

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 Nyuziphepha) (E ngwadisits we bjalo ka Kuranta) • (Yo redzhistariwa sa Nyusiphepha)

Vol. 25

POLOKWANE, 22 JUNE 2018 22 JUNIE 2018 22 KHOTAVUXIKA 2018 22 JUNE 2018 22 FULWI 2018

No. 2915



IMPORTANT NOTICE:

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

NO FUTURE QUERIES WILL BE HANDLED IN CONNECTION WITH THE ABOVE.

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LIST OF TARIFF RATES FOR PUBLICATION OF NOTICES

COMMENCEMENT: 1 APRIL 2018

NATIONAL AND PROVINCIAL

Notice sizes for National, Provincial & Tender gazettes 1/4, 2/4, 3/4, 4/4 per page. Notices submitted will be charged at R1008.80 per full page, pro-rated based on the above categories.

Pricing for National, Prov	incial - Variable Priced No	tices
Notice Type	Page Space	New Price (R)
Ordinary National, Provincial	1/4 - Quarter Page	252.20
Ordinary National, Provincial	2/4 - Half Page	504.40
Ordinary National, Provincial	3/4 - Three Quarter Page	756.60
Ordinary National, Provincial	4/4 - Full Page	1008.80

EXTRA-ORDINARY

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

The pricing structure for National and Provincial notices which are submitted as **Extra ordinary submissions** will be charged at R3026.32 per page.

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

CLOSING TIMES FOR ACCEPTANCE OF NOTICES

- 1. The *Government Gazette* and *Government Tender Bulletin* are weekly publications that are published on Fridays and the closing time for the acceptance of notices is strictly applied according to the scheduled time for each gazette.
- 2. Please refer to the Submission Notice Deadline schedule in the table below. This schedule is also published online on the Government Printing works website <u>www.gpwonline.co.za</u>

All re-submissions will be subject to the standard cut-off times. **All notices received after the closing time will be rejected**.

Government Gazette Type	Publication Frequency	Publication Date	Submission Deadline	Cancellations Deadline
National Gazette	Weekly	Friday	Friday 15h00 for next Friday	Tuesday, 15h00 - 3 working days prior to publication
Regulation Gazette	Weekly	Friday	Friday 15h00 for next Friday	Tuesday, 15h00 - 3 working days prior to publication
Petrol Price Gazette	Monthly	Tuesday before 1st Wednesday of the month	One day before publication	1 working day prior to publication
Road Carrier Permits	Weekly	Friday	Thursday 15h00 for next Friday	3 working days prior to publication
Unclaimed Monies (Justice, Labour or Lawyers)	January / September 2 per year	Last Friday	One week before publication	3 working days prior to publication
Parliament (Acts, White Paper, Green Paper)	As required	Any		3 working days prior to publication
Manuals	Bi- Monthly	2nd and last Thursday of the month	One week before publication	3 working days prior to publication
State of Budget (National Treasury)	Monthly	30th or last Friday of the month	One week before publication	3 working days prior to publication
Legal Gazettes A, B and C	Weekly	Friday	One week before publication	Tuesday, 15h00 - 3 working days prior to publication
Tender Bulletin	Weekly	Friday	Friday 15h00 for next Friday	Tuesday, 15h00 - 3 working days prior to publication
Gauteng	Weekly	Wednesday	Two weeks before publication	3 days after submission deadline
Eastern Cape	Weekly	Monday	One week before publication	3 working days prior to publication
Northern Cape	Weekly	Monday	One week before publication	3 working days prior to publication
North West	Weekly	Tuesday	One week before publication	3 working days prior to publication
KwaZulu-Natal	Weekly	Thursday	One week before publication	3 working days prior to publication
Limpopo	Weekly	Friday	One week before publication	3 working days prior to publication
Mpumalanga	Weekly	Friday	One week before publication	3 working days prior to publication
Gauteng Liquor License Gazette	Monthly	Wednesday before the First Friday of the month	Two weeks before publication	3 working days after submission deadline
Northern Cape Liquor License Gazette	Monthly	First Friday of the month	Two weeks before publication	3 working days after submission deadline
National Liquor License Gazette	Monthly	First Friday of the month	Two weeks before publication	3 working days after submission deadline
Mpumalanga Liquor License Gazette	Bi-Monthly	Second & Fourth Friday	One week before publication	3 working days prior to publication

EXTRAORDINARY GAZETTES

3. *Extraordinary Gazettes* can have only one publication date. If multiple publications of an *Extraordinary Gazette* are required, a separate Z95/Z95Prov *Adobe* Forms for each publication date must be submitted.

NOTICE SUBMISSION PROCESS

- 4. Download the latest *Adobe* form, for the relevant notice to be placed, from the **Government Printing Works** website <u>www.gpwonline.co.za</u>.
- 5. The *Adobe* form needs to be completed electronically using *Adobe Acrobat / Acrobat Reader*. Only electronically completed *Adobe* forms will be accepted. No printed, handwritten and/or scanned *Adobe* forms will be accepted.
- 6. The completed electronic *Adobe* form has to be submitted via email to <u>submit.egazette@gpw.gov.za</u>. The form needs to be submitted in its original electronic *Adobe* format to enable the system to extract the completed information from the form for placement in the publication.
- 7. Every notice submitted **must** be accompanied by an official **GPW** quotation. This must be obtained from the *eGazette* Contact Centre.
- 8. Each notice submission should be sent as a single email. The email **must** contain **all documentation relating to a particular notice submission**.
 - 8.1. Each of the following documents must be attached to the email as a separate attachment:
 - 8.1.1. An electronically completed Adobe form, specific to the type of notice that is to be placed.
 - 8.1.1.1. For National *Government Gazette* or *Provincial Gazette* notices, the notices must be accompanied by an electronic Z95 or Z95Prov *Adobe* form
 - 8.1.1.2. The notice content (body copy) **MUST** be a separate attachment.
 - 8.1.2. A copy of the official **Government Printing Works** quotation you received for your notice . (*Please see Quotation section below for further details*)
 - 8.1.3. A valid and legible Proof of Payment / Purchase Order: **Government Printing Works** account customer must include a copy of their Purchase Order. **Non-Government Printing Works** account customer needs to submit the proof of payment for the notice
 - 8.1.4. Where separate notice content is applicable (Z95, Z95 Prov and TForm 3, it should **also** be attached as a separate attachment. (*Please see the Copy Section below, for the specifications*).
 - 8.1.5. Any additional notice information if applicable.
- 9. The electronic *Adobe* form will be taken as the primary source for the notice information to be published. Instructions that are on the email body or covering letter that contradicts the notice form content will not be considered. The information submitted on the electronic *Adobe* form will be published as-is.
- 10. To avoid duplicated publication of the same notice and double billing, Please submit your notice ONLY ONCE.
- 11. Notices brought to **GPW** by "walk-in" customers on electronic media can only be submitted in *Adobe* electronic form format. All "walk-in" customers with notices that are not on electronic *Adobe* forms will be routed to the Contact Centre where they will be assisted to complete the forms in the required format.
- 12. Should a customer submit a bulk submission of hard copy notices delivered by a messenger on behalf of any organisation e.g. newspaper publisher, the messenger will be referred back to the sender as the submission does not adhere to the submission rules.

QUOTATIONS

- 13. Quotations are valid until the next tariff change.
 - 13.1. Take note: GPW's annual tariff increase takes place on 1 April therefore any quotations issued, accepted and submitted for publication up to 31 March will keep the old tariff. For notices to be published from 1 April, a quotation must be obtained from GPW with the new tariffs. Where a tariff increase is implemented during the year, GPW endeavours to provide customers with 30 days' notice of such changes.
- 14. Each quotation has a unique number.
- 15. Form Content notices must be emailed to the *eGazette* Contact Centre for a quotation.
 - 15.1. The *Adobe* form supplied is uploaded by the Contact Centre Agent and the system automatically calculates the cost of your notice based on the layout/format of the content supplied.
 - 15.2. It is critical that these *Adobe* Forms are completed correctly and adhere to the guidelines as stipulated by **GPW**.

16. APPLICABLE ONLY TO GPW ACCOUNT HOLDERS:

- 16.1. GPW Account Customers must provide a valid GPW account number to obtain a quotation.
- 16.2. Accounts for **GPW** account customers **must** be active with sufficient credit to transact with **GPW** to submit notices.
 - 16.2.1. If you are unsure about or need to resolve the status of your account, please contact the **GPW** Finance Department prior to submitting your notices. (If the account status is not resolved prior to submission of your notice, the notice will be failed during the process).

17. APPLICABLE ONLY TO CASH CUSTOMERS:

- 17.1. Cash customers doing **bulk payments** must use a **single email address** in order to use the **same proof of payment** for submitting multiple notices.
- 18. The responsibility lies with you, the customer, to ensure that the payment made for your notice(s) to be published is sufficient to cover the cost of the notice(s).
- 19. Each quotation will be associated with one proof of payment / purchase order / cash receipt.

19.1. This means that the quotation number can only be used once to make a payment.

COPY (SEPARATE NOTICE CONTENT DOCUMENT)

- 20. Where the copy is part of a separate attachment document for Z95, Z95Prov and TForm03
 - 20.1. Copy of notices must be supplied in a separate document and may not constitute part of any covering letter, purchase order, proof of payment or other attached documents.

The content document should contain only one notice. (You may include the different translations of the same notice in the same document).

20.2. The notice should be set on an A4 page, with margins and fonts set as follows:

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

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

CANCELLATIONS

- 21. Cancellation of notice submissions are accepted by GPW according to the deadlines stated in the table above in point 2. Non-compliance to these deadlines will result in your request being failed. Please pay special attention to the different deadlines for each gazette. Please note that any notices cancelled after the cancellation deadline will be published and charged at full cost.
- 22. Requests for cancellation must be sent by the original sender of the notice and must accompanied by the relevant notice reference number (N-) in the email body.

AMENDMENTS TO NOTICES

23. With effect from 01 October 2015, **GPW** will not longer accept amendments to notices. The cancellation process will need to be followed according to the deadline and a new notice submitted thereafter for the next available publication date.

REJECTIONS

- 24. All notices not meeting the submission rules will be rejected to the customer to be corrected and resubmitted. Assistance will be available through the Contact Centre should help be required when completing the forms. (012-748 6200 or email info.egazette@gpw.gov.za). Reasons for rejections include the following:
 - 24.1. Incorrectly completed forms and notices submitted in the wrong format, will be rejected.
 - 24.2. Any notice submissions not on the correct Adobe electronic form, will be rejected.
 - 24.3. Any notice submissions not accompanied by the proof of payment / purchase order will be rejected and the notice will not be processed.
 - 24.4. Any submissions or re-submissions that miss the submission cut-off times will be rejected to the customer. The Notice needs to be re-submitted with a new publication date.

APPROVAL OF NOTICES

- 25. Any notices other than legal notices are subject to the approval of the Government Printer, who may refuse acceptance or further publication of any notice.
- 26. No amendments will be accepted in respect to separate notice content that was sent with a Z95 or Z95Prov notice submissions. The copy of notice in layout format (previously known as proof-out) is only provided where requested, for Advertiser to see the notice in final Gazette layout. Should they find that the information submitted was incorrect, they should request for a notice cancellation and resubmit the corrected notice, subject to standard submission deadlines. The cancellation is also subject to the stages in the publishing process, i.e. If cancellation is received when production (printing process) has commenced, then the notice cannot be cancelled.

GOVERNMENT PRINTER INDEMNIFIED AGAINST LIABILITY

- 27. The Government Printer will assume no liability in respect of-
 - 27.1. any delay in the publication of a notice or publication of such notice on any date other than that stipulated by the advertiser;
 - 27.2. 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;
 - 27.3. any editing, revision, omission, typographical errors or errors resulting from faint or indistinct copy.

LIABILITY OF ADVERTISER

28. 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.

CUSTOMER INQUIRIES

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

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

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

- 29. Requests for information, quotations and inquiries must be sent to the Contact Centre ONLY.
- 30. Requests for Quotations (RFQs) should be received by the Contact Centre at least **2 working days** before the submission deadline for that specific publication.

PAYMENT OF COST

- 31. The Request for Quotation for placement of the notice should be sent to the Gazette Contact Centre as indicated above, prior to submission of notice for advertising.
- 32. Payment should then be made, or Purchase Order prepared based on the received quotation, prior to the submission of the notice for advertising as these documents i.e. proof of payment or Purchase order will be required as part of the notice submission, as indicated earlier.
- 33. Every proof of payment must have a valid **GPW** quotation number as a reference on the proof of payment document.
- 34. Where there is any doubt about the cost of publication of a notice, and in the case of copy, an enquiry, accompanied by the relevant copy, should be addressed to the Gazette Contact Centre, **Government Printing Works**, Private Bag X85, Pretoria, 0001 email: <u>info.egazette@gpw.gov.za</u> before publication.
- 35. Overpayment resulting from miscalculation on the part of the advertiser of the cost of publication of a notice will not be refunded, unless the advertiser furnishes adequate reasons why such miscalculation occurred. In the event of underpayments, the difference will be recovered from the advertiser, and future notice(s) will not be published until such time as the full cost of such publication has been duly paid in cash or electronic funds transfer into the **Government Printing Works** banking account.
- 36. 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**.
- 37. The **Government Printing Works** reserves the right to levy an additional charge in cases where notices, the cost of which has been calculated in accordance with the List of Fixed Tariff Rates, are subsequently found to be excessively lengthy or to contain overmuch or complicated tabulation.

PROOF OF PUBLICATION

- 38. Copies of any of the *Government Gazette* or *Provincial Gazette* can be downloaded from the **Government Printing Works** website <u>www.gpwonline.co.za</u> free of charge, should a proof of publication be required.
- 39. Printed copies may be ordered from the Publications department at the ruling price. The **Government Printing Works** will assume no liability for any failure to post or for any delay in despatching of such *Government Gazette*(s).

GOVERNMENT PRINTING WORKS CONTACT INFORMATION

Physical Address:	Postal Address:	GPW Banking Details:
Government Printing Works	Private Bag X85	Bank: ABSA Bosman Street
149 Bosman Street	Pretoria	Account No.: 405 7114 016
Pretoria	0001	Branch Code: 632-005
For Gazette and Notice submiss	ions: Gazette Submissions:	E-mail: submit.egazette@gpw.gov.za
For queries and quotations, con	tact: Gazette Contact Centre:	E-mail: info.egazette@gpw.gov.za
		Tel: 012-748 6200
Contact person for subscribers:	Mrs M. Toka:	E-mail: subscriptions@gpw.gov.za
		Tel: 012-748-6066 / 6060 / 6058
		Fax: 012-323-9574

GENERAL NOTICES • ALGEMENE KENNISGEWINGS

NOTICE 46 OF 2018

NOTICE OF APPLICATION FOR THE SUBDIVISION OF CERTAIN FARM PORTIONS SITUATED IN THE JURISDICTION OF THE THABAZIMBI LOCAL MUNICIPALITY, LIMPOPO PROVINCE IN TERMS OF THE SPATIAL PLANNING AND LAND USE MANAGEMENT ACT, 2013 (ACT 16 OF 2013) (SPLUMA), READ WITH SECTION 16(12)(A)(III) OF THE THABAZIMBI LAND USE MANAGEMENT BY-LAW, 2015

I, Izel van Rooy from the firm Plan Wize Town and Regional Planners, being the authorized agent of the owners of the under-mentioned properties hereby give notice in terms of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) (SPLUMA), read with Section 16(12)(a)(iii) of the Thabazimbi Land Use Management By-Law, 2015, that I have applied to the Thabazimbi Municipality for the sub-division of the under-mentioned properties:

- 1. The farm Goedgedacht, 180-KP, Limpopo Province;
- 2. The Remaining Extent of Portion 30 (portion of Portion 26) of the farm Kwaggasvlakte, 317-KQ, Limpopo Province; and
- 3. The farm Blinkwater, 183-KQ Limpopo Province.

Particulars of the applications will lie for inspection during normal office hours at the office of the Manager: Planning and Economic Development, Thabazimbi Municipality, 7 Rietbok Street, Thabazimbi for a period of 30 days from 15 June 2018.

Objections to or representations in respect of the applications must be lodged with or made in writing to the Manager: Planning and Economic Development, Thabazimbi Municipality, at the above-mentioned address or at Private Bag X530, Thabazimbi, 0380 within a period of 30 days from 15 June 2018.

ADDRESS OF AGENT: PLAN WIZE TOWN AND REGIONAL PLANNERS, P.O. BOX 2445, THABAZIMBI, 0380, TEL: 0824497626

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KENNISGEWING 46 VAN 2018

KENNISGEWING VAN AANSOEK OM DIE ONDERVERDELING VAN SEKERE PLAASGEDEELTES GELEË IN DIE REGSGEBIED VAN DIE THABAZIMBI PLAASLIKE MUNISIPALITEIT, LIMPOPO PROVINSIE INGEVOLGE DIE WET OP RUIMTELIKE BEPLANNING EN GRONDGEBRUIKBESTUUR, 2013 (WET 16 VAN 2013) (SPLUMA), SAAMGELEES MET ARTIKEL 16(12)(A)(III) VAN DIE THABAZIMBI BYWET OP GRONDGEBRUIKBESTUUR, 2015

Ek, Izel van Rooy van die firma Plan Wize Stads-en Streekbeplanners, synde die gemagtigde agent van die eienaars van die ondergenoemde eiendomme, gee hiermee ingevolge die Wet op Ruimtelike Beplanning en Grondgebruikbestuur, 2013 (Wet 16 van 2013) (SPLUMA), saamgelees met Artikel 16(12)(a)(iii) van die Thabazimbi Bywet op Grondgebruikbestuur, 2015, kennis dat ek by die Thabazimbi Munisipaliteit aansoek gedoen het vir die onderverdeling van die ondergenoemde eiendomme:

1. Die plaas Goedgedacht, 180-KP, Limpopo Provinsie;

- 2. Die Resterende Gedeelte van Gedeelte 30 (gedeelte van Gedeelte 26), van die plaas Kwaggasvlakte, 317-KQ, Limpopo Provinsie; en
- 3. Die plaas Blinkwater, 183-KQ, Limpopo Provinsie.

Besonderhede van die aansoeke lê ter insae gedurende gewone kantoorure by die kantoor van die Bestuurder: Beplanning en Ekonomiese Ontwikkeling, Thabazimbi Munisipaliteit, 7 Rietbokstraat, Thabazimbi vir 'n tydperk van 30 dae vanaf 15 Junie 2018.

Besware teen of vertoë ten opsigte van die aansoeke moet binne 'n tydperk van 30 dae vanaf 15 Junie 2018 skriftelik by of tot die Bestuurder: Beplanning en Ekonomiese Ontwikkeling, Thabazimbi Munisipaliteit, by bovermelde adres of by Privaat Sak X530, Thabazimbi, 0380 ingedien of gerig word.

ADRES VAN AGENT: PLAN WIZE STADS- EN STREEKBEPLANNERS, POSBUS 2445, THABAZIMBI, 0380, TEL: 0824497626

15–22

PROVINCIAL NOTICES • PROVINSIALE KENNISGEWINGS

PROVINCIAL NOTICE 98 OF 2018

NOTICE OF APPLICATION FOR AMENDMENT OF THE MARULENG LAND USE MANAGEMENT SCHEME IN TERMS OF SECTION 52 (1) (b) OF MARULENG SPATIAL PLANNING & LAND USE MANAGEMENT BY-LAW OF 2016 READ TOGETHER WITH THE PROVISION OF SPATIAL PLANNING AND LAND USE MANAGEMENT ACT 2013 (ACT 16 OF 2013) MARULENG AMENDMENT SCHEME 145, ANNEXURE 160.

We, Landevs (Pty) Ltd being the authorised agent on behalf of the owner of the property mentioned below, hereby give notice in terms of Section 52 (1)(b) of Maruleng Spatial Planning and Land Use Management By-law of 2016, that we have applied to Maruleng Municipality for the amendment of Maruleng Land Use Management Scheme 2008, by rezoning Erf 532, Hoedspruit Wild Estate, Extension 6 from "Rural Residential" to "Special" for Overnight Accommodation and related purposes. Particulars of the applications will lie for inspection during normal office hours at the Municipal Library, 64 Springbok Street, Hoedspruit, for a period of 30 days from 22 June 2018. Objections to or representations in respect of the applications must be lodged with or in writing to the Municipal Manager at this address P. O. Box 627, Hoedspruit, 1380, within a period of 30 days from the 22 June 2018. Address of the Agent: Landevs (Pty) Ltd, 09 Birkenhead Street, Phalaborwa, 1389 (Cell: 081 501 9056, email: info@landevs.co.za)

PROVINSIALE KENNISGEWING 98 VAN 2018

KENNISGEWING VAN AANSOEK OM WYSIGING VAN DIE MARULENG GRONDGEBRUIKBESTUURSKEMA INGEVOLGE ARTIKEL 52 (1) (b) VAN MARULENG RUIMTELIKE BEPLANNING EN GRONDGEBRUIKBESTUUR VERORDENING VAN 2016 LEES GEDOEN MET DIE VOORSIENING VAN RUIMTELIKE BEPLANNING EN GRONDGEBRUIKBESTUUR WET 2013 (WET 16 VAN 2013) MARULENG-WYSIGINGSKEMA 145, BYLAE 160.

Ons, Landevs (Edms) Bpk, synde die gemagtigde agent namens die eienaar van die eiendom hieronder genoem, gee hiermee ingevolge artikel 52 (1) (b) van die Ordonnansie op Grondgebruiksbestuur, Maruleng, van 2016, dat ons aansoek gedoen het by Maruleng Munisipaliteit vir die wysiging van Maruleng Grondgebruikbestuurskema 2008, deur die hersonering van Erf 532, Hoedspruit Wild Estate, Uitbreiding 6 vanaf "Landelike Residensieel" na "Spesiaal" vir Oornagverblyf en verwante doeleindes.

Besonderhede van die aansoeke le ter insae gedurende gewone kantoorure by die Munisipale Biblioteek, Springbokstraat 64, Hoedspruit, vir n tydperk van 30 dae vanaf 15 Junie 2018. Besware teen of vertoe ten opsigte van die aansoek moet binne 'n tydperk van 30 dae vanaf 22 Junie 2018 ingedien word. aan die Munisipale Bestuurder by hierdie adres, Posbus 627, Hoedspruit, 1380, binne n tydperk van 30 dae vanaf 22 Junie 2018. Adres van die Agent: Landevs (Edms) Bpk, Birkenheadstraat 09, Phalaborwa, 1389 (Sel: 081 501 9056, epos: info@landevs.co.za).

PROVINCIAL NOTICE 99 OF 2018

THULAMELA LOCAL MUNICIPALITY NOTICE FOR SIMULTENEOUS APPLICATION FOR REZONING, PERMANENT STREET CLOSURE AND CONSOLIDATION IN TERMS OF SECTION 62, 73 AND 71 OF THE THULAMELA MUNICIPALITY SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2016 READ TOGETHER WITH THE PROVISIONS OF THE SPATIAL PLANNING AND LAND USE MANAGEMENT ACT, 2013 (ACT 16 OF 2013) AMENDMENT SCHEME NUMBER: 103

We, **SFP Townplanning (Pty) Ltd**, being the authorized agent of the owner of **Erf 1014**, **Mutale Extension 1 Township** and the adjacent street portion hereby give notice, that we have applied to the Thulamela Local Municipality for the amendment of the Thulamela Land Use Management Scheme, 2006, by the rezoning in terms of Section 62 of the of the Thulamela Municipality Spatial Planning and Land Use Management By-Law, 2016 of the above-mentioned property and street and permanent street closure of the street portion in terms of Section 73 of the Thulamela Municipality Spatial Planning and Land Use Management By-Law, 2016, which will then be consolidated together with Erven 1002, 1015 and 2297, Mutale Extension 1 Township. The rezoning is from "**Residential 1**" to "**Business 1**" in order to allow for the development of a shopping centre on the consolidated property. The properties are located along the main road in Mutale (Tshilamba Retail Centre).

Any objection(s) and/or comment(s), including the grounds for such objection(s) and/or comment(s) with full contact details, without which the Municipality cannot correspond with the person or body submitting the objection(s) and/or comment(s), shall be lodged with, or made in writing to both the applicant and The Municipal Manager, Planning and Development Department, Thulamela Local Municipality, Private Bag X5066, Thohoyandou, 0950 from 22 June 2018 until 23 July 2018 (not less than 30 days after the date of first publication of the notice).

Full particulars and plans (if any) may be inspected during normal office hours at the Municipal offices as set out below, for a period of 30 days from the date of first publication of the advertisement in the Provincial Gazette and Capricorn Voice newspaper.

Address of Municipal offices: Town Planning Office, 1st Floor, Planning and Development Department, Thulamela Municipality, Old Agriven Building, Thohoyandou Civic Centre, Mphephu Drive, Thohoyandou, 0950.

Name and Address of applicant:

SFP Townplanning (Pty) Ltd 371 Melk Street, Nieuw Muckleneuk, 0027 or P. O. Box 908, Groenkloof, 0027 Telephone No: (012) 346 2340 Fax No: (012) 346 0638 Email: admin@sfplan.co.za Dates on which notice will be published: 22 and 29 June 2018 Closing date for any objections and/or comments: 23 July 2018 **Reference:** 7/5/2 **Our Ref:** F3684

22-29

MASIPALA WA THULAMELA

NDIVHADZO YA KHUMBELO THANGANYELWA IKATELAHO NZUDZANYULULO, THANGANO NAU VALWA HATSHOTHE HA TSHITARATA, UYA NGAHA TSHITENWA 62, 73 NA 71 ZWA THULAMELA MUNICIPALITY SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2016 YO VHALWA KHATHIHI NA ZWITENWA ZWA SPATIAL PLANNING AND LAND USE MANAGEMENT ACT, 2013 (ACT 16 OF 2013) AMENDMENT SCHEME NUMBER: 103

Rine vha, **SFP Townplanning (Pty) Ltd**, nga thendelo ya mune wa **tshitensi tshi divheaho sa Erf 1014, Mutale Extension 1 Township na zwitarata tserekano** zwq uvho vhupo ri nea ndivhadzo ya uri ro ita khumbelo Kha Masipala wa Thulamela ya tshandukiso ya Thulamela Land Use Management Scheme, 2006, uya nga ha tshitenwa 62 tsha Thulamela Municipality Spatial Planning and Land Use Management By-Law, 2016 ya fhethu vhupo ho bulwaho afho ntha nau valwa ha tshothe ha tshitarata tshikwameaho uya nga ha tshitenwa 73 tsha Thulamela Municipality Spatial Planning and Land Use Management By-Law, 2016, tshine tsha do tanganywa na zwitensi zwi divheaho sa Erven 1015,1002 na 2297 Mutale Extension 1. Tshandukiso idzo dzidovha dzau bvisa fhethu vhupo ha "**Udzula 1**" u ya kha vhupo ha "**Vhubindudzi 1**". U itela uri hudo bveledzwa zwifhato tselekanyo zwa mavhengele. Uvhu vhupo vhuwanala tsini na gondo lihulu la Mutale (Tshilamba Retail Centre).

Khanedzano kana vhudipfi vhunwe na vhunwe, zwo katela mawanwa a idzo khanedzano kana vhupfi na zwidodombezwa zwa mune wa khanedzano kana wa vhudipfi zwa vhukwamani zwi tea u nwalwa zwa swikiswa ha vhane vha ino khumbelo na Masipala u itela uri Masipala a kone u kwamana navho zwi livhiswe kha vhane vha khumbelo na Municipal Manager, Planning and Development Department, Thulamela Local Municipality, Private Bag X5066, Thohoyandou, 0950 ubva 22 Fulwi 2018 uswika 23 Fulwana 2018 (maduvha asongovha fhasi ha maduvha a 30 ubva duvha la uthoma lau u andadzwa ha heino khunguwedzo).

Zwidodombezwa zwo fhelelaito na pulani (arali dzihone) zwinga tolwa kha awara dza mushumo ofisini dza Masipala zwo sumberwano afho fhasi lwa tshifhinga tsha maduvha a 30 ubva kha datamu yau thoma u kunguwedzwa ha ino ndivhadzo kha Provincial Gazette na Capricorn Voice.

Diresi ya ofisi dza Masipala: Town Planning Office, 1st Floor, Planning and Development Department, Thulamela Municipality, Old Agriven Building, Thohoyandou Civic Centre, Mphephu Drive, Thohoyandou, 0950.

Dzina na diresi ya vhane vha khumbelo:

SFP Townplanning (Pty) Ltd 371 Melk Street, Nieuw Muckleneuk, 0027 or P. O. Box 908, Groenkloof, 0027 Telephone No: (012) 346 2340 Fax No: (012) 346 0638 Email: admin@sfplan.co.za Maduvha ine iyi khunguwedzo yado kunguwezwa ngayo: 22 na 29 Fulwi 2018 Duvha yau valwa ha khanedzano kana vhudiphi: 23 Fulwana 2018 **Reference:** 7/5/2 **Our Ref:** F3684

22-29

PROVINCIAL NOTICE 100 OF 2018

NOTICE OF APPLICATION FOR THE REZONING OF ERF 228 MESSINA TOWNSHIP FROM "RESIDENTIAL 1" TO "BUSINESS 2"

AMENDMENT SCHEME NO: 370

OWE Planning Consultants, being the authorised agent of Erf 228 Messina Township, hereby give notice in terms of provision of Section 36 of Musina Local Municipality Spatial Planning and Land Use Management By-Laws, 2016 read together with the provision of regulation 14 of the Spatial Planning and Land Use Management Regulation: Land Use Management and General Matters, 2015 under (Act 16 of 2013) that we have applied to Musina Local Municipality for the amendment of Musina Land Use Management Scheme, 2010 by Rezoning from "Residential 1" to "Business 2" for the purpose of Offices. The relevant plan(s), documents and information are available for inspection at the office of the General Manager, Musina Local Municipality, Civic Centre, Irwin Street for a period of 30 days from 22 June 2018 and any objection or interest in the application property must be submitted in writing to the Municipal Manager, P.O.Box X611, Musina, 0900 before the expiry of 30 days from 22 June 2018 or to the offices of Musina Local Municipality during office hours from 07h00 to 16h00. Address of the Applicant: P.O.Box 1094 Vhufuli 0971 [Cell:082 693 9177]email address: oweplanningconsulants@gmail.com]

22–29

PROVINSIALE KENNISGEWING 100 VAN 2018

KENNISGEWING VAN AANSOEK OM HERSONERING VAN ERF 228 MESSINA DORP VAN "RESIDENSIEEL 1" NA "BESIGHEID 2"

WYSIGINGSKEMA NR: 370

OWE Planning Consultants, synde die gemagtigde agent van Erf 228 Messina Dorp, gee hiermee ingevolge artikel 36 van die Ordonnansie op Grondgebruiksbestuur, Musina Plaaslike Munisipaliteit, 2016, saamgelees met die bepaling van regulasie 14 van die Ruimtelike Beplanning en Grondgebruikbestuursregulasie: Grondgebruikbestuur en Algemene Aangeleenthede, 2015 onder (Wet 16 van 2013) dat ons aansoek gedoen het by Musina Plaaslike Munisipaliteit vir die wysiging van Musina Grondgebruikbestuurskema, 2010, deur die hersonering van "Residensieel 1" na "Besigheid 2 "vir die doel van kantore. Die betrokke plan (e), dokumente en inligting is ter insae by die kantoor van die Hoofbestuurder, Musina Plaaslike Munisipaliteit, Burgersentrum, Irwinstraat, vir 'n tydperk van 30 dae vanaf 22 Junie 2018 en enige beswaar of belang in die aansoekeiendom moet skriftelik aan die Munisipale Bestuurder, Posbus X611, Musina, 0900 voor die verstryking van 30 dae vanaf 22 Junie 2018 of aan die kantore van Musina Plaaslike Munisipaliteit gedurende kantoorure vanaf 07h00 tot 16h00 voorgelê word. Adres van die Aansoeker: P.O.Box 1094 Vhufuli 0971 | Sel: 082 693 9177 | e-pos adres: oweplanningconsulants@gmail.com |

22-29

LOCAL AUTHORITY NOTICES • PLAASLIKE OWERHEIDS KENNISGEWINGS

LOCAL AUTHORITY NOTICE 80 OF 2018

MUSINA LOCAL AUTHORITY NOTICE

MUSINA LOCAL MUNICIPALITY SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAWS, 2016

Notice is hereby given that in terms of the above-mentioned by-law, I, Phumudzo Semani, the undersigned of Mukambako Town Planning and Development Group (Pty) Ltd, intend applying to the Musina Local Municipality for land use rights/ land development in communal land to use Erf 110 Tshipise for the purpose(s) of constructing a Filling Station on the property. Plans and/or particulars relating to the application may be inspected during normal office hours at the office of The Manager, Spatial Planning and Land Use Management, Musina Local Municipality, Civic Centre, 21 Irwin Street, Musina, 0900. Objections to or representation in respect of the application must be lodged in writing to the Manager, Spatial Planning and Land Use Management, Musina Local Municipality, Civic Centre, 21 Irwin Street, Musina, 0900 or Private Bag X611; Musina; 0900 or address of agent stated below. Mukambako Town Planning and Development Group (Pty) Ltd; PO Box 330; Tshaulu; 0987; phumudzosemani@gmail.com; Cell: 072 068 5486 within 30 days from the first date of publication: **15 June 2018**.

15-22

NDIVHADZO YA MASIPALA WAPO WA MUSINA MUSINA LOCAL MUNICIPALITY SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2016

Ndivhadzo fhasi ha mulayo wo buliwaho afho ntha, nne,Phumudzo Semani , fhasi ha tshiimiswa tsho tendelwaho tshinopfi Mukambako Town Planning and Development Group (Pty) Ltd, ndo ita khumbelo kha masipala wa Musina ya u humbelo thendelo ya u fhata " Filling Station" kha Tshitentsi tsha nomboro ya 110 Tshipise . Pulane na manwalo a yelanaho na khumbelo iyi zwi wanala kha ofisi ya minidzhere muhulwane wa: u langula kushumisele kwa mavu , kha masipala wapo wa Musina , Civic Centre, 21 Irwin Street, Musina, 0900. Khanedzano na vhupfiwa zwi tshi tshimbilelana na khumbelo iyi zwi nga livhiswa kha minidzhere muhulwane wa: u langula kushumisele kwa mavu: Musina Local Municipality, Civic Centre, 21 Irwin Street, Musina, 0900 Private Bag X611; 0900 kana kha diresi ya muhumbeli ,Mukambako Town Planning and Development Group (Pty) Ltd; PO Box 330; Tshaulu; 0987; phumudzosemani@gmail.com; Cell: 072 068 5486 hu sa athu u fhela maduvha a furaru (30) u bva nga duvha la u thoma la ndivhadzi iyi 15 June 2018

15–22

LOCAL AUTHORITY NOTICE 81 OF 2018

POLOKWANE / PERSKEBULT AMENDMENT SCHEME P/P/R A/S 24 AND AMENDMENT SCHEME 579

NOTICE OF APPLICATION FOR THE AMENDMENT OF THE POLOKWANE / PERSKEBULT TOWN PLANNING SCHEME, 2016, IN TERMS OF SECTION 56(1) (B) (I) OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE NO 15 OF 1986)

Rirothe Planning Consulting, being the authorised agent of the owner of the Erven 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) read together with the Spatial Planning and Land Use Management Act 16 of 2013 that we have applied to the Polokwane Municipality for the amendment of the Town Planning Scheme known as the Polokwane / Perskebult Town Planning Scheme, 2016 by the rezoning of portion 02 of Erf 567 Pietersburg , from "Residential 1" to "Business 4" for the purpose of dwelling units and offices and Rezoning of Erf 448 Seshego Zone-D from Residential 1 to Special for the purpose of liquor restaurant.

Particulars of the application will lie for inspection during normal office hours at the Office of the Manager: Spatial Planning and Land Use Management, first floor, Civic Centre, Landros Mare Street, Polokwane for a period of 28 days from 15 June 2018. 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 P.O. Box 111,Polokwane 0700 within a period of 28 days from 15 June 2018.

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

15-22

PLAASLIKE OWERHEID KENNISGEWING 81 VAN 2018

POLOKWANE / PERSKEBULT WYSIGINGSKEMA P / P / R A / S 24 EN WYSIGINGSKEMA 579

KENNISGEWING VAN AANSOEK OM WYSIGING VAN DIE POLOKWANE / PERSKEBULT DORPSBEPLANNINGSKEMA, 2016, INGEVOLGE ARTIKEL 56 (1) (B) (I) VAN DIE ORDONNANSIE OP DORPSBEPLANNING EN DORPE, 1986 (ORDONNANSIE NO 15 VAN 1986)

Rirothe Planning Consulting, synde die gemagtigde agent van die eienaar van die Erwe hieronder genoem, gee hiermee ingevolge artikel 56 (1) (b) (i) van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986) saamgelees met die Wet op Ruimtelike Beplanning en Grondgebruikbestuur 16 van 2013 dat ons by die Polokwane Munisipaliteit aansoek gedoen het om die wysiging van die Dorpsbeplanningskema bekend as die Polokwane / Perskebult Dorpsbeplanningskema, 2016, deur die hersonering van gedeelte 02 van Erf 567 Pietersburg, vanaf "Residensieel 1" na "Besigheid 4" vir die doeleindes van wooneenhede en kantore en Hersonering van Erf 448 Seshego Zone-D vanaf Residensieel 1 na Spesiaal vir die doel van drankrestaurant.

Besonderhede van die aansoek le ter insae gedurende gewone kantoorure by die kantoor van die Bestuurder: Ruimtelike Beplanning en Grondgebruiksbestuur, Eerste Vloer, Burgersentrum, Landros Marestraat, Polokwane, vir 'n tydperk van 28 dae vanaf 15 Junie 2018. Besware teen of vertoe ten opsigte van die aansoek moet skriftelik by die Munisipale Bestuurder, by bovermelde adres of by Posbus Posbus 111, Polokwane 0700, binne n tydperk van 28 dae vanaf 15 Junie 2018.

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

15-22

LOCAL AUTHORITY NOTICE 82 OF 2018

MAKHADO MUNICIPALITY

MAKHADO AMENDMENT SCHEMES 273, 274, 284, 289

It is hereby notified in terms of the relevant sections of Act 16 of 2013 (SPLUMA) read together with Section 57 of the Townplanning and Townships Ordinance, 1986 (Ordinance 15 of 1986), that the Makhado Municipality has approved the amendment of Makhado Land Use Scheme 2009, for the rezoning of the following erven: Erf 2402 Louis Trichardt Ext. 4 from Industrial 1 to Business 1; Erf 518 Louis Trichardt from Business 1 to Business 1 with an Annexure; Erf 112 Louis Trichardt from Residential 1 to Residential 3; Remainder of Erf 12 Louis Trichardt from Residential 1 to Special. The Map 3's and the scheme clauses of this amendment scheme is filed with the Municipal Manager Makhado Municipality and are open for inspection during normal office hours. The above amendments are known as Makhado Amendment Schemes 273, 274, 284, 289 and shall come into operation on the date of publication of this notice.

Municipal Manager

Makhado Local municipality

PLAASLIKE OWERHEID KENNISGEWING 82 VAN 2018

MAKHADO MUNISIPALITEIT

MAKHADO-WYSIGINGSKEMAS 273, 274, 284, 289

Hiermee word ingevolge die relevante bepalings van SPLUMA (Wet 16 van 2013) saamgelees met Artikel 57 van die Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie 15 van 1986) bekend gemaak dat die Makhado Munisipaliteit, die wysiging van die Makhado Grondgebruikskema 2009, goedgekeur het, synde die hersonering van die volgende erwe: Erf 2402 Louis Trichardt Uitbreiding 4 vanaf Industrieel 1 na Besigheid 1; Erf 518 Louis Trichardt vanaf Besigheid 1 na Besigheid 1 met 'n bylaag; Erf 112 Louis Trichardt vanaf Residensieel 1 na Residensieel 3; Restant van Erf 12 Louis Trichardt vanaf Residensieel 1 na Spesiaal. Kaart 3's en skemaklousules van hierdie wysigingskema word deur die Munisipale Bestuurder van die Makhado Munisipaliteit in bewaring gehou en le gedurende gewone kantoor ure ter insae. Hierdie wysigingskemas staan bekend as Makhado Wysigingskemas 273, 274, 284, 289 en tree op datum van publikasie van hierdie kennisgewing in werking.

Makhado Plaaslike Munisipaliteit

LOCAL AUTHORITY NOTICE 83 OF 2018

EPHRAIM MOGALE LOCAL MUNICIPALITY



TELECOMMUNICATION MAST INFRASTRUCTURE BY-LAW, 2018

1

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1. INTRODUCTION

(a)Geographical context

The Ephraim Mogale Local Municipality is a Category B municipality situated within the Sekhukhune District in the Limpopo Province. It is the smallest of the four municipalities in the district. It was established after the 2000 local election, with the amalgamation of Marble Hall, part of Moutse (West) Transitional Local Council (TLC), Leeuwfontein, a portion of Hlogotlou/Lepelle Transitional Rural Council (TRC), Greater Nebo North TRC, a portion of Naboomspruit/Roedtan Thusang TLC, and Springbokvlakte TLC.

The municipality was a cross-border between the Limpopo and Mpumalanga Provinces. After the 2006 municipal elections the municipality was incorporated into the Limpopo Province. The municipality is at the border of the two above-mentioned provinces. It is about 160km from Pretoria and about 190km from Polokwane (previously Pietersburg).

(b) Vision

"Viable and sustainable Municipality that provides quality services and enhance economic growth".

(c) Mission

"To involve all sectors of the community in the economic and social development whilst improving service delivery thereby becoming a prominent agricultural, business and mega industrial growth point in Sekhukhune District for the benefit of the residents and the province"

2. **DEFINITIONS**

"Aesthetic or visual environment" means the visual beauty, sensitivity to and appreciation of visual beauty of the environment.

"Antenna" Means any system of wires, poles, rods or devices, used for the transmission or reception of electromagnetic waves and includes satellite dishes with a diameter exceeding 1.5m. It excludes domestic TV antennae less than 2m in diameter / height and where the associated antennae mounting structure is less than 3m in length.

"Approval" means approval by the municipality

"Building Plan" means a schematic reflection of buildings or structures to be erected within a specific zone.

"Emission" means the emanation of micro- waves and / or radio frequency emission by the antennas/ base stations.

"Environment Impact Assessment (EIA)" means an assessment of the possible impact of base stations/masts on the visual, physical, bio-physical and health and safety of the environment, as prescribed in terms of the National Environmental Management Act, 1998, Act 107 of 1998

"Land Use" means the use of a property for a specific purpose.

"Lattice mast" means an assembled tower structure consisting of framework of metallic or any other strong material and can also be divided into sections. Also meaning a structure consisting of cuttings or pieces of something cut-off at right angles to an axis and assembled together.

"Mast" means a pole or tower structure.

"Mono pole" means a single pole-structure.

"Municipality" means the Ephraim Mogale Local Municipality (EphMLM) or any officials, committee or employees of the municipality to whom any of its powers under this applicable By-Law/ Legislation has been delegated to in terms of provisions of Part 3, Section 59 of the Local Government: Municipal Systems Act, Act 32 of 2000.

"Roof top antenna" mean antennas and other relevant transceiver equipment which is installed on rooftops of buildings and/or against a building.

"Site" means a property, which includes the area of any building, yard, courtyard or garden on an erf and in relation to FAR, coverage and parking calculations, the whole of the area registered as an erf or other piece of land including the area of any servitude registered over such an erf or other piece of land.

Telecommunication Mast Infrastructure (TMI) means any part of the infrastructure of a telecommunication network for radio/wireless communication, including voice, data and video telecommunications that is used in the transmission or reception of electromagnetic waves. This includes the following: Freestanding base telecommunication station); Rooftop base telecommunication station antennas; any support structure; equipment room radio equipment (irrespective of spectrum used); and optical communications equipment (laser and infra-red) provided by cellular network operators and any other telecommunication provider as well as

all ancillary structures and the associated feeder cables between the communication equipment and the antennas, needed for the operation of TMI.

"Telecommunication structure/s" means any tower, mast, pole, structure or building designed or constructed to accommodate telecommunication equipment and/or antennas.

"Telecommunication Provider or Service Provider" means the of a telecommunications licence in terms of the Electronic Communications Act (2005).

3. PURPOSE

The principal purpose of this By-Law is to provide the framework and guidelines for assessing Telecommunication Infrastructure applications within the Jurisdiction of Ephraim Mogale Local Municipality.

4. **OBJECTIVES**

- (a) To improve and maintain communication
- (b) To encourage service providers to enter into a per-consultations in order to achieve the optimum solutions to the development requirements
- (c) To insure that the TMI is placed in the best possible location
- (d) To ensure the co-location or sharing of Telecommunication Mast Infrastructure wherever possible
- (e) To design with the landscape and use modern mitigation measures to reduce impact
- (f) To ensure that wherever possible, Telecommunication Mast Infrastructure is not situated within an area of environmental or heritage significance

5. APPLICATION OF THIS BY-LAW

- (a) This By-Law shall apply to the jurisdiction of Ephraim Mogale Local Municipality
- (b) This By-Law covers all type of telecommunication masts and relevant infrastructure

6. LEGISLATIVE FRAMEWORK

(1) Constitution of the Republic of South Africa As Amended

section 156(2) and (5) of the Constitution of the Republic of South Africa Act, 1996 (Act No. 108 of 1996) provides that a municipality may make and administer by-laws for the effective administration of the matter which it has the right to administer, and to exercise any power concerning a matter necessary for, or incidental to, the effective performance of its functions.

(2) National Environment Management Act 107 of 1998

In terms of Environmental Impact Assessment Regulations Listing Notice 3 of 2014, there is list of activities and identified competent authorities under sections 24(2), 24(5) and 24D of NEMA, where environmental authorization certificate is required before the commencement of that activity in specific identified geographical areas only.

In terms of Notice No. R985 published in Gazette 38282 on the 04th of December 2014, list of activities and competent authorities identified in terms of sections 24(2) and 24D, the construction/erection/installation of telecommunication masts or towers is a listed activity

The development of masts or towers of any material or type used for telecommunication broadcasting or radio transmission purposes where the mast or tower is to be placed on a site not previously used for this purpose and will exceed 15 meters in height but excluding but excluding attachments to existing buildings and masts on rooftops

Geographical areas based on the environmental attributes

(a) In Limpopo Province

- (i) In an estuary:
- (ii) Outside urban areas

(aa) A protected area identified in terms of NEMPAA, EXCLUDING CONSERVANCIES;

(bb) National Protected Area Expansion Strategy Focus Area;

(cc) Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;

(dd) Sites or areas identified in terms of an International Convention;

(ee) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans; (ff) Core areas in biosphere reserves:

(ff) Core areas in biosphere reserves;

(gg) Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core areas of a biosphere reserve; or

(hh) Areas seawards of the development setback line or within 1 kilometer from the high-water mark of the sea if no such development setback line is determined; or

(iii) Inside urban areas; in:

(aa) Areas zoned for use as public open space; or

(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.

The construction of a cellular mast requires an environmental compliance certificate from the Department of Economic Development, Environment and Tourism to be submitted to the council prior the construction or erection of a cellular mast

(3) National Building Regulations and Building Standards Act 106 of 1977 As Amended The initial purpose of the abovementioned act was to provide for the promotion of uniformity in law relating to erection of buildings in areas of the jurisdiction of local authority and for prescribing the building standards.

The act regulates the submission and approvals of the building plans within the jurisdiction of the Municipality.

In terms of section 7 of this Act, the local authority may grant its approval if the Council is satisfied that the application complies with the requirements of this act and any other applicable act. However, the local authority shall refuse to grant its approval if the proposed building in contrary with the requirements stipulated in National Building Regulations and Building Standards Act (Act 106 of 1977)

(4) Civil Aviation Act 74 of 1962

The Civil Aviation Act requires that Civil Aviation Authority approval is obtained prior to the erection of any mast. In addition, any mast exceeding 45m has to be marked red and white. It must also have intermediate lights and a top light. Therefore, the applicant shall provide proof that the Civil Aviation Authority's approval has been obtained for the mast being erected.

(5) Electronic Communications Act 36 of 2005

Electronic Communications Act (36 of 2005) and ICASA regulate all forms of TI and the issue of approvals and licenses. Documentation must be provided showing that transmitting power levels are in compliance with ICASA license conditions. The design and operation of TI should be in accordance with the licensing requirements of ICASA, with physical isolation and control of public access to public exposure hazard zones and use of minimum power levels consistent with quality services. The development of masts must also comply with the Local Spatial Planning Legislations, Ephraim Mogale Local Municipality SPLUMA By-law, 2017 and other related Acts/legislations/By-laws/Policies

7. IMPACTS OF TELECOMMUNICATION MASTS

(1) Health impacts

TMI has a detrimental effects on human health. There is a significant difference between radiofrequency radiation and the well know X-ray and Gamma-ray radiation that can be emitted by radioactive material. X-ray and Gamma-ray Radiation are classified as ionizing radiation. These are known to be dangerous through the mechanism of ionization. Radiofrequency radiation is classified as non-ionizing radiation because the energy it carries is too low to cause ionization or the breaking of chemical bonds on human tissue. However, at sufficiently high energy levels RF radiation can be harmful to humans. All scientists agree on this point and for this reason various international regulating bodies have compiled standards or guidelines for limiting human exposure to radio-frequency radiation.

Therefore, all the proposed telecommunication mast and base station developments are expected to meet the International Commission on Non-Ionizing Radiation (ICNIRP) guidelines

N.B. All applications should include a statement to the effect that the apparatus when operational will meet the aforementioned guidelines

No base station shall be sited within a school ground without the schools governing body providing proof that parents have been consulted and that the parents are aware that concern has been expressed about the lack of knowledge concerning the effect of radio frequency emissions on the health of humans.

(2) Environmental impacts and challenges

The installation and operation of telecommunications some environmental challenges are likely to occur, major challenges are as follows:

- (a) Alteration of the earth habitation;
- (b) Alteration of the aquatic habitation;
- (c) Obstruction and Alteration of vision;
- (d) Hazardous materials and waste;
- (e) Emission of electromagnetic fields;
- (f) Air pollution;
- (g) Noise pollution; and
- (h) Occupational health and safety.

Appointed service provider must conduct an Environmental Impact Assessment prior to the commencement of any structure and the application must be accompanied by the

environmental compliance certificate obtained from Limpopo Department of Economic Development, Environment and Tourism. The Council shall not approve any application without that certificate.

(3) Existing services

Service providers usually install their masts within the Municipal road reserves and in their proposals they must consider additional infrastructure for TMI and need to take cognizance of the logistical difficulties that may arise as a result of this uncertainty of services location.

Cell phone masts must be situated and operated in a manner so as not to interfere with any other utility functions.

(4) Noise Impacts

Noise reduction panels

The only solution to the aesthetically negative problem of the humming sound made by power generators is to mute the sound by using fiberglass panels to cover the generator box. Another effective way of generating power for cellular masts is the use of windmills, which was developed by Brolaz, South Africa. Not all cellular masts need generators - only those that are not powered by the electricity network.

(5) Co-location

The main problem with co-location is usually the unwillingness of service providers to cooperate. A very effective way of camouflaging cellular masts and creating a better aesthetic appearance is colocating, ie co-locating the cellular antenna with satellite dishes and other antennas on one tower

(6) Visual impact

- (a) The development of telecommunication masts and lattice masts have a detrimental effects on the visual pleasing, natural environment, landscapes, aesthetic and the amenity of the Ephraim Mogale Local Municipality. In assessing the visual impact the following aspects will be considered:
 - (i) Cell masts should be designed and sited to minimize any potential adverse visual impact on the character and amenity of the local environment, in particular, impacts on prominent landscape features, general views in the locality and individual significant views.

- (ii) Cell masts must be designed and sited to minimize, mitigate or avoid adverse impacts on the visual character and amenity of residential areas.
- (iii) Design and siting of cell masts should be integrated as far as possible with the building or support structure to which it relates.
- (iv)Council may require the applicant to provide a landscaping/greening plan to contribute towards effective visual satisfaction.
- (v) The equipment room / container could either be walled or fenced as appropriate in the context or could be housed in a specially designed building to match other buildings on the site.

(b) Assessment of the visual impacts of the telecommunication masts

The assessment will assist in ensuring that the telecommunication infrastructure development does not have detrimental effects on the on the living conditions of the residents within the jurisdiction of due to the visual interruption and will also seek to strike the balance by carefully considering the sitting of telecommunication masts and related equipment as well as to the operational needs of the network operators

(c) Possible locations of cellular masts based on their suitability

(i) Residential areas

The erection or construction of the lattice mast and monopole telecommunication masts within the residential areas is not suitable due to their inappropriate appearances and the height. Therefore, the Council shall grant its approval within residential areas unless the operore has the convincing reasons or evidence that the need for the mast within that specifffic area outweighs the harm which will be caused to visual amenity and that the mast will not be prominnent from the dwellings or in the street scene.

Lamp column masts and antenna on the buildings may be accepted within the residential areas provided that they are not prominent from the main windows on any dwelling.

(ii) Areas on mixed commercial and residential use

Lattice towers, monople masts and antenna on the buildings may be accepted in the mixed use areas provided that they are carefully dited and designed in relation to the dweellings and the ddtreet scene. However, the mast shall not be visually prominent in the street scene or from the dwellings due to thedesign of the structures and if possible be screened from the public areas by buildings structures and related equipment or vegetation

Lamp column masts may be developed in mixed commercial and residential areas provided that they are prominent from the main dwellings windows

(iii) Industrial areas

Telecommunication masts of all types including bothe free standing and those located on buildings may generally be acceptable within inustrial areas provided that their equipments will not be visually prominent I the street scene or from the dwellings due to the height ang the structure design. The most prefereble type of masts to be developed within industrial areas is lamp column

(iv) Rural areas including green belt and protected open land

Telecommunication masts infrastructures may be accepted in this areas provided that they fit reasonably well in to the landscape or screened by the vegetation from important viewpoints; are not visually prminent from the public open space or dwellings; are not prominent on the skyline and are not sited so close to other masts and structures so that they create a cluttered visual appearences within a small area

(v) Central Business District or city centres

The Council may consider the development of antennas and lamp colump masts within the town centres . Lattice masts and monopole masts shall not be accepted withing the town cwntres provided that it is demonstrated that they:

- (i) Will not be prominent in the street scene or from the dwellings;
- (ii) Will not be detrimental to the character and appearance of important buildings including listed buildings or buildings in conservation area;
- (iii)Will not affect the character of the area
- (iv)Will not affect the important view point
- (v) Will not be sited so close to other telecommunications equipmenmt so as to create cluttere visual appearance.

(vi) Major transport corridors such as roads and railways

Council shall accept the development of the telecommunocation masts to be erected along major roads, motorways and railway lines as they serve the traveller's needs provided that they do not create a cluttered appearences. Lattice masts and momopole masts may not be acceptable within this locations unless they:

- (i) Will fit reasonably well into the landscape
- (ii) Will not be sited close to the other masts and stuctures so that they create a clutterd appearance within a small area;
- (iii)Will not conflict with the assessment criteria applicable to the particular type of area which tey lie

Guidelines to mitigate the visual impact of telecommunication infrastructure:

Site/property characteristics	Mitigation Guidelines
Existing fences with a common	Fence around the base station site must match the style
style/predominant colour (that are a	and colour of the other fences on the property.
positive feature in the environment).	

Mostly brick walls instead of fences (that are a positive feature in the environment).	Brick wall around the base station site must match the style of the other walls on the property.
Existing buildings have a single architectural theme.	The base station site must carry this theme through.
Open exposed locations where the background is mostly sky.	Structure to be left unpainted in a galvanized finish.
Existing building with one or two predominant colours/design elements e.g. brick building with pitched roof All antenna support structures.	Structures to be painted the same colour as the building. House the base station equipment in a similar building with similar roof. The requirements of the Civil Aviation Authority must be determined and met.
An open space or natural areas dominated by large rocks.	Equipment container may be camouflaged physically e.g. flintstone containers. Otherwise the equipment room, fence and antenna support structure should be suitably painted.
Natural, semi-natural or suburban area or an open space area.	Antenna support structure and equipment room should be suitably painted (dark matt green is usually appropriate).
Trees are an important feature of the residential landscape.	Camouflage antenna support structure as a tree (this should not include pine trees or palm trees where they are not part of the local landscape). Otherwise the antenna support structure should be painted a suitable colour (dark matt green is usually appropriate).
Sites that have mature trees that could screen the antenna support structure from view.	The trees at the location are important for the screening/lessening of the visual impact on the structure. Place the antenna support structure in between the trees in such a way that it will not cause any long term damage to the trees.
Sites in visually exposed positions with poor screening	A mixture of fast and slow growing indigenous trees that are suitable for the area should be planted around the base station site to lessen its long term visual impact.
Industrial areas or high-rise urban areas or where the existing structures have a predominant colour.	Antenna support structure and base station site should be painted to blend in with the predominant colour.

8. MAST DESIGN

The aim of this by-law is also to assist the operators in improving the appearance of their installations. The service providers or the operators should consider the use of systematice design in relation to the particular site inorder to minimise the visual impact. Slimline monopole masts are less intrusive than lattice masts but they are not recommended for mast sharing. Other designs of the masts include designed to resembele trees or the street furniture such as lamp column masts.

(1) Mast sharing

When formulation proposals Service providers are advice to explore alternatives for Mast sharing or antennas in order to reduce or eliminate the need for additional masts within the area. Mast sharing may require an existing mast to be increased in height to accommodate more equipment. This may result in a more visually prominent mast. In some cases two masts may be a more effective way of minimizing visual impact than mast sharing.

Where equipment is to be installed within existing features of a building, opportunities for other operators to share the space should be explored at the outset.

The siting and design of Telecommunication Mast Infrastructure and ancillary facilities should be integrated with existing buildings and structures, unless it is impractical to do so, in which case they should be sited and designed so as to minimize any adverse impact on the amenity of the surrounding area.

(2) Fencing

- (a) The fencing and/or screening of the terrain must, as and when required by the municipality or other relevant authority, be erected and maintained to the satisfaction of the Council or the Ephraim Mogale Local Municipality. The design of fencing for equipment compounds should be visually appropriate to the particular surroundings. Security fencing will normally be required to a height of at least 2 metres and this can have a significant visual impact unless care is taken with design and colour.
- (b) The most visually acceptable types of fences for all locations are likely to be:
 - **4** Roundex and diamex type railings
 - **Weldmesh type mesh fences**
 - Steel palisade fencing will not be acceptable unless the site is entirely within an industrial environment.
 - Chain link fencing is unlikely to be secure enough and is easily vandalized so it may only be suitable for every remote locations.

All fencing should be colour treated during manufacture by powder coating in black, dark green, dark blue or similar colours. Materials and colours of equipment cab

(3) Mast density

Due to the rapidly increase in the development of the telecommunication mast infrastructure, there will be an increase in the number of the lattice mast and lattice mast to be erected on a daily bases which would require the Council to control, manage and regulate the erection of masts in order to minimize or limit their negative impact.

APPLICATION PROCEDURES ARE AS FOLLOWS:	

9.

1. dea 2. re-consutation 3. ubmission 3. ubmission 4. equest for further information 5. Application 6. cision 7. Appeal process 8. lan approval

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10. INFORMATION TO BE SUBMITTED WITH APPLICATIONS FOR TELECOMMUNICATION MASTS:

It should be noted that the Council will not be considered unless the required information is submitted to the Municipality

(1) Site analysis plan with report

- (a) A report that provides sufficient information relating to the site and its surroundings to assist in the assessment of the cell mast proposals. This is to ensure that they are designed and located in the best possible manner so as to minimize visual impact and any concerns.
- (b) proposed materials and colour of the facility, and proposed arrangements for maintenance and/or future modifications in response to changes to any adjacent buildings or structures,
- (c) any external lighting of the proposed facility and/or the facility site; details of any existing vegetation to be removed and any proposals for landscaping and/or restoration of any disturbed land;
- (d) details of the timing of works involved in establishing the facility and any arrangements for temporary access and/or changes to existing access facilities during the course of construction;
- (e) how the proposed facility relates to the existing and proposed network of telecommunications infrastructure, and what (if any) additional facilities are known by the proponent to be under consideration to meet projected future increases in demand;

(2) The following information will be required on the site analysis plan;

- (a) Zoning, site boundaries and dimensions.
- (b) Location and height of the cell mast.
- (c) Natural landforms and water flow through the site.
- (d) Surrounding land uses (to a radius of 100m).
- (e) surrounding areas of environmental & heritage significance
- (f) Existing vegetation.
- (g) Proximity of existing cell phone masts.
- (h) Graphic illustrations (including photographs of similar facilities and/or computer generated simulations) showing the type of facility.
- (i) Any screening or fencing proposed in conjunction with the facility. Visual plan for the communication mast.

(3) Required documents to be submitted on the application:

- (a) Application form accessible from the Municipal website and Department of Planning and Economic Development: Town Planning division
- (b) Zoning Certificate
- (c) Eskom authorization letter If services by Eskom
- (d) SA Aviation authorization approval
- (e) Locality Plan

- (f) Lease agreement between the service provider and the property owner If the property is leased
- (g) Radiation Frequency report prepared by qualified person and approved by ICASA(if applicable)
- (h) Site Plan
- (i) Building plans Proposed Plans
- (j) Site Coordinates
- (k) Limpopo Department of Economic Development, Environmental and Tourism
- (1) LIRHA authorization If located next to Heritage sites
- (m)Title Deed or proof of ownership
- (n) Tribal Authority Letter in areas under tradition
- (o) Neighbour's written comments in town centres
- (p) If there are any outstanding documents required for the satisfaction of the Council, the applicant must provide the Municipality with such outstanding documents.

11. CONDITIONS THAT WILL BE APPLICABLE TO THE DEVELOPMENT OR CONSTRUCTION OF A TELECOMMUNICATION MASTS:

- **a.** The approval will only be subjected to the payment of all Municipal accounts relating to the property in question prior to promulgation;
- **b.** The property owner will be responsible for the access and storm water management;
- **c.** That the access to the property only be allowed at the current access point and this may be subject to the controlling authority, should the situation require the further access arrangements to the property;
- d. That the access and storm water management will be responsibility of the owner/developer;
- e. That the disposal of affluent from the sewerage and drainage systems is done to the satisfaction of the Local Authority;
- **f.** That no buildings or structures and no facilities which form part of the development (excluding access facilities, parking, lawns and gardens), may be erected or provided within the limits of any building line as may be imposed by the relevant Road Agency and without the written approval of such controlling authority;
- **g.** That the fencing and/or screening of the terrain must, as and when required by the municipality or other relevant authority, be erected and maintained to the satisfaction of such authority;
- h. That the buildings must comply with the minimum requirements set by Regulation 918 of 30 July 1999 under the Health Act, 1977 (Act 63 of 1977) and activities must comply to Health regulations and standards;
- i. That no pollution, whether in the form of noise, odours or affluent etc., may have its origin on the property and sufficient arrangements/precautions to prevent fire hazards and pollution must be undertaken to the satisfaction of the municipality and/or provincial authority;

- **j.** That the registered owner is responsible for ongoing maintenance of the whole development on the property. If the municipality is of the opinion that the property, or any portion of the development, is not being satisfactorily maintained, the municipality shall be entitled to undertake such maintenance at the cost of the registered owner;
- **k.** That the applicant adheres to the conditions as imposed by the stakeholders or relevant role players where applicable, such as:
 - (i) Roads Agency Limpopo,
 - (ii) Mineral rights holder,
 - (iii)Eskom,
 - (iv)Department of Agriculture,
 - (v) Department of Water Affairs and Forestry,
 - (vi)Telkom
- **I.** That all engineering designs and reports must be approved by the municipality prior to commencement of any civil works;
- **m.** .That building plans must be submitted to the municipality for approval before building work commences;
- **n.** Rooftop Installations should be situated in such a manner that they do not interfere with other utility functions.
- **o.** That the applicant provide adequate water and water of good quality and tested results of the water to the satisfaction of the Municipality;
- **p.** That the applicant confirms with the Municipality, the availability of Water, Electricity, Sanitation and other Municipal Services before the approval of the building plansNo unauthorized person should be able to come within 5m in front of the panel antennas clearly marked warning signs, must define this no go zone.
- **q.** This approval does not exempt the applicant from any other Bylaws or Regulations that may be applicable including any lease/way-leave approval that may be required for location in a Council road reserve or on other Council owned property.
- **r.** The mast or equipment room should not be utilized for outdoor advertising purposes.
- **s.** Access to the antennas and or mast and equipment room must be strictly controlled by means of a fence or wall with locked gate and adequate warning signs in the official languages must be displayed on the gate.

12. PUBLIC PARTICIPATION

Public participation shall be carried out by the applicant in accordance with the NEMA EIA Regulation process, provided that even though the requirements of NEMA do not require it, any proposal for an antenna mounted on a building or roof which will protrude more than 3.00 meters above the roof-top shall be subject to a public participation process in accordance with Council's Public Participation Policy and processes.
13. IMPLEMENTATI ON

This by-law will not affect the Telecommunication Mast Infrastructure that has been approved by the council, unless the approval lapses and a new application is to be lodged.

All applications for cellular masts, base stations and related infrastructure submitted prior to the approval of this By-law, will be finalized in terms of the relevant By-Laws/policies/legislations in place when the application was submitted, taking into account the provisions and intentions of this policy.

Any upgrading of, or alterations or modifications to cellular antennae / masts shall be effected in compliance with the provisions of this By-law.

All applications for cellular masts shall be lodged, evaluated and authorized by the Department of Planning and Economic Development: Town Planning Division.

An authorized official to attend the application shall grant, consider or request additional information on an application within a stipulated period, failing which the application shall be considered incomplete and therefore will not be evaluated as per the provisions of Ephraim Mogale Local Municipality Spatial Planning and Land Use Management By-law, 2017.

14. MONITORING, ENFORCEMENT AND COMPLIANCE

If any person commence with the building work prior to the approval the council will take action on the responsible individual.

The Municipality will conduct site inspections on regular bases in order to monitor compliance and in the event that there is a proof or evidence of non-compliance in terms of the conditions on the approval conditions, building plans approval and any relevant policies, the service provider will be notified in writing and shall be expected to respond to the Municipality within 7 working days.

In terms of the Ephraim Mogale Local Municipality Spatial Planning and Land Use By-law, 2017, any person who contravenes or fails to comply with section 56 and subsection (2) will be found guilty of an offence and is liable upon conviction to a fine or imprisonment not exceeding a period of 20 years or to both a fine and such imprisonment. However, after conviction, if that person continues with the action in respect of which he or she was so convicted, is guilty of continuing with the offence and liable upon conviction to imprisonment for a period not exceeding three months or to an equivalent fine or to both such fine and imprisonment, in respect of each day on which he or she so continues or has continued with that act or omission.

Therefore, all the service providers should comply with all the relevant legislations, by-laws, policies, this policy, approval conditions, etc.

LOCAL AUTHORITY NOTICE 84 OF 2018

EPHRAIM MOGALE LOCAL MUNICIPALITY



BY-LAW FOR THE REGULATION OF SMME'S ON RESIDENTIAL STANDS

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1. BACKGROUND

There are currently unregistered and uncontrolled Spaza Shops, Car Wash, Containers and micro businesses on residential stands, within the jurisdictions of Ephraim Mogale Local Municipality. The existence of these businesses indicates an existing demand for such a service within residential areas, especially where communities are less mobile and existing business nodes are out of reach.

Functions

The primary function of a Tuck/Spaza Shop is to provide the occupant of a residential unit with an opportunity to use his/ her property for a small- scale economic activity and thus generating income without negatively impacting on adjoining properties. Another function is to provide a range of household goods to the surrounding communities, within walking distance.

Given the functions above, it is clear that a Tuck/Spaza shop must not be confused with retail /business facilities on stands located along activity streets or nodes and serving a wider community at a larger scale. In addition, an ERF on which a Tuck/Spaza shop is operated should retain its primary use as residential.

2. APPLICATION OF THE BY-LAW

- **a.** This By-law applies to home-based small businesses that are located either in (part of) the residential dwelling, or on the residential property attached or adjacent to the dwelling in areas that are zoned:
 - (i) Residential: in which case special consent is required through the town planning procedures, as well as business licensing through the appropriate section of the municipality
 - (ii) Mixed use (Marble Hall Town Centre): in which case town planning special consent is not required; a business license is however, still required.

3. OBJECTIVE OF THE BY LAW

The objective of this by-law is to manage and regulate land uses within the municipality, with special focus on Spaza shops, Carwash, Containers and other micro-business on residential stands to:

- a. Ensure peace and harmony between neighbor's and within our communities
- b. Uplift the livelihoods of our people, by allowing people to do business at a minimal and manageable scale.

- c. To encourage entrepreneurship.
- d. To reduce unnecessary spending of public funds.
- e. Setting guidelines to evaluate applications for Spaza Shops.
- f. Promoting harmonious development and protecting the residential character of the surrounding areas.
- g. Promoting small businesses and boosting the economic status of the Municipality.

4. FACTUAL SITUATION

There is a mushrooming of informal small, medium and micro enterprise businesses operating within residential areas such as Spaza shops, Containers, Taverns and Carwash among other micro businesses for catering for the day to day needs of the community. Most of the above mentioned businesses are illegal in the sense that formal town planning processes were not complied with in relation to special land uses.

Given the functions above, it is clear that a Tuck/Spaza shop must not be confused with retail /business facilities on stands located along activity streets or nodes and serving a wider community at a larger scale. In addition, an Erf on which a Tuck/Spaza shop is operated should retain its primary use as residential.

5. **DEFINITIONS**

In this By-Law, unless the context otherwise indicates:

Business: means the selling, leasing, hiring out, repairing, servicing or rendering of, or other dealing in, goods or services, or the provision of any facilities, as a commercial activity of a continuing nature, and includes acting as a commercial agent or a commission agent;

Carwash: a business where you pay to have someone wash your car or to use car washing equipment

Container: means a ship container or other container provided by a phone or cell phone company used for the purpose of selling goods and / or providing a service within a community;

Council: means the Ephraim Mogale Local Municipality, established in terms of section 12 of the Local Government Municipal Structures Act, no.117 of 1998 and any member of staff to whom the Council has delegated the powers, functions and duties vesting in the Council in relation to this By-Law,

Informal Business: means a business not registered with DTI and not operating within a property zoned for that specific type of business;

Land Use Management By-law: means as set of laws approved by council of Ephraim Mogale Local Municipality to regulate and manage land uses;

Residential unit: A building designed for use, or used for human habitation;

Spaza shop: Any type of retail income-generating business, conducted from a residential stand, where the primary function of the stand remains residential, and the purpose of which is to supplement household income, and further subject to the limitation that not more than 20% of the floor area of the dwelling may be used for this purposes with the special consent of the local authority;

Special Land Use: Means other land use within a residential other than residential uses granted to the specific stand/ plot by the Ephraim Mogale;

Town Planning Processes: means processes as outlined in the Ephraim Mogale Local Municipality Spatial Planning and Land Use By-Law;

6. TOWN PLANNING PROCESSES (APPLICATION PROCEDURE)

The following procedures should be followed by the applicant when submitting an application:-

- a) A Tuck/Spaza Shop, Car Wash, Container, Tavern and other small micro businesses within proclaimed townships shall only be operated with the special consent of the Municipality, provided that the Municipality: may waive compliance with the formal special consent procedure if the written consent of the registered owner of each adjoining property and such other properties as the head of the department may direct, is first obtained and submitted to the Municipality.
- b) Any person who wishes to operate a spaza shop, Carwash, Container, Tarven and other small micro businesses in rural areas and/or areas under traditional authority, shall apply to the local authority through a written consent.
- c) The applicant shall obtain written comments and/or petitions from the surrounding neighbors, where the municipality will determine the affected neighbors.
- d) A small scale site plan (A3) shall be submitted with the application.
- e) A motivating memorandum stipulating the intentions of the applicant together with a locality plan shall form part of the application.

- f) The Title Deed of the property must form part of the application.
 - (i) The title deed indicates the registered owner of a specific property. If the applicant is not the registered owner of the property, as indicated in the title deed or lease agreement, the written permission of the registered owner must be obtained, in the form of a power of attorney. A company resolution is also required, if the property is registered in the name of a company.
 - (ii) In the case where a bond is registered against a specific property, an endorsement to that effect will appear in the title deed. If this is the case, the bondholder's consent must be obtained and forwarded, with the application.
 - (iii) The amendment or removal of restrictions in the Conditions of Title is necessary, where a land-use constraint is found, for example, which restricts the land-use of the property to residential or commercial only. Where a condition in the title deed is found to be restrictive, it is necessary that an application be made to either amend or remove the condition, before any development can take place, assuming such development conforms to all other requirements.
- g) All objections lodged or representations made shall be dealt with at the Municipality
- h) Advertisement of the intentions of the applicant must be placed on site for 14 working days.
- i) Where a building or an attachment is to be erected, building plans should be attached to the application.
- j) In areas under tradition, the application must be accompanied by the recommendation letter from the Tribal Authority regarding the intended use. If the application is not supported reasons thereof must be stated. Tribal Authority may recommend conditions to the municipality in relation to the application if recommended for approval.
- k) The applicant may only commence with the operations of the business only after getting both approval from the municipality and certification of operation from LEDET.
- The Council Approval and certificate of operation by LEDET must both be presented during any inspection by the official of the Municipality, a Ward Cllr, member of Tribal Council, the SAPS and LEDET officials.

7. CRITERIA AND STANDARD CONDITIONS OF APPROVAL, PAYMENTS AND PENALTIES PER WARDS

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

Ward 7 (Marble Hall Town):

- a. A Tuck/Spaza Shop must be operated from a building or associated immovable measuring 20m² structure approved in terms of the National Building Regulations and Building Standards Act 103 of 1977. i.e operate from an approved structure that complies with all Council by-laws and relevant policies Building regulations.
- b. A building plan for the Tuck/Spaza Shop must be submitted to the building control unit for Municipal approval with a contractual agreement signed between the owner of the property and the applicant.
- c. The floor area of a spaza shop will be restricted to a maximum of 20m²
- d. The floor area of a tavern will be restricted to a maximum of 50m²
- e. The floor area of a Car wash will be restricted to a maximum of 40m²
- f. A Tuck/ Spaza Shop and other small micro businesses will not be permitted in close proximity of 3500 meters away from one another.
- g. Only one container measuring 20m² per stand will be permitted.
- h. Trading hours for spaza shops, containers and other micro businesses will be permitted only from 6:00am to 20:30pm each day.
- i. Trading hours for taverns will be as per approval by the liquor board. However no noise shall be permitted in taverns after 22H00 pm every day.
- j. The Tavern shall be permitted 500meters (radius) away from one another and any public worship or a place of instruction (e.g. school, crèches, a clinic etc),
- k. No Street parking or parking on the pavement shall be allowed.
- 1. A tavern shall be considered/approved in terms of the submitted Site Development Plan
- m. Only one container providing similar service shall be permitted within 250 stands that is per population of approximately1500 people.
- n. Containers must not be placed within 3 meters from the kerb.
- o. In town centres where Municipal special consent is not required, a business licence (either liquor or trading) must be obtained.

Proclaimed Townships (Leeuwfontein, Elandskraal and Matlelerekeng/Zamenkomst):

- **a.** A Tuck/Spaza Shop must be operated from a building or associated immovable measuring 20m² structure approved in terms of the National Building Regulations and Building Standards Act 103 of 1977. i.e operate from an approved structure that complies with all Council by-laws and relevant policies Building regulations.
- b. A building plan for the Tuck/Spaza Shop must be submitted to the building control unit for Municipal approval with a contractual agreement signed between the owner of the property and the applicant.
- c. The floor area of a spaza shop, and other businesses on a residential stand will be restricted to a maximum of 20m²
- d. The floor area of a tavern will be restricted to 50m²

- e. A Tuck/ Spaza Shop will not be permitted by the Municipality in close proximity of 300 meters to each other.
- f. Only one small micro business per stand will be permitted.
- g. Trading hours for spaza shops, containers and other micro businesses will be permitted only from 6:00am to 20:30pm each day
- h. The business operation hours for taverns shall be as per Liquor Board regulations stipulations.
- i. The tavern shall be permitted within radius of 500meters away from each other and any public worship or a place of instruction (e.g. school, crèches, a clinic etc),
- j. No Street parking or parking on the pavement shall be allowed.
- k. A tavern shall be considered/approved in terms of the submitted Site Development Plan
- 1. Only one container providing similar service shall be permitted within 200 stands that is per population of 1200 people.
- m. Containers must not be placed within three meter from the kerb.

All Villages within the Jurisdiction of Ephraim Mogale Local Municipality:

- a. A Tuck/Spaza Shop must be operated from a building or associated immovable measuring 30m² structure approved in terms of the National Building Regulations and Building Standards Act 103 of 1977. i.e operate from an approved structure that complies with all Council by-laws and relevant policies pertaining to building regulations.
- b. A building plan for the Tuck/Spaza Shop must be submitted to the building control unit for Municipal approval with a contractual agreement signed between the owner of the property and the applicant.
- c. The floor area of a spaza shop on a residential stand will be restricted to a maximum of 30m²
- d. The floor area of a tavern will be restrictive to 50m²
- e. A Tuck/ Spaza Shop will not be permitted by the Local Municipality's jurisdiction in close proximity 200 meters to each other.
- f. Only one container per stand will be permitted.
- g. Trading hours for spaza shops, containers and other micro businesses will be permitted only from 6:00am to 20:30pm each day
- h. Trading hours for taverns will be as per approval by the liquor board..
- i. Only one tavern/will be allowed within 500 stands that is per population of 3000 people
- j. The tavern shall be permitted 500meters (radius) away from each other and any public worship or a place of instruction (e.g. school, crèches, a clinic etc),
- k. No Street parking or parking on the pavement shall be allowed.
- 1. A tavern shall be considered/approved in terms of the submitted Site Development Plan
- m. Only one spaza shop shall be permitted within 50 stands which is population of 300 people those that already in operation are exempted.
- n. Only one container providing similar service shall be permitted within 40stands that is per population of 240 people.
- o. Containers must not be placed within three meter from the kerb.

8. GENERAL STANDARD CONDITIONS

The following conditions shall apply to the application of spaza shops, taverns, containers and other micro businesses on residential stands within the Jurisdiction of Ephraim Mogale Local Municipality;

- a. A person who wishes to conduct business shall on the prescribed form apply to the Municipality.
- b. Where a business is carried on at more than one premises, a separate permit is required for each premise.
- c. Permits may only be renewed to applicants who have a good record of compliance.
- d. Foreign nationals in possession of South African Identity document can operate and own businesses anywhere in the country except participating in voting processes or elections.
- e. The activity shall not interfere with or negatively influence the amenities of the surrounding area.
- f. All vehicular and pedestrian access shall be to the satisfaction of the Municipality.
- g. The Municipality may impose any other condition/s that it deems necessary to protect the amenities of the area or neighborhood.
- h. No alcoholic drinks/ beverages shall be sold from Tuck/Spaza Shops.
- i. No tobacco products shall be sold to persons under the age of 18.
- j. A trading license must be obtained from the relevant section from the Municipality.
- k. A tuck/spaza shop shall be used for purposes of basic groceries excluding hardware, electrical appliances and meat products.
- 1. A notice or sign displayed on the property to indicate and advertise the business being conducted from the dwelling, shall be in accordance with the regulations of the Ephraim Mogale Local Municipality Advertising By-Law, 2017.
- m. The approved license will only operate on an approved stand for such purpose.
- n. One parking space must be provided on the application property
- o. Permits will be revoked if liquor or any drugs are sold on the property.
- p. Re-application for declined application may only be resubmitted after six months from date of the disapproval by Council.
- q. Taverns must provide additional ablution block separated from the taverns for both sexes as follows:
 - ↓ Male: One urinal , one water closet per 15 people and one hand washing basin
 - Female: one water closet per 15 people and one hand washing basin
- r. The dining/eat/drink/dance area for a tavern must provide for at least one person per square meter or number of fixed seats.
- s. Adequate security must be provided at all times at taverns, these include physical security, alarms and walls.
- t. Consent use will lapse on the time frame specified within the approval.
- u. The applicant must submit a letter to the municipality if they need an extension to operate, 3 months prior to the expiry date.

- v. The license or permit will be revoked in case false information has been provided to the municipality or illegal activities are carried on in the concerned property.
- w. The building line of the street boundary and other boundaries must be taken into consideration and ensure that the business does not disturb traffic view and flow.
- x. Capacity of the Law enforcement agencies (SAPS and traffic officers) be taken into consideration. The municipality must engage the SAPS to determine available capacity in relation to monitoring issues and law enforcement.
- y. All extensions (permanent and temporary) of existing structure must be approved by the municipality prior to commencement of the construction.
- z. A tavern shall include ancillary uses such as a restaurant, pub, shebeen excluding land uses outlined for a "Place of Amusement"
- aa. Consumption of alcohol shall be on site and alcohol served shall be for the patrons of the liquor establishment/outlet
- bb. People are to consume alcohol on the designated properties only and not to leave with their stock, bottles, in order to avoid littering
- cc. The property be surrounded by a built wall in terms of the National Building Regulations for security purposes and an abatement measure for noise.
- dd. Litter accumulated by the tavern shall be handled in such manner that is not detrimental to the neighboring properties
- ee. Sufficient ablution facilities to be provided in site for the customers, for when intoxicated there is a tendency of reliving themselves on other people's properties.
- ff. All Health by-laws/ policies shall be adhered to and complied with
- gg. Other micro businesses will be evaluated on individual merit

9. SCOPE OF OPERATION OF THE SMALL MICRO BUSINESSES

- a. The property must remain residential in appearance and character, and must at all times comply with the definition of "Dwelling House".
- b. Entertainment facilities shall not be permitted within a Tuck-Shop.
- c. A Tuck-Shop shall not involve the sale of alcohol or any other goods which in the opinion of the municipality are unnecessary for the day to day needs.
- d. No external advertising shall be permitted on the site, unless a consent is obtained from the Municipality in terms of the Ephraim Mogale Local Municipality Advertising By-law, 2017.
- e. A Tuck/ Spaza Shop and other small micro businesses must be operated in accordance with all relevant By-Laws and other Legislation of the Municipality
- f. A Tuck-shop shall not be allowed to cause any high level of noise, which will disturb peace within the neighborhood..

- g. The storage of goods and equipment shall be within the Area designated for that purpose on the plan which is to accompany the application detailing that Area to be used for the business as well as any portion of that area in which goods or equipment will be stored.
- h. Only one light delivery vehicle at a time may be used for the delivery to dispatch goods or supplies.
- i. In assessing any application, consideration shall be given to ensure that the Location of the Tuck Shop/Spaza Shop and any other micro business does not compromise the principles of sound land use management practice.
- j. If the use is discontinued for the period of greater than 90 days, the dwelling house in so far as it may have been altered for that purpose, must be restored to its original state to the satisfaction of the Municipality. In case where the Spaza shop was detached from the dwelling house it must be demolished within that specified period.
- k. No Tuck shop shall be erected or approved a 1000m less from a formally rezoned business stand as the tuck shops are established to help community members to access their basic needs close by, in a case where there is a formal business on a business stand there is no need for a Tuck shop near that stand for the above mentioned distance.
- 1. Flammable and hazardous substances will not be allowed in the Tuck-shop and continuous contravention will lead to permanent closure.
- m. A person is allowed to own only one Tuck –Shop registered in his/her name within a township and two within the municipality.

10. PAYMENTS

The person shall pay application fee and annual fee stipulated on the approved tariffs by council to run a Tuck shop/Spaza, Carwash and other small micro businesses.

11. PENALTIES

Any person who establishes a Spaza shops, Containers, Taverns, Carwash and other micro businesses without Municipal approval shall be liable to a fine or penalty fee as per the approved tariffs

- a. The owners of Spaza shops, Containers, Taverns, Carwash and other micro businesses who fail to renew their permits on time will be fined and their business will be closed down until they pay the fine and apply for renewal of their permits
- b. Those who will be found sleeping inside the Tuck/Spaza Shops, Containers, Taverns, Carwash and other micro businesses will be fined as per the approved tariffs.

12. PROHIBITIONS/ PROHIBITTED CONDUCT

No person shall establish a business of a Spaza shops, Containers, Taverns and Carwash and other micro businesses:

- a. If she/he is declared by a court of law to be unsound mind.
- b. A non-South African citizen who is in the country illegally.
- c. Without the approval of the municipality
- d. No person carrying on business shall sleep in the Tuck-shop.
- e. At a place or in an area registered or reserved for municipal purposes,
- f. In a garden or a park to which the public has a right of access
- g. No illegal building or structure shall be erected for purposes of a Spaza/Tuck-shop.

13. ESTABLISHMENT OF A COMMITTEE

The Municipality will establish one Technical Committee to deal with all the applications received which will consist of the following:

- a. Building Control,
- b. Town Planning Services,
- c. Local Economic Development,
- d. Registration and Licencing
- e. Community Services
- f. Infrastructure Services

All the applications will be circulated to the above mentioned departments within the Municipality for comments before the consent is granted.

Ephraim Mogale Local Municipality



Special/ written consent for small micro businesses application form

Name/ Company:				
Identity Number				
of the applicant/				
Company				
Registration				
Number:				
Residential/ Physical				
Address:				
Are you the registered			If no who is the registered owner of the property:	
owner of the property:	Yes	No		
Postal Address:				
Contact details:	C-11		Talanhana	Email
Contact details.	Cell		Telephone	E-mail
Contact details.			relephone	E-man
Erf/ Holding/Portion	Cell		relephone	E-man
Erf/ Holding/Portion No:			relephone	E-mail
Erf/ Holding/Portion No: Township/ Agricultural			relephone	E-maii
Erf/ Holding/Portion No:			relephone	E-mail
Erf/ Holding/Portion No: Township/ Agricultural			Telephone	
Erf/ Holding/Portion No: Township/ Agricultural holdings/Farm: Current Zoning of the property:			relephone	E-mail
Erf/ Holding/Portion No: Township/ Agricultural holdings/Farm: Current Zoning of the property: Type of Small micro				
Erf/ Holding/Portion No: Township/ Agricultural holdings/Farm: Current Zoning of the property:				

I..... as the registered owner/authorized agent of the above-mentioned property, hereby formally apply to the Ephraim Mogale Local Municipality to operate afore-mentioned business, in terms of the provisions of Ephraim Mogale Local Municipality Spatial Planning and Land Use Management By-Law, 2017; Marble Hall Town Planning Scheme, 2001; Ephraim Mogale Local Municipality SMME'S (Small, Medium and Micro Business Enterprises), 2017 and other relevant legislation/policies

I desire that the above mentioned business be operated from a portion of the subject property and the aforesaid be used for no other purposes, whatsoever, except the main use of the property which shall remain residential.

I undertake that, in the event of the Ephraim Mogale Local Municipality approving my application, the above-mentioned business/activity/building will be operated/constructed in such a manner, no nuisance will be caused as possible to the surrounding residents.

I understand that, in the event of the premises being used for any other purposes than the abovementioned or other than provided for in the zoning, as stipulated in the relevant town-planning scheme/applicable legislation, the Ephraim Mogale Local Municipality will be entitled to take immediate action, in order to interdict the carrying on of such illegal business/activity/building and to close it down or to carry out any other proceedings, the aforesaid may deem advisable, without any compensation being payable by the Ephraim Mogale Local Municipality.

In order to ensure that the above provisions will be carried out, I agree that the Ephraim Mogale Local Municipality, shall have the right at all reasonable times, to enter upon the aforesaid property and/or any buildings or structures erected thereon, for the purpose of inspecting the aforesaid property, buildings and structures and the nature of the business and/or other activity therein.

Yours faithfully

Applicant's Signature If not the registered owner

Date

Registered Owner's Signature

Date

No. 2915 53

LOCAL AUTHORITY NOTICE 85 OF 2018

NOTICE OF APPLICATION FOR AMENDMENT OF THE LAND USE MANAGEMENT SCHEME IN TERMS OF SECTION 52 (1) (b) OF MARULENG SPATIAL PLANNING & LAND USE MANAGEMENT BY-LAW OF 2016 READ TOGETHER WITH THE PROVISIONS OF SPATIAL PLANNING AND LAND USE MANAGEMENT ACT 2013 (ACT 16 OF 2013)

MARULENG AMENDMENT SCHEME 144

We, Kago-Boswa Consulting Spatial Planners, being the authorised agent of the owner of the property mentioned below, hereby give notice in terms of Section 52 (1)(b) of Maruleng Spatial Planning and Land Use Management Bylaw of 2016, that we have applied to Maruleng Municipality for the amendment of Maruleng Land Use Management Scheme 2008, by the rezoning of:

Stand located on GPS Coordinates 24°15'32" S, 30°26'57" E, situated in on portion of Portion 1 of the farm Metz 75 KT (Metz Dam), from 'Agriculture/ Undetermined' to 'Special' for a Resort (Amendment Scheme 144, Annexure 159).

Particulars of the applications will lie for inspection during office hours at the Municipal Library, 64 Springbok Street, Hoedspruit, for a period of 30 days from 22 June 2018. Objections to or representations in respect of the applications must be lodged with or in writing to the Municipal Manager at this address P. O. Box 627, Hoedspruit, 1380, within a period of 30 days from the 22 June 2018. Any person who cannot write may during office hours attend at an address stated above where a staff member of the municipality will assist to transcribe the objection, comment or representation.

Address of the Agent: Kago-Boswa Consulting Spatial Planners, P. O. Box 14098, Flamwood Walk, 2535 (Cell: 0827780429, email: kagoboswa@gmail.com)

TSEBIŠO YA KGOPELO YA FETOLO YA SEKEMA SA TŠHOMIŠO YA MABU E DIRWA GO YA KA KAROLO YA 52 (1) (b) YA MOLAWANA WA "MARULENG SPATIAL PLANNING & LAND USE MANAGEMENT BY-LAW OF 2016" E BALWA MMOGO LE "SPATIAL PLANNING AND LAND USE MANAGEMENT ACT, 2013 (ACT 16 OF 2013)"

FETOLO YA SEKEMA SA MARULENG YA BO 144

Rena, Kago-Boswa Consulting Spatial Planners, re le yo a dumeletšwego ke mong lebala, gore re fe tsebišo go ya ka Karolo 52 (1) (b) ya Molawana wa "Maruleng Spatial Planning and Land Use Management By-law of 2016" gore kgopelo ya go fetolwa ga Sekema sa Tšhomišo ya Mabu sa Maruleng go ya le kamo e hlalositswego ka fase e amogetšwe ke ba Masepala wa Selegae wa Maruleng ka go fetolwa ga:

 Setshase se se gwetšagalago mo GPS Coordinates 24°15'32" S, 30°26'57" E, seripa sa Seripa 1 sa polase ya Metz 75 KT (Letamo la Metz) gotšwa go 'Agricultural/ Undetermined' go fetolwa go 'Special' for a Resort (Fetolo ya Sekema ya bo 144, Tlhaloso 159).

Dintlha tša kgopelo di ka lekolwa ka nako ya diiri tša mošomo kwa Laeboraring ya Mmasepala (Municipal Library), mo mmileng wa 64 Springbok, Hoedspruit, mo nakong ya matšatši a 30 go thoma ka di 22 tša Phuphu 2018. Dikganetšo goba ditshwaotswao tše di ngwadilwego mabapi le kgopelo di swanetše go išwa go Motsamaiše Mogolo wa Mmasepela wa Maruleng atereseng ya P. O. Box 627, Hoedspruit, 1380, mo nakong ya matšatši a 30 go thoma ka di 22 tša o ba sa kgoneng go kwala ba ka kgopela thušo ya mošhumi wa mmasepala mo aterere e e boletsweng go ngwala dikganetšo, goba ditshwaotswao.

Aterese ya Moemedi: Kago-Boswa Consulting Spatial Planners, P. O. Box 14098, Flamwood Walk, 2535 (Cell: 0827780429, email: kagoboswa@gmail.com)

54 No. 2915

Printed by and obtainable from the Government Printer, Bosman Street, Private Bag X85, Pretoria, 0001. Contact Centre Tel: 012-748 6200. eMail: info.egazette@gpw.gov.za Publications: Tel: (012) 748 6053, 748 6061, 748 6065

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