



THE PROVINCE OF MPUMALANGA
DIE PROVINSIE MPUMALANGA

Provincial Gazette Provinsiale Koerant

(Registered as a newspaper) • (As 'n nuusblad geregistreer)

Vol. 24

NELSPRUIT
14 JULY 2017
14 JULIE 2017

No. 2830

We all have the power to prevent AIDS



Prevention is the cure

**AIDS
HELPLINE**

0800 012 322

DEPARTMENT OF HEALTH

N.B. The Government Printing Works will not be held responsible for the quality of "Hard Copies" or "Electronic Files" submitted for publication purposes

ISSN 1682-4518



9 771682 451008

02830



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.

CONTENTS

Gazette *Page*
No. *No.*

GENERAL NOTICES • ALGEMENE KENNISGEWINGS

68	Spatial Planning and Land Use Management By-Law, 2016, Chapter 5 and 6: Erf 16643 (Park), Embalenhle Extension 15, Registration Division IS, Mpumalanga	2830	11
69	Steve Tshwete Town-planning Scheme, 2004: Portion 1 of Erf 8198, Mhluzi Extension 5	2830	11
69	Steve Tshwete-dorpsbeplanningskema, 2004: Gedeelte 1 van Erf 8198, Mhluzi-verlenging 5	2830	12

PROVINCIAL NOTICES • PROVINSIALE KENNISGEWINGS

74	Mpumalanga Gaming Act (5/1995), as amended: Application for a transfer of a site operator license: The Old Mill Motel (Machadodorp) (Pty) Ltd	2830	12
75	Steve Tshwete Spatial Planning and Land Use Management Bylaw, 2016: Erf 6258, Mhluzi X 3.....	2830	13
75	Steve Tshwete Ruimtelike Beplanning en Grondgebruiksbestuursverordening, 2016: Erf 6258, Mhluzi X 3	2830	13
76	Mpumalanga Gambling Board: Timelines for submission of Applications in terms of the revised request for applications for limited pay-out machines ("RFA for LPMS")	2830	14

LOCAL AUTHORITY NOTICES • PLAASLIKE OWERHEIDS KENNISGEWINGS

67	Local Government: Municipal Systems Act (32/2000): By-laws on outdoor advertising.....	2830	15
68	Spatial Planning and Land Use Management Act (16/2013): Agreement for the establishment of a district Municipal Appeal Tribunal Authority	2830	74
69	Steve Tshwete Town-planning Scheme, 2004: A portion of the Remaining Extent of Portion 4 of the Farm Kleinfontein 432JS and a portion of Portion 38 of the Farm Kleinfontein 432JS	2830	85
69	Steve Tshwete-dorpsbeplanningskema, 2004: 'n Gedeelte van Gedeelte 4 van die plaas Kleinfontein 432JS en 'n gedeelte van Gedeelte 38 van die plaas Kleinfontein 432JS	2830	85
70	Steve Tshwete Town-planning Scheme, 2004: Portion 1 of Erf 1973, Middelburg Extension 5 Township	2830	86
70	Steve Tshwete-dorpsbeplanningskema, 2004: Gedeelte 1 van Erf 1973-uitbreiding 5 van die dorp Middelburg.....	2830	87
71	Town-planning and Townships Ordinance (15/1986): Emjindini Extension 15.....	2830	88
72	Dr JS Moroka Spatial Planning and Land Use Management By-Laws: Portion (7000m ² in extent) of the farm Leeuwfontein 188JR (Owner – National Government of South Africa). The property is located on the south eastern corner of the R568 and the road to Leeuwfontein A & B, just to the south west of Leeuwfontein A.	2830	92
73	Spatial Planning and Land Use Management, 2015: White river Amendment Scheme 379: Rezoning of Portion 3 of the Farm Kleindeel 279 JT	2830	93
74	Town-planning and Townships Ordinance (15/1986): Declaration as an approved township: Emjindini Extension 16.....	2830	94
75	Mbombela Bylaw on Spatial Planning and Land Use Management, 2015: Erf 318, White River Extension 1 ...	2830	102

Closing times for **ORDINARY WEEKLY** 2017

MPUMALANGA PROVINCIAL GAZETTE

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

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

LIST OF TARIFF RATES FOR PUBLICATION OF NOTICES

COMMENCEMENT: 1 APRIL 2016

NATIONAL AND PROVINCIAL

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

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

EXTRA-ORDINARY

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

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

GOVERNMENT PRINTING WORKS - BUSINESS RULES

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 www.gpwonline.co.za

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 days prior to publication
Regulation Gazette	Weekly	Friday	Friday 15h00, to be published the following Friday	Tuesday, 15h00 - 3 days prior to publication
Petrol Price Gazette	As required	First Wednesday of the month	One week before publication	3 days prior to publication
Road Carrier Permits	Weekly	Friday	Thursday 15h00, to be published the following Friday	3 days prior to publication
Unclaimed Monies (justice, labour or lawyers)	January / As required 2 per year	Any	15 January / As required	3 days prior to publication
Parliament (acts, white paper, green paper)	As required	Any		3 days prior to publication
Manuals	As required	Any	None	None
State of Budget (National Treasury)	Monthly	Any	7 days prior to publication	3 days prior to publication
Legal Gazettes A, B and C	Weekly	Friday	One week before publication	Tuesday, 15h00 - 3 days prior to publication
Tender Bulletin	Weekly	Friday	Friday 15h00 for next Friday	Tuesday, 15h00 - 3 days prior to publication
Gauteng	Weekly	Wednesday	Two weeks before publication	3 days after submission deadline
Eastern Cape	Weekly	Monday	One week before publication	3 days prior to publication
Northern Cape	Weekly	Monday	One week before publication	3 days prior to publication
North West	Weekly	Tuesday	One week before publication	3 days prior to publication
KwaZulu-Natal	Weekly	Thursday	One week before publication	3 days prior to publication
Limpopo	Weekly	Friday	One week before publication	3 days prior to publication
Mpumalanga	Weekly	Friday	One week before publication	3 days prior to publication
Gauteng Liquor License Gazette	Monthly	Wednesday before the First Friday of the month	Two weeks before publication	3 days after submission deadline
Northern Cape Liquor License Gazette	Monthly	First Friday of the month	Two weeks before publication	3 days after submission deadline
National Liquor License Gazette	Monthly	First Friday of the month	Two weeks before publication	3 days after submission deadline
Mpumalanga Liquor License Gazette	2 per month	Second & Fourth Friday	One week before	3 days prior to publication

GOVERNMENT PRINTING WORKS - BUSINESS RULES

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 www.gpwonline.co.za.
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 submit.egazette@gpw.gov.za. 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.

GOVERNMENT PRINTING WORKS - BUSINESS 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.**

GOVERNMENT PRINTING WORKS - BUSINESS RULES**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 be 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.

GOVERNMENT PRINTING WORKS - BUSINESS RULES**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.

GOVERNMENT PRINTING WORKS - BUSINESS RULES

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: info.egazette@gpw.gov.za 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 www.gpwonline.co.za 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:

Government Printing Works
149 Bosman Street
Pretoria

Postal Address:

Private Bag X85
Pretoria
0001

GPW Banking Details:

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

For Gazette and Notice submissions: Gazette Submissions:

For queries and quotations, contact: Gazette Contact Centre:

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

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 68 OF 2017**NOTICE OF APPLICATION IN TERMS OF THE GOVAN MBEKI SPATIAL PLANNING AND LAND USE
MANAGEMENT BY-LAW, 2016, CHAPTER 5 AND 6**

I, Hendrik Lochner Susan (PLS079-D), of the firm Reed Geomatics Incorporated hereby give notice in terms of section 89 of the Govan Mbeki SPLUM By-Law, that I have applied to the Govan Mbeki Municipality for the following:

Application for: *The closure of a Public Place*

Notification number: 69/17

Property information: Erf 16643(Park), Embalenhle Extension 15, Registration Division I.S., Mpumalanga situated at 35th Street.

Owner information: Govan Mbeki Municipality

I the owner /agent hereby gives notice in terms of section 89 of the Govan Mbeki Spatial Planning and Land Use Management By-Law, of the application for the permanent closure of Erf 16643 Embalenhle extension 15.

Particulars of the application will lie for inspection during normal office hours at the Office of Manager Town and Regional Planning, Room 323 3rd floor, South Wing Municipal Buildings, for the period **30 days** from **14 July 2017**.

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 within a period of 30 days from 14 July 2017, being **15 August 2017**.

Name and address of applicant: Reed Geomatics Incorporated, P.O. Box 985, Secunda, 2302 Tel: 017 631 1394 Fax: 017 631 1770

Notice number: 69/17

Publication date: 14 July 2017

NOTICE 69 OF 2017**STEVE TSHWETE AMENDMENT SCHEME No. 705****NOTICE OF APPLICATION FOR THE AMENDMENT OF THE STEVE TSHWETE TOWN PLANNING SCHEME, 2004, IN TERMS OF
SECTION 62(1) AND 94(1) (A) OF THE STEVE TSHWETE SPATIAL PLANNING AND LAND USE MANAGEMENT BYLAW, 2016.**

We Elizone (PTY) LTD being the authorized agent of the registered owner of Portion 1 of Erf 8198, Mhluzi Extension 5, hereby give notice in terms of Section 94(1)(a) of the Steve Tshwete Spatial Planning and Land Use Management Bylaw, 2016, that I have applied to the Steve Tshwete Local Municipality for the amendment of the town planning scheme known as the Steve Tshwete Town Planning Scheme, 2004, for the rezoning of the abovementioned property situated on Langalibalele Street, Mhluzi Extension 5, by rezoning the property from Business 1 to Residential 1 subject to certain conditions.

Any objection/s or comments including the grounds for such objection/s or comments with full contact details, shall be made in writing to the Municipal Manager, PO Box 14, Middelburg 1050 within 30 days from the 14th of July 2017.

Full particulars and plans may be inspected during normal office hours at the office of the Municipal Manager, Steve Tshwete Local Municipality, Cnr. Walter Sisulu and Wanderers Avenue, Middelburg, 1050, Tel: 013 2497000, for a period of 30 days from 14 July 2017.

Address of the Applicant: 1 Seinhuwel Street, Aerorand, Middelburg, 1055

14-21

KENNISGEWING 69 VAN 2017**STEVE TSHWETE WYSIGINGSKEMA No. 705****KENNISGEWING VAN DIE AANSOEK OM DIE WYSIGING VAN DIE STEVE TSHWETE DORPSBEPLANNINGSKEMA, 2004, INGEVOLGE ARTIKEL 62(1) EN 94(1) (A) VAN DIE STEDELIKE BEPLANNING EN GRONDGEBRUIK BESTUUR VERORDENINGE, 2016**

Ek, Elizone (PTY) LTD, synde die gemagtigde agent van die geregistreerde eienaar van restant van gedeelte 1 van Erf 8198 Mhluzi Verlenging 5, gee hiermee ingevolge Artikel 62(1) en 94(1)(a), van die Stedelike Beplanning en Grondgebruik Bestuur Verordeninge, 2016, kennis dat ons by Steve Tshwete Plaaslike Munisipaliteit aansoek gedoen het om die wysiging van Steve Tshwete Dorpsbeplanningskema, 2004, deur die hersonering van die bogenoemde eiendom geleë te Langalibalelestraat, Mhluzi Verlenging 5 vanaf Besigheid 1 na Residensiele 1, onderworpe aan sekere voorwaardes.

Besonderhede van die aansoek lê ter insae gedurende gewone kantoorure by die kantoor van die munisipale bestuurder, Steve Tshwete Plaaslike munisipaliteit, munisipale gebou, Wandererslaan, Middelburg, 1050, vir 'n tydperk van 30 dae vanaf 14 Julie 2017.

Besware of verhoë ten opsigte van die aansoek moet binne 'n tydperk van 30 dae vanaf 14 Julie 2017, skriftelik by of tot die munisipale bestuurder by bovermelde adres of by Posbus 14, Middelburg, 1050, ingedien of gerig word.

Adres Van Applikant: Seinhuwelstraat 1, Aerorand, Middelburg, 1055

14-21

PROVINCIAL NOTICES • PROVINSIALE KENNISGEWINGS**PROVINCIAL NOTICE 74 OF 2017****NOTICE****MPUMALANGA GAMING ACT, 1995 (ACT 5 OF 1995) AS AMENDED
APPLICATION FOR A TRANSFER OF A SITE OPERATOR LICENSE**

Notice is hereby given that The Old Mill Motel (Machadodorp) (Pty) Ltd, Registration number 2005/002034/07 trading as The Old Mill Hotel, intends submitting an application for a transfer of site operator license (from the current licensee Harry Dickinson) to the Mpumalanga Gambling Board on 14 July 2017. The application will be open for public inspection at the office of the Mpumalanga Gambling Board at First Avenue, White River, South Africa, 1240, from 14 July 2017. 1. The purpose of the application is to transfer a license to operate and keep limited payout machines on the site premises, in the Province of Mpumalanga. 2. The applicant's site premises (business) is located at: 15 Wolmarans Street, Machadodorp, Emakhazeni, Mpumalanga Province. 3. The owners and/or managers of the site are as follows: Mr. I Poelinca and Mrs. MM Poelinca. No changes to the current licence conditions. Attention is directed to the provisions of Section 26 of the Mpumalanga Gaming Act, 1995 (Act No.5 of 1995) as amended, which makes provision for the lodging of written objections in respect of the application. Such objections should be lodged with the Chief Executive Officer, Mpumalanga Gambling Board, First Avenue, Private Bag X9908, White River, South Africa, 1240, within 30 days from 14 July 2017.

PROVINCIAL NOTICE 75 OF 2017

STEVE TSHWETE AMENDMENT SCHEME 698, ANNEXURE A583

NOTICE OF APPLICATION FOR THE AMENDMENT OF THE STEVE TSHWETE TOWN PLANNING SCHEME, 2004, IN TERMS OF SECTION 62(1) AND 94(1) (A) OF THE STEVE TSHWETE SPATIAL PLANNING AND LAND USE MANAGEMENT BYLAW, 2016.

I, Jaco Peter le Roux, of Afriplan CC being the authorized agent of the registered owner of **Erf 6258, Mhluzi X 3** hereby give notice in terms of Section 94(1)(a) of the Steve Tshwete Spatial Planning and Land Use Management Bylaw, 2016, that I have applied to the Steve Tshwete Local Municipality for the amendment of the town planning scheme known as the Steve Tshwete Town Planning Scheme, 2004, for the rezoning of the abovementioned property situated at Ikageng Street, Mhluzi, by rezoning the property from "Educational" to "Residential 3" for dwelling units (maximum density of 60 units per hectare) as contained in Annexure A583.

Full particulars and plans may be inspected during normal office hours at the office of the Municipal Manager, Steve Tshwete Local Municipality, Cnr. Walter Sisulu and Wanderers Avenue, Middelburg, 1050, Tel: 013 2497000, for a period of 30 days from 14 July 2017 (last day for comments being 14 August 2017). Any person who cannot write may during office hours attend the Office of the Municipal Manager, where an official will assist that person to lodge comment.

Any objection/s or comments including the grounds for such objection/s or comments with full contact details, shall be made in writing to the Municipal Manager, PO Box 14, Middelburg 1050 within 30 days from 14 July 2017.

Details of agent: Afriplan CC, PO Box 786, Ermelo 2350. Tel: 013 282 8035 Fax: 013 243 1706. E-mail: jaco@afriplan.com/vicky@afriplan.com

14-21

PROVINSIALE KENNISGEWING 75 VAN 2017

STEVE TSHWETE WYSIGINGSKEMA 698, BYLAAG A583

KENNISGEWING VAN DIE AANSOEK OM DIE WYSIGING VAN DIE STEVE TSHWETE DORPSBEPLANNINGSKEMA, 2004, INGEVOLGE ARTIKEL 62(1) EN 94(1) (A) VAN DIE STEVE TSHWETE RUIMTELIKE BEPLANNING EN GRONDGEBRUIKSBESTUURSVERORDENING, 2016

Ek, Jaco Peter le Roux, van Afriplan CC synde die gemagtigde agent van die geregistreerde eienaar van **Erf 6258, Mhluzi X 3**, gee hiermee ingevolge Artikel 94(1) van die Steve Tshwete Ruimtelike Beplanning en Grondgebruiksbestuursverordening, 2016, kennis dat ons by Steve Tshwete Plaaslike Munisipaliteit aansoek gedoen het om die wysiging van Steve Tshwete Dorpsbeplanningskema, 2004, deur die hersonering van die bogenoemde eiendom geleë te Ikagengstraat, Mhluzi vanaf "Opvoedkundig" na "Residensiële 3" vir wooneenhede (maksimum dekking van 60 eenhede per hektaar) soos vervat in Bylaag A583.

Besonderhede van die aansoek lê ter insae gedurende gewone kantoorure by die kantoor van die Munisipale Bestuurder, Steve Tshwete Plaaslike Munisipaliteit, Munisipale gebou, Wandererslaan, Middelburg, 1050, vir 'n tydperk van 30 dae vanaf 14 Julie 2017 (laaste datum vir kommentare 14 Augustus 2017). Enige persoon wat nie kan skryf nie sal tydens kantoor-ure deur 'n amptenaar by die Kantoor van die Munisipale Bestuurder bygestaan word om kommentaar in te dien.

Besware of verhoë ten opsigte van die aansoek moet binne 'n tydperk van 30 dae vanaf 14 Julie 2017, skriftelik by of tot die Munisipale Bestuurder by bovermelde adres of by Posbus 14, Middelburg, 1050, ingedien of gerig word.

Besonderhede van die agent: Afriplan CC, Posbus 786, Ermelo 2350. Tel: 013 282 8035 Faks: 013 243 1706. E-pos: jaco@afriplan.com/vicky@afriplan.com

14-21

PROVINCIAL NOTICE 76 OF 2017

**SUBJECT: TIMELINES FOR SUBMISSION OF APPLICATIONS IN TERMS OF
THE REVISED REQUEST FOR APPLICATIONS FOR LIMITED
PAY-OUT MACHINES (“RFA FOR LPMS”)**

The purpose of this notice is to invite applications for Type A Site Operator Licences, i.e. sites that are linked to a route operator with a maximum of five limited pay-out machines in terms of the RFA for LPMS, which also describes the process that the Board will follow to consider the applications for site operator licences.

Prospective applicants must ensure that their applications are complete and satisfy the criteria of the Board in order to avoid delays or rejection of the applications. Furthermore, delays may occur if significantly more applications are received (at the same time) by the Board than anticipated.

This invitation is open from the date of publication of this notice until such time the Board announces its closure or publishes a revised RFA.

The above mentioned RFA, including the clarifications and responses, can be downloaded from the Board’s website: www.mgb.org.za, or can be obtained from the office of the Board, located at First Avenue, White River, Mpumalanga Province.

Any queries regarding this matter can be directed to the Chief Executive Officer at telephone number 013 750 8000 or via e-mail at ceo@mgb.org.za.

Issued by: BHEKI MLAMBO
Chief Executive Officer
Date: 01 July 2017

LOCAL AUTHORITY NOTICES • PLAASLIKE OWERHEIDS KENNISGEWINGS

LOCAL AUTHORITY NOTICE 67 OF 2017

NKANGALA DISTRICT MUNICIPALITY

BY-LAWS ON OUTDOOR ADVERTISING

These By-laws will apply for the Victor Khanye Local Municipality, Emakhazeni Local Municipality, Dr JS Moroka Local Municipality and Thembisile Hani Local Municipality. The Municipal Managers of these four Local Municipalities hereby publishes these By-laws on Outdoor Advertising in terms of Section 13(a) of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000), as approved by its Council, as set out hereunder.

TABLE OF CONTENTS

PART A: DEFINITIONS, PROCEDURAL CLAUSES, APPLICATIONS, PROHIBITIONS AND LAW ENFORCEMENT

1. Definitions
2. Purpose of these By-laws
3. Administration of applications
4. Tariffs
5. Enforcement and removal of signs and structures
6. Withdrawal or amendment of Municipal approval, appeal procedure and complaints
7. Entry and inspection
8. Removal and disposal of signs
9. Serving of notice
10. Offences
11. Responsible person
12. Transitional provisions
13. Short title

PART B: GENERAL CONDITIONS AND AREAS OF CONTROL

14. General requirements
15. Design, construction and position on the site
16. Maintenance
17. Electrical and illumination
18. Content, amenity and decency
19. Road safety and traffic considerations
20. Areas of control
21. Position and spacing
22. Exempted signs

23. Prohibited signs and areas

PART C: CRITERIA FOR DIFFERENT TYPES OF ADVERTISING SIGNS AND ADVERTISEMENTS

- 24. Billboards
- 25. Gantry signs
- 26. Roof signs
- 27. Flat signs
- 28. Advertising signs at educational facilities and sport stadiums and fields
- 29. Service facility signs
- 30. On-premises business signs
- 31. Projecting signs
- 32. Advertising signs on boundary walls and fences
- 33. Painted advertisements
- 34. Security advertising signs
- 35. Balcony, veranda, canopy and under-awning signs
- 36. Residential home-undertaking, farm names and community institution signs
- 37. Vehicular advertising
- 38. Construction site boundary signs
- 39. Project and development signs
- 40. Advertisement for the sale of goods and livestock
- 41. Estate agent signs
- 42. Portable or forecourt signs
- 43. Banners and flags
- 44. Posters
- 45. Advertisements on litter bins
- 46. Advertisements on public transport shelters
- 47. Stack signs
- 48. Street name signs
- 49. Suburb name signs

PART A: DEFINITIONS, PROCEDURAL CLAUSES, APPLICATIONS, PROHIBITIONS AND LAW ENFORCEMENT

1. Definitions

In these By-Laws, unless the context indicated otherwise –

“advertisement” means any visible representation of a word, logo, name, letter, figure, object, mark, symbol, abbreviation, light or any combination thereof with the object of transferring information which is visible from any street or public place, but does not include a road traffic sign.

“advertisement for sale of goods or livestock” means an advertisement announcing such a sale on land or premises not normally used for commercial purposes and may include an advertisement announcing auctions of household goods on residential properties, livestock or game on farms. It also includes the display of an advertisement announcing the proposed sale of property or land by means of a public auction to be advertised within the road reserve.

“advertisement on street furniture” means a poster which does not exceed 2,2 square metres in area, which is attached to street furniture and which has been approved by the Municipality;

“advertiser” means the person or organization whose product or service is being advertised, or whose name or image is mentioned or promoted in an advertisement.

“advertising” means the act or process of notifying, warning, informing, making known or any other act of transferring information in a visible manner.

“advertising sign or sign” means any advertising structure built or erected to display an advertisement, together with an advertisement displayed on the structure.

“advertising structure” means any screen, fence, wall or other physical structure erected to display an advertisement or which is in itself an advertisement or used to display an advertisement.

“affix” means to firmly secure, which may include painting where permitted, or any other means of affixing.

“animation” means a process whereby an advertisement’s visibility or message is enhanced by means of moving units or pictures, flashing lights or similar devices; or containing a variable message.

“approved” means to obtain approval through a formal application process by the Local Municipality and “approval” has a corresponding meaning.

“area of advertisement” means the total area of that which constitutes the advertisement.

“area of control” refers to the degree of advertising control to be applied in a specific area, i.e. maximum, partial or minimum control as determined by the Local Municipality from time to time.

“area of jurisdiction” means the area under the control of the specific Local Municipality according to the legally determined and declared boundaries of the Municipality.

“area of maximum control” means an area which is deemed sensitive to visual disturbance and includes, but is not limited to, conservation areas and natural features inside the urban edge, passive recreation areas such as parks and non-commercial squares, scenic features and areas, historical and architectural sites, all residential areas, plots and urban small-holdings (which are proclaimed), home-under takings within residential areas, rural-residential areas, specifically proclaimed heritage areas and buildings, and cemeteries.

“area of minimum control” includes, but is not limited to commercial areas, central business areas of towns, office blocks, shopping centres, industrial areas and transport nodes (such as taxi and bus ranks, railway stations, etc.).

“area of partial control” means an area that is characterized by a greater degree of integration and complexity of land use, including but not limited to commercial enclaves, shopping centres and office blocks in residential areas, commercial ribbon development, school and educational facilities (eg. Universities, Technicons, Colleges), sport stadiums and fields, and rural-commercial areas.

“balcony, veranda, canopy and under-awning sign” means a sign not extending above, below or beyond any extremity or a parapet wall, balustrade, railing, beam or fascia of a roof structure without walls, pillar, column or post supporting a roof structure without walls, and affixed flat to or painted on it, or printed on the fabric of a blind.

“banner” means a piece of cloth or similar material upon which an advertisement is displayed in such a manner as to be fully legible in windless conditions, attached to one or more ropes, poles or attached to buildings or to specific structures, but excludes banners carried as part of a procession.

“billboard” means any screen or board larger than 4,5m² and not exceeding 81m², supported by a free-standing structure, which is to be used or intended to be used for the purpose of posting, displaying or exhibiting an advertisement and can be classified as a small, large or super billboard. This can be attached to a structure manufactured specifically for advertising, or to a

structure of any other form, used to attach the advertisement to, which can include product replicas, towers, pylons and bridges. The main function of a billboard is to advertise non-locality bound products, activities or services.

“bit of information” refers to the basic unit for measuring the length of advertising messages and may consist of letters, digits, symbols, logos, abbreviations or graphics of any nature.

“by-law” means the Local Municipality By-laws on Outdoor Advertising, addressing the control of outdoor advertising in the area.

“candela” is the standard SI unit of luminance intensity relating to the illuminating power of a light source in a given direction.

“centre of economic activity (CEA)” means an urban area of high economic activity and includes all business districts, regional and neighbourhood shopping centres and it can also include a business or group of businesses outside of urban areas which may include farm stalls, roadside service areas, accommodation facilities, food services, industries and cottage industries as well as shops and other commercial facilities.

“centre point of intersection” means the point of contact between the centre lines of two roads.

“clear height” means the minimum vertical distance from the ground, road or surface level, as the case may be, to the bottom of the advertisement and / or to the advertising sign, whichever is the smallest.

“combination sign” means an advertising sign comprising a number of smaller, individual advertisements, usually displaying different products or services, placed next to each other on a single free-standing advertising structure specially designed to accommodate more than one advertisement presented on an on-premises business advertising sign.

“community awareness signs” means signs that make the community aware of a specific aspect that need attention or educate the community on something important, and will be in the size and format of a small billboard.

“construction site boundary sign” means an advertising sign of vinyl mesh or similar material attached to the boundary wall or fence or to a structure, to cover an unsightly construction site, an unoccupied building under construction, renovation or maintenance, or to advertise some details of the development.

“Council” means the relevant Local Municipality and includes the Mayoral Committee or any officer employed by Council, acting by virtue of any power vested in the Council in connection with these By-laws and delegated to him / her.

“Council land” means any portion of land including road, road reserve, street, thoroughfare, bridge, subway, footpath, sidewalk, land, square, open space, garden, park or enclosed place, erf, site, etc. vested in and/or owned by the Municipality.

“cut-outs” means letters, packages, figures or mechanical devices attached to the face of an outdoor advertising sign, which might extend beyond the rectangular area for greater attention value, can provide a three-dimensional effect and are also commonly known as add-ons or embellishments.

“development sign” means an advertising sign displaying and advertisement which describes the type of development being carried out on a construction site, and can include a pictorial representation, and contain the contact details of the developer or his agent.

“display period” means the exposure time during which the individual advertising message is on display.

“educational facility” means a primary school, secondary school or tertiary institution.

“election” means either Central Government, Provincial Government or Municipal elections and by-elections inclusive of the registration process and referendum held from time to time.

“electronic billboard” means an advertising sign not exceeding 18m² in advertisement area, which has an electronically controlled, illuminated display surface, which allows all or a portion of the advertisement to be changed, animated or illuminated in different ways.

“entertainment area” means an area, the main purpose of which is to be used as a park, sports field, barbeque area or for other recreational purpose.

“erf” means an erf, stand, lot, plot, agricultural holding or similar land entity registered in a deeds registry.

“estate agent sign” means an advertising sign that is temporary displayed to advertise the fact that land, premises, development or other forms of fixed property are for sale, to let, sold or on show.

“existing sign” means an advertising sign, which has been erected.

“face change” means that the advertisement content has been changed.

“flag” means a material upon which an advertisement is displayed and which is attached to a single free-standing flag staff, pole or flagstaff projecting vertically from premises or projecting

vertically, horizontally or at an angle from a building or boundary wall or boundary fence of a specific business property.

“flat sign” means any advertising sign affixed to any external wall of a building used for commercial, office, industrial or entertainment purposes, but excluding a parapet wall, balustrade or railing of a veranda or balcony, which at no point projects more than 300mm from the surface of such a wall and which may consist of a panel or sheet or of individual numbers, letters or symbols.

“free-standing sign” means any immobile advertising sign, which is not attached to a building or to any structure or object not intended to be used for the primary purpose of advertising.

“gantry” means a ground-mounted structure that spans over the entire width of a roadway / road surface (portal gantry) or a structure that spans over part of a roadway / road surface (cantilever gantry).

“height of advertising sign” means the maximum vertical distance from where the foundation of the sign starts, to the top of the advertisement and / or the advertising sign, whichever is the highest. The natural ground level may not be altered for the purpose of erecting the sign.

“home-undertaking” means the practice of an activity at a dwelling-place with the aim of deriving an income there from.

“illegal sign” means any advertising sign, advertisement, or poster, painted, pasted, affixed, displayed, exhibited, posted or erected without approval from the Local Municipality or whose display, exhibition or erection is contrary to or in conflict with the provisions of these By-laws.

“illuminated advertisement or advertising sign” means an advertisement or advertising sign which has been installed with electrical or other power for the purpose of external or internal illumination, either continuously or intermittently of the advertisement displayed or advertising sign.

“large billboard” means any static billboard larger than 18m² up to and including 40m² in area of advertisement.

“locality-bound advertisement” means an advertisement displayed on a specific site, premises or building and which refers to an activity, product, service or attraction located, rendered, sold or provided on that premises or site or inside that building

“luminance” is a measure of how bright an illuminated area appears to the human eye and is measured in candela/m².

“m” means metre.

“mm” means millimetre.

“Municipality” means the relevant Local Municipality (LM) or Nkangala District Municipality (NDM), whichever is relevant.

“municipal area” means the jurisdiction area of the Municipality.

“municipal owned land” has a corresponding meaning to “Council land”.

“National Road Traffic Act” means the National Road Traffic Act, 1996 (Act No. 93 of 1996), or as amended from time to time.

“natural area” means an area outside an urban area which is in a natural state or is of high scenic value, and includes, but is not limited to, national parks, game reserves, nature reserves, scenic corridors and landscapes.

“non-locality bound advertisement” means any advertisement displaying any information over and above the name, logo and nature of the business on that premises, and which may include any advertisement content and can include advertising of products for sale of any kind.

“on-premises business sign” means a sign on a specific site or premises aimed at identifying and locating businesses and industries, and may only contain the name, logo and nature of the business on the premises. It excludes residential or community advertising signs.

“outdoor advertising” means the act or process of notifying, warning, informing, making known or any other act of transferring information in a visible manner and which takes place out of doors.

“overhang” means the physical part of an advertising sign / structure hanging or projecting over a boundary, shoulder or roadway.

“owner of the advertising sign” means the person who owns the advertising sign which is erected, or will own the advertising sign once it has been erected, or any person who has a right to or share in the ownership of the advertising sign.

“owner of the advertising structure” means the person who owns the advertising structure, or will own the structure once it has been erected, or any person who has a right to, or share in the ownership of the advertising structure.

“owner of the land” means the person who owns the land on which the advertising sign or structure is, or will be erected, or any person who has a right to or share in the ownership of the land.

“permanent sign” means advertising signs or advertisement erected for a period of more than 30 days.

“perpendicular” means with a 90° angle to the existing building or road at the position of the advertisement or advertising sign.

“person” means both natural and juristic persons, and includes both genders and a reference to any one gender shall include a reference to the other gender.

“portable or forecourt sign” means a moveable free-standing temporary advertising sign displayed on a forecourt of a business premises or sidewalk in front of business premises to draw attention to commercial services, goods for sale or other services available at the premises.

“poster” means an advertisement displayed or affixed to a receptacle, on a hard board, or directly affixed against an electrical street light pole standard, inside the road reserve.

“prohibited sign” means an advertisement, advertising structure or advertising sign, which is not permitted, or does not conform to advertising By-laws and can not be approved.

“project sign” means an advertising sign displaying an advertisement with information regarding the relevant contractor(s) and / or consultant(s) involved in the construction project and displayed on the construction site.

“projecting sign” means any advertising sign, attached to and protruding from a building which is used for commercial, office, industrial or entertainment purposes and which projects more than 300mm from the surface of the main wall and is affixed at a right angle to the street line.

“property” means any piece of land whether registered or not in a deeds registry as an erf, lot, plot, farm, stand or agricultural holding.

“public body” means any authority or any statutory body acting on behalf of the government.

“public place” means any road, street, thoroughfare, bridge, subway, foot pavement, footpath, sidewalk, lane, square, open space, garden, park or enclosed space vested in and/or owned by The Municipality.

“public road” means a road which the public has the right to use.

“receptacle” means a fixed poster display holder to be fixed to street light poles.

“residential purposes” means the use of a building as a dwelling house, two or more dwelling units, a hostel, a boarding house and a residential club.

“road” means a public road which includes the shoulder, the land of which the road consist or over which the road extends, and anything on that land forming part of, connected with, or belonging to the road.

“road authority” means the authority having the control and jurisdiction over a specific road, whether it be a national, provincial, or municipal road.

“road island or traffic island” means an area demarcated on a roadway by means of painted lines, stones, kerbs or by other means with the intention of preventing vehicles from standing or being operated in that area.

“road median” means the area separating traffic lanes on a roadway.

“road reserve” means the full width of a public road, including roadways, shoulders, sidewalks, the air space above it and all other areas from boundary to boundary.

“road reserve boundary” means the proclaimed boundary forming the outer edge of the road reserve.

“road traffic sign” means any road traffic sign as defined in the National Road Traffic Act, 1996 (Act No. 93 of 1996).

“roadway” means the portion of a road, street or thoroughfare intended for vehicular traffic, which is between the edges of the travelled way and includes the surfaced shoulder.

“roof sign” means an advertising sign on the main roof of a building which is used or partly used for commercial, office, industrial or entertainment purposes.

“rural area / landscape” means an area forming a transition between developed urban areas and relatively unspoiled areas and includes, but are not limited to agriculture land, farm land, rural small holdings, un-proclaimed township areas, rural-residential areas, rural-commercial areas and areas outside the urban edge.

“rural-commercial area” means small commercial shops or home-undertakings located in a rural-residential area between rural residential erven, or next to each other to form a small commercial area in a rural township, which is located in a rural-residential area.

“rural-residential area” means a rural area (not officially proclaimed as urban area) with official or self-determined larger erven with residential houses, where the erven is smaller than small holdings or plots, with a rural atmosphere. Small shops or home-undertakings can also be part of this area.

“security sign” means an advertising sign with an advertisement for neighbourhood watch, farm watch, security schemes and other similar schemes, and includes an advertisement containing the name, address and telephone number of a security company contracted to protect the premises on which the advertisements is displayed.

“service area” means an area with direct access from a municipal or provincial road in which facilities and services such as petrol and diesel sales, restaurants, fast food outlets, toilets, playgrounds and picnic spots may be provided for motorists.

“service facility sign” means an advertising sign or advertisement at a filling station, roadside rest and service facility referring to the types of services provided at such facility.

“shoulder” is the outer portion of the roadway which, whether surfaced or not, does not normally constitute part of the travelled way.

“sidewalk” means that portion of a road reserve intended for the exclusive use of pedestrians.

“signs incorporated into the fabric of a building” means a sign incorporated in and forming an integral part of the fabric of a building, in balance with the scale of the building.

“site” means the erf, plot, or any other piece of land on which the advertising sign, advertising structure or advertisement is, or is to be erected or mounted.

“small billboard” means a static billboard larger than 4,5m² up to and including 18m² in area of advertisement.

“special consent” means to be considered with special attention, addressed all relevant aspects and investigated in detail by the relevant authority.

“stack sign” means a free-standing advertising sign in the road reserve displaying a combination of advertisements of several businesses on separate panels.

“street furniture advertisement” means advertisement on public facilities and structures which are not intended primarily for advertising and includes seating benches, planters, litter bins, public transport shelters, but excludes road traffic signs, traffic lights, street lights or any other road related structures.

“street name sign” means a pole-mounted, illuminated street name sign displayed in combination with a double sided, internally illuminated advertising sign, to be provided according to requirements as set out in the Southern African Development Communities Road Traffic Signs Manual, November 1997 (SADC RTSM).

“suburb name sign” means a pole-mounted road traffic sign (GL2 road traffic sign) at the entrance to a town or suburb that may carry an advertisement panel, to be provided according to requirements as set out in the Southern African Development Communities Road Traffic Signs Manual, November 1997 (SADC RTSM)..

“super billboard” means a static billboard larger than 40m² up to and including 81m² in area of advertisement.

“tariff” means the appropriate monetary charge, tariff or fee determined by the relevant Local Municipality.

“temporary sign” means an advertisement or advertising sign displayed for a maximum period of 30 days or less as determined by the Local Municipality.

“township” means an area divided into erven or plots, whether with or without public open spaces, and into streets bounded by the erven, plot or open spaces, and established or recognized as a township under any law.

“urban area” means proclaimed township area, or built-up areas within the Municipal area.

“vehicular advertising” means advertising on self-driven vehicles which are usually moving on land or water, including taxi's, buses, trains and delivery vehicles.

2. Purpose of these By-laws

- (1) These By-laws are designed to regulate and control outdoor advertising in, on or visible from public roads within the area of jurisdiction of the Municipality, whether or not such sign is erected on private property. These By-laws apply to all outdoor advertising signs in this area and are binding on all persons, including the State, seeking to display or erect advertising signs or advertisements.
- (2) Unless these By-law provide specifically that the approval of the Municipality is required for a particular advertising sign, such approval is not required, but all of the conditions of these by-law applicable to that type of advertising sign must be complied with.
- (3) Compliance with these By-laws does not override the necessity or obligation to comply with the requirements of any other law governing any matter covered by these By-laws.

3. Administration of Applications

- (1) A person shall not display or erect any advertising sign, sign or advertisement, structure or device as a sign, without having obtained the written approval of the Local Municipality. The provisions of this Section shall not apply to signs deemed exempt or prohibited.
- (2) These By-laws are to be effectively and consistently administered, scheduled inspections of signage are to be held and offenders are to be fined or prosecuted. Nothing contained in these By-laws or any other law shall render the Municipality liable to any claim for damages for any failure to effectively and consistently administer these By-laws, to carry out scheduled inspections of signage or to fine or prosecute any offenders.
- (3) Applications for the erection or display of advertising signs or advertisements shall be accompanied by a completed application form, signed by all the relevant parties as required, with all the required documents attached, as stipulated on the application form, accompanied by the prescribed fee, as determined by the Local Municipality from time to time. Applications shall be submitted to the relevant office of the Local Municipality.
- (4) No sign for which approval has been granted may be erected otherwise than in accordance with any plan, drawing or other document approved by the Local Municipality or otherwise than in accordance with any condition imposed by the Local Municipality. The Municipality shall be notified in writing once any approved sign has been erected.
- (5) Every approval given by the Municipality shall be for a specified period only. Approval for display shall not be granted for an indefinite period. A new application shall be submitted for any additional period, provided that the Municipality shall be under no obligation to grant an approval for any additional period.
- (6) Where any advertising sign is in the road reserve of, or will be visible from a provincial or national road, the required comments and/or approval, whichever is applicable, for the erection or display of such advertising sign is required from the relevant road authority, after Municipal pre-approval has been obtained. Such a sign may not be erected or displayed without the final written approval of the Municipality and the required favourable comments and/or approval, whichever is applicable, of the relevant road authority.
- (7) The Local Municipality shall be entitled to appoint, within the framework of the law, private contractors or consultants to assist with any other work required to be done in terms of these By-laws, except law enforcement.

4. Tariffs

- (1) Every person who applies to the Municipality for permission of an advertising sign or advertisement to be displayed, must on making the application, pay to the Municipality the tariff determined therefore, and no application will be considered until such tariff has been paid.
- (2) The set of rates as drawn up by Municipality and revised from time to time, as appropriate, shall apply.

5. Enforcement and removal of signs and structures

- (1) If any sign is so displayed that, in the opinion of the Local Municipality, is detrimental to the environment or to the amenity of the surrounding areas or is otherwise in contravention of this By-law, the Local Municipality shall serve a notice on the responsible person to remove such sign or carry out such alteration thereto or do such other work as may be specified in such notice within the time specified in the notice.
- (2) If the responsible person fails to comply with an instruction contained in a notice, the Local Municipality may remove and destroy such sign. The Local Municipality may issue or send a spot fine with the notice. The Local Municipality will not be held responsible or be required to compensate any person in respect of removing advertising signs, where damage or loss was incurred due to its removal or destroying. Failure to respond to, or act upon, such notice shall be deemed to be an offence as provided in Section 10.
- (3) Notwithstanding the provisions of this Section, if the advertisement contravenes these By-laws and is erected on, attached to, or displayed on any property of, or under the control of the Council, Council may, without serving any notice, remove any such advertising or structures from the premises, if in the opinion of the Local Municipality, such an advertisement poses and immediate danger to the general public.
- (4) Any costs incurred by the Local Municipality in removing and storing a sign, or doing alterations or other works in terms of this Section, will be recovered from the responsible person. Neither the Local Municipality nor the Municipal Manager will be liable for damages of whatever nature arising from the confiscation, removal, or disposal of the sign.

6. Withdrawal or amendment of Municipal approval, appeal procedure and complaints

- (1) Any approval lawfully obtained from the Local Municipality to erect an advertisement or advertising sign, shall automatically lapse if the advertising structure is not erected within 6 months from the date of such approval. If the structure is erected, but an advertisement is not displayed within 3 months from date of erecting the structure, the Municipality will then serve a notice to the owner requiring him, at his own cost, to remove the structure.

- (2) The time periods referred to in subsection (1) may be extended upon good cause shown but Council is not obliged to grant such extension period as requested.
- (3) Any applicant who is not satisfied with any decision taken by the Local Municipality may appeal in writing against such decision by giving written notice of the appeal and reasons thereof to the Municipal Manager within 21 days of the date of the notification of the decision.
- (4) The Municipal Manager must, within a period of 90 days, submit the appeal to the appropriate appeal authority. The Municipal Manager or the relevant delegated appeal authority shall hear the appeal including any oral or written submissions from interested parties, and inform the applicant of its decision, which shall be final, and the reasons therefore.

7. Entry and inspection

The Municipality will be entitled, through its duly authorised officers, to enter into and upon any premises, at any reasonable time for the purpose of carrying out any inspection necessary for the proper administration and enforcement of these By-laws.

8. Removal and disposal of signs

- (1) The Municipality shall be entitled to, without notice to the owner thereof and without recourse to court, remove any advertisement or advertising sign or any part thereof, which is in a dangerous or unsafe condition or has been allowed to fall into a state of disrepair; constitutes a danger to any person; has been displayed or erected upon Municipal-owned property or property which vests in the Municipality in terms of any law, impedes the visibility of or restricts the proper functioning of any traffic sign or traffic light or can cause road safety problems, is prohibited in terms of this By-laws. Provided that no person shall have any claim against the Municipality or any employee, official or agent of the Municipality in respect of any actions performed in good faith under this subsection; provided further that the Municipality shall be entitled to recover all costs incurred by it in removing any advertisement or advertising sign pursuant to this subsection.
- (2) If any advertising sign is displayed so that, in the opinion of the Municipality, it is detrimental to the environment or to the amenities of the neighbourhood, or otherwise in contravention of any requirement of or prohibited by these By-laws, or has fallen into a state of disrepair, the Municipality may serve a notice on the owner of the advertising sign requiring him at own cost to remove such advertising sign or to carry out such alteration thereto or do such work as may be specified in such notice, as the case may be, within a time specified in the notice.

- (3) If a person fails to comply with a request contained in such notice the Municipality may remove such an advertisement, advertising sign or advertising structure at the expense of the owner.
- (4) The Municipality shall be entitled to recover any legal fees incurred by it in the exercise of its powers and or functions.
- (5) If any poster, advertising sign, advertising structure or advertisement has been removed and stored by the Municipality for more than 3 months, and has not been claimed by the owner, the Municipality may dispose of the sign, structure or advertisement. The Municipality may charge a storage fee for such signs that were removed and stored, which is payable before the sign can be reclaimed.

9. Serving of Notice

Where any notice or other document is required by these By-laws to be served on any person, it must be deemed to have been properly served if served personally on him or on any member of his household apparently over the age of eighteen years or at his place of residence or on any person employed by him at his place of business, or if sent by registered post to such persons residential or business address as it appears in the records of the Municipality, or if such person is a company or closed corporation or a trust, if served on any person employed by that company, closed corporation or trust, at its registered office or sent by registered post to such an office.

10. Offences

Any person who contravenes or fails to comply with: any provisions of these By-laws; requirement set out in a notice issued and served on him in terms of these By-laws; conditions imposed in terms of these By-laws; or knowingly makes a false statement in respect of any application in terms of these By-laws; will be guilty of an offence and will on conviction be liable to a fine not exceeding R20 000,00 or, in default of payment, to imprisonment for a period not exceeding twelve (12) months, and in the case of a continuing offence to a fine not exceeding R500,00 for every day during the continuance of such offence, and for a second or subsequent offence he will be liable on conviction to a fine not exceeding R10 000,00, or in default of payment, to imprisonment for a period not exceeding six (6).

11. Responsible person

- (1) If any person is charged with an offence relating to advertising signs:
 - (a) it shall be deemed that such person either displayed the advertising sign or caused or allowed it to be displayed;

- (b) the owner of any land or building on which any advertising sign was displayed, shall be deemed to have displayed such a sign, advertising structure or poster, or caused or allowed it to be displayed;
- (c) any person who was either individually or jointly, with any other person responsible for organizing, or is in control, of any meeting function or event to which a sign or poster relates, shall be deemed to have displayed every sign or poster displayed in connection with such meeting, function or event or to have caused or allowed it to be displayed; and
- (d) any person whose name appears on a sign, advertising structure or poster or to have caused or allowed it to be displayed, unless the contrary is proved.

12. Transitional provisions

- (1) Where an advertisement has been displayed or an advertising sign or structure has without formal approval been erected prior to the date of commencement of these By-laws, which, in terms of these By-laws, may not be so erected or displayed without the approval of the Municipality, the owner of the advertisement / advertising sign must apply to the Municipality, as the case may be, for such approval, within 90 days of such date of commencement of these By-laws, failing which the advertisement / advertising sign must be removed forthwith.
- (2) If approval for an advertisement / advertising sign contemplated in subsection (1) has been refused, the owner must remove it within 30 days of receipt of notification of such refusal. Where such a notification has been posted by registered post, the owner will be deemed to have received it eight days after posting thereof, subject to the provisions contained in subsection 6 (3).
- (3) Where an advertising sign has been legally, correctly erected or displayed before the date of commencement of these By-laws with a formal approval and/or contract from any former legal authority which by that time had the legal rights to give such approval and / or contract, which in terms of these By-laws may not be so erected, an agreement must be reached between the Municipality and the owner of the structure, regarding the correction, removal, relocation or replacement of the advertising sign to ensure compliance with these By-laws. Proof of this prior approval and/or contract has to be submitted to the Municipality on request. After agreement has been reached a new approval and/or contract, if applicable, shall be compiled between the Municipality and the owner of the structure.

13. Short title

These By-laws are called the By-Laws on Outdoor Advertising, and come into operation on a date to be announced by notice in the *Provincial Gazette*.

PART B: GENERAL CONDITIONS AND AREAS OF CONTROL**14. General requirements**

- (1) No advertisement, advertising sign or advertising structure may:
 - (a) in the opinion of the Local Municipality constitute a danger to any person or property;
 - (b) be erected or approved for an indefinite period;
 - (c) be erected without written approval where such approval is required by any Act or Regulations, By-law or any other law;
 - (d) be detrimental to the environment or to the amenity of a human living environment by reason of size, shape, colour, smell, texture, intensity of illumination, quality of design or materials or for any other reason. Structures and signs in rural areas must not be of high impact, neon colours, or luminous colours; or
 - (e) be permitted that emits a noise, sound, smoke, smell, odours or similar sensory stimuli.
- (2) The Municipality may increase the minimum spacing between advertising signs or advertisements, or place further restrictions on the position, size and content of any advertising sign or advertisement, if considered necessary, in the interests of road safety or environmental impact.
- (3) No advertisement may display the Municipality's corporate identity and/or Coat of Arms or any aspect of these registered logo's without prior consultation and written approval by the Municipality.
- (4) All policies, criteria or requirements addressing advertising signage within the Municipality need to be adhered to.
- (5) Signage which was not categorized and for which provision was not made in these By-laws, and which is not prohibited, will be addressed on an ad-hoc basis and considered by the Municipality.

15. Design, construction and position on the site

- (1) Any advertising sign must, in the opinion of, or to the satisfaction of the Municipality:
 - (a) be neatly and properly constructed, executed and finished in a workmanlike manner with durable materials, in accordance to the National Building Regulations and Building Standards Act, (Act No. 103 of 1977), or as amended from time to time;
 - (b) not be detrimental to or have a negative aesthetic impact on the amenity of the neighbourhood, urban design, streetscapes or the character of the surrounding area, in any way;
 - (c) be rigidly and securely attached, supported or anchored in a safe manner;

- (d) must be constructed and located at a height that discourage vandalism.
- (2) Any advertiser or contractor must:
 - (a) have all exposed metalwork of any advertising structure painted or otherwise treated to prevent corrosion and all timber treated to prevent decay;
 - (b) take measures to prevent the entry of water into and the accumulation of water or moisture on or in any advertising sign or any part of its supporting framework, brackets or other members.
- (3) No person may, in the course of erecting or removing any advertising sign, advertisement structure or device, cause damage to the environment, including any tree or vegetation or, electrical standard or bulk service or other public installation or property.
- (4) If an advertising sign contains glass, it must adhere to the following:
 - (a) all glass used in advertising signs (other than glass tubing in neon and similar advertising signs) must be safety glass at least 3 mm thick; and
 - (b) glass panels used in advertising signs must not exceed 0,9m² in area, each panel being securely fixed in the body of the advertising sign, structure or device independently of all other panels.
- (5) Before any advertising structure is erected, it must be considered by the Municipality, whether it is suitably positioned and orientated.
- (6) No advertisement, advertising structure or advertising sign may;
 - (a) obstruct any window or opening provided for the ventilation of a building or obstruct any stairway or doorway or other means of exit from a building or prevent the movement of persons from one part of a roof to another part; or obstruct any fire escape or the means of egress to a fire escape;
 - (b) be painted on a boundary wall in an area of maximum control, or on bridges, water towers, reservoirs or silos;
 - (c) exceed the prescribed height in terms of these By-laws or the permitted height on that specific site or on the surrounding or adjacent sites in terms of the relevant Town Planning Scheme or any other relevant document, as amended from time to time, or the approved zoning for the site of that specific site or the direct surrounding or adjacent sites, unless a relaxation has been obtained in terms of such Town Planning Scheme or any other relevant document, or unless specifically approved by the Municipality;
 - (d) encroach on the building restriction area unless a relaxation has been obtained in terms of the relevant Town Planning Scheme or any other relevant document, as amended from time to time, and / or in terms of all the requirements from the other relevant road authorities;

- (e) be erected within or over any building line or servitude, unless specific approval has been granted by all the relevant authorities;
 - (f) exceed the minimum clearance with regard to overhead power lines as prescribed in regulations 15 of the Electrical Machinery Regulations (No R1593 in GG11458 of 12 August 1988). (Permission must be obtained from the relevant supply authority before any advertising structure may be erected in or close to a power line servitude);
 - (g) unreasonably obscure, partially or wholly, any advertising sign or advertisement owned by another person previously legally erected and legally displayed; and
 - (h) in any way be altered, moved or re-erected, nor may any alteration be made to the electrical wiring system of such sign except for the purpose of renovating or maintenance, without the further approval of the Municipality.
- (7) All free-standing advertising signs located adjacent to a road reserve boundary of any road except a Municipal road, must maintain a minimum distance from the road reserve boundary equal to the height of the advertising sign, measured from the nearest pole to the road reserve boundary, except if a formal building line relaxation has been obtained from or another distance closer to the road reserve boundary was approved by the relevant road authority.
- (8) All advertising signs or advertisements located directly adjacent to a national or provincial road reserve, will be considered in terms of the criteria and requirements as set by that specific road authority.
- (9) If required by the Municipality, the structural design of an advertising structure must be certified by a professional structural engineer with acceptable relevant experience. The engineer must satisfy the Municipality that the structure will be adequate to secure, fix or support any advertisement, or screen to resist all loads and forces to which the advertising sign, structure, advertisement or screen may be exposed and the sufficiency of the margin of safety against failure, in compliance with the provisions of regulation B1 of the National Building Regulations published under Government Gazette No. 9613, dated 1 March 1985, and as amended from time to time.

16. Maintenance

- (1) Any advertising sign as permitted must, on a regular basis, be maintained in good repair in a safe condition and according to the highest standards as regards quality of structures, posting and sign-writing.
- (2) The owner of any land or building on which an advertising sign, structure or advertisement is displayed or erected, or attached, and the owner of any such advertising sign, structure or advertisement shall be jointly and severally responsible for the maintenance thereof in a safe and proper condition, maintaining the surrounding area in a neat and tidy state and the

cleaning and repainting of any such advertising sign, structure or advertisement. The owners will be liable for the consequences of not doing so, and must undertake at least one annual inspection thereof in order to comply with the Municipality's requirements.

- (3) All advertising signs or any part thereof must be secured in a manner so as to not constitute a danger to the public. The land owner on which property such is located and the owner of the advertising structure, assume all responsibility and liability, indemnifying the Municipality against any claim which may arise. When the Municipality is the land owner, the responsibility and liability is with the owner of the advertising structure and the Municipality is to be indemnified by the owner of the advertising structure.
- (4) No sign may be erected or maintained in such a manner as to impede on landscaping, causing trees and other plants to be removed or trimmed to ensure that the advertising sign, structure or advertisement remain visible, without the consent of the Municipality. The cost thereof will be for the account of the applicant.

17. Electrical and illumination

- (1) Every illuminated advertising sign and every advertising sign in which electricity is used:
 - (a) must have power cables and conduit containing electrical conductors positioned and fixed so that they are not unsightly in the opinion of the Municipality;
 - (b) must be constructed of material which is not combustible;
 - (c) must be provided with an external switch in an accessible position at a height of at least three metres from the ground whereby the electricity supply to the advertising sign may be switched off;
 - (d) must be wired and constructed in accordance with and subject to the provisions of the Municipality's requirements;
 - (e) may not be connected to any electricity supply without the prior written permission of the relevant electricity supply authority. It must be in accordance with the provisions of the "Standard Regulations for the Wiring of Premises" or any other standard rules for the electrical wiring of premises or structures. Such proof of permission must be submitted if requested; and
 - (f) which is likely to interfere with radio reception must be fitted with efficient suppressers.
- (2) The following maximum luminance levels per square metre for all classes of advertisements is permitted (as permitted by the International Commission on Illumination):

<u>Illuminated area</u>	<u>Maximum luminance</u>
Less than 0,5 m ²	1 000 candela/m ²
Between 0,5 m ² up to 2 m ²	800 candela/m ²
Between 2 m ² up to 10 m ²	600 candela/m ²
10 m ² or more	400 candela/m ²

- (3) The light source emanating from floodlights or light not meant for illumination, may not be visible to traffic travelling in any direction. Floodlighting must be positioned to ensure effective distribution and minimise light wastage or "spill".
- (4) Illumination on an advertisement or advertising sign is not permitted unless the area around the sign is illuminated. Illumination is further only permitted if it does not lead to unsafe driving conditions, does not have a detrimental effect on the visibility of road signs not illuminated, or on the surrounding area, does not constitute a road safety hazard or cause undue disturbance. No animation is permitted, except for electronic billboards.
- (5) An electronic advertisement or advertising sign may not inhibit the view of or cause discomfort or confusion to a driver or pedestrian or be in the direct line of sight of a traffic light.
- (6) An electronic advertisement must be static for at least 5 seconds per advertisement.
- (7) No advertisement or advertising sign may, if illuminated, be erected in such a way that it may have a detrimental effect on the amenity of a residential building on a residential zoned erf or, in the opinion of the Municipality, could be detrimental to the character or amenity of the neighbourhood.

18. Content, amenity and decency

- (1) Advertisements positioned along roads and specifically targeting the road user must be concise and legible and must comply with the following requirements:
 - (a) Bit values shall be calculated as follows per element of an advertisement:

Words of up to eight letters, inclusive	1,0 bit
Words of more than eight letters	2,0 bits
Words such as "a, the, than, and, an"	0,25 bits
Numbers of up to four digits, inclusive	0,5 bits
Numbers of five to ten digits	1,5 bits
Symbol, logo or graphic	0,5 bit
Background graphics (depending on the destructiveness of the graphics)	1,0 to 3,0 bits

- (b) On any sign, the number of bits and size of the text should adhere to the following:

Speed of the road	Bits allowable	Minimum size and
-------------------	----------------	------------------

(km/h)		height of letters
0 to 60	15	150mm
61 to 80	12	250mm
More than 80	10	350mm

- (c) For smaller signs such as estate agent signs, portable signs, banners and flags, posters and advertisements on street furniture, the text size must be a minimum of 50mm high, and must be considered by the Municipality for readability before it can be approved.
- (2) An advertising sign must have a neat appearance in terms of advertisement content and sign writing, and may not contain untidy handwritten messages. This must be done to the satisfaction of the Municipality.
- (3) No message may be spread across more than one advertisement, advertising sign or advertising sign panel.
- (4) Numbers longer than ten digits are not permitted.
- (5) No advertisement may, in the opinion of the Municipality, be in its content objectionable, indecent or suggestive of indecency or prejudicial to the public morals; or be in conflict with the guidelines or standards laid down from time to time by the Advertising Standards Authority (ASA), or any similar body recognised as representing the industry.
- (6) An advertisement may not contain any element which distracts the attention of drivers in a manner likely to lead to unsafe driving conditions.
- (7) Before any advertising sign is erected, the advertisements must be considered by the Municipality, whether:
- (a) the size of the advertisement, or any portion thereof by way of its colour, letter size, symbol, logo, graphics or illumination, will result in the advertisement having a distracting effect on the attention of drivers of vehicles to the task of driving and lead to unsafe driving conditions;
 - (b) the colour, or combination of colours, contained in the advertisement correspond with the colours or combinations of colours specified for road traffic signs in the regulations promulgated under the National Road Traffic Act, 1996 (Act No. 1993 of 1996);
 - (c) the portrayal of a road traffic sign in the content of an advertisement will constitute a road safety hazard and could be mistaken to represent a road traffic sign.

19. Road safety and traffic considerations

- (1) No advertisement, advertising structure or sign may
 - (a) in the opinion of the roads authority, be so placed as to distract the attention of drivers or pedestrians in a manner likely to lead to unsafe driving conditions;
 - (b) be so placed, as to cause any obstruction to a motorist's view of the roadway or its approaches, regardless of the direction the motorist is travelling;
 - (c) be so attached as, unless specifically provided for in the Southern African Development Community Road Traffic Signs Manual (SADC RTSM), to obscure, create confusion with or interfere with the functioning of a road traffic sign or signal or create a road safety hazard in the opinion of the roads authority;
 - (d) in the opinion of the roads authority, obscure a pedestrian's or driver's view of pedestrians, road or rail vehicles and features of the road, railway or pavement such as junctions, bends and changes in width;
 - (e) be erected closer than a minimum of 0,5m from the edge of the advertising sign to the vertically projected edge of the shoulder of the road; and 0,3m from a cycle path, footpath or sidewalk;
 - (f) project over a sidewalk or pedestrian route, unless the clear height of such an advertising sign exceeds 2,4m and for a cycle route a clear height of 3,0m;
 - (g) overhang onto a roadway or shoulder (if not on a bridge or a gantry);
 - (h) project or overhang an adjacent erf boundary, except where specific consent has been granted by the relevant land owner, or over any road reserve boundary (excluding projecting signs, flat signs and permanent flags);be located directly in front of, or behind a road traffic signal or in the opinion of the roads authority, constitute a road safety hazard.
- (2) Before any advertising sign is erected, it must be considered by the Municipality, whether:
 - (a) the number and size of advertisements and advertising signs in the area, will enhance clutter or affect the impact and effectiveness of road traffic signs by virtue of potential visual clutter;
 - (b) the speed limit, and the measure of the traffic's adherence thereto, the traffic volume, the average following headway and accident history of the road demand more stringent control of outdoor advertising;
 - (c) the position of the advertisement or advertising sign will negatively affect the visibility of, sight distance to or efficiency of any road traffic sign, or series of such signs;
 - (d) the position of any advertisement or advertising sign would potentially distract drivers' attention at places where traffic turns, negotiates curves, merges or diverges, or in the area of intersections or interchanges, or where drivers' uninterrupted attention to the driving task is important for road safety;
 - (e) the distance between advertising signs where the advertisement and the content of the road sign are visible from the same direction of travel before, between or behind any road traffic sign is of such a nature as to distract a driver's attention from any road traffic sign.

20. Areas of control

- (1) Three areas of control apply - areas of maximum control, areas of partial control, and areas of minimum control. These areas of control address the potential interaction between basic landscape sensitivity and advertising sign impact.
- (2) All areas under the jurisdiction of the Municipality shall be classified under a specific area of control. If an area has not been designated, for whatever reason, it will be deemed to be an area of maximum control, until considered and otherwise classified by the Municipality.
- (3) The land use categories described below are generic and do not refer to a specific Town Planning Scheme. When an assessment is evaluated, the Town Planning Scheme or any other relevant document applicable to the erf in question will be consulted for zoning details, if available. Notwithstanding the designation of the areas of control, the Municipality may approve the erection of an advertising sign or advertisement if there is no major impact on surrounding areas, and if the surrounding land uses can accommodate that specific type of sign. In instances where the area of control is unclear, the legal activities on the property as well as the surrounding areas, will be used as a basis of determining the areas of control.
- (4) The following types of land uses can be classified under the areas of control, as listed below:
 - (a) **Maximum Control**
 - Game reserves
 - Nature reserves
 - Scenic corridors
 - Scenic landscapes
 - Agricultural land / Farm land
 - Rural smallholdings
 - Rural-residential areas
 - Un-proclaimed township area
 - Conservation areas and natural features inside the urban edge
 - Undeveloped open spaces
 - Scenic features and areas
 - Historical and architectural sites
 - All residential areas
 - Plots and urban smallholdings (which are proclaimed)
 - Home-undertakings within residential areas
 - Specifically proclaimed heritage areas and buildings
 - Cemeteries
 - (b) **Partial Control**
 - Commercial enclaves, shopping centres and office blocks in residential areas

Commercial ribbon development
 Educational facilities, Schools, Universities, Technicons and Colleges
 Sports fields or stadiums
 Rural-commercial areas

(c) **Minimum Control**

Commercial areas
 Office blocks
 Shopping centres
 Industrial areas
 Transport nodes (such as taxi and bus ranks, railway stations, etc.)

- (d) If required, for whatever reason, the surrounding area, adjacent properties, or the current legal use may provide guidance when determining the area of control.

21. Position and spacing

- (1) The following criteria as included in **Table 1** will apply on these 'higher impact and larger type' of signs, unless otherwise specified, for position and spacing requirements between any form or combination of any two of the following advertising signs or advertisements, namely:

Billboards, gantries, non-locality bound flat signs, and all other relevant advertising signs as required by the Municipality.

Table 1: Position & Spacing Requirements

Speed	<u>Distances required between advertising signs</u> visible from each other, measured from the nearest pole of the advertising signs	<u>Distances required between advertising signs and road signs</u> where the advertisement and content of the road sign are visible for the same direction of travel measured from the nearest pole of the advertising sign to the road sign, parallel along the road where the sign is located	<u>Distance required from advertising signs to intersection</u> measured from the nearest pole of the advertising sign to the centre of the cross road, parallel along the road where the sign is located
0 ≤ 60	100m	50m	50m
61 – 80	200m	100m	100m
> 80	250m	200m	200m
Spacing Requirements: Electronic Billboards			
0 ≤ 60	1,5km apart	50m	200m
61 – 80	1,5km apart	150m	200m

> 80	2km apart	200m	300m
All distances will be measured from the closest edge of the advertising sign to the relevant point.			

- (2) A single sided advertising sign must be displayed perpendicular to or at an angle that is easy readable for the oncoming traffic. In the case of an advertising sign comprising of more than one side the advertisement must be displayed with the axis of symmetry perpendicular to the direction of the oncoming traffic.

22. Exempted signs

- (1) The following advertising signs or advertisements are exempt from the provisions of these By-laws:
- (a) Any advertising sign displayed inside a sports stadium which is not visible from outside the stadium or not visible from any public road;
 - (b) Any advertising sign which is not aimed at road users and not visible from a public road;
 - (c) Any advertising sign which is displayed inside a building at a distance of more than two metres from any window or other external opening through which it may be seen from outside the building and which is not aimed primarily at attracting the attention of the road user;
 - (d) Any national flag of any country hoisted on a suitable flag pole provided that no advertisement or subject matter is added to the design of the flag or flagstaff;
 - (e) Any banner or flag carried through the streets as part of a procession;
 - (f) Any advertising signs or advertisements which are permanently painted on or attached to the window-glass of a building;
 - (g) Any advertising sign which is incorporated in and forming an integral part of the fabric of a building applicable mostly to historical buildings only if the building or structure is not primarily used for advertising.

23. Prohibited signs and areas

No person may erect or display any of the following advertising signs or advertisements or cause or permit any such advertising sign or advertisement to be erected or displayed:

- (a) Against water towers, reservoir or silos, or painted on bridges, water tower, reservoir or silo;
- (b) Any advertising sign, advertisement, flyposter or poster pasted, painted, placed on or against or attached to or otherwise supported by any power line standard, power masts, transformer box, telegraph pole, road traffic sign or signal (any lamp pole which has a road traffic sign or signal attached to it), traffic circle, traffic island or median (except if allowed for in these By-laws or if approved by the Municipality), wall, column or post or pillar of a veranda or balcony, fencing, electricity box or sub-stations, tree, electrical

- transmission pylon or bridge or any other municipal infrastructure where specific provision has not been made;
- (c) With an overhang onto a roadway or shoulder, if not on a bridge or a gantry;
 - (d) Which will obscure a road traffic sign or which may be mistaken for or cause confusion with or interfere with the functioning of a road traffic sign; or which may obstruct pedestrian traffic;
 - (e) Which will obstruct any window or opening provided for the ventilation of a building or which obstructs any stairway or doorway of other means of exit from a building or which will prevent the movement of persons from one part of a roof to another part thereof;
 - (f) Any animated or flashing sign where the frequency or the animation's or flashes or other intermittent alterations of which disturbs the residents or occupants of any building or is a source of nuisance to the public;
 - (g) Larger than 81m² or higher than 12,5m, if free-standing; or larger than 18m² if in electronic format;
 - (h) Any swinging sign, which is a sign not rigidly and permanently fixed;
 - (i) Any moveable or transit sign or trailer advertising sign, whether stationary or mobile;
 - (j) On land not in accordance with the relevant zoning or approved consent use as per applicable Town Planning Scheme or any other relevant document;
 - (k) Pasted otherwise than on an advertising structure legally erected for the purpose of accommodating such an advertisement;
 - (l) Which, in the reasonable opinion of the Municipality, is suggestive of anything indecent or immoral or constitutes hate speech;
 - (m) Which relates to a business which is conducted on an erf or land which has not been re-zoned and approved for that specific purpose;
 - (n) Which relates to cigarettes, tobacco products or any other advertisements prohibited by any official advertising authority;
 - (o) Banners suspended across a road, affixed to a bridge spanning a road, placed on or against or attached to or otherwise supported by any transformer box, telegraph pole, tree, road traffic sign, electric light standard or other sign or object;
 - (p) For any estate agent sign containing any other words except the words 'For Sale', 'To Let', 'Sold' or 'On Show' and the name, logo, address and telephone number of the selling agent or letting agent;
 - (q) Other than an exempted sign, for which no approval has been obtained;
 - (r) Any sign which does not comply with the requirements of a specific type of sign as prescribed in these By-laws, for which no previous approval exist.

PART C: CRITERIA FOR DIFFERENT TYPES OF ADVERTISING SIGNS AND ADVERTISEMENTS

24. Billboards

- (1) The following criteria as included in **Table 2** will apply for billboards and any other advertising signs, as prescribed:

Table 2: Location, Size and Height

	* Super Billboards (only with special consent)	Large Billboards	Small Billboards and Electronic signs
Area of control	Minimum	Minimum / Partial	Minimum / Partial
Size of advertisement	Larger than 40m ² up to and including 81m ²	Larger than 18m ² up to and including 40m ²	Larger than 4,5m ² up to and including 18m ²
Speed (where permitted)	Any speed	Only on roads with speed limits less than or equal to 80 km/h	Only on roads with speed limits less than or equal to 80 km/h
Maximum Height of advertising sign	12,5m	10,5m	10,5m
<p>(a) No billboard shall exceed the allowable height on that specific site or on the surrounding sites, as allowed for in the relevant Town Planning Scheme or any other relevant document, or approved zoning for the site, whichever is the lesser, unless specifically approved by the Municipality.</p> <p>(b) * Super Billboards larger than 40m² up to and including 81m² will only be allowed if special attention and special consent has been given by the relevant Local Municipality, in exceptional cases. It will only be considered if the environment can accommodate it and if the market will allow it, and will only be allowed in urban areas of minimum control.</p> <p>(c) Billboards may be permitted inside municipal road reserve or other Municipal owned land, with specific attention to:</p> <ul style="list-style-type: none"> ○ Road Safety (Section 19), ○ Combination and clutter of advertising, ○ Environmental impact. 			

- (2) The clear height of the advertising structure may not be less than 2,4m.
- (3) Criteria as included in **Table 1** above, applies.
- (4) Illumination is permitted subject to Section 17. No animation is permitted, except for electronic billboards.
- (5) General requirements, as stated in Section 14 to 21 apply.
- (6) No billboard may be erected within a radius of 50m from the edge of any area of maximum control, measured from the nearest edge of the advertising sign.
- (7) Community awareness billboards are limited to a maximum size of 6m² in urban areas of maximum control, and limited to 18m² (small billboard) in all other areas of control. Criteria

as included in **Table 1 and Table 2** above, applies. It will be allowed in all urban areas of control and in rural-residential areas, but not in rural or natural areas of control.

- (8) In a rural-commercial areas, billboards are limited to a maximum size of 18m².
- (9) If positioned in the Municipal road reserve, the horizontal clearance of the nearest footing or the upright of the advertising structure must be a minimum of 5m from the shoulder breakpoint of the road. In the event of a kerbed road, 4,5m will be permitted. The horizontal clearance of the footing or the upright may be reduced to 2,5m, and must then be protected by guard rails.
- (10) This class is subject to the approval of the Municipality.

25. Gantry signs

- (1) This class will only be permitted in urban areas of minimum control.
- (2) The size and height of advertising signs allowed in this class, are as follows:
 - (a) Size of advertisement: 36m² to 81m². Gantries larger than 40m² will only be allowed if special attention and special consent has been given by the relevant Local Municipality, in exceptional cases. It will only be considered if the environment can accommodate it and if the market will allow it.
 - (b) Maximum height from the road surface to the top of the advertising sign: 12,5m.
 - (c) Minimum clear height of the advertising sign from the highest point of the road surface should be 5,7m; except in the event where the Municipality may prescribe additional clearance.
- (3) Criteria as included in **Table 1** above apply, and in addition gantries must be spaced at least 1km apart on roads with a speed limit of ≤ 80 kph if visible from each other.
- (4) Illumination is permitted subject to Section 17. No animation is permitted, except for electronic billboards.
- (5) General requirements as in Section 14 to 21 apply.
- (6) No gantry may be erected within a radius of 50m from the edge of any area of maximum control, measured from the nearest edge of the advertising sign. Should the uprights of a gantry be positioned adjacent to areas of minimum and partial control respectively, the area of control will be classified as minimum control.
- (7) The horizontal clearance of the nearest footing or the upright of the advertising structure must be a minimum of 5m from the shoulder breakpoint of the road. In the event of a

kerbed road, 4,5m will be permitted. The horizontal clearance of the footing or the upright may be reduced to 2,5m, and must then be protected by guard rails.

- (8) This class of advertising sign as well as the design of the advertising structure is subject to the approval of the Municipality.

26. Roof signs

- (1) Roof signs will be permitted in areas of partial and minimum control.
- (2) Only locality-bound roof signs shall be permitted.
- (3) The size and height of advertising signs allowed in this class, are as follows:
 - (a) Size of advertisement - Maximum area: 18m²
 - (b) Height: May not be higher than the height restriction in terms of the relevant Town Planning Scheme or any other relevant document.
- (4) The position and spacing requirements for this class of advertising signs are as follows:
 - (a) Maximum one advertising sign per building.
 - (b) Not project in front of a main wall of host building.
 - (c) Bottom of sign not more than 120mm above roof.
- (5) These advertising signs may be illuminated, subject to Section 17, but not animated.
- (6) A roof sign shall not exceed 300mm in thickness.
- (7) This class consists of advertising signs which are fixed to the roofs of buildings used or partly used for commercial, office, industrial or entertainment purposes, it may also include any advertising sign consisting of a single line of free-standing, individual, cut-out, silhouetted letters, symbols or emblems.
- (8) General requirements as stated in Section 14 to 21 apply.
- (9) No roof sign may be erected within a radius of 50m from the edge of any area of maximum control, measured from the nearest edge of the advertising sign.
- (10) This class is subject to the approval of the Municipality.

27. Flat signs

- (1) Flat signs will be permitted in rural areas and all urban areas. In areas of maximum control, only locality-bound signs will be permitted.

- (2) The size of advertising signs allowed in this class, are as follows:
- (a) Locality-bound:
- Rural and urban areas of maximum control: Not larger than 18m² or a maximum area of 50% of the wall area, whichever is the lesser. The sponsor's name or logo may not contain more than 1/3 of the total advertisement area.
- Urban areas of partial and minimum control: Not larger than 40m² or a maximum area of 70% of the wall area, whichever is the lesser. The sponsor's name or logo may not contain more than 1/3 of the total advertisement area.
- (b) Non-locality bound:
- Only in urban areas of partial and minimum control. Not larger than 40m² or a maximum area of 70% of the wall area, whichever is the lesser, spaced according to Table 1 (Section 21) if the advertisement is simultaneously visible by travelling motorists.
- (3) The position and spacing requirements and some general conditions for this class of advertising signs are as follows:
- (a) Maximum control: One per business per street frontage.
- (b) Partial & minimum control: Two per business per street frontage.
- (c) Not to obstruct or conceal any windows or the view or light from such windows or any opening provided for the ventilation.
- (d) Not to extend above top / beyond either end of wall.
- (e) May not project more than 50mm if less than 2,4m above sidewalk or ground level or 300mm where an advertising sign is more than 2,4m above the sidewalk or ground level.
- (f) Where locality-bound and non-locality bound advertisement are located on one building, it may not be combined, constructed or affixed in any manner on one wall.
- (4) These advertising signs may be illuminated, including non-locality bound flat signs which may be electronic signs, subject to Section 17, but not animated.
- (5) This class consists of advertising signs which are affixed to any external or main wall of a building used for commercial, office, industrial or entertainment purposes, excluding a parapet wall, balustrade or railing of a veranda or balcony of such a building. It may consist of a panel/sheet or of individual numbers, letters or symbols.
- (6) General requirements as stated in Section 14 to 21 apply.
- (7) This advertising sign type shall not be applicable to buildings used for residential purposes or for community services or community institutions, small businesses and practices on residential premises, or small scale residential-oriented accommodation.

- (8) No non-locality bound flat sign may be erected within a radius of 50m from the edge of any area of maximum control, measured from the nearest edge of the advertising sign.
- (9) It must not obstruct any window or opening provided for the ventilation of a building or which obstructs any stairway or doorway of other means of exit from a building.
- (10) This class is subject to the approval of the Municipality.

28. Advertising signs at educational facilities and sport stadiums and fields

- (1) Advertising signs at educational facilities and sport stadiums and fields will be permitted in all areas of control.
- (2) The size and height of the sponsored advertising signs indicating the name of the facility, are as follows:
 - (a) Size: Maximum of 12m².
 - (b) Height: Maximum of 5,5m.
 - (c) Clear height: 2,4m.
 - (d) Sponsor name or logo: Maximum of 1/3 of total advertisement area.
- (3) A maximum advertisement area of 36m², per 100m of street front, may be permitted for the display or combination of advertising signs on boundary walls and fences, permanent flags and free-standing advertising signs smaller than 4,5m².
- (4) Any form of advertising sign or advertisement may be displayed, subject to the criteria and requirements for that specific type of advertising sign or advertisement, with specific attention to cluttering.
- (5) Only one sponsored advertising signs indicating the name may be permitted per street frontage.
- (6) Illumination is permitted in areas of minimum and partial control subject to Section 17, while only limited external illumination may be permitted in areas of maximum control, but not animation.
- (7) This class consists of the display of advertising signs on boundary walls and fences, permanent flags, equal sized free-standing advertising signs smaller than 4,5m², other free-standing advertisements and may include a sponsored advertising sign indicating the name, along the street frontage of educational facilities and sport stadiums and fields.
- (8) General requirements as stated in Section 14 to 21 apply.
- (9) This class is subject to the approval of the Municipality.

29. Service facility signs

- (1) Service facility signs will be permitted in all areas of control.
- (2) The size and height of advertising signs allowed in this class, are as follows:

Speed of the road (km/h)	Maximum Height	Maximum Width
0 up to and including 60	7m	2m
61 up to and including 80	10m	3m
More than 80	15m	6m

- (3) A maximum of eight advertisement panels may be permitted per service facility sign and only one business or service may be permitted per advertisement panel.
- (4) The position and spacing requirements for this class of advertising signs are as follows:
- (a) Only at service facilities adjacent and directly accessible from road where sign is.
 - (b) One combination sign per site which may be double-sided.
 - (c) Located according to requirements of the relevant road authority.
 - (d) Not on road median or on island.
 - (e) If the advertising sign cannot be located on the site and has to be located in the road reserve, specific approval must be obtained both from the Municipality and the relevant road authority. It should then be located as close as possible to the access and in front of the service facility site.
- (5) These advertising signs may be illuminated, subject to Section 17, and only if the facility is open 24 hours or during business hours of the specific service. No animation is permitted.
- (6) This class consists of combination signs displayed at filling stations and roadside service areas (rest and service areas) which may provide a variety of services such as fuel pumps, workshops, restrooms, car washes, shops, accommodation facilities, restaurants, fast food outlets and autotellers.
- (7) General requirements as stated in Section 14 to 21 apply.
- (8) Advertisements on such combination signs may refer only to the name and logo of a business, company or person providing a service or may indicate the type of service provided. Only advertisements for locality-bound services shall be permitted.

- (9) Supplementary signs at roadside service areas, which do not form part of a combination sign permitted under this class, must be used for internal direction and orientation only and may not be aimed at passing motorists.
- (10) This class is subject to the approval of the Municipality, except locality-bound canopy, internal direction and orientation signs at filling stations and road side rest and service areas.

30. On-premises business signs

- (1) On-premise business signs will be permitted in the following areas of control:
 - (a) Individual advertising signs: All areas of control.
 - (b) Combination signs: Partial and minimum control.
- (2) The size and height of individual advertising signs allowed in this class, are as follows:
 - (a) Size: Maximum control: Maximum area: 6m².
Partial / Minimum control: Maximum area: 12m².
 - (b) Height: Maximum 7,5m (may be increased to 10,5m if permitted in the Town Planning Scheme or any other relevant document).
 - (c) Sponsor name or logo: Maximum of 1/3 of total advertisement area.
- (3) The size and height of combination signs, are as follows:
 - (a) Size: Maximum 16m².
Maximum size may be increased to 23m² if height restriction is relaxed in terms of the Town Planning Scheme or any other relevant document.
Minimum dimension per panel: 1m x 1m.
Not less than four and not more than ten panels per side will be permitted.
 - (b) Height:
Maximum 7,5m.
Height may be increased to 10,5m if permitted in the Town Planning Scheme or any other relevant document.
 - (c) Width of structure:
Not less than 2,1m and not more than 3m.
 - (d) Clear Height: 2,4m.
- (4) The position and spacing requirements for these advertising signs are as follows:
 - (a) Only locality-bound advertisements.
 - (b) Individual free-standing advertising signs will only be permitted if it is not possible to affixed on-premises signs to the building, or if signs affixed to the building will not be noticed by passing pedestrians or motorists, or if the sign is needed to located the entrance to the business.

- (c) The relevant Consent use or Town Planning Scheme or any other relevant document, is applicable.
 - (d) One sign per street frontage (max two per site).
 - (e) Placed close to business or if not close or visible from road, then at entrance road.
- (5) Preference will be given to combination signs. Combination signs may incorporate several businesses on one sign, using a single panel per business. In the case of a combination sign, the message on individual panels of the sign must be concise and legible, signs must harmonious in terms of form, letter types and colour, the signs shall be designed and located so as not to create a traffic safety hazard.
- (6) Where a business or enterprise such as a stall or guest house is situated on a large property such as a farm the sign shall be placed in the immediate vicinity of the enterprise where such an enterprise is adjacent to or visible from a public road; if the enterprise is not adjacent to or visible from a public road the sign shall be placed at the entrance of the private access road to the enterprise.
- (7) Signs indicating roadside enterprises such as farm stalls, and businesses on farms or roadside cafés shall not be closer than 5m from the road reserve fence. Such enterprises shall have direct access to the public road.
- (8) Illumination is permitted in areas of minimum and partial control subject to Section 17, while only limited external illumination may be permitted in areas of maximum control, but may not be animated.
- (9) This class consists of free-standing advertising signs with locality-bound advertisements which are aimed at identifying and locating the business operating on that site for businesses, industries, farm stalls and businesses on farms and smallholdings.
- (10) Advertisements in this class shall refer only to the name, logo and nature of the business on the premises, the brand-name and nature of goods and products sold, the nature of services provided, the name of the proprietor(s) or practitioner(s) and a contact number.
- (11) General requirements as stated in Section 14 to 21 apply.
- (12) This class is subject to the approval of the Municipality.

31. Projecting Signs

- (1) Projecting signs will be permitted only in urban areas of minimum, partial and maximum control, but shall be limited to buildings utilized for commercial, industrial, or entertainment purposes.

- (2) The size and height of advertising signs allowed in this class, are as follows:
 - (a) Size: Maximum control:

If below 6m: maximum 1,2m ² .
If above 6m: maximum 4m ² .
 - (b) Size: Partial /Minimum control:

If below 6m: maximum 2,4m ² .
If above 6m: maximum 8m ² .
- (3) The position and spacing requirements for this class of advertising signs are as follows:
 - (a) Only locality-bound advertisements.
 - (b) Only one per business façade.
 - (c) At an angle of 90° to the direction of oncoming traffic.
 - (d) Horizontal distance between the edge of the advertising sign to the vertically projected edge of the shoulder: More than 0,5m.
 - (e) May not project more than 300mm from the surface of the main wall.
- (4) These advertising signs may be illuminated, subject to Section 17, but not animated.
- (5) This class consists of advertising signs which are affixed to an external wall of a building used for commercial, office, industrial or entertainment purposes.
- (6) General requirements as stated in Section 14 to 21 apply.
- (7) This advertising sign type shall not be applicable to buildings used for residential purposes or for community services of community institutions, small businesses and practices on residential premises, or small-scale residential-oriented accommodation.
- (8) A projecting sign may encroach on a sidewalk. It may not be fixed at a clear height of less than 2,4m and for a cycle path a clear height of 3,0m nor exceed 300mm in thickness.
- (9) A projecting sign may not extend beyond the top of any wall.
- (10) This class is subject to the approval of the Municipality, only if it overhangs Municipal land.

32. Advertising signs on boundary walls and fences

- (1) Advertising signs on boundary walls and fences will be permitted in all areas of control. In areas of maximum control, only locality-bound signs will be permitted.
- (2) The size of the advertising signs allowed in this class, are as follows:
 - (a) Locality-bound advertisement:

Maximum control:	Maximum advertisement area 6m ²
Partial / Minimum control:	Maximum advertisement area 12m ²

The relevant Consent use, or Town Planning Scheme, or any other relevant document, is applicable.

Sponsor name or logo: Maximum of 1/3 of total advertisement area.

(b) Non-locality bound advertisement:

Maximum advertisement area per 100m streetfront: 36m²

Advertising signs are to be of equal size.

(3) The position and spacing requirements for this class of advertising signs are as follows:

(a) Only one locality-bound advertising sign per street frontage per premises.

(b) Non-locality bound advertising signs: Minimum spacing of 5 m intervals.

(c) It may not extend above, below or beyond any extremity of the boundary wall or fence.

(4) This class of signs may be illuminated, subject to Section 17, but not animated.

(5) This class consists of advertising signs affixed to a boundary wall or fence.

(6) General requirements as stated in Section 14 to 21 apply.

(7) This class is subject to the approval of the Municipality.

33. Painted advertisements

(1) Painted advertisements will be permitted in areas of partial and minimum control, and in rural-residential areas.

(2) Only locality-bound painted signs will be allowed.

(3) The position and spacing requirements for this class of advertisements are as follows:

(a) One advertisement per business and if on the facade of the building, then one per street frontage.

(b) Permitted on the façade of a building, on the walls and roofs of the specific enterprise.

(4) Painted walls as advertisements may also be allowed in the road reserve, if placed in a safe position, not in the view of, or interfering with sight distances or safety of motorists, and approved by the relevant road authority. It may not be located within a 50m radius from the centre of any intersection. Painted walls in the road reserve is limited to a maximum size of 4.5m² and a maximum height of 2m.

(5) These advertisements may not be illuminated or animated.

- ### 34. Security advertising signs

- ### 35. Balcony, veranda, canopy and under-awning signs

- (1) Veranda, balcony, canopy and under-awning advertising signs will be permitted in all areas of control, but only on premises or buildings used for commercial, office, industrial or entertainment purposes.
- (2) Only locality-bound signs will be allowed.

- (3) Clear height of signs must be 2,4m and may not project more than 100mm from the surface to which it is affixed.
- (4) The size, position and spacing requirements for this class of signs are as follows:
 - (a) May not exceed a vertical dimension of 750mm and a horizontal dimension of 2400mm.
 - (b) One sign per business or enterprise.
 - (c) May be suspended above sidewalks.
 - (d) May not extend above, below or beyond any extremity or a parapet wall, balustrade, railing, beam or fascia.
- (5) These signs may be illuminated, subject to Section 17, but not animated.
- (6) This class consists of balcony, veranda, canopy and under awning signs which are:
 - (a) Affixed flat onto or painted on a parapet wall, balustrade or railing of a verandah or balcony;
 - (b) Affixed flat onto or painted on a fascia of a verandah or beam over verandah columns;
 - (c) Affixed flat onto or painted on the fascia of a roof structure without walls such as a roof covering petrol pumps at a service facility (filling) station;
 - (d) Suspended below the roof of a veranda or balcony (under awning signs);
 - (e) Placed on top of a roof or veranda;
 - (f) Affixed to or painted on a pillar, column or post supporting a veranda, balcony or a roof structure without walls;
 - (g) Painted or printed on the fabric of a blind.
- (7) General requirements as stated in Section 14 to 21 apply.

36. Residential home-undertaking, farm names and community institution signs

- (1) Residential home-undertaking, farm names and community institution signs will be permitted in all areas of control for home-undertakings, names of farms and community institutions.
- (2) The size and height of advertising signs allowed in this class, are as follows:
 - (a) The size of the home-undertaking or farm name sign may not exceed 1,5m².
 - (b) The size of the community institutions sign may not exceed 3m².
 - (c) The height may not exceed 3m for free-standing signs.
 - (d) The relevant Consent use, or Town Planning Scheme, or any other relevant document is applicable.
 - (e) Sponsor name or logo: Maximum of 1/3 of total advertisement area.
- (3) The position and spacing requirements for this class of advertising signs are as follows:
 - (a) Only locality-bound advertisements on boundary wall, fence, gates.

- (b) Farm/small holdings name signs: Next to entrance of access road or on gate of entrance.
 - (c) Free-standing only when not possible to fix to building / wall / gate / boundary fence limited to one sign only.
 - (d) One sign per undertaking, farm or institution per street frontage.
 - (e) Only locality-bound advertisements.
 - (f) Not in road reserve.
- (4) These advertising signs may be illuminated, subject to Section 17, except advertising signs in natural and rural areas of control. These advertising signs may not be animated.
- (5) This class consists of signs for small business and practices on urban residential premises or in rural areas and farm names, and includes signs for community institutions and facilities such as religious, cultural, recreational and certain medical and similar institutions.
- (6) General requirements as stated in Section 14 to 21 apply.
- (7) The sign may only indicate the name, logo and nature of the undertaking or institution or the farm name and no product advertising or advertising for sales of any kind are permitted on this advertising sign.

37. Vehicular advertising

- (1) Vehicular advertising will be permitted in all areas of control.
- (2) These advertising signs may not extend beyond the edges of the vehicle.
- (3) The vehicle may not be parked in the road reserve with the sole purpose of advertising.
- (4) These advertisements may not be illuminated or animated.
- (5) This class consists of advertisements on self-driven vehicles which are normally moving on land or water, including taxis, buses, trains and delivery vehicles.
- (6) General requirements as stated in Section 14 to 21 apply.

38. Construction site boundary signs

- (1) Construction site signs will be permitted in all areas of control.
- (2) Construction site boundary signs may not exceed a vertical dimension of 3,0 metres and a total area of advertisement of 18m².

- (3) The position and spacing requirements for this class of advertising signs are as follows:
 - (a) Not on top of or above the fence or wall.
 - (b) Not project more than 0,1m from boundary wall or fence.
 - (c) May not be painted/pasted directly on construction site boundary wall.
 - (d) May not encroach on the road reserve unless approved by the Municipality.
- (4) These advertising signs may be externally illuminated from the top, subject to Section 17, but may not be animated. Illumination will not be permitted where it will impact on areas of maximum control.
- (5) The class consists of advertising signs fixed flat against any fence or wall where such fence or wall forms the boundary of a site where construction work is being carried out, or affixed to walls of unoccupied buildings undergoing construction, renovation or maintenance.
- (6) General requirements as stated in Section 14 to 21 apply.
- (7) It will only be permitted for the duration of the construction, renovation or maintenance work whichever is the shorter.
- (8) This class is subject to the approval of the Municipality.

39. Project and development signs

- (1) Project and development advertising signs will be permitted in all areas of control.
- (2) The size and height of advertising signs allowed in this class, are as follows:
 - (a) Project sign:
 - (i) Maximum size: 1,5m² per consultant.
 - (ii) Maximum size: 9m².
 - (iii) Height: Maximum 5,5m.
 - (iv) Clear Height: 2,4m.
 - (b) Development sign:
 - (i) Maximum size: 6m² in maximum control area.
 - (ii) Maximum size: 12m² in partial and minimum control area.
 - (iii) Height: Maximum 5,5m.
 - (iv) Clear Height: 2,4m.
- (3) The position and spacing requirements for this class of advertising signs are as follows:
 - (a) Project sign:
 - (i) One sign per street-front on the specific site.
 - (ii) Not in road reserve.

- (iii) Only road construction signs will be permitted within the road reserve.
- (b) Development sign:
 - (i) Only one development sign per street frontage per development on the specific site.
 - (ii) Only one additional sign with supplier detail is permitted per development.
 - (iii) Signs indicating supplier details may only be erected within the site and may not be positioned where intended for or visible by passing vehicle or pedestrian traffic.
 - (iv) Not in road reserve.
- (4) The general requirements as stated in Section 14 to 21 apply.
- (5) Project signs consist of advertising signs displaying the involvement of contractors and consultants in minor or major construction projects or alterations to existing structures or facilities and the development sign describes the type of development.
- (6) Requirements applicable to **PROJECT SIGNS**:
 - (a) Project signs may not be illuminated or animated.
 - (b) The advertisement shall describe only the building or structure being erected or other work or activity being carried out during the duration of the project, and the names of the contractors or consultants concerned in such work or activity. The branches of the industry or the professions of the contractors or consultants may be listed.
 - (c) Individual or single signs must be displayed only if no other consultants or contractors are involved or if a combined project sign has already been erected.
 - (d) Only one advertisement or advertising sign per contractor or consultant per project may be permitted.
 - (e) Project sign concerning road construction may be positioned in any road reserve.
 - (f) Project sign must be displayed only during the period when the construction works are actually taking place on the site.
- (7) Requirements applicable to **DEVELOPMENT SIGNS**:
 - (a) Included are advertisements describing the type of development being carried out on a site and giving details such as the type of accommodation being provided, floor space available and the name, address and telephone number of the developer or his agent.
 - (b) A visual presentation or description of the building or structure being erected may also be included.
 - (c) Advertising signs or advertisements indicating supplier details are to be combined on only one sign per development and restricted to a maximum of nine uniform panels on the sign.
 - (d) Development advertising sign may be illuminated, subject to Section 17, but may not be animated.
 - (e) Only while relevant development is taking place.

- (8) This class is subject to the approval of the Municipality.

40. Advertisement for the sale of goods and livestock

- (1) This class will be allowed in all areas of control.
- (2) The size and height of signs allowed in this class are as follows:
- | | | |
|-------|-----------------------------|---------------------|
| Size: | Maximum or Partial Control: | 2m ² . |
| | Minimum Control: | 2.8m ² . |
| | Maximum height: | 3m. |
- (3) The position and spacing requirements for this class of signs are as follows:
- (a) Not on road reserve or road reserve boundary of freeways.
 - (b) Maximum of one sign per sale facing a road.
 - (c) Only on the premises, on the property, or attached to boundary fence of property.
 - (d) May be displayed 14 days prior to the event and should be taken down within 3 days after the event.
- (4) These signs may not be illuminated or animated.
- (5) This class consists of signs announcing the sale of goods or livestock on land or on premises not normally used for commercial purposes. It may include auction sales of furniture and other household goods on residential premises or an auction of livestock or game on a farm.
- (6) General requirements, as stated in Sections 14 to 21, apply.

41. Estate agent signs

- (1) Estate agent signs will be permitted in all areas of control.
- (2) The size and height of advertising signs allowed in this class, are as follows:
- (a) Maximum size: Non-residential, commercial or industrial signs: 6m².
 - (b) Maximum Height: Non-residential, commercial or industrial signs: 3m.
 - (c) Size: All other signs: 0.6m x 0.45m.
- (3) The position and spacing requirements for this class of advertising signs are as follows:
- (a) Placed close to a boundary fence or within boundary of erf.
 - (b) Maximum one advertising sign per agency.
 - (c) Maximum three advertising signs per erf.
 - (d) Signs for a non-residential, commercial or industrial site is not permitted in the road reserve.

-
- (4) These advertising signs may not be illuminated or animated.
 - (5) This class consists of advertising signs which are temporarily displayed, by the owner or its agent, to advertise the fact that land, premises, development or any other form of real estate is for sale, to let, sold or on show.
 - (6) General requirements as stated in Section 14 to 21 apply.
 - (7) All advertisements in this class shall contain only the words 'For Sale', 'To Let', 'Sold' or 'On Show' and the name, logo, address and telephone number of the selling agent or letting agent.
 - (8) The erection of 'On Show' estate agents' signs on streets reserves shall be permitted on public holidays from 05:00 on condition that they be removed before 20:00 on that day and after 12:00 on Fridays on condition that they be removed before 12:00 on the following Monday.
 - (9) An advertising sign may consist of a single sign or two duplicate signs joined together.
 - (10) Any estate agents sign exceeding 0,27m² is subject to the approval of the Municipality.
 - (11) The advertising signs must be placed at or affixed to the building concerned, or attached to the boundary fence of the premises concerned, or displayed within the boundaries of such premises, or displayed on the sidewalks to a maximum of 1 metre away from the boundaries of such premises.
 - (12) 'On Show' estate agent signs shall be allowed to be displayed within the road reserve in the event of the advertising sign being a residential advertising sign. Advertising signs may not be displayed on road islands or medians. 'On Show' signs may be displayed with no less than 60m intervals between the signs, and no more than 5 signs being displayed at any one time. This includes 'On Show' signs for new developments.
 - (13) All 'For Sale' and 'To Let' signs must be removed no later than 3 days after completion of the sale or granting of the tenancy.
 - (14) 'Sold' signs may be displayed for a period not exceeding 30 days after completion of the sale.
 - (15) 'On Show' signs for new developments may be erected for a period of six (6) months where after an extension of an additional six (6) months may be obtained at the discretion of the Municipality.

(16) No advertisement relating to the sale, show or lease of a fixed property may be displayed in any manner or in view of any street, unless the Agency's prescribed annual license tariff is paid, particulars of the concerned estate agency are recorded on a database, and the necessary prescribed license is issued by the Municipality.

(17) This class is subject to the approval of the Municipality.

42. Portable or forecourt signs

(1) Portable or forecourt advertising signs will be permitted in all areas of control.

(2) The size and height of advertising signs allowed in this class, are as follows:

(a) Size:

Maximum area: Single sided: 0.75m^2 .

Double sided: 1.5m^2 .

Maximum area per forecourt frontage / premises: 3m^2 .

For filling stations & roadside service areas:

Maximum area per forecourt frontage / premises: 8m^2 .

(b) Height:

Maximum 1m.

(3) The position and spacing requirements and some general conditions for this class of advertising signs are as follows:

(a) In forecourts of businesses or on sidewalk in front of business premises.

(b) Free-standing and moveable.

(c) Not be positioned in such a way as to interfere with pedestrian movement.

(d) Forecourt signs shall be aimed at passing pedestrians and the users of the forecourt space concerned and shall not be aimed at passing motorists.

(4) These advertising signs may not be illuminated or animated.

(5) This class consists of moveable free-standing temporary advertising signs displayed in forecourts of business and on sidewalks in front of business premises to draw attention to any commercial services, goods for sale, or other services available at the premises.

(6) General requirements as stated in Section 14 to 21 apply.

(7) A forecourt is an outdoor area which forms a functional part of a building, housing an enterprise and may include a terrace in front of a restaurant or café, a sidewalk café, the area at a filling station where the pumps are situated, etc.

- (8) A maximum of one sign is permitted per business only during business hours, and must be removed from the forecourt or sidewalk on close of business at the end of normal trading hours.
- (9) Hand-written messages are permitted on signs provided for this purpose.

43. Banners and flags

- (1) Banners and flags will be permitted in all areas of control except in natural areas.
- (2) This class consists of two categories namely, banners and flags:
 - (a) **Banners:** Banners erected to advertise public and charitable events, functions, occasions, meetings or campaigns of a religious, educational, cultural, political, social, sporting or recreational nature. This includes banners erected to advertise an auction as well as public awareness and community based campaigns and notices of a public meeting. It also includes banners for parliamentary or municipal elections, by-elections, referenda and registration process.
 - (b) **Flags:** Permanent and semi-permanent flags displaying the name, logo and nature of the specific business.
- (3) The size and height of advertising signs allowed in this class, are as follows:
 - (a) **Banners**
 - Maximum size: 5m²
 - Height: Maximum 2m
 - Maximum advertisement area per event per streetfront: 10m²
 - (b) **Flags**
 - Maximum size: 4m²
 - Height: Maximum 5m
- (4) The requirements for **banner** advertising signs are as follows:
 - (a) Maximum of 5 banners per event.
 - (b) On the site / boundary fences / walls of where the function / event is to take place or on boundary fences / walls of a third party or in positions within the road reserve as determined by the Municipality.
 - (c) Minimum distance from centre of intersection: 50m.
 - (d) Minimum distance from road sign or signal: 50m.
 - (e) Minimum of 120m apart if in road reserve.
 - (f) No banner advertisement may be displayed for more than two weeks before the date of the function or event advertised and no such advertisement shall be permitted to remain in position for more than three days after the conclusion of such function or event.

- (g) No banner may be suspended across a road, be affixed to a bridge spanning a road, placed on or against or attached to or otherwise supported by any transformer box, telegraph pole, tree, road traffic sign, electric light standard or other sign or object.
 - (h) No banner may be positioned within the roadway or shoulder of a road.
 - (i) Banners for parliamentary or municipal elections, by-elections, referenda and registration process are only permitted to be placed against the boundary walls / fences or on the premises of the voting/registration station.
 - (j) A completed street name list on where the banners will be erected, is to be provided by the applicant, within at least three days prior to the event, occasion, function or meeting as indicated on the banner.
 - (k) All banners must be removed within 3 days of the passing of the event. Failure to remove a banner, will result in forfeiting the deposit for that banner.
 - (l) Every deposit paid must be refunded when all the banners to which the deposit relates, have been removed, to the satisfaction of the Municipality.
 - (m) Any person who, having displayed or caused to be displayed any banner, fails to remove it or cause it to be removed within the periods prescribed shall be guilty of an offence and shall, in addition to any penalty imposed upon him, forfeit the deposit relating to it or such proportionate part of that deposit as the Municipality must assess having regard to the number of banners not removed.
- (5) The requirements for **flag** advertising signs are as follows:
- (a) Maximum of 10 permanent flags per street front.
 - (b) Maximum of 4 semi-permanent flags per street front per business premises.
 - (c) Minimum of 5m spacing between any two flags.
 - (d) Flags are to be of equal size.
 - (e) Only locality-bound flags must be used for advertising businesses.
 - (f) Semi-permanent flags may be displayed directly in front of the specific business in the road reserve in positions as determined by the Municipality but may not be positioned within the roadway or shoulder of a road. They must be removed on close of business at the end of normal trading hours.
 - (g) Every permanent flag must be attached to a single flagstaff projecting vertically from premises or projecting vertically, horizontally or at an angle from a building on the site or against the building or boundary walls / fences where the business is located or attached to a free-standing flag staff on approved sites.
 - (h) No permanent flag is permitted to be displayed within the road reserve
 - (i) Flags may only display the name, logo and nature of the business.
 - (j) The clear height of the permanent flag may not be less than 2,4m.
 - (k) If projecting over a sidewalk and pedestrian circulation route, the clear height must exceed 2,4m and for a cycle circulation route a clear height of at least 3,0m
 - (l) No person may display or erect any flag which relates to a business which is conducted on an erf or land which has not been re-zoned for that specific purpose.

- (m) No flag shall be displayed in any manner or in view of any street, unless the prescribed annual license tariff is paid, particulars of the concerned business is recorded on a database, and the necessary prescribed license is issued by the Municipality.
- (6) The general requirements for this class of signs are as follows:
- (a) These advertising signs may not be illuminated or animated.
 - (b) General requirements as stated in Section 14 to 21 apply.
 - (c) Banners and flags may not be used for advertising sales promotions or commercial products or events.
 - (d) Every banner or flag must be attached so as not to interfere with or constitute a danger to passing vehicular or pedestrian traffic and may not be displayed within or across any footpaths. Sidewalks or cycle circulation routes.
- (7) National flags of any country are excluded from this class and may therefore be displayed in all areas of control provided they do not carry any advertisement or subject matter additional to the design of the flag or flagstaff.
- (8) This class is subject to the approval of the Municipality.

44. Posters

- (1) Posters will be permitted in areas of maximum, partial and minimum control.
- (2) This class consists of five categories of posters namely:
- Category One: Events:** Posters erected to advertise public and charitable events, functions, occasions, meetings or campaigns of a religious, educational, cultural, political, social, sporting or recreational nature. This category includes posters erected to advertise an auction but excludes posters advertising sales promotions, commercial products and events of a commercial nature.
- Category Two: Commercial:** Posters erected in this category may be used for commercial advertising on structures for which specific provision has been made for by the Municipality.
- Category Three: Newspaper:** Posters displayed in this category must display selected news headlines of a specific edition of a newspaper.
- Category Four: Community:** Posters for public awareness and community based campaigns, notices of a public meeting.
- Category Five: Elections:** Posters for parliamentary or municipal elections, by-elections, referenda and registration process.
- (3) The size and height of advertising signs allowed in this class, are as follows:

CATEGORY ONE (Events) AND FIVE (Elections):

Size: One direction: $\leq 0.54\text{m}^2$, 0.9m x 0.6m (A1 size), may be double sided.

Height: Minimum Height (Clearance): 2,4m. At least 2m below light fixtures.

CATEGORY TWO (Commercial):

Size: One direction: $\leq 1.08\text{m}^2$, 0.2m x 0.9m (A0 size), may be double sided.

Height: Minimum Height (Clearance): 2,4m. At least 2m below light fixtures.

CATEGORY THREE (Newspapers):

Size: One direction: $\leq 0.32\text{m}^2$, 0.7m x 0.45m (A2 size), may be double sided.

Height: Minimum Height (Clearance): 1m. At least 2m below light fixtures.

CATEGORY FOUR (Community):

Size: One direction: $\leq 1.08\text{m}^2$, 1.2m x 0.9m (A0 size), may be double sided.

Height: Minimum Height (Clearance): 2,4m. At least 2m below light fixtures.

- (4) The position and general requirements for this class of advertising signs are as follows:
- (a) General requirements as stated in Section 14 to 21 apply.
 - (b) Standardized pole-mounted posters may be permitted only where they will not have a negative visual impact on the streetscape and the character of an area.
 - (c) Only permitted on electric light standards or other structure, which is provided for the express purpose of affixing posters.
 - (d) At least 50m from the centre of an intersection.
 - (e) May not be placed on or against or attached to or otherwise supported by any power line standard, power masts, transformer box, telegraph pole, road traffic sign or signal (any lamp pole which has a road traffic sign or signal attached to it), traffic circle, traffic island or median (except Category Two (2) and Three (3) Posters), wall, column or post of a veranda or balcony, fencing, electricity box or sub-stations, tree or bridge.
 - (f) No advertising sign may be mounted on a short (4,5m) streetlight pole.
 - (g) Not to cover municipal markings / stripes on lampposts.
 - (h) No steel or aluminium ladders may be placed against the standards on which the posters are to be erected.
 - (i) These advertising signs may not be illuminated or animated.
 - (j) Only permitted inside urban road reserves for roads under the jurisdiction of the Municipality and exclude freeways, National roads and Provincial roads.
 - (k) Not closer than 0.3m from the nearest edge of any posters to the edge of the shoulder of the road.
 - (l) Not to obstruct pedestrian movement.
 - (m) May not in any way interfere with the sight distance of motorists.
 - (n) Advertisements may not have any letters smaller than 50mm in height.
 - (o) If so required by the Municipality, the content may be subject to the Municipality's approval.
 - (p) This class is subject to the approval of the Municipality, except category five posters (for elections).

- (5) Conditions applicable to **Category One (Events)** posters:
- (a) A maximum of 100 posters permitted per event per Municipal area.
 - (b) Temporary posters must be fixed to electric light standards and fixed receptacles by means of a suitable cord and no metal clamps or wire may be used.
 - (c) May not be used to advertise a commercial event or product or sales promotion.
 - (d) A completed street name list on where the posters will be erected, is to be provided by the applicant, within at least three days prior to the event, occasion, function or meeting as indicated on the poster. Failure to submit this list will result in the forfeiting of the deposit paid.
 - (e) Posters must be erected only 14 days prior to the event.
 - (f) The display period during the event shall not exceed 30 days.
 - (g) All posters, backing boards and cord or string must be removed within 3 days of the passing of the event. Failure to remove a poster, will result in forfeiting the deposit for that poster.
 - (h) A maximum of two (w) per post or standard. It must then be affixed in a double-sided manner back to back; i.e. only one poster visible per direction of travel.
 - (i) The content is subject to the approval of the Municipality. The name of the relevant responsible organization, and the date and place of the occasion or event must be clearly displayed on the poster. The Municipality shall be entitled to retain one such poster for identification purposes.
 - (j) No products may be advertised on a Category One poster.
 - (k) Poster advertising signs aimed at the road used may not be less than 120m apart.
 - (l) Every poster for which permission is granted, shall display a municipal sticker with a reference number.
 - (m) No poster or other advertising sign may be placed in a street or other public place unless the appropriate tariff has been paid to the Municipality.
 - (n) Every deposit paid must be refunded when all the posters, advertising signs or advertisements to which the deposit relates, have been removed to the satisfaction of the Municipality.
 - (o) Any person who, having displayed or caused to be displayed any advertising sign or advertisement, fails to remove it or cause it to be removed within the periods prescribed shall be guilty of an offence and must, in addition to any penalty imposed upon him, forfeit the deposit relating to it or such proportionate part of that deposit as the Municipality shall assess having regard to the number of posters, advertising signs or advertisements not removed.
- (6) Conditions applicable to **Category Two (Commercial)** posters:
- (a) Posters must be fixed to electric light standards by means of removable brackets or strapping. No drilling or welding of poles will be permitted.
 - (b) A maximum of two per post or standard. It must then be affixed in a double-sided manner; i.e. two receptacles back to back.

- (c) May only be placed in certain specific areas and along certain arterial roads.
 - (d) More creative and visually pleasant structures should be used for displaying of posters than standardized pole-mounted structures in order to make a positive contribution to streetscaping.
 - (e) The Municipality must determine the number and display format of posters in this category.
- (7) Conditions applicable to **Category Three (Newspapers)** posters:
- (a) Poster frames must be fixed to electric light standards by means of removable brackets or strapping. No drilling or welding of poles will be permitted.
 - (b) May not be used to advertise a commercial event.
 - (c) May be displayed along specific main traffic routes.
 - (d) If projecting over a sidewalk and pedestrian circulation route, the clear height must exceed 2,4m and for a cycle circulation route a clear height of at least 3,0m;
 - (e) A specific news headline must only be displayed for 24 hours.
 - (f) A maximum of one per post or standard. Back to back at same position will be permitted.
 - (g) The Municipality must determine the number and display format of posters in this category.
 - (h) No poster frame or news headline may be placed in a street or other public place unless the appropriate tariff has been paid to the Municipality.
- (8) Conditions applicable to **Category Four (Community)** posters:
- (a) Posters must be fixed to electric light standards by means of removable brackets or strapping. No drilling or welding of poles will be permitted.
 - (b) May not be used to advertise a commercial event.
 - (c) A maximum of one per post or standard.
 - (d) All posters, backing boards and cord or string must be removed within 3 days of the passing of the event
 - (e) Poster advertising signs aimed at the road used may not be less than 120m apart.
 - (f) No poster, advertising sign or advertisement may be placed in a street or other public place unless the appropriate tariff has been paid to the Municipality.
 - (g) Public awareness and community-based campaigns are to be directed at the residents within a specific community aimed at indicating crime statistics and reporting of incidents.
 - (h) The Municipality must determine the number and display format of posters in this category.
- (9) Conditions applicable to **Category Five (Elections)** posters:
- (a) Posters must be fixed to electric light standards and fixed receptacles by means of a suitable cord and no metal clamps or wire may be used.
 - (b) May not be used to advertise a commercial event.

- (c) A maximum of three per post or standard.
- (d) The Municipality must in the absence of legislative prescriptions determine the number and display format of posters in this category.
- (e) No posters relating to a parliamentary or municipal election, referendum or registration process may be displayed for longer than the period extending from the beginning of the date of proclamation in the Government Gazette of an upcoming referendum or election to the end of the fourteenth day after the date of such election, referendum or registration process.

45. Advertisements on litter bins

- (1) Advertisements on litter bins will be permitted in areas of maximum, partial and minimum control.
- (2) The size of advertisements on litter bins must be smaller or equal to 2,2m² in total area, provided that the different advertisements face more than one direction
- (3) The position and spacing requirements for this class of advertising signs are as follows:
 - (a) Permitted inside urban road reserve under the jurisdiction of the Municipality, excluding all Provincial and National roads.
 - (b) May not be positioned closer than a minimum of 1,8m from the edge of the pavement litterbin to the edge of the shoulder of the road; and 0,3m from a cycle path, footpath or sidewalk. It may not be placed in such a way that it may cause deviation of the normal and easy flow of pedestrians or cyclists.
 - (c) Not to obstruct pedestrian movement.
 - (d) May not in any way interfere with the sight distances of motorists.
 - (e) May not be placed on a road median.
 - (f) Pole-mounted litter bins are only permitted on streetlight poles or other structure, which is provided for the express purpose of affixing pole-mounted litter bins.
 - (g) Pole-mounted litter bins may not be attached to power line standard, power masts, road traffic sign or signal, traffic circle, traffic island, wall, column or post of a veranda or balcony, fencing, electricity box or sub-stations, tree or bridge.
 - (h) Only one pole-mounted litterbin will be permitted per streetlight pole and one advertisement will be permitted per pole-mounted litter bin.
 - (i) No drilling or welding of poles will be permitted. Pole-mounted litter bins must be fixed to poles by means of removable brackets or stripping approved by the ED.
- (4) Litter bin advertisements may not be illuminated or animated.
- (5) This class consists of advertising on pavement and pole-mounted litter bins, which are not intended primarily for advertising but which are provided for pedestrians and commuters.

- (6) General requirements as stated in Section 14 to 21 apply.
- (7) It provides ample opportunity for non-locality bound advertising along urban roads and streets inside road reserves as well as opportunities for non-locality bound advertising in public spaces and in other pedestrian-orientated areas at shopping centers, shopping malls and at transport nodes.
- (8) Litter bins may not be used or positioned for the primary or sole purpose of advertising, but only where warranted by pedestrian movement, or at locations as requested by the Municipality.
- (9) This class is subject to the approval of the Municipality.

46. Advertisements on public transport shelters

- (1) Advertisements on public transport shelters will be permitted in areas of maximum, partial and minimum control.
- (2) The size and height of advertisements in this class will be guided by the design of the public transport shelter, and will be subject to Municipal approval.
- (3) The position and spacing requirements for this class of advertising signs are as follows:
 - (a) Permitted only on public transport shelter which are inside urban road reserve or on any other property under the jurisdiction of the Municipality, excluding all Provincial and National roads.
 - (b) May not be positioned closer than 1,8m from the nearest edge of the public transport shelter to the edge of the shoulder of the road, but can be reduced to a minimum of 1,2m if approved by the Municipality; and 0,3m from a cycle path, footpath or sidewalk.
 - (c) Public transport shelters must be placed at specific locations as approved by the Municipality, on a public transport route where there is a need for such a shelter.
 - (d) Not to obstruct pedestrian or cyclist movement.
 - (e) May not in any way interfere with the sight distances of motorists.
 - (f) May not be placed on a road median, road or traffic island.
- (4) Advertisements on public transport shelters may be illuminated, subject to Section 17, but not animated. No illumination may be permitted in areas of maximum control.
- (5) This class consists of advertisements on public transport shelters which forms part of the public transport shelter structure. The public transport shelter is a free-standing covered structure at a bus stop, taxi rank or lay-bye, with the purpose to provide a limited shelter for commuters and pedestrians, and is not intended primarily for advertising.

- (6) General requirements as stated in Section 14 to 21 apply.
- (7) The advertisement must be affixed to, and form part of, the public transport shelter, and may not be a free-standing structure. No part of the advertising sign or advertisement may extend beyond the panels or roof of the public transport shelter, as approved by the Municipality.
- (8) Public Transport Shelters must be constructed in accordance to the Municipality's approved specifications and designs.
- (9) This class is subject to the approval of the Municipality.

47. Stack signs

- (1) Stack signs will only be permitted in areas of minimum control, and in other areas of control, only if approved by the relevant road authority.
- (2) The size and height of advertising signs allowed in this class, are as follows:
 - Size: Maximum 16m².
Maximum size may be increased to 23m² if height restriction is relaxed in terms of the Town Planning Scheme or any other relevant document.
Minimum dimension per panel: 1m x 1m.
Not less than four and not more than ten panels per side.
 - Height: Maximum 7,5m.
Height may be increased to 10,5m if permitted in the Town Planning Scheme or any other relevant document.
 - Width of structure: Not less than 2,1m
Not more than 3m
 - Clear Height: 2,4m
- (3) A maximum of two stack sign per intersection, positioned diagonally, will be permitted.
- (4) A stack sign may be illuminated, subject to Section 17, but may not be animated.
- (5) This class consists of a free-standing advertising sign in the road reserve displaying a combination of advertisements of several businesses operating in the direct vicinity, on separate panels.
- (6) General requirements as stated in Section 14 to 21 apply.
- (7) Advertisement panels may not be reflective.

- (8) This class is subject to the approval of the Municipality.

48. Street name signs

- (1) Street name signs will be permitted in area of maximum, partial and minimum control.
- (2) The size and height of advertising signs allowed in this class, are as follows:

Street name sign (GL1 signs):

Rectangular in shape (according to SADC RTSM requirements).

Minimum Length: 500mm.

Maximum Length: Determined by the street name length and type of sign.

Width (height): 300mm.

Advertisement panel:

Rectangular in shape, either in a landscape or portrait format.

Minimum Area: 1,00 m².

Maximum Area: 1,68 m².

Horizontal measurement: Between 0,8m and 1,6m.

Vertical measurement: Between 1,0m and 1,6m.

Clear Height: Minimum of 2,1m to the street names.

Only one advertisement per side will be permitted.

- (3) The position and spacing requirements for this class of road sign combined with an advertisement panel are as follows (should also adhere to SADC RTSM, GL1 sign requirements):
- (a) Street name section should be below advertising panel, but not closer than 200mm.
 - (b) May not extend over the road surface.
 - (c) It may not be located directly in front of, or behind a road traffic signal.
 - (d) Must be located as far as possible in the far left opposite corner of the junction of two streets, for both directions of traffic, specifically for the main roads. It will therefore be positioned diagonally.
 - (e) Maximum two illuminated advertising signs diagonally opposite one another per intersection. At junctions of lower order roads, one street name sign (combined with an advertisement panel) will normally be adequate.
 - (f) Inside urban road reserve (Municipal roads only), but not on any Provincial or National road, road medians or road islands, and it should take into consideration the traffic movements, other road traffic signs and street furniture.
 - (g) May not be erected closer than a minimum of 0,5m from the edge of the advertising sign to the vertically projected edge of the shoulder of the road; and 0,3m from a cycle path, footpath or sidewalk.
 - (h) May not interfere with the sight distances of motorists or obstruct pedestrian movement.

- (4) Internal illumination of the advertising sign may not exceed the luminance intensity of the street name section. Illumination is permitted subject to Section 17. These advertisements may not be animated and may not flash.
- (5) This class consists of pole-mounted street name signs (road traffic signs – GL1 sign in the SADC RTSM), carrying a double-sided advertisements, which may be internally illuminated, displayed in combination with *street name signs* in the urban environment.
- (6) General requirements as stated in Section 14 to 21 apply.
- (7) The street name must be in black letters on a white background.
- (8) Any street name on the advertisement panel must be smaller and less conspicuous than the street name on the actual street name panel.
- (9) The layout of the advertisement must be of such a nature that it may not be misunderstood to represent a road traffic sign, due to any factors such as:
 - (a) a combination of colours and type of arrows as used for road traffic signs,
 - (b) symbols used on road traffic signs, or
 - (c) a combination of colours specified for road signs.
- (10) The layout of the advertisement may also not encourage U-turns.
- (11) Only one advertisement per side of the advertising sign, will be permitted. Each advertisement, per side, may not be split to accommodate two (2) or more advertisements.
- (12) This class is subject to the approval of the Municipality.

49. Suburb name signs

- (1) Suburb name signs will be permitted in areas of maximum, partial and minimum control.
- (2) The size and height of advertising signs allowed in this class, are as follows:

<u>GL2 sign:</u>	Rectangular in shape (according to SADC RTSM requirements)
Width:	1,8m
Length:	0,4m
Minimum letter height:	175mm (may be reduced to 140mm for lower order roads)
<u>Advertisement panel:</u>	Rectangular in shape
Width:	Not wider than suburb name sign
Length:	0,4m

Maximum length: 0,5m

The advertisement must be less conspicuous than the suburb name.

Height of the advertising sign:

Maximum 4m

- (3) A clear height of not less than 2,1m must be allowed for between the bottom of the sign and the ground, irrespective of the size of the sign.
- (4) The position and spacing requirements for this class of advertising signs must be according to SADC RTSM. It must be placed on the left side of the roadway at the approximate point of entrance into a suburb along the highest class of road entering a suburb, taking into consideration the location of junctions, other road traffic signs and street furniture. It may not be located on road medians or islands. Extensions of a larger suburb do not warrant suburb name signs.
- (5) May not be erected closer than a minimum of 0,5m from the edge of the advertising sign to the vertically projected edge of the shoulder of the road; and 0,3m from a cycle path, footpath or sidewalk, and at least 50m from the centre of an intersection. It may not interfere with the sight distances of motorists or obstruct pedestrian movement.
- (6) As these advertising signs are attached to suburb name sign, which are road traffic signs, their positioning shall be dependant on the positioning of the suburb name sign.
- (7) Internal illumination is permitted, subject to Section 17. These advertisements may not be animated and may not flash.
- (8) This class consists of pole-mounted location signs (road traffic signs - GL2 sign in the SADC RTSM) at entrances to towns and suburbs, carrying an advertisement beneath the suburb name.
- (9) General requirements as stated in Section 14 to 21 apply.
- (10) The sign must be divided horizontally. The suburb name must appear in the top panel on the front side, and must be done according to prescriptions. The reverse side of the top panel must be clear of any advertisement. The top panel may be combined with an advertising panel underneath the suburb name signs. The front side of the advertising panel may contain non-locality bound advertising. The reverse side of the advertising panel may be utilised for the promotion of community service messages, non-profitable organisations, emergency services, or branding of the Municipality, as provided for and required by the Municipality, or alternatively if not used by the Municipality, for non-locality bound advertisements.

- (11) Suburb name signs are permitted within all urban road reserves under the jurisdiction of the Municipality, excluding all freeways, Provincial and National roads.
- (12) No colours that may cause confusion with road traffic signs may be used.
- (13) The background of the advertising sign may not be retro-reflective or fluorescent.
- (14) This class is subject to the approval of the Municipality.

LOCAL AUTHORITY NOTICE 68 OF 2017

**AGREEMENT
FOR THE ESTABLISHMENT OF A DISTRICT MUNICIPAL
APPEAL TRIBUNAL AUTHORITY**

ENTERED INTO BY AND BETWEEN

NKANGALA DISTRICT MUNICIPALITY

Demarcation Code DC31

(Herein represented by AL STANDER, in her capacity as the Acting Municipal Manager)

(Hereinafter referred to as “NDM”)

AND

VICTOR KHANYE LOCAL MUNICIPALITY

Demarcation Code MP 311

(Herein represented by J MAHLANGU, in his capacity as the Municipal Manager)

(Hereinafter referred to as “VKLM”)

AND

DR JS MOROKA LOCAL MUNICIPALITY

Demarcation Code MP 316

(Herein represented by BS MAHLANGU in his capacity as the Municipal Manager)

(Hereinafter referred to as “DRJSM”)

AND

EMAKHAZENI LOCAL MUNICIPALITY

Demarcation Code MP 314

(Herein represented by EK TSHABALALA, in her capacity as the Municipal Manager)

(Hereinafter referred to as “ELM”)

AND

THEMBISILE HANI LOCAL MUNICIPALITY

Demarcation Code MP 315

(Herein represented by ON NKOSI, in his capacity as the Municipal Manager)

(Hereinafter referred to as “THLM”)

(Jointly referred to as “the Parties”)

WHEREAS the By-Law On Spatial Planning and Land Use Management of Victor Khanye Local Municipality, eMakhazeni Local Municipality, Dr. JS Moroka Local Municipality and Thembisile Hani Local Municipality makes provision through Section 132 (4) that an agreement may be entered into by the parties to establish a Joint or District Municipal Appeal Tribunal.

AND WHEREAS if a municipality is a member of a joint or District Appeal Tribunal, in writing, agree with the other party to the District Municipal Appeal Tribunal agreement, to establish a District Municipal Appeal Tribunal, provided that not all parties to a District Municipal Appeal Tribunal have to be a party of a District Municipal Appeal Authority;

AND WHEREAS the District Municipal Appeal Authority is established that a district Municipal Appeal Tribunal is hereby authorized to assume the obligations of the appeal authority;

AND WHEREAS the Parties acknowledge that in terms of the Mpumalanga Provincial Gazette No. 959 of 2003 the municipal planning function of Dr. JS Moroka Local Municipality, Thembisile Hani Local Municipality and Emakhazeni Local Municipality is vested in Nkangala District Municipality;

AND WHEREAS the Municipality must, within 30 days after signing of the agreement contemplated in the By-Law, authorize the District Municipal Appeal Tribunal to assume the obligations of the Appeal Authority.

AND WHEREAS the Nkangala District Municipality must, within 30 days after the authorization of the District Appeal Authority publish a notice of the agreement in the Provincial Gazette and in one newspaper that is circulating in the municipal area in two official languages determined by the Council, having regard to language preferences and usage within its municipal area, as contemplated in Section 21 of the Municipal Systems Act.

AND WHEREAS in terms of Regulation 10 of SPLUMA Nkangala District Municipality is deemed to be Dr. JS Moroka Local Municipality, Thembisile Hani Local Municipality and

Emakhazeni Local Municipality for the purposes of spatial planning and land use management

NOW THEREFORE THE PARTIES AGREE AS FOLLOWS:

1. DEFINITIONS AND INTERPRETATION

The headings of the clauses in this Agreement are for the purposes of convenience and reference only and shall not be used in the interpretation of nor modify nor amplify the terms of this Agreement nor any clause hereof.

In this Agreement, unless a contrary intention clearly appears:

1.1 Words importing -

1.1.1 any one gender includes the other gender;

1.1.2 the singular includes the plural and vice versa; and

1.1.3 natural persons include created entities (corporate or non-corporate) and vice versa.

1.2 If any provision in a definition is a substantive provision conferring rights or imposing obligations on any party, effect shall be given to it as if it were a substantive clause in the body of the Agreement, notwithstanding that it is only contained in the interpretation clause.

1.3 When any number of days is prescribed in this Agreement, it shall be reckoned exclusively of the first and inclusively of the last day.

1.4. The following terms shall have the meanings assigned to them hereunder and cognate expressions shall have a corresponding meaning, namely:

1.4.1 **"Commencement date"** means the date of publication of the notice referred to herein irrespective of the date of signature hereof;

1.4.2 **"Notice"** means a written notice;

1.4.3 **"Parties"** mean the parties to this Agreement identified herein;

- 1.4.4 **"The Act"** means the Spatial Planning and Land Use Management Act, Act 16 of 2013 and the Regulations issued thereunder;
- 1.4.5 **"The Regulations"** means the Spatial Planning and Land Use Management Regulations: Land Use Management and General Matters, 2015.
- 1.4.6 **"Municipality"** means all municipalities forming part of the District Municipal Planning Tribunal
- 1.4.7 **"Province"** means the Province of Mpumalanga;
- 1.4.8 **"Financial year"** means a year ending on 30 June
- 1.4.9 **"Nkangala"** means any person lawfully in the employ of the Nkangala District Municipality including its successor in title and authorised to perform functions related to this Agreement;
- 1.4.10 **"Victor Khanye"** means any person lawfully in the employ of the Victor Khanye Local Municipality including its successor in title and authorised to perform functions related to this Agreement;
- 1.4.11 **"Emakhazeni"** means any person lawfully in the employ of the Emakhazeni Local Municipality including its successor in title and authorised to perform functions related to "this Agreement";
- 1.4.12 **"Dr JS Moroka"** means any person lawfully in the employ of the Dr JS Moroka Local Municipality including its successor in title and authorised to perform functions related to this Agreement;
- 1.4.13 **"Thembisile"** means any person lawfully in the employ of the Thembisile Hani Local Municipality including its successor in title and authorised to perform functions related to this Agreement;

2 FUNDING

- 2.1 Nkangala District Municipality shall make provision in its budget to fund the cost of Appeal Tribunal of the District Municipal Appeal Tribunal, the remuneration of members not in the fulltime service of the Municipality appointed to it and any other necessary operational costs.

2.2 Victor Khanye Local Municipality shall contribute funds to the District Municipal Appeal Tribunal

2.3 Funding of the District Municipal Tribunal is subject to the approval of the Municipal Council of Nkangala District Municipality.

3 DURATION

3.1 This Agreement commences on the commencement date as per Clause 1.4.1.

3.2 This Agreement shall terminate –

- (a) on the five (05) years anniversary of date mentioned in Clause 1.4.1.;
- (b) when one of the parties terminates the Agreement by giving a full financial year's notice of its intention to withdraw from this Agreement.

4 ESTABLISHMENT OF THE DISTRICT MUNICIPAL APPEAL TRIBUNAL

4.1 The Municipal Appeal Tribunal is established in terms of Chapter 8 of the Emakhazeni, Victor Khanye, Thembisile Hani and Dr. JS Moroka Local Municipality Spatial Planning and Land Use Management By-Laws, 2015.

4.2 The District Municipal Appeal Tribunal shall consist of members between 3 and 5 which must include at least:

- (a) one member who is a professional planner and who has appropriate experience;
- (b) one member who is qualified in law and who has appropriate experience; and
- (c) one member who is registered as a professional with the Engineering Council of South Africa in terms of the Engineering Profession Act, 2000.

- 4.3 In addition to the criteria determined in clause 4.2 the persons referred to in paragraphs to (a) to (c) must have knowledge and experience of spatial planning, land use management and land development or the law related thereto.
- 4.4 All persons (including officials) must have knowledge and experience of spatial planning, land use management and land development or the law related thereto
- 4.5 No Member of Parliament, the Provincial Legislator or a House of Traditional Leaders, or a Councilor or an employee of the Municipality may be appointed as a member of the Municipal Appeal Tribunal.
- 4.6 No member of the Municipal Planning Tribunal or joint Municipal Planning Tribunal may serve on the Municipal Appeal Tribunal.
- 4.7 The term of office of the members of the Municipal Appeal Tribunal is five (05) years.

5. POWERS AND DUTIES OF THE APPEAL TRIBUNAL

The Municipal Appeal Tribunal shall have the following powers and relative duties-

- 5.1 Consider and determine all appeals;
- 5.2 Confirm, vary or revoke the decision of the Municipal Planning Tribunal or that of the Authorized Official;
- 5.3 Provide reasons for any decision made;
- 5.4. Give directions relevant to its functions to the municipality;
- 5.5 Keep records of all its proceedings;
- 5.6 The appeal authority may appoint a technical advisor to advise or assist with regard to a matter forming part of the appeal

6. APPLICATIONS TO BE HEARD BY THE DISTRICT MUNICIPAL APPEAL TRIBUNAL

A person whose rights are affected by a decision taken by a Municipal Planning Tribunal may appeal against that decision by giving written notice of the appeal

and reasons to the Municipal Manager within 21 (twenty one) days of the date of notification of the decision.

7. PUBLICATION OF NOTICE

When the District Municipal Appeal Tribunal is ready to commence operations, the District Municipal Managers, shall jointly publish the notice referred to in Section 132 (6) of the By-Law on Spatial Planning and Land Use Management of Victor Khanye Local Municipality, eMakhazeni Local Municipality, Dr. JS Moroka Local Municipality and Thembisile Hani Local Municipality.

8. SEAT OF THE DISTRICT MUNICIPAL APPEAL TRIBUNAL

The administrative seat of the District Municipal Appeal Tribunal shall be at the offices of the Nkangala District Municipality.

9 DISPUTES

9.1 Any dispute which arises between the Parties in connection with the interpretation of or giving effect to this Agreement shall be resolved amicably through consultation and negotiation.

9.2 Should a dispute remain unresolved, the provisions of the Intergovernmental Relations Framework Act, 13 of 2005 shall apply in the absence of specific dispute resolution measures prescribed by the Act.

10 LIMITATION OF LIABILITY

Notwithstanding anything contained in this Agreement, the maximum liability of the Parties shall be limited to –

- (a) an act or omission of the authorized official referred to in Section 35(2) of the Act; and
- (b) an act or omission of a member of the DISTRICT Municipal Appeal Tribunal.

11 ENTIRE AGREEMENT

11.1 This Agreement constitutes the entire agreement and supersedes any and all previous agreements regarding this subject matter that may exist between the Parties.

11.2 No representations, either verbal or written, made by either party during the tenure of this Agreement shall be of any force or effect unless agreed to by all parties, reduced to writing, and annexed hereto, as an addendum.

12 NO WAIVER

The failure of any Party to insist upon the strict performance of any provision of this Agreement or to exercise any right, power or remedy consequent upon a breach hereof shall not constitute a waiver by such Party to require strict and punctual compliance with each and every provision of this Agreement.

13 ASSIGNMENT OF FUNCTIONS ACROSS/BETWEEN THE PARTIES

The Parties agree that:

13.1 notwithstanding the provisions pertaining to the respective roles and responsibilities of the Parties as set out in this Agreement, the Parties reserve the right to reassign or to rationalise functions and responsibilities between them to this agreement in the interests of greater efficiency and improved coordination; and

13.2 any reassignment or rationalisation of roles and responsibilities must be approved in writing by the Parties prior to implementation.

14 DOMICILIUM CITANDI ET EXECUTANDI

14.1 The parties choose as their *domicilia citandi et executandi* the following addresses:-

NKANGALA DISTRICT MUNICIPALITY

2A Walter Sisulu Street

MIDDELBURG

1050

VICTOR KHANYE LOCAL MUNICIPALITY

Van der Walt Street
DELMAS
2210

Dr. JS MOROKO LOCAL MUNICIPALITY

A2601/3 Bongimfundo Street
SIYABUSWA
0472

EMAKHAZENI LOCAL MUNICIPALITY

25 Scheepers Street
BELFAST
1100

THEMBISILE HANI LOCAL MUNICIPALITY

Stand 24
Moloto Road (R 573)
EMPUMALANGA
0458

14.2 Either party hereto shall be entitled from time to time by written notice to the other party, to vary its *domicilia* to any other physical address.

14.3 Any notice required or permitted to be given in terms of this Agreement shall be valid and effective only if in writing and if received or deemed to have been received by the addressee.

14.4 Any notice given by one party to the other "the addressee" which –
(a) is delivered by hand during the normal business hours of the addressee at the addressee's *domicilium* for the time being shall be presumed, until the contrary is proved, to have been received by the addressee at the time of delivery;

- (b) is posted by prepaid registered post from an address to the addressee at the addressee's *domicilium* for the time being, shall be presumed, until the contrary is proved, to have been received by the addressee on the day after the date of posting;

15. AUTHORITY

The Parties confirm that they have the necessary authorization to sign this Agreement on behalf of the applicable Party.

16. SIGNATURES

THUS DONE AND SIGNED BY **NKANGALA DISTRICT MUNICIPALITY** AT MIDDELBURG ON THIS _____ DAY OF _____ 2017.

ACTING MUNICIPAL MANAGER

FULL NAME OF SIGNATORY

THUS DONE AND SIGNED BY **VICTOR KHANYE LOCAL MUNICIPALITY** AT DELMAS ON THIS _____ DAY OF _____ 2017.

ACT MUNICIPAL MANAGER

FULL NAME OF SIGNATORY

THUS DONE AND SIGNED BY **DR JS MOROKA LOCAL MUNICIPALITY** AT SIYABUSWA ON THIS _____ DAY OF _____ 2017.

MUNICIPAL MANAGER

FULL NAME

OF SIGNATORY

THUS DONE AND SIGNED BY **EMAKHAZENI LOCAL MUNICIPALITY** AT BELFAST
ON THIS _____ DAY OF _____ 2017.

MUNICIPAL MANAGER

FULL NAME OF SIGNATORY

THUS DONE AND SIGNED BY **THEMBISILE HANI LOCAL MUNICIPALITY** AT
EMPUMALANGA ON THIS _____ DAY OF _____ 2017

MUNICIPAL MANAGER

FULL NAME OF SIGNATORY

LOCAL AUTHORITY NOTICE 69 OF 2017**STEVE TSHWETE AMENDMENT SCHEME NR 707 ANNEXURE 592****NOTICE OF APPLICATION FOR THE AMENDMENT OF THE STEVE TSHWETE TOWN PLANNING SCHEME 2004, IN TERMS OF SECTION 62(1) AND 94(1)(a) OF THE STEVE TSHWETE SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2016**

We, **The Town Planning Hub cc**, being the authorised agent/applicant of the owner of **A portion of the Remaining Extent of Portion 4 of the farm Kleinfontein 432JS and a portion of Portion 38 of the farm Kleinfontein 432JS**, hereby give notice in terms of Section 94(1)(a) of the Steve Tshwete Spatial Planning and Land Use Management By-Law, 2016, that we have applied to the Steve Tshwete Local Municipality for the amendment of the Steve Tshwete Town Planning Scheme, 2004, for the rezoning of the abovementioned properties situated along the N4 Highway, halfway between Middelburg and Belfast, exactly 35km from both, from "Agricultural" to "Special" with the aim to develop a Hotel with a maximum of 64 rooms and a Conference Facility.

Any objection/s or comments including the grounds for such objection/s or comments with full contact details, shall be made in writing to the Municipal Manager, PO Box 14, Middelburg 1050, within 30 days from **14 July 2017**.

Full particulars and plans (if any) may be inspected during normal office hours at the office of the Municipal Manager, Steve Tshwete Local Municipality, Cnr. Walter Sisulu and Wanderers Avenue, Middelburg, 1050, Tel: (013) 249 7000, for a period of 30 days from **14 July 2017**.

Address of the Applicant: The Town Planning Hub cc; PO Box 11437, Silver Lakes, 0054; 98 Pony Street, Tijgervallei Office Park, Silver Lakes, Pretoria. Tel: (012) 809 2229 Fax: (012) 809 2090. Ref: TPH17196

Dates on which notice will be published: 14 and 21 July 2017

Closing date for submission of objection/comment: 14 August 2017

14–21

PLAASLIKE OWERHEID KENNISGEWING 69 VAN 2017**STEVE TSHWETE WYSIGINGSKEMA NR 707 BYLAE 592****KENNISGEWING VAN DIE AANSOEK OM DIE WYSIGING VAN DIE STEVE TSHWETE DORPSBEPLANNINGSKEMA, 2004, INGEVOLGE ARTIKEL 62(1) EN 94(1)(a) VAN DIE STEVE TSHWETE RUIMTELIKE BEPLANNING EN GRONDGEBRUIKSBESTUUR BYWET, 2016**

Ons, **The Town Planning Hub cc**, synde die gemagtigde agent/aansoeker van 'n gedeelte van die Restant van Gedeelte 4 van die plaas Kleinfontein 432JS en 'n gedeelte van Gedeelte 38 van die plaas Kleinfontein 432JS gee hiermee in terme van Artikel 94(1)(a) van die Steve Tshwete Ruimtelike Beplanning en Grondgebruiksbestuur Bywet, 2016 kennis dat ons by die Steve Tshwete Plaaslike Munisipaliteit aansoek gedoen het om die wysiging van die Steve Tshwete Dorpsbeplanningskema, 2004, deur die hersonering van die bogenoemde eiendomme geleë langs die N4 Hoofweg, halfpad tussen Middelburg en Belfast, presies 35km vanaf altwee, vanaf "Landbou" na "Spesiaal" met die doel om 'n hotel met 'n maksimum van 64 kamers en 'n Konferensiefasiliteit te ontwikkel.

Enige beswaar of kommentaar insluitend gronde vir genoemde beswaar/ of kommentaar met volledige kontakbesonderhede, moet skriftelik binne 'n tydperk van 30 dae vanaf **14 Julie 2017** aan die Munispale Bestuurder, Posbus 14, Middelburg 1050, gerig word.

Volledige besonderhede en planne (as daar is) le t r insae gedurende gewone kantoorure by die kantoor van die Munisipale Bestuurder, Steve Tshwete Plaaslike Munisipaliteit, H/v Walter Sisulu en Wandererslaan, Middelburg, 1050, Tel: (013) 249 7000, vir 'n tydperk van 30 dae vanaf **14 Julie 2017**.

Adres van Applikant : The Town Planning Hub cc; Posbus 11437, Silver Lakes, 0054; 98 Pony Straat, Tijgervallei Kantoor Park, Silver Lakes, Pretoria. Tel: (012) 809 2229 Faks: (012) 809 2090. Ref: TPH17196

Datums waarop die advertensie geplaas word: 14 en 21 Julie 2017

Sluitingsdatum vir enige besware en/of kommentaar: 14 Augustus 2017

14–21

LOCAL AUTHORITY NOTICE 70 OF 2017**STEVE TSHWETE AMENDMENT SCHEME No. 702****NOTICE OF APPLICATION FOR THE AMENDMENT OF THE STEVE TSHWETE TOWN PLANNING SCHEME 2004, IN TERMS OF SECTION 62(1) AND 94(1)(A) OF THE STEVE TSHWETE SPATIAL PLANNING AND LAND USE MANAGEMENT BYLAW, 2016.**

I, **JOHANNES JACOBUS MEIRING, PROFESSIONAL LAND SURVEYOR**, being the authorized agent of the owner of

PORTION 1 OF ERF 1973 MIDDELBURG EXTENSION 5 TOWNSHIP

hereby give notice in terms of Section 94(1)(A) of the Steve Tshwete Spatial Planning and Land Use Management Bylaw, 2016, that I have applied to the **STEVE TSHWETE LOCAL MUNICIPALITY** for the amendment of the town planning scheme known as **STEVE TSHWETE TOWN PLANNING SCHEME, 2004**, for the rezoning of the abovementioned property situated at **JEPPE STREET**, by rezoning the property from **"PARKING"** to **"BUSINESS 2"** subject to certain conditions.

Any objection/s or comment/s including the grounds for such objection/s or comment/s with full contact details, shall be made in writing to the Municipal Manager, P.O. Box 14, MIDDELBURG, 1050, within 30 days from **14 July 2017**.

Full particulars and plans may be inspected during normal office hours at the office of the Municipal Manager, Steve Tshwete Local Municipality, Cnr. of Walter Sisulu-and Wanderers Avenue, MIDDELBURG, 1050, Tel: (013) 249 7000, for a period of 30 days from **14 July 2017**.

Address of agent:

**JOHAN MEIRING PROFESSIONAL LAND SURVEYOR
36A BEYERS NAUDE STREET MIDDELBURG; 1050
TEL: (013) 243 4110**

14-21

PLAASLIKE OWERHEID KENNISGEWING 70 VAN 2017

STEVE TSHWETE WYSIGINGSKEMA No. 702

KENNISGEWING VAN AANSOEK OM WYSIGING VAN DIE STEVE TSHWETE DORPSBEPLANNINGSKEMA 2004, INGEVOLGE ARTIKEL 62(1) EN 94(1)(A) VAN DIE STEVE TSHWETE RUIMTELIKE BEPLANNING EN GRONDGEBRUIKSBESTUUR BY-WETTE, 2016.

Ek, **JOHANNES JACOBUS MEIRING, PROFESSIONELE LANDMETER**, synde die gemagtigde agent van die eienaar van

GEDEELTE 1 VAN ERF 1973 UITBREIDING 5 VAN DIE DORP MIDDELBURG

gee hiermee ingevolge Artikel 94(1)(A) van die Steve Tshwete Ruimtelike Beplanning en Grondgebruiksbestuur By-Wette, 2016, kennis dat ek by die **STEVE TSHWETE PLAASLIKE MUNISIPALITEIT** aansoek gedoen het om die wysiging van die dorpsbeplanningskema bekend as **STEVE TSHWETE DORPSBEPLANNINGSKEMA 2004**, vir die hersonering van die bogenoemde eiendom geleë in **JEPPE STRAAT**, vanaf **"PARKERING"** na **"BESIGHEID 2"**, onderhewig aan seker voorwaardes.

Besware teen of kommentaar, tesame met stawende bewyse, en volledige kontakbesonderhede, moet binne 'n tydperk van 30 dae vanaf **14 Julie 2017**, skriftelik by die Munisipale Bestuurder, Posbus 14, MIDDELBURG, 1050 ingedien of gerig word.

Besonderhede van die aansoek lê ter insae gedurende gewone kantoorure by die kantoor van die Munisipale Bestuurder, h/v Walter Sisulu-en Wanderersrylaan, MIDDELBURG, 1050, Tel: (013) 249 7000, vir 'n tydperk van 30 dae vanaf **14 Julie 2017**.

Adres van agent:

**JOHAN MEIRING PROFESSIONELE LANDMETER
36A BEYERS NAUDESTRAAT MIDDELBURG; 1050
TEL: (013) 243 4110**

14-21

LOCAL AUTHORITY NOTICE 71 OF 2017**DECLARATION AS AN APPROVED TOWNSHIP**

In terms of section 111(1) of the town –planning and township ordinance, 1986 (ordinance 15 of 1986) the City of Mbombela local municipality hereby declares the township, Emjindini Extension 15 as an approved township, subject to the conditions as set out in the schedule hereto.

SCHEDULE

STATEMENT OF CONDITIONS UNDER WHICH THE APPLICATION MADE BY THE CITY OF MBOMBELA LOCAL MUNICIPALITY (HEREIN AFTER REFERRED TO AS THE APPLICANT) IN TERMS OF THE PROVISIONS, OF CHAPTER IV, SECTION 107 OF THE TOWN-PLANNING AND TOWNSHIP ORDINANCE 15 OF 1986 FOR PERMISSION TO ESTABLISH A TOWNSHIP ON A PORTION OF THE REMAINDER OF PORTION 14 OF THE FARM BARBERTON TOWNLANDS 369-JU PROVINCE MPUMALANGA, HAS BEEN GRANTED.

- 1. CONDITIONS TO BE COMPLIED WITH PRIOR TO THE REGISTRATION OF THE TOWNSHIP IN TERMS OF THE PROVISIONS OF SECTION 110(1) OF THE TOWN PLANNING AND TOWNSHIP ORDINANCE ,1986(ORDINANCE 15 OF 1986) ESTABLISHMENT OF EMJINDINI EXTENSION 15 (HEREIN REFERRED TO AS ORDINANCE OF 1986)**

- 1.1 Conditions of establishment (conditions which will be applicable to the approved township) in terms of section 111 of ordinance 15 of 1986

1.1.1 MINERAL RIGHTS

The township applicant shall at its own expense cause all rights to minerals to be severed from the ownership of the land and to be reserved from the ownership of the land and be reserved in a separate Certificate of Mineral.

1.1.2 GENERAL

The township applicant shall be responsible to ensure that:

- i) The relevant Amendment Scheme in terms of Section 125 of Ordinance 15 of 1986 has been prepared and that the Amendment Scheme could be published simultaneously with the declaration of the township as approved township.
 - ii) The township, applicant shall comply with the requirements of the Section 72, 75 and 101 of Ordinance 15 of 1986.

2. CONDITIONS OF ESTABLISHMENT

2.1 NAME

The name of the township shall be **Emjindini Extension 15**

2.2 LAYOUT/DESIGN

The township shall consist of erven and streets as indicated on the approved **General Plan Number S.G. No. 1494/2010**.

2.3 ACCESS

The township applicant shall be responsible for the construction of the internal road network to the satisfaction of the local authority. The township applicant shall see to the joining of such road network to the existing road network permitting access to the township.

2.4 REMOVAL, REPOSITIONING, MODIFICATION OR REPLACEMENT OF EXISTING MUNICIPAL SERVICES

If, by reason of the establishment of the township, it should become necessary to remove, reposition, modify or replace any existing municipal services, the cost thereof shall be borne by the township applicant.

2.5 REMOVAL, REPOSITIONING, MODIFICATION OR REPLACEMENT OF EXISTING TELKOM PLANT

If, by reason of the establishment of the township, it should become necessary to remove, reposition, modify or replace any existing Telkom plant, the cost thereof shall be borne by the township applicant.

2.6 REMOVAL, REPOSITION, MODIFICATION OR REPLACEMENT OF EXISTING ESKOM POWER LINE

If, by reason of the establishment of the township, it should become necessary to remove, reposition, modify or replace any existing power lines of ESKOM, the cost thereof shall be borne by the township applicant.

2.7 LAND USE AND ZONING CONDITIONS

(a) ALL ERVEN ACCEPT PARKS AND STREETS

The use of all erven in the township save parks and streets will be in accordance with the ruling town-planning scheme and any amendment thereof.

(b) PARKS AND STREET LIGHTS

All parks and streets indicated as such on the approved General Plan will be reserved for the use of parks and streets regardless the zoning in terms of the ruling town-planning scheme.

3. CONDITIONS TO BE COMPLIED WITH BEFORE THE ERVEN IN THE TOWNSHIP BECOME REGISTERABLE

(1) INSTALLATION AND PROVISION OF SERVICES

- (a)** The township applicant shall install and provide internal engineering services to the township, to the satisfaction of the local authority.
- (b)** The township application shall ensure that sufficient capacity of external engineering services exist to deliver the appropriate level of services to the future residents of the township, to the satisfaction of the local authority.
- (c)** The township application shall ensure that storm water run-off is efficiently disposed of, to the satisfaction of the satisfaction of the local authority.

(2) DEMOLITION OF BUILDINGS AND STRUCTURES.

The Local Authority shall at its own expense cause all existing buildings and structures situated within the building line reserves, side spaces or over common boundaries to be demolished if and when necessary.

4. CONDITIONS OF TITLE**(1) DISPOSAL OF EXISTING CONDITIONS OF TITLE**

All erven shall be made subject to exiting conditions and servitudes, if any, including the reservation of rights to minerals and real rights.

(2) ALL ERVEN

The erf is subject to-

- (a)** Servitude 3 meters wide along any street boundary, provided that with the written consent of the local authority such servitude may be dispensed with.
- (b)** Servitude 2 meters wide along any boundary, provided that with the written consent of the local authority such servitude may be dispensed with.
- (c)** No buildings or other structures shall be erected within aforesaid servitude area and no large-rooted trees shall be planted within the area of such servitude or within 1 meter thereof.
- (d)** The local authority shall be entitled to deposit temporarily on the land adjoining the aforesaid servitude such material as may be excavated by it during the course of the construction, maintenance or removal of such sewerage mains and other work as is, in its discretion, may deem necessary and shall further be entitled to reasonable access to the said land for the aforesaid purpose, subject to any damage done during the process of the construction, maintenance or removal of such sewerage mains and other works being made good by the local authority.

- (e) Except with the written consent of the City of Mbombela local municipality and subject to such conditions as it may impose, neither the owner nor any other person shall:
 - (i) Have the right, save and except to prepare the erf for building purpose, to excavate any material there from;
 - (ii) Sink any well or boreholes thereon or abstract any subterranean water there from;
- (f) where, in the opinion of the City of Mbombela local municipality, it is impossible/impractical for storm water to be drained from higher lying erven direct to a public street, the owner of the lower lying erf shall be obliged to accept and permit the passage over the erf of such storm water: Provided that the owner of any higher lying erven are liable to pay a proportionate share of the cost of any pipeline of drain which the owner of such lower lying erf may find necessary to lay or construct for the purpose of conducting the water of discharged over the erf.

LOCAL AUTHORITY NOTICE 72 OF 2017**NOTICE OF APPLICATION FOR LAND DEVELOPMENT**

It is hereby notified that application has been made to the Dr JS Moroka Local Municipality in terms of the provisions Section 54(2)(j) read together with Section 55 of the Dr JS Moroka Spatial Planning and Land Use Management By-Laws, by the firm Rian Beukes Town & Regional Planners and Property Consultants for: permission to develop a filling station and ancillary uses (convenience store, office, bakery and ablution facilities) on a portion (7000m² in extent) of the farm Leeuwfontein 188JR (Owner – National Government of South Africa). The property is located on the south eastern corner of the R568 and the road to Leeuwfontein A & B, just to the south west of Leeuwfontein A.

Particulars of the application will lay for inspection during normal office hours at the Town Planning Office, Dr JS Moroka Municipal Offices, 2601 /3 Bongifunfa Street, Siyabuswa, from 14 July 2017.

Any objections to or representations in respect of the application must be lodged with or made in writing to the Municipal Manager, at the above mentioned address or posted to, Private Bag X 4012, Siyabuswa 047, on or before the closing date of submissions, and quoting the above mentioned heading, the objector's interest in the matter, the grounds of the objection / representation, the objectors erf and phone number and address.

CLOSING DATE FOR SUBMISSION OR REPRESENTATIONS: 14 August 2017.

Address of applicant: Rian Beukes Town & Regional Planners and Property Consultants, PO Box 12417, Bendor, 0713. (015) 230-0010, fax 086 602 1851. Date of first notice: 14 July 2017

14–21

TSEBIŠO KA KGOPELO YA GO THLABOLLA NAGA

Le tsebišwa gore kgopelo e dirilwe go Masepala wa selegae wa Dr JS Moroka go ya le ka dinyakwa tsa karolo ya 54(2)(j) e balwa mmogo le Karolo ya 55 ya molawo wa Dr JS Moroka Spatial Planning and Land Use Management. kgopelo e tla ka Rian Beukes Town & Regional Planners and Property Consultants go dumelelwa go ka tšweletša botshelong bja makhura (filling station) akaretša le tše dingwe tšeo di amanago le yona bjalo ka :ofisi,lebenkele,lepaka la marotho le dintlwana tša boithomelo,mo karolong yeo e lekanago le (7000m² ka bophara) go kabelo ya polase ya Leeuwfontein 188JR (Mong a yona - Mmusho wa South Afrika).Lefelo le le humanega thoko ga borwa go ya bohlabatšatši khoneng ya mmila wa R568 le mmila wa Leeuwfontein A and B go ya Borwa bodikela bja Leeuwfontein A. Ditlhalosisho tsa kgopelo di tla beelwa thlahlobo nakong ya mošomo kantorong ya Town Planning Dr JS Moroka diofising tsa Masepala, 2601 /3 Seterateng sa Bongifunfa, Siyabuswa, go tloga ka di 14 July 2017. Motho yo anago le kgano goba tshwantshetso mabapi le kgopelo ye a ka ikgokagana le Molaodi wa Masepala mo atreseng yeo e latelago: Private Bag X 4012, Siyabuswa 047 pele ga letšatši la go tswalela dikgopelo. Le kgopelwa go laetša/go bolela hlogo ya taba, kgahlego ya mogani mo tabeng ye, maemo a bogani/tshwantshetšo, lefelo la madulo la mogani le nomoro ya mogala le ya bodulo.

LETŠATŠI LA MAFELELO LA GO TSWELETŠO DIKAKANYO GOBA DITSHWANTSHETŠO: 14 AUGUST 2017.

Atrese ya Mokgopedi: Rian Beukes Town & Regional Planners and Property Consultants, PO Box 12417, Bendor, 0713. (015) 230-0010, fax 086 602 1851. Letšatši la tsebiso ya Pele: 14 July 2017

14–21

LOCAL AUTHORITY NOTICE 73 OF 2017**WHITE RIVER AMENDMENT SCHEME 379**

It is hereby notified in terms of Section 50 of the Mbombela By-law on Spatial Planning and Land Use Management, 2015, that the City of Mbombela has approved an amendment of the White River Town Planning Scheme, 1985, by the rezoning of the Portion 3 of the farm Kleindeel 279 J.T. from "Agricultural" to "Agricultural" with an Annexure which permits the erection of a Cellular Telephone Mast and Base Station.

Copies of the amendment scheme are filed with the Municipal Manager, Civic Centre, Nel Street, Mbombela, and are open for inspection at all reasonable times. This amendment scheme shall come into operation on date of publication hereof.

P D MNISI
ACTING MUNICIPAL MANAGER

City of Mbombela
P O Box 45
NELSPRUIT
1200

LOCAL AUTHORITY NOTICE 74 OF 2017**DECLARATION AS AN APPROVED TOWNSHIP**

IN TERMS OF SECTION 103(1) OF THE TOWN –PLANNING AND TOWNSHIP ORDINANCE, 1986 (ORDINANCE 15 OF 1986) THE CITY OF MBOMBELA LOCAL MUNICIPALITY HEREBY DECLARES THE TOWNSHIP, EMJINDINI EXTENSION 16 AS AN APPROVED TOWNSHIP, SUBJECT TO THE CONDITIONS AS SET OUT IN THE ATTACHED ANNEXURE:

SCHEDULE

STATEMENT OF CONDITIONS UNDER WHICH THE APPLICATION MADE BY CITY OF MBOMBELA LOCAL MUNICIPALITY (HEREINAFTER REFERRED TO AS THE APPLICANT) IN TERMS OF THE PROVISIONS OF CHAPTER III (PART C) OF THE TOWN PLANNING AND TOWNSHIP ORDINANCE 15 OF 1986 FOR PERMISSION TO ESTABLISH A TOWNSHIP ON THE REMAINING EXTENT OF THE FARM HULLEY'S HILL 337 JU MPUMALANGA PROVINCE, HAS BEEN GRANTED

1. CONDITIONS TO BE COMPLIED WITH PRIOR TO THE REGISTRATION OF THE TOWNSHIP IN TERMS OF THE PROVISIONS OF SECTION 101 OF THE TOWN PLANNING AND TOWNSHIP ORDINANCE, 1986(ORDINANCE 15 OF 1986) ESTABLISHMENT OF EMJINDINI EXTENSION 16 TOWNSHIP (HEREIN REFERRED TO AS ORDINANCE OF 1986)

- 1.1 Conditions of establishment (conditions which will be applicable to the approved township in terms of section 103 of ordinance 15 of 1986

1.1.1 PROVISION AND INSTALLATION OF SERVICES

The Municipality must make the necessary arrangements regarding the provision and instalment of water, electricity and sanitary services as well as the construction of street and storm water drainage systems for the township.

1.1.2 GENERAL

The Municipality shall ensure that:

- 1.1.2.1 The applicable amendment scheme is in order and may be published simultaneously with the declaration of the township as an approved township;
- 1.1.2.2 The street names of the proposed township have been approved by the local authority.
- 1.1.2.3 The applicant shall comply with the provisions of Sections 72, 75 and 101 of the Ordinance 15 of 1986.

2. CONDITIONS OF ESTABLISHMENT (CONDITIONS WHICH WILL BE APPLICABLE TO THE APPROVED TOWNSHIP IN TERMS OF SECTION 103 OF ORDINANCE 15 OF 1986)

2.1 NAME

The name of the township shall be **Emjindini Extension 16**.

2.2 LAYOUT/DESIGN

The township shall consist of even and streets as indicated on **Approved General Plan Number S.G. 1405/2010**.

2.3 STORM WATER DRAINAGE

- 2.3.1 The drainage system must, where necessary, make provision for the catchment of storm water in catchment pits from where it must be disposed of in watertight pipes in such a way that no water collections or seepage shall occur on or near the ground surface. The mentioned water pipes must be manufactured from durable material and must be approved by the Municipality. The scheme must also indicate the route and gradient of access to each individual erf from the adjoining street.
- 2.3.2 The Municipality must construct roads according to the approved scheme under the supervision of a civil engineer approved by the Municipality.
- 2.3.3 The Municipality is responsible for the maintenance of the streets.

2.4 SEWERAGE

The Municipality shall ensure that the following details regarding the sewerage system of the proposed township are addressed:

- 2.4.1 Comprehensive layout plans;
- 2.4.2 Cross sections; and
- 2.4.3 Specifications of materials and equipment to be used during the construction of such sewerage system.

The sewerage system must be designed by an approved professional engineer according to the specifications and standards laid down by the Municipality to the satisfaction of the Director of Technical Services.

All materials to be used for the construction of the sewerage system are subject to the approval and/or amendment of the Director of Technical Services.

2.5 WATER

The Municipality must ensure that a detailed scheme with plans, cross-sections and specifications for the provision of an underground drainage system, is in place.

The proposed network must make provision for a pressurised water connection for each individual erf and must be designed by a professional engineer approved by the Municipality. All materials to be used in the proposed water network must be approved by the Municipality.

2.6 DISPOSAL OF EXISTING TITLE CONDITIONS

All erven shall be made subject to existing conditions and servitudes, if any, including the reservation of mineral rights, but excluding the following conditions that must not be transferred to the erven in the township:

- 2.6.1 Farm HULLEY'S HILL No.337, big 32, 2370 hectares allocated under paragraph 1 of deed T4099/1975,

2.6.2 Farm BRANGHAM No. 340, big 27, 0022 hectares, granted under paragraph 2 of the title deed T4099/1975, and

2.6.3 Farm BRANDON NO. 341, big 21, 0407 hectares, granted under paragraph 3 of the title deed T4099/1975.

All three properties are located in the registration division; JU, Transvaal, and should not be separately disposed of; without prior written consent from the minister of agriculture, granted on conditions as how the minister may deem fit.

2.7 REMOVAL OF REFUSE

The Municipality must remove refuse within the township.

2.8 REMOVAL AND/OR REPLACEMENT OF MUNICIPAL SERVICES

If the establishment of the township results in any municipal services to be removed or replaced the costs of such removal and/or replacement will be borne by the Municipality.

2.9 RELOCATION OF POWER LINES

If the establishment of the township results in any electrical equipment or services to be relocated the costs of such relocation will be borne by the Municipality.

2.10 RELOCATION OF TELKOM EQUIPMENT

If the establishment of the township result in any Telkom equipment or services to be relocated the costs of such relocation will be borne by the Municipality.

2.11 DEMOLITION OF BUILDINGS AND STRUCTURES

The Municipality must demolish all existing buildings and structures that are located within building restriction areas, site spaces or over common boundaries, if so required.

3. CONDITIONS OF TITLE

THE ERVEN MENTIONED BELOW SHALL BE SUBJECT TO THE FOLLOWING CONDITIONS AS LAID DOWN BY THE CITY OF MBOMBELA IN TERMS OF THE PROVISIONS OF THE TOWN PLANNING AND TOWNSHIPS ORDINANCE, 1986 (ORDINANCE 15 OF 1986)

3.1 CONDITIONS APPLICABLE TO ALL ERVEN

- 3.1.1 The erven are subject to a servitude 2m wide for sewerage and other purposes in favour of the Municipality along any two boundaries other than a street boundary and, in the instance of a panhandle erf, an additional 2m wide servitude for municipal purpose over the access portion of the stand, If and when required by the Municipality – provided that the Municipality may dispose of the right to any such servitude.
- 3.1.2 No building or other structure shall be erected within the servitude area and no large rooted trees may be planted within the area of such servitude or within a distance of 2m thereof.
- 3.1.3 The Municipality is entitled to temporarily place any material excavated during the installation, maintenance or removal of a sewerage pipeline or any other works that are deemed necessary, on the land adjacent to the servitude and furthermore, the Municipality is entitled to reasonable entry to the property on which the servitude is situated for the stated purpose, on the condition that the Municipality will be liable for any damage caused during the installation, maintenance or removal of sewerage pipelines and other works .
- 3.1.4 All roofing materials are subject to the approval of the Relevant Department within the Municipality.
- 3.1.5 All fences to be erected in the township must be environmentally friendly and are subject to the approval of the Relevant Department within the Municipality.
- 3.1.6 No dynamite blasting shall be done without the consent of the Relevant Department within the Municipality.

4. CONDITIONS WHICH, IN ADDITION TO THE EXISTING PROVISIONS OF THE RULING TOWN PLANNING SCHEME, HAVE TO BE INCORPORATED INTO THE TOWN PLANNING SCHEME, IN TERMS OF SECTION 125 OF ORDINANCE 15 OF 1986.

4.1 ERVEN 8443 TO 8671, 8673 to 8722, 8724 TO 8875, 8877 TO 8886 AND 8890 TO 8924

Zoning: "Residential 5"

Height: A maximum height of two (2) storeys

Coverage: A maximum coverage of 60%

Building lines: 3 metres along street boundaries and
2 metres along other boundaries.

Permitted land uses: Dwelling units, dwelling houses and residential buildings.

The occupants of a residential building, dwelling unit or dwelling house may practice, inter alia, their social and religious activities and their occupants, professions and trades, including retail trade on the property where such buildings are erected, provided that:

- the dominant use of the property shall remain residential (less than 50% of the activity on the property may be non-residential);
- the occupation, trade or profession or other activity shall not be noxious;
and
- the occupation, trade or profession shall not interfere with the amenity of the neighbourhood.

4.2 ERVEN 8887 & 8888

The erven shall be zoned "Business 1" and will be subject to the following conditions:

- The land uses that would be allowed on the erven in terms of the Umjindi Town Planning Scheme, 2002 would include: Places of refreshment, shops, hotels, dwelling units, residential buildings, places of worship, places of instruction, social halls, drycleaners and offices.
- 1 Parking space per 100m² gross leasable industrial and commercial floor area and 2 parking spaces per 100m² gross leasable floor area.
- The siting of buildings, including the outbuildings, on any property and entrances to and exists from a public street system shall be to the satisfaction of the local authority.

4.3 ERF 8889

The erf shall be zoned "Special" and will be subject to the following conditions:

- Evaluated as shown on the relevant Annexure for the purposes as approved by the Local Authority.

4.4 ERF 8876

The erf shall be zoned "Institutional" and will be subject to the following conditions:

- The land uses that would be allowed on the erven in terms of the Umjindi Town Planning Scheme, 2002 would include: Institutions, places of public worship and place of instruction.
- Parking space as required by the local authority.
- The siting of buildings, including the outbuildings on any property and entrances to and exists from a public street system shall be to the satisfaction of the local authority.

4.5 ERF 8723

The erf shall be zoned "Educational" and will be subject to the following conditions:

- The land uses that would be allowed on the erf in terms of the Umjindi Town Planning Scheme, 2002 would include: Places of instruction, social halls and places of public worship.
- Buildings which may be erected on the property include; dwelling units, institutions and special uses.

- Parking space as required by the local authority.
- The siting of buildings, including the outbuildings, on any property and entrances to and exists from a public street system shall be to the satisfaction of the local authority.

4.6 ERVEN 8925 TO 8934

The erven shall be zoned "Public Open Space" and will be subject to the following conditions:

- The land uses that would be allowed on the erven in terms of the Umjindi Town Planning Scheme, 2002 would include: Parks, public sport and recreation ground, public open space gardens, play parks squares and community facilities.

4.7 ERF 8672

The erf shall be zoned "Agricultural" and will be subject to the following conditions:

- The land uses that would be allowed on the erf in terms of the City of Mbombela Town Planning Scheme, 2002 would include: Agricultural buildings and agricultural land.
- Buildings which may be erected on the property include; special uses in relation to Agricultural uses.

4.8 ALL ERVEN

The erf is situated in an area that has soil conditions that could detrimental effect buildings and structures and be the cause of damage. Building plans which are submitted to the City of Mbombela Local Municipality for approval must contain remedial actions which are in accordance with the recommendations contained in the geo-technical report that was compiled for the township so as to eliminate possible damage to buildings and structures as a result of the unfavourable soil conditions, unless proof can be submitted to the City of Mbombela Local Municipality that such remedial actions are unnecessary or the same result could be achieved in a more effective manner.

LOCAL AUTHORITY NOTICE 75 OF 2017

**MBOMBELA LOCAL MUNICIPALITY
SUSPENSION OF A RESTRICTIVE TITLE CONDITION**

ERF 318, WHITE RIVER EXTENSION 1

It is hereby notified in terms of Section 51 of the Mbombela Bylaw on Spatial Planning and Land Use Management, 2015 that conditions 1(e), 1(f), 2(a) & 2(c) contained in the Deed of Transfer T4086/2017 is herewith suspended, in respect of Erf 318, White River Extension 1.

**P MSIBI
ACTING MUNICIPAL MANAGER**

City of Mbombela
P O Box 45
NELSPRUIT
1200

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

Also available at the **Provincial Legislature: Mpumalanga**, Private Bag X11289, Room 114, Civic Centre Building,
Nel Street, Nelspruit, 1200. Tel. (01311) 5-2133.