku cinca matirhisele ya xitandzi xa vu 12 Giyani-B lexi nga le ndzhawini ya Kremetart ku suka eka "Residential 1" ku ya eka "Special for overnight accommodation" ku ya hi swiyimo leswi longoloxiweke eka Annexure.

Papila ra xikombelo na maphepha lama faneleke swi ta kumeka ku hleriwa e hofisini ya minigere: Planning and Development, Greater Giyani Local Municipality, Dorobeni ra Giyani ku fikela masiku lama ringanaka 28 ku sukela siku ro sungula ra ku humeseriwa e rivaleni ka xitiviso lexi.

Papila ro alelana na xikombelo lexi ri nga tisiwa hi ku tsariwa eka minigere wa Masipala, Greater Giyani Local Municipality, Dorobeni ra Giyani ku fikela masiku lama ringanaka 28 ku sukela siku ro sungula ra ku humeseriwa e rivaleni ka xitiviso lexi.

Adirese ya vayimeri lava a pfumeleriweke: Fulwana Planning Consultants, PO Box 55980, Polokwane, 0700. Tel: (015) 297-6060. Fax: 086 663 5119/015 297-4040.

16-23

LOCAL AUTHORITY NOTICE 67

GREATER PIET POTGIETERSRUS AMENDMENT SCHEME 288 NOTICE OF APPLICATION FOR THE AMENDMENT OF THE GREATER PIET POTGIETERSRUS TOWN PLANNING SCHEME, 1997, IN TERMS OF SECTION 56(1) (B) (i) OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE NO 15 OF 1986)

We, Kamekho Town Planners, being the authorized agent of the owner of the erf mentioned below, hereby give notice in terms of section 56(1)(b)(i) of the Town Planning and Townships Ordinance, 1986 (Ordinance No 15 of 1986) that we have applied to Mogalakwena Municipality for the amendment of the Town Planning Scheme known as the Greater Piet Potgietersrust Town Planning Scheme, 1997 to rezone the Remainder of Erf 442, Piet Potgietersrust, situated at 83 Rabe Street, from "Residential 1" to Special" for the purpose of office use, subject to certain conditions.

Particulars of the application will lie for inspection during normal office hours at the office of the Municipal Manager, 54 Retief Street, Mokopane for a period of 28 days from 23 April 2010. 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 34, Mokopane, 0600 within a period of 28 days from 23 April 2010.

ADDRESS OF AGENT: KAMEKHO TOWN PLANNERS, PO BOX 4169, POLOKWANE, 0700
TEL 015 295 7382, FAX: 015 297 9693

PLAASLIKE BESTUURSKENNISGEWING 67

GROTER PIET POTGIETERSRUS WYSIGINGSKEMA 288 KENNISGEWING VAN DIE AANSOEK OM DIE WYSIGING VAN DIE GROTER PIET POTGIETERSRUS DORPSBEPLANNINGSKEMA, 1997 INGEVOLGE ARTIKEL 56(1)(B)(i) VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986 (ORDONNANSIE NO 15 VAN 1986)

Ons, Kamekho Town Planners, synde die gemagtigde agente van die eienaar van die ondergenoemde erf, gee hiermee ingevolge van artikel 56(1)(b)(i) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986) kennis dat ons by die Mogalakwena Munisipaliteit aansoek gedoen het vir die wysiging van die Dorpsbeplanningskema bekend as die Groter Piet Potgietersrust Dorpsbeplanningskema, 1997 deur hersonering van die Restant van Erf 442, Piet Potgietersrust, gelee te 83 Rabe Straat, vanaf "Residensieel 1" na "Spesiaal" met die doel vir kantoor gebruik, onderworpe aan sekere voorwaardes.

Besonderhede van die aansoek le ter insae gedurende kantoorure by die kantoor van die Munisipale Bestuurder: 54 Retief Straat, Mokopane vir 'n tydperk van 28 dae vanaf 23 April 2010. Besware teen of vertoe ten opsigte van die aansoek moet binne 'n tydperk van 28 dae vanaf 23 April 2010 skriftelik by of tot die Munisipale Bestuurder by bovermelde adres of by Posbus 34, Mokopane, 0600 ingedien of gerig word.

ADRES VAN AGENT: KAMEKHO STADSBEPLANNERS, POSBUS 4169, POLOKWANE, 0700
TEL: 015 295 7382, FAX: 015 297 9693

LOCAL AUTHORITY NOTICE 68**MODIMOLLE LOCAL MUNICIPALITY****LOCAL GOVERNMENT NOTICE no. 19 (19/03/2010)**

Herewith the Modimolle Local Municipality gives notice that in terms of the Modimolle Land Use Management Scheme 2004 the following POLICY ON SPAZAS, TAVERNS, CONTAINERS AND ANY OTHER MICRO BUSINESS ON RESIDENTIAL STANDS has been approved on 24 November 2010 per Resolution B574/11/2009

TABLE OF CONTENTS

1. INTRODUCTION
2. OBJECTIVES
3. FACTUAL SITUATION
4. DEFINITION
5. APPLICATION PROCEDURES
6. EVALUATION OF APPLICATIONS
7. CONDITIONS
8. CONCLUSION

ANNEXURE A: SPECIAL CONSENT PROCEDURES

ANNEXURE B: LAND USES NOT PERMITTED IN TERMS OF THIS POLICY

MODIMOLLE LOCAL MUNICIPALITY POLICY ON SPAZAS, TAVERNS, CONTAINERS AND ANY OTHER MICRO BUSINESS ON RESIDENTIAL STANDS
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1. **INTRODUCTION**

Spazas, taverns, containers and other micro businesses on residential stands are usually established on residential stands and within residential dwellings. Provision has rarely been made these uses in land use schemes and policies.

The following are some of the most important reasons often given by people for the establishing of facilities such as spazas, taverns, containers and other micro businesses on residential stands:

- Immobility due to the low rate of car ownership.
- Long distances between residences and shopping facilities.
- Unemployment (to supplement existing income and in some instances the only source of income).
- As a means to support the (extended) families.
- Spazas usually sell only basic foodstuffs and fresh produce. There are, however, spazas which provide a wider range of products, often due to the fact that people do not have the opportunity to travel to another town to shop.
- Spazas, taverns, containers and other micro businesses on residential stands are usually family orientated.
- Taverns usually allow customers to sit down and enjoy their drinks, as well as food and/or snacks, which are occasionally provided. Some of these establishments also sell take-away liquor and cigarettes.
- Tavern facilities are often provided separately from the dwelling unit.
- Tavern facilities are often relatively small, usually less than 20m², although some are larger.
- The area utilized for a spaza is very small and very often not larger than 10m², although some are as large as 30m² in extent.
- Some of the spaza, tavern, container owners have employees which assist them, mainly due to long operating hours (i.e. 06:00 to 20:00) or longer.

2. **OBJECTIVES**

The need has been identified for a proper land use management for these uses for all the urban areas in the Modimolle Local Municipality area. The Modimolle Land Use Management Scheme 2004 has to provide for the specific circumstances which exist in each of these urban area, such

as the existence of spazas, taverns, containers and any other micro businesses on residential stands. Spazas, taverns, containers and other micro businesses on residential stands must therefore be incorporated into the zoning scheme for Modimolle Local Municipality. These facilities have to be formalised in terms of its definition, the application procedures to obtain the appropriate rights, and also to ensure that these establishments comply with a set of appropriate conditions to conduct these businesses.

In terms of the existing legislation a number of establishments are operating illegally in the Modimolle area as they are selling and serving liquor in residential areas. For these establishments to be legalised and to be subject to more effective control, a liquor licence must be issued in terms of the Liquor Act. The Liquor Board, however, will not (and is not supposed to) issue a liquor licence to an establishment that does not have the appropriate business rights or consent from the local municipality to conduct a business of this nature.

An appropriate policy w.r.t. spazas, taverns, containers and any other micro businesses on residential stands therefore has to address specific issues, namely:

- To establish a procedure to legalise the existing spazas, taverns, containers and other micro businesses on residential stands in the Modimolle Municipal Area.
- To provide guidelines to new applicants who wish to establish these uses.
- To formulate an appropriate policy and procedure to enable the evaluation of applications.

3. **FACTUAL SITUATION**

The factual situation is that there are a large number of spazas, taverns, containers and other micro businesses on residential stands, specifically in Phagameng and Leseding.

The spaza shops existed throughout all the extensions of these towns and cater for convenience goods usually bought from cafes (e.g. cigarettes, cool drinks, etc.). Spaza shops, as well as taverns, are a reality and should be provided for in the planning, as well as the regulation thereof, in terms of the Modimolle Land Use Management Scheme 2004.

Although most of these spazas, taverns, containers and other micro businesses on residential stands are easily identifiable from the street, some (especially spaza shops and other micro businesses) are not that easy to identify.

These establishments are, however, well known to the residents in the area, and also supported because of the service they provide to the community.

4. **DEFINITIONS**

Spaza - means land or a building designed for or a portion of a building used for the purposes of selling and providing basic groceries (daily convenience goods) and fresh produce, excluding alcoholic refreshments, where the residential use of the property remains the primary use of the property. The area used for a spaza shall not exceed a total floor area of 30m², and is further subject to the policy of the local municipality as amended from time to time.

Tavern - means land or a building designed for or a portion of a building used for the purposes of selling and serving liquor, other beverages and prepared food/snacks, to be consumed on the premises, subservient to the residential use of the property remains the primary use of the property. Also known as a shebeen. The area used for a tavern shall not exceed a total floor area of 50m², and is further subject to the policy of the local municipality as amended from time to time.

Containers – means a ship container or other container provided by a phone or cellphone company used for the purpose of selling goods and / or providing a service within a community.

5. APPLICATION PROCEDURES

The following application procedure will apply to spazas, taverns, containers and any other micro businesses on residential stands:

These uses may be permitted by obtaining a special consent of the Modimolle Municipality in terms of the Modimolle Land Use Management Scheme 2004. (Refer to **Annexure A** for application procedures).

The application procedures to obtain the rights on a residential property is simple and cost effective and allows for wider community consultation and scrutinising by the municipality, which is necessary for applications of this nature.

It is further necessary that an applicant make a presentation to the relevant community structure (i.e. Ward Committee) regarding the intended use. The community structure must then furnish the applicant with a letter addressed to the Municipality, which should state whether the application is supported or not. If a negative recommendation is made by the community structure, reasons must be provided. A letter from the Ward Councillor must also be submitted with the application. Both the community structure and/or councillor may request the municipality to lay down specific conditions with the approval of the application. Once the above-mentioned letters (of approval) for the intended use have been obtained from the relevant community structure and Ward Councillor, the applicant may continue to submit an application.

All applications have to follow the procedure strictly as prescribed.

A time-frame (3 years or less) will be linked to the approval of an application for all these uses. The municipality upon receipt of a written request can however, extend the approval from the applicant.

EVALUATION OF THE APPLICATIONS

Applications for these uses will be evaluated for approval in terms of the following factors/criteria:

- The comments/requests of the community structures must be considered and deemed of importance.
- The building line from the street boundary may be relaxed (on request) to 0 meters if permitted by the position of services.
- At least one parking space must be provided, even if it is only a space for deliveries.
- The SAPS and Community Police will be informed of all permissions issued to taverns.
- Complaints from the public and community structures will be investigated and adhered to. Spazas, taverns, containers and other micro businesses on residential stands will be notified that complaints are being investigated and given a period to rectify the matter (7 days).
- The applicant must propose measures to mitigate the impact of the proposed business on the residential area, specifically for taverns (such as erecting a boundary wall).
- Signage may not exceed 900 x 450 mm and may not be illuminated.
- No Spazas, taverns, containers and other micro businesses on residential stands may be operated on or from Council property or any other public property including road reserves / sidewalks.
- Only one tavern / shebeen shall be permitted per 500 stands, that is per population of 3000 people.
- Only one spaza shall be permitted per 50 stands, that is per population of 300 people.
- Only one container providing a similar service shall be permitted per 250 stands, that is per population of 1500 people, taking into consideration that different services may be operated from containers.
- Other micro businesses on residential stands will be evaluated on individual merit.

7. CONDITIONS

A set of standard conditions for spazas, taverns, containers and other micro businesses on residential stands, respectively will be formulated for consideration by the municipality with the approval of each individual application. The municipality, however, also has to rely on the inputs from the community, being the relevant community structure that has to support the application.

The following conditions must be laid down with the approval of applications for spazas, taverns, containers and other micro businesses on residential stands, where applicable:

- The floor area for spazas, taverns, and other micro business on residential stands will be restricted to a maximum of 30m² and 50m² (for taverns only).
- At least one parking space must be provided on the application property.
- The primary use of the property must remain for residential purposes.
- Trading hours for spazas, containers and other micro businesses on residential stands will be restricted to 06:00 to 20:00 each day.
- Trading hours for taverns will be restricted to 08:00 to 22:00 each day, subject to input from the community structure/s.
- The proposed use (spazas, taverns, containers and other micro businesses on residential stands) may not cause any nuisance to the area.
- All uses, except taverns and spazas' consent to conduct business will be revoked if liquor is sold on the premises.
- A tavern / shebeens may not function as a spaza or any other business.
- Taverns must provide additional ablution facilities for both sexes as follows:
 - Male - urinal plus 1 water closet per 15 people, plus a hand wash basin.
 - Female - 1 water closet per 15 people, plus a hand wash basin.
- The dining/eat/drink/dance area for a tavern / shebeen must provide for at least 1 person per square metre or number of fixed seats.
- A kitchen must be provided with sink and hand wash basin.
- Storeroom/s must be provided with adequate storing facilities for food products and liquor separately (i.e. one for malts/spirits, one for beer and one for empty bottles).
- Adequate security must be provided at all times at taverns.
- In the case of taverns, a liquor licence must be obtained and proof thereof must be submitted to the municipality within three months after approval of the application for consent.
- After receipt of a licence the applicant must submit plans to the Building Control Officer of the municipality for approval.
- In the case of taverns, the tavern/ shebeen must be separated from the dwelling house.

Consent will lapse after the time frame specified in the approval, except if a letter is submitted by the owner (supported by the community structure) to extend the consent.

Should investigations or complaints indicate that any or all the conditions are not met or disregarded, the consent will lapse / be revoked.

8. CONCLUSION

The policy w.r.t. spazas, taverns, containers and other micro businesses on residential stands provides a simple and cost effective approach towards the inclusion of spazas, taverns, containers and micro businesses on residential stands into the Modimolle Land Use Management Scheme 2004. Existing spazas, taverns, containers and other micro businesses on residential stands could be formalised by the property / business owners as a priority.

The application procedure is appropriate for the current circumstances, and would also enable the formalisation of existing taverns, subject to the obtaining of a licence from the relevant licensing authority (i.e. Liquor Board).

ANNEXURE A

SPECIAL CONSENT PROCEDURES**SPECIAL CONSENT OF THE LOCAL MUNICIPALITY**

- a) Any owner (hereinafter referred to as the "Applicant") intending to apply to the Municipality for special consent for:
The erection and use of a building or for the use of land zoned as "Residential 1" for a spaza, tavern, container or other micro business on a residential stand shall submit such application to the Municipality in writing, in the prescribed form supplied by the Municipality.
- b) The applicant shall:
- (i) publish a notice twice (for two consecutive weeks) in a local newspaper, circulating in the area of the application;
 - (ii) such notice shall be in two of the official languages as prescribed by the Municipality.
 - (iii) display a notice, referred to in paragraph 1(b)(i) and (ii) and maintain same, for a period of not less than 21 consecutive days, in a conspicuous position, visible from the street on each separate portion of the land to which such consent will apply.
- c) The notice referred to:
- (i) in paragraph 1(b)(i) and (iii) shall contain the name and address of the applicant; the description of the property as well as particulars of the purpose for which the land and buildings will be used and shall state that it lies for inspection at the Local Municipal Offices and that any objection to or representation in connection with such application shall be lodged simultaneously with the Municipality and the applicant within a period of 28 days calculated from the day when the notice was first published and displayed on the site; and
 - (ii) the notice in paragraph 1(b)(iii) shall not be less than 594mm by 420mm in size and no letter thereon shall be less than 6mm in height.
- d) The applicant shall within 28 days from the date of the first publishing and posting up of the notice on site as mentioned in paragraph 1(b)(i) and (iii), lodge the application with the Municipality, failing which could be deemed as non-compliance with the application procedures.
- e) The applicant shall lodge, simultaneously with the application, an affidavit confirming that the notice referred to in paragraph 1(b)(iii), was properly displayed and maintained.
- f) The applicant shall submit proof that the application referred to in paragraph 1(b)(i), was published twice.
2. The Municipality shall consider and hear any objection or representation received within the aforementioned period of 28 days, at a hearing arranged by the Municipality.
3. Should any objection to, or representation against, the application be received by the Municipality, it shall set a time and place for the hearing of such objection or representation in a manner complying with the requirements of the administrative justice, and shall give written notice thereof, by registered post or by electronic communication or facsimile, at least 14 days prior to the hearing, to the applicant and/or his duly authorised agent and all objectors.
4. Where the objections or representations contemplated in paragraph 2 of more than one person are contained in one document, it shall be deemed sufficient compliance with the provisions of paragraph 3 if the person who has lodged the document or is a signatory thereto is notified as contemplated in the latter clause.

5. The Municipality shall after due consideration of any objections, in writing notify the applicant and every person who has lodged an objection or had made representations, of such decision.
6. The decision of the Municipality shall (where any objection to this application was received) not come into operation before expiry of 56 days calculated from the date of notification of the parties in writing envisaged in paragraph 5 hereof.
7. Every applicant shall, after approval by the Municipality, of an application envisaged in this paragraph, be obliged to, on an annual basis, in the month, during which the applicant was notified of such an approval as envisaged in paragraph 5, to the satisfaction of the Municipality, submit an affidavit in confirmation of inter alia the fact that the conditions pertaining to such approval and use, are fully complied with.

ANNEXURE B**LAND USES NOT PERMITTED IN TERMS OF THIS POLICY****The following uses MAY NOT BE ALLOWED on residential stands****The use of buildings or land for any of the following purposes:**

- Asbestos-processing
- The burning of building bricks
- Chromium-plating
- Cement production
- Carbonization of coal in coke ovens
- Charcoal-burning
- Converting, reheating, annealing, hardening or carburizing, forging or casting of iron or other metals
- Crushing or screening of stone or slag or plants for the preparation of road-surfacing material
- Distilling, refining or blending of oils
- Galvanizing
- Lime and dolomite-burning
- Lead-smelting
- Pickling and treatment of metal in acid
- Recovery of metal from scrap
- Smelting, calcining, sintering or other reduction of ores or minerals
- Salt glazing
- Sintering of sulphur-bearing materials and viscose works

The use of buildings or land for the production of or the employment in any process of:

- Carbon bisulphide, cellulose lacquers, hot pitch bitumen, pyridine, or pulverised fuel (except when used for a spray-painting trade)
- Cyanogen or its compounds
- Liquid or gaseous sulphur dioxide
- Sulphur chlorides or calcium carbide

The use of buildings or land for the production of:

- Amyl acetate, aromatic esters, butyric acid, caramel, enamelled wire, hexamine, iodoform, B-naphthol, salicylic acid, lamp-black, sulphurated organic compounds, sulphur dyes, glass and resin products (except synthetic resins, plastic-moulding or extrusion compositions and plastic sheets, rods, tubes, filaments or optical components produced by casting, calendaring, moulding, shaping or extrusion)
- Paint or varnish manufacture (excluding mixing, milling and grinding)
- Rubber from scrap
- Ultra marine, zinc chloride and oxide

For the purpose of:

- An abattoir, animal bristle sterilizing and storing, and animal charcoal manufacture
- A bacon factory, a brewery or distillery, blood-albumen making, blood-boiling, bone-boiling, -steaming, -burning, -storing, or bone-grinding, breeding of maggots from putrescible matter
- Candle-making, catgut manufacture, boiling of chitterlings of pigs or other animals which are not subsidiary to a retail business or trade
- Dealing in rags or bones (including receiving, storing or manipulating of rags in, or likely to become in, an offensive condition, or any bones, rabbit skins, fat or putrescible animal products of a like nature)
- Fellmongery, fat-smelting or -extracting, fish-curing (other than a subsidiary to the business or trade as a fishmonger), fish-skin dressing or scraping, fish-canning
- Glue-making, gut-cleaning or -scraping
- A knacker's yard
- Leather-dressing
- The making of meal for feeding poultry, dogs, cattle or other animals from any fish, blood, bone, fat or animal offal, either in an offensive condition or subjected to any process causing noxious or injurious effluvia, manufacturing or storing of manure from bones, fish, fish offal, blood, spent hops, beans or other putrescible animal or vegetable matter, manufacturing of malt
- Parchment-making, a paper mill
- Size-making, skin-drying, -storing and -curing, soap-boiling, a slaughter house, a sugar-mill or -refinery
- Tallow-melting or -refining, tanning, tripe-boiling or -cleaning
- Wool-scouring, wattle-bark grinding or extracting, or
- Yeast-making.

Civic Center
Harry Gwala Street
Modimolle

K.S. LEKALA
ACTING MUNICIPAL MANAGER

(Notice no. 19/03/ 2010 – 23/03/2010)