

Provincial Gazette

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Friday, 26 March 2004

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PROVINCIAL NOTICES

The following Provincial Notices are published for general information.

G. A. LAWRENCE,
DIRECTOR-GENERAL

Provincial Building,
Wale Street,
Cape Town.

P.N. 57/2004

26 March 2004

DRAKENSTEIN MUNICIPALITY:**REMOVAL OF RESTRICTIONS ACT, 1967**

I, André John Lombaard, in my capacity as Assistant Director in the Department of Environmental Affairs and Development Planning: Western Cape, acting in terms of the powers contemplated by section 2(1) of the Removal of Restrictions Act, 1967 (Act 84 of 1967), duly delegated to me in terms of section 1 of the Western Cape Delegation of Powers Law, 1994, and on application by the owner of Erf 10355, Paarl, remove conditions C.(d)(i)-(iv) and D."(a) and (b) in Deed of Transfer No. T.6242 of 1970, hidden behind condition A.(i) on page 2 of Certificate of Consolidated Title No. T.6243 of 1970, conditions A.(ii)(d)(i)-(iv) on pages 3 and 4 of Certificate of Consolidated Title No. T.6243 of 1970, conditions A.(iii)"(a) and (b) on page 4 of Certificate of Consolidated Title No. T.6243 of 1970, conditions A.(ii)(d)(i)-(iv) hidden behind condition B.(iv) on page 5 of Certificate of Consolidated Title No. T.6243 of 1970, and condition B.(v) on page 5 of Certificate of Consolidated Title No. T.6243 of 1970.

P.N. 58/2004

26 March 2004

CITY OF CAPE TOWN:**CAPE TOWN ADMINISTRATION****REMOVAL OF RESTRICTIONS ACT, 1967**

I, Farzana Kapdi, in my capacity as Assistant Director in the Department of Environmental Affairs and Development Planning: Western Cape, acting in terms of the powers contemplated by section 2(1) of the Removal of Restrictions Act, 1967 (Act 84 of 1967), duly delegated to me in terms of section 1 of the Western Cape Delegation of Powers Law, 1994, and on application by the owner of Erf 717, Camps Bay, removes condition B.6.A.II.(h) contained in Deed of Transfer No. T.42302 of 1982.

P.N. 59/2004

26 March 2004

**BUSINESSES ACT, 1991
(ACT 71 OF 1991):****PROMULGATION OF BY-LAW IN TERMS OF
SECTION 6A(1):****BREEDE VALLEY MUNICIPALITY**

The Minister responsible for economic development in the Province of the Western Cape has in terms of section 6A(1) of the Businesses Act, 1991 (Act 71 of 1991) approved the promulgation of the following bylaw within the jurisdiction of the Municipality of Breede Valley with effect from date of publication hereof.

Signed at Cape Town on this the 31st day of July 2003.

Minister Ebrahim Rasool, Minister of Finance and Economic Development

PROVINSIALE KENNISGEWINGS

Die volgende Provinsiale Kennisgewings word vir algemene inligting gepubliseer.

G. A. LAWRENCE,
DIREKTEUR-GENERAAL

Provinsiale-gebou,
Waalstraat,
Kaapstad.

P.K. 57/2004

26 Maart 2004

MUNISIPALITEIT DRAKENSTEIN:**WET OP OPHEFFING VAN BEPERKINGS, 1967**

Ek, André John Lombaard, in my hoedanigheid as Assistent-Direkteur in die Departement van Omgewingsake en Ontwikkelingsbeplanning: Wes-Kaap, handelende ingevolge die bevoegdheid beoog in artikel 2(1) van die Wet op Opheffing van Beperkings, 1967 (Wet 84 van 1967), behoortlik aan my gedelegeer ingevolge artikel 1 van die Wes-Kaapse Wet op die Delegasie van Bevoegdhede, 1994, en op aansoek van die eienaar van Erf 10355, Paarl, hef voorwaardes C.(d)(i)-(iv) en D."(a) en (b) in Transportakte Nr. T.6242 van 1970, verskuil agter voorwaarde A.(i) op bladsy 2 van Sertifikaat van Verenigde Titel Nr. T.6243 van 1970, voorwaardes A.(ii)(d)(i)-(iv) op bladsye 3 en 4 van Sertifikaat van Verenigde Titel Nr. T.6243 van 1970, voorwaardes A.(iii)"(a) en (b) op bladsy 4 van Sertifikaat van Verenigde Titel Nr. T.6243 of 1970, voorwaardes A.(ii)(d)(i)-(iv) verskuil agter voorwaarde B.(iv) op bladsy 5 van Sertifikaat van Verenigde Titel Nr. T.6243 van 1970, en voorwaarde B.(v) op bladsy 5 van Sertifikaat van Verenigde Titel Nr. T.6243 van 1970, op.

P.K. 58/2004

26 Maart 2004

STAD KAAPSTAD:**KAAPSTAD ADMINISTRASIE****WET OP OPHEFFING VAN BEPERKINGS, 1967**

Ek, Farzana Kapdi, in my hoedanigheid as Assistent-Direkteur in die Departement van Omgewingsake en Ontwikkelingsbeplanning: Wes-Kaap, handelende ingevolge die bevoegdheid beoog in artikel 2(1) van die Wet op Opheffing van Beperkings, 1967 (Wet 84 van 1967), behoortlik aan my gedelegeer ingevolge artikel 1 van die Wes-Kaapse Wet op die Delegasie van Bevoegdhede, 1994, en op aansoek van die eienaar van Erf 717, Kampsbaai, hef voorwaardes B.6.A.II.(h) vervat in Transportakte Nr. T.42302 van 1982, op.

P.K. 59/2004

26 Maart 2004

**WET OP BESIGHEDE, 1991
(WET 71 OF 1991):****PROMULGASIE VAN VERORDENING IN TERME VAN
ARTIKEL 6A(1):****MUNISIPALITEIT BREEDEVALLEI**

Die Minister verantwoordelik vir ekonomiese ontwikkeling in die Provinsie van die Wes-Kaap het ingevolge artikel 6A(1) van die Wet op Besighe, 1991 (Wet 71 van 1991) die volgende verordening vir die regsgebied van die Munisipaliteit van Breedevallei vanaf datum van publikasie hiervan goedgekeur.

Geteken te Kaapstad op hede die 31ste dag van Julie 2003.

Minister Ebrahim Rasool, Minister van Finansies en Ekonomiese Ontwikkeling

BREDE VALLEY MUNICIPALITY

INFORMAL TRADING BY-LAW

In terms of section 6 A(1) of the Business Act, 1991 (Act 71 of 1991) and section 26 of the Western Cape Road Traffic Act, 1998 (Act 12 of 1998), read with section 89 of that Act and regulation 322 of the Regulations in terms of the National Road Traffic Act, 1996 (Act 93 of 1996) and further section 190 of the Municipal Ordinance, 1974 (Ordinance 20 of 1974), the following by-law has been promulgated for the Municipality of Breede Valley.

Definitions

1. In this by-law, unless the context indicates otherwise, a word or an expression to which a meaning has been assigned in the Businesses Act, 1991 (Act 71 of 1991), shall have that meaning, and—
 - (i) “appeal committee” means the appeal committee as constituted in terms of section 10 of this by-law;
 - (ii) “goods” means any commodities, articles, receptacles, vehicles or structures used or intended to be used for informal trading;
 - (iii) “informal trader” means any person who carries on the business of street vendor, pedlar or hawker and includes any employee of such a person and, for the purposes of this by-law, also includes any person who trades in a public space;
 - (iv) “informal trading” means the selling of any goods or the supply or offer to supply any service for reward as an informal trader in a public road or public space, but does not include the sale of newspapers only;
 - (iv) “informal trading committee” means a committee consisting of two representatives of the informal trading sector, two representatives of the formal trading sector, one representative of the local authority, a representative from the Ratepayers Associations in the Breede Valley municipal area (when aspects regarding Breede Valley are considered), a representative from any other area falling outside the central business area and the main access roads to the central business area (when aspects regarding such areas are considered) and co-opted advisors nominated by the different sectors and accepted by the local authority or nominated by local authority;
 - (v) “litter” means any refuse, container or other object or matter discarded or abandoned by an informal trader and/or his customers;
 - (vi) “local authority” means the local authority of Breede Valley and includes any committee or employee of the local authority exercising powers or performing duties or functions delegated by the local authority;
 - (vii) “nuisance” means any conduct which brings about or may bring about a state of affairs or condition which constitutes a source of danger to a person or the property of others or which materially interferes with their ordinary comfort, business convenience, peace or quiet;
 - (viii) “officer” means—
 - (a) a traffic officer appointed under section 3(1)(a) of the Road Traffic Act, 1989 (Act 29 of 1989);
 - (b) a member of the South African Police Service as defined in section 1(1) of the South African Police Service Act, 1995 (Act 68 of 1995);
 - (c) a peace officer contemplated in section 334 of the Criminal Procedure Act, 1977 (Act 51 of 1977); or
 - (d) an environmental health officer in the service of the local authority;

MUNISIPALITEIT BREEDEVALLEI

VERORDENING VIR INFORMELE HANDEL

Kragtens artikel 6 A(1) van die Wet op Besighede, 1991 (Wet 71 van 1991) en artikel 26 van die Wes-Kaapse Wet op Padverkeer, 1998 (Wet 12 van 1998), saamgelees met artikel 89 van daardie Wet en regulasie 322 van die Regulasies ingevolge die Wet op Nasionale Padverkeer, 1996 (Wet 93 van 1996) en verder artikel 190 van die Munisipale Ordonnansie, 1974 (Ordonnansie 20 van 1974), word die volgende verordening afgekondig vir die Munisipaliteit Breedevallei.

Woordomskrivings

1. In hierdie verordening, tensy uit die samehang anders blyk, het ’n woord of uitdrukking waaraan ’n betekenis in die Wet op Besighede, 1991 (Wet 71 van 1991) geheg word, dieselfde betekenis en beteken—
 - (i) “appèlkomitee” die appèlkomitee soos saamgestel ingevolge artikel 10 van hierdie verordening;
 - (ii) “beampte”—
 - (a) ’n verkeersbeampte aangestel kragtens artikel 3(1)(a) van die Padverkeerswet, 1989 (Wet 29 van 1989);
 - (b) ’n lid van die Suid-Afrikaanse Polisie diens omskryf in artikel 1(1) van die Wet op die Suid-Afrikaanse Polisie diens, 1995 (Wet 68 van 1995);
 - (c) ’n vredesbeampte, beoog in artikel 334 van die Strafproseswet, 1977 (Wet 51 van 1977); of
 - (d) ’n omgewingsgesondheidsbeampte in diens van die plaaslike owerheid;
 - (iii) “die Wet” die Wet op Besighede, 1991 (Wet 71 van 1991) saamgelees met die skedules daartoe;
 - (iv) “eenheid” die ruimte vanwaar ’n informele handelaar sy of haar besigheid mag bedryf en wat nie groter as 3 meter in lengte en 2 meter in wydte is nie;
 - (v) “eiendom” met betrekking tot ’n straathandelaar, enige geld, goedere, houer, voertuig of beweegbare struktuur wat gebruik word of bestem is om gebruik te word in verband met die bedryf van sy of haar besigheid as sodanig;
 - (vi) “goedere” enige ware, artikels, houers, voertuie of strukture wat gebruik word of waar die bedoeling is om dit te gebruik vir informele handel;
 - (vii) “informele handel” die verkoop van enige goedere of die verskaffing of aanbod om dienste teen vergoeding te verskaf as ’n informele handelaar in ’n openbare pad of openbare ruimte, maar sluit nie die verkoop van slegs koerante in nie;
 - (vii) “informele handelaar” enige persoon wat die besigheid van straathandelaar, venter of smous bedryf en sluit die werknemers van so ’n persoon in en vir die doeleindes van hierdie verordening, ook enige persoon wat in ’n openbare ruimte handel dryf;
 - (viii) “komitee vir informele handel” ’n komitee bestaande uit twee verteenwoordigers van die informele handelssektor, twee verteenwoordigers van die formele handelssektor, een verteenwoordiger van die plaaslike owerheid, ’n verteenwoordiger van die belastingbetalersverenigings binne die Breedevallei munisipale gebied (wanneer sake rakende Breedevallei oorweeg word), ’n verteenwoordiger van enige ander gebied buite die sentrale sakegebied en die hooftoegangsroetes daartoe (wanneer sake rakende sodanige gebiede oorweeg word), en gekoöpteerde adviseurs wat deur die verskillende sektore genomineer is en deur die plaaslike owerheid aanvaar of genomineer is;
 - (ix) “oorlas” enige gedrag wat ’n stand van sake of toestand meebring of kan meebring wat ’n bron van gevaar vir die persoon of eiendom van ander inhou of wat wesenlik met hul gewone gerief, besigheidsgerief, rus of vrede inmeng;

- (ix) "property" in relation to an informal trader, means any money, goods, receptacle, vehicle or movable structure used or intended to be used in connection with the carrying on of his or her business as such;
- (x) "public road" means a public road as defined in section 1 of the National Road Traffic Act, 1996 (Act 93 of 1996);
- (xi) "public space" means any square, park, recreation ground, sports ground, sanitary lane or open space which has—
 - (a) in connection with any subdivision or layout of land into erven, lots or plots been provided, reserved or set apart for use by the public or the owners or occupiers of such erven, lots or plots, whether or not it is shown on a general plan, plan of subdivision or diagram;
 - (b) at any time been dedicated to the public;
 - (c) been used without interruption by the public for a period of at least thirty years since the thirty-first day of December 1959; or
 - (d) at any time been declared or rendered a public space by the local authority or another competent authority;
- (xii) "sidewalk" means a sidewalk as defined in section 1 of the National Road Traffic Act, 1996 (Act 93 of 1996);
- (xiii) "the Act" means the Businesses Act, 1991 (Act 71 of 1991) read with its Schedules;
- (xiv) "unit" means the space from which an informal trader may conduct his or her business and which is not greater than 3 metres in length and 2 metres in width, and
- (xv) "verge" means that portion of a road, street or thoroughfare which is not the roadway.

General conduct

2. A person carrying on the business of informal trader—
- (a) may not place his or her property on a public road or public space except for the purpose of conducting trade;
 - (b) must ensure that—
 - (i) his or her property does not cover an area of a public road or public space which is greater than 3 metres x 2 metres;
 - (ii) allocation of units be addressed through consultation with the local authority and the relevant recognised structures of the informal business sector;
 - (c) may not obstruct access to a fire hydrant or any other designated facility or area demarcated solely for the use of emergency vehicles and services;
 - (d) may not carry on the business of informal trader on a verge contiguous to—
 - (i) a church, mosque or other place of worship; or
 - (ii) a building declared to be a national monument in terms of the National Heritage Resources Act, 1999 (Act 25 of 1999);

except to the extent that the carrying on of such business is permitted in terms of this by-law;
 - (e) may not carry on the business of informal trader on that half of a public road contiguous to a building used for residential purposes, if the owner or person in control or any occupier of the building objects to it;
 - (f) may not carry on the business of informal trader at a place where it substantially obstructs pedestrians in their use of a sidewalk;

- (x) "openbare pad" 'n openbare pad soos omskryf in artikel 1 van die Nasionale Padverkeerswet, 1996 (Wet 93 van 1996);
- (xi) "openbare ruimte" enige plein, park, ontspanningsterrein, sportterrein, nagsteeg of oop ruimte wat—
 - (a) in verband met enige onderverdeling of uitleg van grond in erwe, standplase of boupersele voorsien, gereserveer of opsy gesit is vir gebruik deur die publiek of die eienaars of bewoners van sulke erwe, standplase of boupersele, ongeag of dit op 'n algemene plan of onderverdelingsplan of diagram aangetoon word, al dan nie;
 - (b) te eniger tyd aan die publiek opgedra is;
 - (c) sonder onderbreking deur die publiek gebruik is vir 'n tydperk van minstens dertig jaar na die een-en-dertigste dag van Desember, 1959; of
 - (d) te eniger tyd deur die plaaslike owerheid of 'n ander bevoegde gesag tot openbare ruimte verklaar of beskou word;
- (xii) "plaaslike owerheid" die plaaslike owerheid van Breede Vallei en sluit enige komitee of werknemer van die plaaslike owerheid in wat bevoegdhede uitoefen of pligte of werksaamhede verrig wat deur die plaaslike owerheid gedelegeer is;
- (xiii) "soom" daardie gedeelte van 'n pad, straat of deurgang wat nie die ryvlak is nie;
- (xiv) "sypaadjie" 'n sypaadjie soos omskryf in artikel 1 van die Nasionale Padverkeerswet, 1996 (Wet 93 van 1996), en
- (xv) "vullis" enige rommel, houer of ander voorwerp of afval wat weggegooi of agtergelaat word deur 'n informele handelaar en/of sy kliënte.

Algemene gedrag

2. 'n Persoon wat die besigheid van 'n informele handelaar bedryf—
- (a) mag nie sy of haar eiendom op 'n openbare pad of openbare ruimte plaas nie, behalwe met die doel om handel te dryf;
 - (b) moet verseker dat—
 - (i) sy of haar eiendom nie 'n oppervlak van 'n openbare pad of openbare ruimte beslaan wat groter is as 3 meter x 2 meter nie;
 - (ii) toekenning van eenhede aangespreek word deur raadpleging met die plaaslike owerheid en die betrokke erkende strukture van die informele sakesektor;
 - (c) mag nie toegang tot 'n brandkraan of enige ander aangewysde gerief of gebied versper wat uitsluitlik vir die gebruik van noodvoertuie of nooddienste afgebaken is nie;
 - (d) mag nie die besigheid van informele handelaar bedryf op 'n soom langs—
 - (i) 'n kerk, moskee of ander plek van aanbidding nie; of
 - (ii) 'n gebou wat kragtens die Wet op Nasionale Erfenishulpbronne, 1999 (Wet 25 van 1999) tot nasionale gedenkwaardigheid verklaar is nie;

behalwe in soverre die bedryf van sodanige handel ingevolge hierdie verordening toegelaat word;
 - (e) mag nie die besigheid van informele handelaar bedryf op daardie helfte van 'n openbare pad aangrensend tot 'n gebou wat vir residensiële doeleindes gebruik word nie, indien die eienaar of persoon in beheer of enige bewoner van die gebou daarteen beswaar maak;
 - (f) mag nie die besigheid van informele handelaar bedryf op 'n plek waar dit voetgangers se gebruik van 'n sypaadjie wesenslik verhinder nie;

- (g) may not carry on the business of informal trader at a place where it causes an obstruction to vehicular traffic;
- (h) may not carry on the business of informal trader at a place where it causes an obstruction in front of—
 - (i) an entrance to or exit from a building; or
 - (ii) a fire hydrant;
- (i) may not carry on the business of informal trader without being in possession of written proof that he or she hired, or was otherwise allocated that stand or area by the local authority in an area set aside or demarcated for informal trading by the local authority in terms of section 6A(3)(b) of the Act, and after consultation with the informal trading committee, and
- (j) may not carry on the business of informal trader in contravention of the terms and conditions of the lease or allocation to him or her of a unit in terms of section 6A(3) of the Act.

Charges

3. The local authority shall fix the rent charges payable to it for the letting of stands or stalls in demarcated areas under its control from where the carrying on of the business of street vendor, pedlar or hawker is permissible.

General restrictions

4. (1) A person carrying on the business of informal trader shall not—
- (a) if such business is carried on in a public road or public space—
 - (i) overnight at the place of such business; or
 - (ii) erect a structure (other than a device which operates in the same manner as, and is shaped like an umbrella) for the purpose of providing shelter;
 - (b) carry on such business in a manner as to—
 - (i) damage or deface the surface of any public road or any public space or any public or private property;
 - (ii) create a traffic hazard; or
 - (iii) create a nuisance;
 - (c) accumulate, dump, store or deposit or cause or permit to be accumulated, dumped, stored or deposited any litter on any land or premises or in any public road or public space other than in a refuse receptacle approved or provided by the local authority;
 - (d) obstruct access to a local authority service or service works;
 - (e) obstruct access to a pedestrian arcade or mall;
 - (f) obstruct access to pedestrian crossings, parking or loading bays or other facilities for vehicular or pedestrian traffic;
 - (g) obstruct access to street furniture or the use of street furniture such as bus passenger benches or shelters, refuse disposal bins, and other facilities designed for the use of the general public;
 - (h) obscure any road traffic sign displayed in terms of the National Road Traffic Act, 1996 (Act 93 of 1996),

- (g) mag nie die besigheid van informele handelaar bedryf op 'n plek waar dit voertuigverkeer versper nie;
- (h) mag nie die besigheid van informele handelaar bedryf nie op 'n plek waar dit 'n versperring veroorsaak voor—
 - (i) 'n ingang tot of uitgang uit 'n gebou; of
 - (ii) 'n brandkraan;
- (i) mag nie die besigheid van informele handelaar bedryf sonder om in besit te wees van skriftelike bewys dat hy/sy daardie staanplek of gebied gehuur het van, of dat dit andersins aan hom of haar toegewys is deur die plaaslike owerheid, in 'n gebied gereserveer of afgebaken vir die bedryf van informele handel deur die plaaslike owerheid ingevolge artikel 6A(3)(b) van die Wet, en na oorlegpleging met die komitee vir informele handel, en
- (j) mag nie die besigheid van informele handelaar bedryf in stryd met die bedinge en voorwaardes van die huurkontrak of toewysing aan hom of haar van 'n eenheid ingevolge artikel 6A(3) van die Wet nie.

Gelde

3. Die plaaslike owerheid stel die huurgeld vas wat aan hom betaalbaar is vir die verhuring van staanplekke of stalletjies binne afgebakende gebiede onder sy beheer van waar die bedryf van die besigheid van straathandelaar, venter of smous toelaatbaar is.

Algemene beperkings

4. (1) 'n Persoon wat die besigheid van informele handelaar bedryf mag nie—
- (a) waar so 'n besigheid in 'n openbare pad of openbare ruimte bedryf word—
 - (i) oornag op die plek van die besigheid; of
 - (ii) 'n struktuur oprig (anders as 'n apparaat wat op dieselfde manier werk as, en in die vorm van 'n sambreel is) met die doel om beskutting te verskaf nie;
 - (b) sy of haar besigheid op so 'n wyse bedryf dat—
 - (i) die oppervlak van 'n openbare pad of openbare ruimte of enige openbare of privaat eiendom beskadig of geskend word nie;
 - (ii) 'n gevaar vir verkeer veroorsaak nie; of
 - (iii) 'n oorlas veroorsaak nie;
 - (c) rommel op enige grond of perseel of enige openbare pad of openbare ruimte opgaan, stort, opberg of plaas of veroorsaak of toelaat dat dit opgegaan, gestort, opgeberg of geplaas word nie, behalwe in 'n vullishouer soos deur die plaaslike owerheid goedgekeur en voorsien;
 - (d) toegang tot 'n diens of dienswerke van die plaaslike owerheid versper nie;
 - (e) toegang tot 'n voetgangerarkade of winkellaan versper nie;
 - (f) toegang tot voetoorgange, parkerings, laaisones of ander geriewe vir voertuig of voetgangerverkeer versper nie;
 - (g) toegang tot straattoebehore of die gebruik van straattoebehore, soos banke of skuilings vir buspassasiers, vullishouers en ander geriewe wat ontwerp is vir die gebruik van die algemene publiek, versper nie;
 - (h) toegang tot enige padteken, wat kragtens die Nasionale Padverkeerswet, 1996 (Wet 93 van 1996), en die

and the regulations made thereunder or any marking, notice or sign displayed or made in terms of this by-law;

- (i) attach any object by any means to any building, structure, pavement, tree, parking meter, lamp-pole, electricity pole, telephone booth, post box, traffic sign, bench or any other street furniture in a public road or public space;
- (j) make a fire in a public road or public space under circumstances where it could harm any person or damage a building or vehicle or any street furniture referred to in this by-law;
- (k) fail or refuse to move or remove any goods after having been requested to do so by the supplier of an telecommunication service who requires access to such service, or by an authorised employee or agent of the local authority or an officer acting in terms of section 4 or 5 of this by-law respectively, and
- (l) obstruct the visibility of a display window of a business premises, if the person carrying on business in such business premises objects thereto. Sindelikheid en beskerming van openbare gesondheid

Cleanliness and protection of public health

5. (1) Every informal trader shall—
- (a) carry on his or her business in a manner as not to be a danger or threat to public health or public safety;
 - (b) at the request by an employee of the local authority move his or her property in order to permit the cleaning of the surface of the unit where he or she is trading;
 - (c) keep the unit occupied by him or her for the purpose of his or her business as well as his or her property in a clean and sanitary condition and free of litter, and
 - (d) if his or her activities involve the cooking or preparation of food, take steps to ensure that no fat, oil or other substance drops or overflows onto the surface of any public road or public space or splashes against a building or structure.
- (2) The local authority shall—
- (a) ensure that the units on which the informal traders trade are cleaned and sanitised on a regular basis;
 - (b) provide receptacles in the area near the units in order to facilitate the disposal of litter by informal traders, and
 - (c) ensure that the receptacles are emptied on a regular basis in order to facilitate the cleaning of trading units.

Trading in parks and gardens

6. No informal trader shall carry on business in a garden or park to which the public has the right of access, except with the prior written approval of the local authority, which approval shall not be unreasonably withheld and may be granted subject to certain conditions.

Objects used for display of goods

7. (1) An informal trader shall ensure that any structure, container, surface or other object used by him or her for the preparation, display, storage or transportation of goods—
- (a) is maintained in a good state of repair and kept in a clean and sanitary condition, and

regulasies daarkragtens uitvaardig of enige merk, kennisgewing of teken kragtens hierdie verordening vertoon of gemaak, versper nie;

- (i) enige voorwerp aan enige gebou, struktuur, sypaadje, boom, parkeermeter, lamp-paal, elektrisiteitspaal, telefoonhokkie, posbus, verkeersteken, bank of enige ander straattoebehore in of op 'n openbare pad of openbare ruimte vasmaak nie;
- (j) 'n vuur maak op 'n openbare pad of openbare ruimte in omstandighede waar dit persone kan benadeel of geboue of voertuie of enige straattoebehore waarna in hierdie verordening verwys word, kan beskadig nie;
- (k) weier of versuim om goedere te verskuif of te verwyder op versoek van 'n voorsiener van 'n telekommunikasiediens wat toegang tot so 'n diens nodig het, of van 'n gemagtigde werknemer of agent van die plaaslike owerheid of van 'n beampte wat ingevolge artikel 4 of 5 onderskeidelik van hierdie verordening optree nie, en
- (l) die sigbaarheid van 'n vertoonvenster van 'n besigheidsperseel versper nie, indien die persoon wat die besigheid vanaf die besigheidsperseel bedryf daarteen beswaar maak.

Sindelikheid en beskerming van openbare gesondheid

5. (1) Elke informele handelaar moet—
- (a) sy of haar besigheid op so 'n wyse bedryf dat dit nie 'n gevaar of bedreiging vir openbare gesondheid of openbare veiligheid inhou nie;
 - (b) op versoek van 'n werknemer van plaaslike owerheid sy of haar eiendom verskuif om toe te laat dat die oppervlak van die eenheid waar hy of sy handel dryf, skoongemaak kan word;
 - (c) die eenheid wat hy of sy vir die doel van sy of haar besigheid gebruik, asook sy of haar eiendom, skoon en netjies en rommelvry hou, en
 - (d) indien sy of haar bedrywighede die kook of voorbereiding van voedsel behels, stappe doen om te verseker dat geen vet of olie of enige ander bestanddeel op die oppervlak van enige openbare pad of openbare ruimte drup of stort of teen 'n gebou of struktuur spat nie.
- (2) Die plaaslike owerheid moet—
- (a) toesien dat die eenhede waar die informele handelaars handel dryf, gereeld skoongemaak en gereinig word;
 - (b) houer in die area naby die eenhede voorsien om die verwydering van rommel deur informele handelaars te vergemaklik, en
 - (c) toesien dat houer gereeld leeggemaak word ten einde die skoonmaak van handelspersele te vergemaklik.

Handel in parke en tuine

6. Geen informele handelaar mag besigheid bedryf in 'n tuin of park waartoe die publiek 'n reg op toegang het nie, behalwe met die voorafverkreë skriftelike goedkeuring van die plaaslike owerheid, welke toestemming nie onredelik geweier mag word nie, en onderworpe aan sekere voorwaardes toegestaan kan word.

Voorwerpe gebruik vir vertoning van goedere

7. (1) 'n Informele handelaar moet toesien dat enige struktuur, houer, oppervlak of ander voorwerp wat hy of sy gebruik vir die voorbereiding, vertoning, opberging of vervoer van goedere gebruik—
- (a) in 'n goeie toestand onderhou word en in 'n skoon en higiëniese toestand is, en

- (b) is not so placed or stacked as to constitute a danger to any person or to be likely to injure any person.

Removal and impoundment

8. (1) If a person carrying on the business of informal trader fails or refuses to comply with a written request, the content of which has been explained to him or her, to move or remove his or her property, or leaves such property unsupervised for a period of more than 8 hours, an officer may remove and impound such property—
- (a) which he or she reasonably suspects is being used or is intended to be used or has been used in or in connection with the carrying on of the business of informal trader; or
- (b) which he or she finds in a place where the carrying on of such business is restricted or prohibited in terms of a provision of this by-law.
- (2) Any officer acting in terms of these provisions shall—
- (a) except in the case of goods which have been left or abandoned, issue forthwith to the person carrying on the business of an informal trader a detailed receipt for any property so removed and impounded, which receipt shall contain adequate information as to where the property will be impounded and the procedure for reclaiming such property, and
- (b) forthwith deliver any such property to the local authority.
- (3) Any property removed and impounded as contemplated by section 6A of the Act—
- (a) may, in the case of perishable property, be sold or destroyed by the local authority within a reasonable time after its impoundment, provided that such property shall, subject to the provisions of subsection (4), at any time prior to the disposal thereof, be returned to the owner at his or her request and upon providing proof of ownership by such owner to the local authority, and
- (b) shall, subject to the provisions of subsection (4), in the case of property other than perishable property, be returned to the owner thereof at his or her request and on providing proof of ownership by such owner to the authority within a period of one month of the date of impoundment.
- (4) The local authority shall be entitled to keep the property until all reasonable expenses have been paid to the local authority, failing which the property may be sold, or in the case of perishable property, either be sold or destroyed by such local authority.
- (5) In the case of a sale of impounded property by a local authority, the proceeds of such sale less the reasonable expenses incurred by the local authority in connection with the removal, impoundment and/or disposal of the said property, shall be paid to the owner of the property. If such owner fails to claim the proceeds within three months of the date on which the property was sold, the proceeds shall be forfeited to the local authority and shall be paid into a special fund created by the local authority dedicated to the development of the informal sector and matters ancillary thereto.
- (6) If the proceeds of any sale of property contemplated in subsection (5), are not sufficient to defray the reasonable expenses incurred by the local authority in connection with such property, the owner of such property shall be liable for all reasonable expenses incurred by the local authority concerned in connection with such removal, impoundment and/or disposal.

- (b) nie op so 'n wyse gepak of opgestapel word dat dit 'n gevaar vir enige persoon inhou of moontlik 'n persoon kan beseer nie.

Verwydering en skut

8. (1) Indien 'n persoon wat die besigheid van informele handelaar bedryf, versuim of weier om te voldoen aan 'n skriftelike versoek, waarvan die inhoud aan hom of haar verduidelik is, om sy of haar eiendom te verskuif of te verwyder of sy of haar eiendom vir 'n tydperk van meer as 8 uur sonder toesig laat, kan 'n beampte daardie eiendom verwyder en skut—
- (a) wat hy of sy redelikerwys vermoed gebruik word of bestem is om gebruik te word of gebruik is vir of in verband met die bedryf van die besigheid van informele handelaar; of
- (b) wat hy of sy op 'n plek vind waar die bedryf van sodanige besigheid ingevolge 'n bepaling van hierdie verordening beperk of verbied word.
- (2) 'n Beampte wat ingevolge hierdie verordening optree, moet—
- (a) behalwe in die geval van goedere wat sonder toesig gelaat of agtergelaat is, onverwyld 'n gedetailleerde kwitansie vir enige goedere wat verwyder en geskut word, aan die persoon wat die besigheid van informele handel bedryf, uitreik, welke kwitansie voldoende inligting moet bevat oor waar die eiendom geskut word en die prosedure vir die opeis van daardie eiendom, en
- (b) sodanige eiendom sonder versuim aan die plaaslike owerheid oorhandig.
- (3) Enige eiendom wat verwyder of geskut word, soos in artikel 6A van die Wet beoog—
- (a) kan, in geval van bederfbare eiendom, binne 'n redelike tyd na die skut daarvan deur die plaaslike owerheid verkoop of vernietig word, op voorwaarde dat die eiendom behoudens die bepalings van subartikel (4) te eniger tyd voordat daaroor beskik word, op versoek en na bewyslewering van eienaarskap deur die eienaar aan die plaaslike owerheid, aan die eienaar terugbesorg moet word, en
- (b) moet, behoudens die bepalings van subartikel (4), in die geval van eiendom anders as bederfbare eiendom, op versoek en na bewyslewering van eienaarskap deur die eienaar aan die plaaslike owerheid binne 'n tydperk van een maand vanaf die datum van skut, aan die eienaar terugbesorg word.
- (4) Die plaaslike owerheid is daarop geregtig om die eiendom in besit te hou totdat alle redelike uitgawes aan die plaaslike owerheid betaal is en by gebreke daarvan, kan die eiendom verkoop word, of in die geval van bederfbare eiendom, deur die plaaslike owerheid óf verkoop óf vernietig word.
- (5) In die geval van die verkoop van geskutte eiendom deur 'n plaaslike owerheid, moet die opbrengs van sodanige verkoping, minus die redelike uitgawes deur die plaaslike owerheid aangegaan ten opsigte van die verwydering, skut van en/of die beskikking oor sodanige eiendom, aan die eienaar van die eiendom betaal word. Indien die eienaar versuim om die opbrengs binne drie maande na die datum van verkoping van die eiendom op te eis, word sodanige opbrengs aan die plaaslike owerheid verbeur en in 'n spesiale fonds wat die plaaslike owerheid geskep het vir die ontwikkeling van die informele sektor en verwante aangeleenthede, gestort.
- (6) As die opbrengs van die verkoop van die eiendom in subartikel (5) beoog, nie voldoende is om die redelike uitgawes te dek wat die plaaslike owerheid aangegaan het in verband met sodanige eiendom nie, is die eienaar van die eiendom aanspreeklik vir alle redelike uitgawes deur die plaaslike owerheid aangegaan in verband met sodanige verwydering, skut daarvan en/of beskikking daaroor.

Appeals

9. (1) A person who feels aggrieved of the decision of the local authority may appeal against the decision to an appeal committee, in accordance with the provisions set out herein.
- (2) A person who feels aggrieved by the decision of the local authority shall notify the local authority in writing of his or her intention to appeal against the decision, within 10 days of having received notification of the local authority's decision.
- (3) The chairperson of the appeal committee shall notify the aggrieved person of the date, time and place of the meeting of the appeal committee where his or her presence is required within 10 days of receipt of notice of appeal.
- (4) The aggrieved person who has received notice in terms of subsection (3) shall personally appear at the meeting and may appoint a legal representative or any other person to appear on his or her behalf.

Constitution of appeal committee

10. (1) The member of the Executive Council responsible for Economic Affairs may, with the concurrence of the local authority, designate representatives of the informal traders and other interested persons as members of the appeal committee.
- (2) The appeal committee shall consist of a maximum of seven members with at least one member from the informal trading sector.
- (3) The members of the appeal committee shall appoint two members to act respectively as chairperson and vice-chairperson.
- (4) When the chairperson is unable to perform his or her functions, the vice-chairperson shall perform the functions of chairperson.
- (5) If the chairperson is of the opinion that a particular person is able to assist the appeal committee, he or she may co-opt that person for that purpose.
- (6) A person so co-opted shall not be entitled to vote at any meeting of the committee.

Procedure at appeal meetings

11. (1) The chairperson shall determine the procedure at the meeting.
- (2) All members shall be present at the meeting of the appeal committee.
- (3) Any person present at the meeting may—
- be called upon by the chairperson to give evidence;
 - be called upon by the chairperson to produce to the appeal committee any documents or other property which is in his or her possession or under his or her control, and
 - be questioned by the appeal committee on the matter before it.
- (4) The appeal committee shall review the decision of the local authority and make a finding, having regard to the following—
- whether the decision of the local authority was fair and equitable in the circumstances;

Appèlle

9. (1) 'n Persoon wat veronreg voel deur 'n besluit van die plaaslike owerheid kan by 'n appèlkomitee teen die besluit appelleer, in ooreenstemming met die bepalings hierin uiteengesit.
- (2) 'n Persoon wat veronreg voel deur 'n besluit van die plaaslike owerheid moet die plaaslike owerheid, binne 10 dae na ontvangs van 'n kennisgewing van die plaaslike owerheid se besluit, skriftelik in kennis stel van sy of haar voorneme om teen die besluit te appelleer.
- (3) Die voorsitter van die appèlkomitee moet die verontregte persoon binne 10 dae na ontvangs van die kennisgewing van appèl in kennis stel van die datum, tyd en plek van die sitting van die appèl- komitee waartydens sy of haar teenwoordigheid verlang word.
- (4) Die verontregte persoon wat ingevolge subartikel (3) kennis ontvang het, moet persoonlik by die vergadering verskyn en mag 'n regsvertegenwoordiger of enige ander persoon aanstel om namens hom of haar te verskyn.

Samestelling van appèlkomitee

10. (1) Die lid van die Uitvoerende Raad belas met Ekonomiese Sake kan, in medewerking met die plaaslike owerheid, verteenwoordigers van die informele handelaars en ander belanghebbendes as lede van die appèlkomitee aanstel.
- (2) Die appèlkomitee bestaan uit hoogstens sewe lede met minstens een lid van die informele handelsektor.
- (3) Die lede van die appèlkomitee stel twee lede aan om onderskeidelik op te tree as voorsitter en ondervoorsitter.
- (4) Wanneer die voorsitter nie in staat is om sy of haar werksaamhede uit te voer nie, verrig die ondervoorsitter die werksaamhede van die voorsitter.
- (5) As die voorsitter van mening is dat 'n bepaalde persoon in staat is om die appèlkomitee behulpsaam te wees, mag hy of sy sodanige persoon vir daardie doel koöpteer.
- (6) Sodanige gekoöpteerde persoon is nie geregtig om te stem op 'n vergadering van die appèlkomitee nie.

Prosedure by appèlsittings

11. (1) Die voorsitter bepaal die prosedure by die vergadering.
- (2) Al die lede moet op die vergadering van die appèlkomitee teenwoordig wees.
- (3) Enige persoon wat by die vergadering teenwoordig is, kan—
- deur die voorsitter versoek word om getuienis te lewer;
 - deur die voorsitter versoek word om enige dokument of ander eiendom in sy of haar besit of onder sy of haar beheer, aan die appèlkomitee voor te lê, en
 - deur die appèlkomitee ondervra word oor die aangeleentheid wat voor die appèlkomitee dien.
- (4) Die appèlkomitee hersien die besluit van die plaaslike owerheid en maak 'n beslissing, met inagneming van die volgende oorwegings—
- of die besluit van die plaaslike owerheid in die omstandighede billik en regverdig was;

- (b) how the decision will affect the aggrieved person's ability to trade, and
 - (c) whether alternative measures may be adopted to enable the aggrieved person to continue his or her business.
- (5) The decision of the committee shall be taken by a majority of votes of the members and in the event of an equality of votes, the chairperson shall have a casting vote in addition to his or her deliberate vote.
- (6) The appeal committee may, after considering the evidence presented—
- (a) refuse the appeal; or
 - (b) uphold the appeal, and
 - (c) take such other steps it may think fit.
- (7) The appeal committee shall as soon as practicable—
- (a) notify the aggrieved person of its decision in writing, and
 - (b) furnish the aggrieved person with written reasons for its decision.

Offences

12. Any person who—
- (a) contravenes a provision contained in this by-law;
 - (b) fails to comply with any direction conveyed by sign or marking—
 - (i) which indicates a restriction or prohibition in terms of a provision contained in this by-law, and
 - (ii) which has been displayed in the manner prescribed in terms of this by-law;
 - (c) contravenes or fails to comply with an approval or a condition granted or imposed in terms of this by-law;
 - (d) fails to comply with a request to move or remove his or her property;
 - (e) deliberately furnishes false or misleading information to an officer or duly authorised employee of the local authority; or
 - (f) threatens, resists, interferes with or obstructs an officer or duly authorised employee of the local authority in the exercise or performance of that officer's or employee's powers or duties under this by-law;

shall be guilty of an offence.

Penalties

13. A person who is guilty of an offence in terms of this by-law shall on conviction be liable to a fine not exceeding R1 000 or to imprisonment for a period not exceeding three months, or to both such fine and such imprisonment and to an additional fine not exceeding R50 for every day on which the offence continues.

- (b) hoe die besluit die vermoë van die verontregte persoon om handel te dryf sal raak, en
 - (c) of alternatiewe maatreëls getref kan word om die verontregte persoon in staat te stel omsy besigheid voort te sit.
- (5) Die komitee neem 'n besluit deur 'n meerderheid van stemme van die lede, en in die geval van 'n staking van stemme, het die voorsitter 'n beslissende stem benewens sy of haar gewone stem.
- (6) Die appèlkomitee kan, na oorweging van die getuienis wat gelewer is—
- (a) die appèl weier; of
 - (b) die appèl handhaaf, en
 - (c) sodanige ander stappe doen wat dit goeddink.
- (7) Die appèlkomitee moet so spoedig as wat prakties moontlik is—
- (a) die verontregte persoon skriftelik van sy besluit verwittig, en
 - (b) die verontregte persoon van skriftelike redes vir die besluit voorsien.

Oortredings

12. Enige persoon wat—
- (a) 'n bepaling vervat in hierdie verordening oortree;
 - (b) versuim om te voldoen aan enige voorskrifte wat aangedui word deur 'n teken of merk—
 - (i) wat 'n beperking of verbod aandui ingevolge 'n bepaling vervat in hierdie verordening, en
 - (ii) wat vertoon word op die wyse voorgeskryf ingevolge hierdie verordening;
 - (c) 'n goedkeuring of voorwaarde wat ingevolge hierdie verordening verleen of opgelê is, oortree of versuim om daaraan te voldoen;
 - (d) versuim om te voldoen aan 'n versoek om sy of haar eiendom te verskuif of te verwyder;
 - (e) opsetlik vals of misleidende inligting aan 'n beampte of behoorlike gemagtigde werknemer van die plaaslike owerheid verstrek; of
 - (f) 'n beampte of behoorlik gemagtigde werknemer van die plaaslike owerheid in die uitoefening of uitvoering van daardie beampte of werknemer se bevoegdhede of pligte kragtens hierdie verordening dreig, teenstaan, bemoei of dwarsboom;

is skuldig aan 'n misdryf.

Strawwe

13. 'n Persoon wat skuldig is aan 'n oortreding ingevolge hierdie verordening is by skuldigbevinding strafbaar met 'n boete van hoogstens R1 000 of 'n gevangenisstraf vir 'n tydperk van hoogstens drie maande, of beide sodanige boete en sodanige gevangenisstraf en 'n addisionele boete van hoogstens R50 per dag vir elke dag waarop die oortreding voortduur.

MOSSEL BAY MUNICIPALITY

REMOVAL OF RESTRICTIONS ACT, 1967
(ACT 84 OF 1967)LOCAL GOVERNMENT ACT: MUNICIPAL SYSTEMS, 2000
(ACT 32 OF 2000)

ERF 2396, HARTENBOS: REMOVAL OF RESTRICTIONS

Notice is hereby given in terms of section 3(6) of the above Act that the undermentioned application has been received and is open for inspection at the office of the Municipal Manager, P.O. Box 25, Mossel Bay, 6500 and any enquiries may be directed to telephone number (044) 606-5000 or fax number (044) 606-5062.

The application is also open to inspection at the office of the Director: Land Development Management, Provincial Administration of the Western Cape, Room 601, 27 Wale Street, Cape Town from 08:00-12:30 and 13:00-15:30 (Monday to Friday). Telephonic enquiries in this regard may be made at telephone number (021) 483-8788 and the Directorate's fax number is (021) 483-3633.

Any objections, with full reasons therefor, should be lodged in writing at the office of the above-mentioned Director: Land Development Management, Private Bag X9086, Cape Town, 8000 with a copy to the above-mentioned Local Authority on or before Monday, 26 April 2004 quoting the above Act and the objector's erf number. Any comments received after the aforementioned closing date may be disregarded.

In terms of section 21 of Act 32 of 2000 persons who cannot write or read are invited to come to any one of the five Customer Care Managers of Council at Mossel Bay, D'Almeida, KwaNonqaba, Hartenbos and Great Brak River where assistance will be given to transcribe their comments or objections.

*Applicant**Nature of Application*

Bailey & Le Roux Land Surveyors on behalf of Sharp Minds 48 CC Removal of a restrictive title condition applicable to Erf 2396, Hartenbos, to enable the owner to register a Sectional Title Scheme development (3 buildings) on the property. Building lines are encroached.

E17/2/2/AH5/Erf: 2396 (Hartenbos) File Reference: 15/4/37/1/1

C. Zietsman, Municipal Manager.

26 March 2004.

MUNISIPALITEIT MOSSELBAAI

WET OP OPHEFFING VAN BEPERKINGS, 1967
(WET 84 VAN 1967)WET OP PLAASLIKE REGERING: MUNISIPALE STELSELS, 2000
(WET 32 VAN 2000)

ERF 2396, HARTENBOS: OPHEFFING VAN BEPERKINGS

Kragtens artikel 3(6) van bogenoemde Wet word hiermee kennis gegee dat die onderstaande aansoek ontvang is en ter insae lê by die kantoor van die Munisipale Bestuurder, Posbus 25, Mosselbaai, 6500 en enige navrae kan gerig word by telefoonnommer (044) 606-5000 of faksnommer (044) 606-5062.

Die aansoek lê ook ter insae by die kantoor van die Direkteur: Grondontwikkelingsbestuur, Provinsiale Administrasie van die Wes-Kaap, Kamer 601, Waalstraat 27, Kaapstad vanaf 08:00-12:30 en 13:00-15:30 (Maandag tot Vrydag). Telefoniese navrae in hierdie verband kan gerig word by (021) 483-8788 en die Direktooraat se faksnommer is (021) 483-3633.

Enige besware, met volledige redes daarvoor, moet skriftelik voor of op Maandag, 26 April 2004 by die kantoor van bogenoemde Direkteur: Grondontwikkelingsbestuur, Privaatsak X9086, Kaapstad, 8000 met 'n afskrif aan bogenoemde Plaaslike Owerheid ingedien word met vermelding van bogenoemde Wet en beswaarmaker se ernommer. Enige kommentaar wat na die voorgemelde sluitingsdatum ontvang word, mag moontlik nie in ag geneem word nie.

In terme van artikel 21 van Wet 32 van 2000 word persone wat nie kan lees of skryf nie, versoek om gedurende normale kantoorure enige van die vyf Klantediensbestuurders van die Raad te Mosselbaai, D'Almeida, KwaNonqaba, Hartenbos en Groot-Brakrivier onderskeidelik, te nader waar sodanige persoon gehelp sal word om sy/haar kommentaar of besware op skrif te stel.

*Aansoeker**Aard van Aansoek*

Bailey & Le Roux Landmeters namens Sharp Minds 48 BK Opheffing van 'n beperkende titelvoorwaarde van toepassing op Erf 2396, Hartenbos, ten einde die eienaar in staat te stel om 'n Deeltitel Skema (3 geboue) op die erf te registreer. Boulyne word oorskry.

E17/2/2/AH5/Erf: 2396 (Hartenbos) Lêer Verwysing: 15/4/37/1/1

C. Zietsman, Munisipale Bestuurder.

26 Maart 2004.

CITY OF CAPE TOWN (CAPE TOWN REGION)

REMOVAL OF RESTRICTIONS AND SUBDIVISION:
ERF 56396, CAPE TOWN AT CLAREMONT

Notice is hereby given in terms of section 3(6) of the Removal of Restrictions Act (Act 84 of 1967) and in terms of section 24(2)(a) of the Land Use Planning Ordinance 15 of 1985, that the undermentioned application has been received and is open for inspection at the office of the Manager: Land Use Management Branch, City of Cape Town, 14th Floor, Tower Block, Civic Centre, 12 Hertzog Boulevard, Cape Town, from 08:30-12:30 (Monday to Friday) and at the office of the Director: Land Development Management, Provincial Administration of the Western Cape, at Room 601, 27 Wale Street, Cape Town from 08:00-12:30 and 13:00-15:30 (Monday to Friday). Telephonic enquiries in this regard may be made at (021) 483-4589. The Directorate's fax number is (021) 483-3633.

Any objections with full reasons, should be lodged in writing at the office of the above-mentioned Director: Land Development Management, Private Bag X9086, Cape Town 8000 with a copy to the office of the Manager: Land Use Management Branch, City of Cape Town, P.O. Box 4529, Cape Town 8000 or faxed to (021) 421-1963 or e-mailed to trevor.upsher@capetown.gov.za on or before 28 April 2004, quoting the above Act, Ordinance and regulations and the objector's erf and phone numbers. Any comments received after the aforementioned closing date may be disregarded.

Erf 56396, Cape Town at Claremont

File No: SG7/56396

Owner: GE Yates

Location: 8 Sidmouth Avenue

Suburb: Claremont

Nature: Removal of a restrictive title condition and subdivision to enable the property to be subdivided into two portions (both portions $\pm 986 \text{ m}^2$) for residential purposes.

W. A. Mgoqi, City Manager.

26 March 2004.

STAD KAAPSTAD (KAAPSTAD-STREEK)

OPHEFFING VAN BEPERKINGS EN ONDERVERDELING:
ERF 56396, KAAPSTAD TE CLAREMONT

Kennis geskied hiermee ingevolge artikel 3(6) van die Wet op Opheffing van Beperkings (Wet 84 van 1967) en artikel 24(2)(a) van die Ordonnansie op Grondgebruikbeplanning 15 van 1985 dat die onderstaande aansoek ontvang is en tussen 08:30-12:30 (Maandag tot Vrydag) by die kantoor van die Bestuurder: Grondgebruikbestuurstak, Stad Kaapstad, 14de Verdieping, Burgersentrum, Hertzog Boulevard, Kaapstad 8001 ter insae beskikbaar is en ook vanaf 08:00-12:30 en 13:00-15:30 (Maandag tot Vrydag) by die kantoor van die Direkteur: Grondontwikkelingsbestuur, Provinsiale Administrasie van die Wes-Kaap, Kamer 601, Waalstraat 27, Kaapstad. Telefoniese navrae in hierdie verband kan gerig word aan (021) 483-4589 en die Direktoraat se faksnommer is (021) 483-3633.

Enige besware moet skriftelik, tesame met volledige redes, voor of op 28 April 2004 by die kantoor van die bogemelde Direkteur: Grondontwikkelingsbestuur, Privaatsak X9086, Kaapstad 8000, met 'n afskrif aan die Bestuurder: Grondgebruikbestuur, Stad Kaapstad, Posbus 4529, Kaapstad 8000 ingedien word of per faks gerig word aan (021) 421-1963 of e-pos trevor.upsher@capetown.gov.za, met vermelding van bogenoemde Wet, Ordonnansie en regulasies en die beswaarmaker se erf- en telefoonnummers. Enige kommentaar wat na die voormelde sluitingsdatum ontvang word, mag buite rekening gelaat word.

Erf 56396, Kaapstad te Claremont

Lêer No: SG7/56396

Eienaar: GE Yates

Ligging: Sidmouthlaan 8

Voorstad: Claremont

Aard: Opheffing van 'n beperkende titelvoorwaarde en onderverdeling om die onderverdeling van die eiendom in twee gedeeltes (beide gedeeltes $\pm 986 \text{ m}^2$) vir residensiële doeleindes moontlik te maak.

W. A. Mgoqi, Stadsbestuurder.

26 March 2004.

CITY OF CAPE TOWN (CAPE TOWN REGION)

REMOVAL OF RESTRICTIONS, DEPARTURE AND
CONSENT: ERF 50685, CAPE TOWN AT CLAREMONT

Notice is hereby given in terms of section 3(6) of the Removal of Restrictions Act (84/1967), section 15(2)(a) of Land Use Planning Ordinance 15 of 1985 and section 9 of the Zoning Scheme Regulations that the undermentioned application has been received and is open for inspection at the office of the Manager: Land Use Management Branch, City of Cape Town, 14th Floor, Civic Centre, Hertzog Boulevard, Cape Town 8001, between 08:30-12:30 (Monday to Friday) and at the office of the Director: Land Development Management, Provincial Administration of the Western Cape, at Room 601, 27 Wale Street, Cape Town from 08:30-12:30 and 13:00-15:30 (Monday to Friday). Telephonic enquiries in this regard may be made at (021) 483-4589 and the Directorate's fax number is (021) 483-3633.

Any objections, with full reasons, should be lodged in writing at the office of the above-mentioned Director: Land Development Management, Private Bag X9083, Cape Town 8000, with a copy to the office of the Manager: Land Use Management, City of Cape Town, P.O. Box 4529, Cape Town 8000 or faxed to (021) 421-1963 or e-mailed to trevor.upsher@capetown.gov.za on or before 28 April 2004, quoting the above Act, Ordinance and regulations and the objector's erf and phone numbers. Any comments received after the aforementioned closing date may be disregarded.

Erf 50685, Cape Town at Claremont

File No: SG7/50685

Owner: Moneyline 501 (Pty) Ltd

Location: 10 Water Street

Suburb: Claremont

Nature: Removal of a restrictive title deed condition to enable the existing carport and double garage (which encroaches on the building lines) to be legalised.

The following departure from the Zoning Scheme Regulations is required:

Section 47(1): Proposed double garage setback 0 m in lieu of 4,5 m from Water Street.

The consent of Council in terms of section 51(d) of the Zoning Scheme Regulations is required to permit the carport.

W. A. Mgoqi, City Manager.

26 March 2004.

STAD KAAPSTAD (KAAPSTAD-STREEK)

OPHEFFING VAN BEPERKINGS, AFWYKINGS EN
TOESTEMMING: ERF 50685, KAAPSTAD TE CLAREMONT

Kennis geskied hiermee ingevolge artikel 3(6) van die Wet op Opheffing van Beperkings (84/1967), artikel 15(2)(a) van die Ordonnansie op Grondgebruikbeplanning, Nr 15 van 1985 en artikel 9 van die Soneringskema-regulasies dat die onderstaande aansoek ontvang is en tussen 08:30-12:30 (Maandag tot Vrydag) by die kantoor van die Bestuurder: Grondgebruikbestuurder, Stad Kaapstad, 14de Verdieping, Burgersentrum, Hertzog Boulevard, Kaapstad 8001 ter insae beskikbaar is en ook vanaf 08:00-12:30 en 13:00-15:30 (Maandag tot Vrydag) by die kantoor van die Direkteur: Grondontwikkelingsbestuurder, Provinsiale Administrasie van die Wes-Kaap, Kamer 601, Waalstraat 27, Kaapstad. Telefoniese navrae in hierdie verband kan gerig word aan (021) 483-4589 en die Direktoraat se faksnommer is (021) 483-3633.

Enige besware moet skriftelik, tesame met volledige redes, voor of op 28 April 2004 by die kantoor van die bogemelde Direkteur: Grondontwikkelingsbestuurder, Privaatsak X9083, Kaapstad 8000, met 'n afskrif aan die Bestuurder: Grondgebruikbestuurder, Stad Kaapstad, Posbus 4529, Kaapstad 8000 ingedien word of per faks gerig word aan (021) 421-1963 of e-pos trevor.upsher@capetown.gov.za, met vermelding van bogenoemde Wet, Ordonnansie en regulasies en die beswaarmaker se erf- en telefoonnummers. Enige kommentaar wat na die voormelde sluitingsdatum ontvang word, mag buite rekening gelaat word.

Erf 50685, Kaapstad te Claremont

Lêer No: SG7/50685

Eienaar: Moneyline 501 (Edms) Bpk

Ligging: Waterstraat 10

Voorstad: Claremont

Aard: Opheffing van 'n beperkende titelaktevoorwaarde om die wettiging van die bestaande motorafdak en dubbelmotorhuis (wat die boulyne oorskry) moontlik te maak.

Die volgende afwyking van die Soneringskema-regulasies word verlang:

Artikel 47(1): Inspringsing ten opsigte van die voorgestelde dubbelmotorhuis 0 m in plaas van 4,5 m vanaf Waterstraat.

Die Raad se vergunning ingevolge artikel 51(d) van die Soneringskema-regulasies word verlang ten einde die motorafdak toe te laat.

W. A. Mgoqi, Stadsbestuurder.

26 March 2004.

CITY OF CAPE TOWN (TYGERBERG REGION)

REMOVAL OF RESTRICTIONS AND AMENDMENT OF
CONDITIONS OF SPECIAL CONSENT USE: ERF 3029,
8 GOUSBLOM STREET, BLOMTUIN, BELLVILLE

Notice is hereby given in terms of section 3(6) of the Removal of Restrictions Act, 1967 (Act 84 of 1967) that the undermentioned application has been received and is open to inspection at the office of the Area Planner: East, Tygerberg Area: Town Planning, Bellville Municipal Offices, Voortrekker Road, Bellville (PO Box 2, Bellville 7535). Enquiries may be directed to Miss A Abrahams, tel. (021) 918-2070.

The application is also open to inspection at the office of the Director: Land Development Management, Provincial Administration of the Western Cape, at Room 601, 27 Wale Street, Cape Town from 08:00-12:30 and 13:00-15:30 (Monday to Friday). Telephonic enquiries in this regard may be made to Mr M Abrahams, tel. (021) 483-8788 and the Directorate's fax number is (021) 483-3633.

Any objections, with full reasons, should be lodged in writing at the office of the above-mentioned Director: Land Development Management, Private Bag X9086, Cape Town 8000, with a copy to the above-mentioned Local Authority, on or before 7 May 2004, quoting the above Act and the objector's erf number. Any comments received after the aforementioned closing date may be disregarded.

Applicant: DR Attridge

Nature of application: Removal of restrictive title conditions applicable to Erf 3029, Bellville, to enable the owner to use the property for the purposes of a day care centre.

Notice is also hereby given in terms of section 6.1 of the Bellville Zoning Scheme and the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985), that an application has been received for the amendment of the conditions of approval of a Special Consent Use which was approved in 1995. The approval granted in 1995 made provision for care to be given to a maximum of 15 children. The owner now wants to use the property for the care of 30 children. Three members of staff are required for the enlarged facility. The applicant also requires an amendment of the hours of the use, which was fixed from 07:30-17:00 weekdays. It is proposed that the hours be extended from 07:00 to 18:00.

Further details are available during office hours by appointment from Miss A Abrahams, Municipal Offices, Voortrekker Road, Bellville (tel. (021) 918-2070). Any objections to the proposed use, should be fully motivated and lodged in writing to the Area Planner: East, Tygerberg Area, Municipal Building, Voortrekker Road, Bellville (P.O. Box 2, Bellville 7535) not later than 7 May 2004.

Should no objection to the application be lodged in writing with the undersigned by the above-mentioned date, it will be assumed that you have no comment/objection to the application. Kindly note that this office refers all objections to the applicant for comments before the application can be submitted to Council for a decision.

W. A. Mgoqi, City Manager.

26 March 2004.

STAD KAAPSTAD (TYGERBERG-STREEK)

OPHEFFING VAN BEPERKINGS EN WYSIGING VAN
SPESIALE TOESTEMMINGSGEBRUIKVOORWAARDES: ERF
3029, GOUSBLOMSTRAAT 8, BLOMTUIN, BELLVILLE

Kragtens artikel 3(6) van die Wet op Opheffing van Beperkings, 1967 (Wet 84 van 1967) word hiermee kennis gegee dat die onderstaande aansoek ontvang is en ter insae lê by die kantoor van die Areabeplanner: Oos, Stadsbeplanning, Tygerberg Area, Bellville Munisipale Kantore, Voortrekkerweg, Bellville (Posbus 2, Bellville 7535). Navrae kan gerig word aan mej A Abrahams, tel. (021) 918-2070.

Die aansoek lê ook ter insae by die Kantoor van die Direkteur: Grondontwikkelingsbestuur, Provinsiale Administrasie van die Wes-Kaap, by Kamer 601, Waalstraat 27, Kaapstad, vanaf 08:00-12:30 en 13:00-15:30 (Maandag tot Vrydag). Telefoniese navrae in die verband kan gerig word aan mnr M Abrahams, tel. (021) 483-8788 en die Direkoraat se faksnommer is (021) 483-3633.

Enige besware, met die volledige redes daarvoor, moet skriftelik by die kantoor van die bogenoemde Direkteur: Grondontwikkelingsbestuur, Privaatsak X9086, Kaapstad 8000 met 'n afskrif aan die bogenoemde Plaaslike Owerheid, ingedien word op of voor 7 Mei 2004. Enige kommentaar wat na die voorgemelde sluitingsdatum ontvang word mag moontlik nie in ag geneem word nie.

Aansoeker: DR Attridge

Aard van aansoek: Opheffing van beperkende titelvoorwaardes van toepassing op erf 3029, Bellville, ten einde die eienaar in staat te stel om die eiendom vir die bedryf van 'n dagsorgsentrum aan te wend.

Kennis geskied ook hiermee ingevolge klousule 6.1 van die Bellville Soneringskema en die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie 15 van 1985), dat 'n aansoek ontvang is om 'n wysiging van die voorwaardes van 'n goedkeuring vir 'n Spesiale Toestemming wat in 1995 goedgekeur is. Die goedkeuring in 1995 verleen het voorsiening gemaak vir die versorging van 15 kinders. Die eienaar wil die eiendom nou aanwend vir die versorging van 'n maksimum van 30 kinders. Drie personeellede word benodig vir die uitgebreide gebruik. Verder versoek die eienaar ook 'n wysiging van die ure van die gebruik wat tussen 07:30-17:00 weksdae vasgestel is. Goedkeuring word versoek om die ure te verleng na 07:00-18:00.

Nadere besonderhede is gedurende kantoorure volgens afspraak by mej A Abrahams, Munisipale Kantore, Bellville (tel. (021) 918-2070) verkrygbaar. Enige besware teen die voorgestelde gebruik, met die volledige redes daarvoor, moet skriftelik aan die kantoor van die Areabeplanner: Oos, Tygerberg Area, Voortrekkerweg, Bellville (Posbus 2, Bellville 7535) gerig word nie later nie as 7 Mei 2004.

Indien geen besware teen die aansoek skriftelik by die ondergetekende ingedien word voor of op bovermelde datum nie, sal daar aanvaar word dat u geen kommentaar/beswaar teen die aansoek het nie. Neem asseblief kennis dat hierdie kantoor enige besware wat ontvang word na die aansoeker vir kommentaar verwys alvorens die aansoek vir 'n beslissing aan die Raad voorgelê kan word. (TE 18/6/1/26/6)

W. A. Mgoqi, Stadsbestuurder.

26 Maart 2004.

TENDERS

N.B. Tenders for commodities/services, the estimated value of which exceeds R20 000, are published in the Government Tender Bulletin, which is obtainable from the Government Printer, Private Bag X85, Pretoria, on payment of a subscription.

NOTICES BY LOCAL AUTHORITIES**BREEDE RIVER/WINELANDS MUNICIPALITY**

Montagu Office

MN NO. 22/2004

PROPOSED CONSENT USE: ERF 4564,
56 EIKE AVENUE, MONTAGU
(Montagu Zoning Scheme Regulations)

Notice is hereby given in terms of the Zoning Scheme Regulations of Montagu (Land Use Planning Ordinance No. 15 of 1985) that Council has received an application for consent use from DA Fortuin on behalf of N Davids for a home enterprise to erect a Vodacom Container with public telephones on Erf 4564, Montagu.

The application for the proposed consent use will be open for inspection at the Montagu Office during normal office hours. Written legal and fully motivated objections/comments, if any, must be lodged with the Municipal Manager, Private Bag X2, Ashton, 6715, before or on 28 April 2004. Further details are obtainable from Mr Jack van Zyl (023) 614-1112 during office hours.

Any person who cannot write may come to the office mentioned above, during office hours where a staff member of the municipality will assist that person to transcribe his/her comments or representations.

N. Nel, Municipal Manager, Municipal Office, Private Bag X2, Ashton 6715.

26 March 2004.

6694

BREEDE RIVER/WINELANDS MUNICIPALITY

Robertson Office

MN NO. 26/2004

PROPOSED TEMPORARY DEPARTURE: ERF 355,
39 BARRY STREET, ROBERTSON
(Ordinance 15 of 1985, Land Use Planning)

Notice is hereby given in terms of section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985), that the Council has received an application for temporary departure (for five years) from Mr JH Steyn to run a workshop for the repair and servicing of vehicles from Erf 355, Robertson.

The application for the proposed temporary departure will be open for inspection at the Robertson Office during normal office hours. Written legal and fully motivated objections/comments, if any, must be lodged with the Municipal Manager, Private Bag X2, Ashton, 6715, before or on 28 April 2004. Further details are obtainable from Mr Jack van Zyl (023) 614-1112 during office hours.

Any person who cannot write may come to the office mentioned above, during office hours where a staff member of the municipality will assist that person to transcribe his/her comments or representations.

N. Nel, Municipal Manager, Municipal Office, Private Bag X2, Ashton 6715.

26 March 2004.

6695

TENDERS

L.W. Tenders vir kommoditeite/dienste waarvan die beraamde waarde meer as R20 000 beloop, word in die Staatstenderbulletin gepubliseer wat by die Staatsdrukker, Privaatsak X85, Pretoria, teen betaling van 'n intekengeld verkrygbaar is.

KENNISGEWINGS DEUR PLAASLIKE OWERHEDE**MUNISIPALITEIT BREËRIVIER/WYNLAND**

Montagu Kantoor

MK NR. 22/2004

VOORGESTELDE VERGUNNINGSGEBRUIK: ERF 4564,
EIKELAAN 56, MONTAGU
(Montagu Soneringskemaregulasies)

Kennis geskied hiermee ingevolge die Soneringskemaregulasies van Montagu (Ordonnansie Nr. 15 van 1985), dat die Raad 'n aansoek om vergunningsgebruik ontvang het van DA Fortuin namens N Davids vir 'n tuisonderneming ten einde 'n Vodacom Vraghouer met openbare telefone op te rig op Erf 4564, Montagu.

Die aansoek insake die voorgenome vergunningsgebruik lê ter insae gedurende kantoorure in die Montagu Kantoor en skriftelike regseldige en goed gemotiveerde besware/kommentaar, indien enige moet nie later as 28 April 2004 skriftelik by die Munisipale Bestuurder, Privaatsak X2, Ashton, 6715, ingedien word nie. Navrae kan gerig word aan mnr Jack van Zyl by telefoonnommer (023) 614-1112.

'n Persoon wat nie kan skryf nie kan gedurende kantoorure na bogenoemde kantoor kom waar 'n personeelid van die munisipaliteit daardie persoon sal help om sy/haar kommentaar of vertoë af te skryf.

N. Nel, Munisipale Bestuurder, Munisipale Kantoor, Privaatsak X2, Ashton 6715.

26 Maart 2004.

6694

MUNISIPALITEIT BREËRIVIER/WYNLAND

Robertson Kantoor

MK NR. 26/2004

VOORGESTELDE TYDELIKE AFWYKING: ERF 355,
BARRYSTRAAT 39, ROBERTSON
(Ordonnansie 15 van 1985, Grondgebruikbeplanning)

Kennis geskied hiermee ingevolge artikel 15 van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie 15 van 1985) dat die Raad 'n aansoek ontvang het om tydelike afwyking (vir vyf jaar) van mnr JH Steyn ten einde 'n werkwinkel te bedryf vir die herstel en diens van voertuie vanaf Erf 355, Robertson.

Die aansoek insake die voorgenome tydelike afwyking lê ter insae gedurende kantoorure in die Robertson Kantoor en skriftelike regseldige en goed gemotiveerde besware/kommentaar, indien enige moet nie later as 28 April 2004 skriftelik by die Munisipale Bestuurder, Privaatsak X2, Ashton, 6715, ingedien word nie. Navrae kan gerig word aan mnr Jack van Zyl by telefoonnommer (023) 614-1112.

'n Persoon wat nie kan skryf nie kan gedurende kantoorure na bogenoemde kantoor kom waar 'n personeelid van die munisipaliteit daardie persoon sal help om sy/haar kommentaar of vertoë af te skryf.

N. Nel, Munisipale Bestuurder, Munisipale Kantoor, Privaatsak X2, Ashton 6715.

26 Maart 2004.

6695

BREEDE RIVER/WINELANDS MUNICIPALITY

Bonnievale Office

MN NO. 27/2004

PROPOSED TEMPORARY DEPARTURE: ERF 184,
AKASIA AVENUE, BONNIEVALE
(Ordinance 15 of 1985, Land Use Planning)

Notice is hereby given in terms of the provisions of section 15 (1) of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985), that Council has received an application from Mr JJ Wentzel for a temporary departure (for five years) to run a wholesale nursery from Erf 184, Bonnievale.

Full details relating to the proposed temporary departure will be open for inspection at the Bonnievale Office during normal office hours. Any legal and fully motivated comments/objections, if any, must be made in writing to the Municipal Manager on or before 28 April 2004. Further details are obtainable from Mr Jack van Zyl (023) 614-1112 during office hours.

Any person who cannot write may come to the office mentioned above, during office hours where a staff member of the municipality will assist that person to transcribe his/her comments or representations.

N. Nel, Municipal Manager, Municipal Office, Private Bag X2, Ashton 6715.

26 March 2004.

6696

MUNISIPALITEIT BREËRIVIER/WYNLAND

Bonnievale Kantoor

MK NR. 27/2004

VOORGESTELDE TYDELIKE AFWYKING: ERF 184,
AKASIALAAN, BONNIEVALE
(Ordonnansie 15 van 1985, Grondgebruikbeplanning)

Kennis geskied hiermee ingevolge artikel 15 (1) van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie 15 van 1985) dat 'n aansoek ontvang is van mnr JJ Wentzel vir 'n tydelike afwyking (vir vyf jaar) ten einde 'n groothandel kwekery te bedryf vanaf Erf 184, Bonnievale.

Volledige besonderhede insake die voorgenome tydelike afwyking lê ter insae gedurende kantoorure by die Bonnievale Kantoor en skriftelike regsgeeldige en goed gemotiveerde besware/kommentaar indien enige, moet nie later as 28 April 2004 skriftelik by die Munisipale Bestuurder ingedien word nie. Nadere besonderhede is gedurende kantoorure by mnr Jack van Zyl (023) 614-1112 beskikbaar.

'n Persoon wat nie kan skryf nie kan gedurende kantoorure na bogenoemde kantoor kom waar 'n personeellid van die munisipaliteit daardie persoon sal help om sy/haar kommentaar of versoë af te skryf.

N. Nel, Munisipale Bestuurder, Munisipale Kantoor, Privaatsak X2, Ashton 6715.

26 Maart 2004.

6696

BREEDE RIVER/WINELANDS MUNICIPALITY

Ashton Office

MN NO. 18/2004

CLOSING WITH ACCOMPANIED CONSOLIDATION OF
PORTION OF PUBLIC STREET, ERF 775, ASHTON

Notice is hereby given in terms of section 137(1) of Ordinance 20 of 1974 that Council intends to close a portion of public street, Erf 775, adjoining Erven 638, 639, 858, 1479 and 1911 and the consolidation with Erf 1988, Ashton.

The application will be open for inspection at the Ashton Office during normal office hours. Any legal and fully motivated comments/objections, if any, must be made in writing to the Municipal Manager on or before 23 April 2003. Further details are obtainable from Mr Kobus Brand (023) 614-1112 during office hours.

Any person who cannot write may come to the place named in the invitation, during office hours where a staff member of the municipality will assist that person to transcribe that person's comments or representations.

N. Nel, Municipal Manager, Private Bag X2, Ashton 6715.

26 March 2004.

6697

MUNISIPALITEIT BREËRIVIER/WYNLAND

Ashton Kantoor

MK NR. 18/2004

SLUITING MET GEPAARDGAANDE KONSOLIDASIE VAN
GEDEELTE VAN OPENBARE STRAAT, ERF 775, ASHTON

Kennis geskied hiermee kragtens artikel 137(1) van Ordonnansie 20 van 1974 dat die Raad van voorneme is om 'n gedeelte van openbare straat, Erf 775, aangrensend Erwe 638, 639, 858, 1479 en 1911 te sluit en te konsolideer met Erf 1988, Ashton.

Die aansoek lê ter insae gedurende kantoorure in die Ashton Kantoor en skriftelike regsgeeldige en goed gemotiveerde besware/kommentaar, indien enige moet nie later as 23 April 2004 skriftelik by die Munisipale Bestuurder, Privaatsak X2, Ashton, 6715, ingedien word nie. Nadere besonderhede is gedurende kantoorure by mnr Kobus Brand (023) 614-1112 beskikbaar.

'n Persoon wat nie kan skryf nie kan gedurende kantoorure na die plek wat in die uitnodiging gemeld word, kom waar 'n personeellid van die munisipaliteit daardie persoon sal help om die persoon se kommentaar of versoë af te skryf.

N. Nel, Munisipale Bestuurder, Privaatsak X2, Ashton 6715.

26 Maart 2004.

6697

BREEDE RIVER/WINELANDS MUNICIPALITY

Montagu Office

MN NO. 24/2004

PROPOSED CONSENT USES:
 ERVEN 2000, 4119, 2174 AND 2123, MONTAGU
 (Montagu Zoning Scheme Regulations)

Notice is hereby given in terms of the Zoning Scheme Regulations of Montagu (Land Use Planning Ordinance No. 15 of 1985) that Council has received the undermentioned applications for consent uses for home enterprises to erect mobile shops in Montagu.

V Adendorff, 13 Eike Avenue, Montagu, Erf 2000.

L Scheepers on behalf of S Beard, 5 Geelhout Avenue, Montagu, Erf 4119.

JF January on behalf of A January, 61 Du Preez Street, Montagu, Erf 2174.

R Pieterse on behalf of A Adendorf, 13 Anderson Street, Montagu, Erf 2123.

The application for the proposed consent use will be open for inspection at the Montagu Office during normal office hours. Written legal and fully motivated objections/comments, if any, must be lodged with the Municipal Manager, Private Bag X2, Ashton, 6715, before or on 23 April 2004. Further details are obtainable from Mr Jack van Zyl (023) 614-1112 during office hours.

Any person who cannot write may come to the office mentioned above, during office hours where a staff member of the municipality will assist that person to transcribe his/her comments or representations.

N. Nel, Municipal Manager, Municipal Office, Private Bag X2, Ashton 6715.

26 March 2004. 6698

BREEDE RIVER/WINELANDS MUNICIPALITY

Montagu Office

MN NO. 25/2004

PROPOSED CONSENT USES:
 ERVEN 4735, 2813, 4822, 3783 AND 5064, MONTAGU
 (Montagu Zoning Scheme Regulations)

Notice is hereby given in terms of the Zoning Scheme Regulations of Montagu (Land Use Planning Ordinance No. 15 of 1985) that Council has received the undermentioned applications for consent uses for home enterprises to erect Mobile shops in Montagu.

A Adendorf on behalf of M Soldaat, 80 Karee Avenue, Erf 4735.

PJ van Zyl, 1A Wilhelm Thys Avenue, Erf 2813.

P Filander, 50 Gwarrie Avenue, Erf 4822.

A Borens on behalf of A Borens, 7 Boesak Street, Erf 3783.

C Olivier on behalf of N Louw, 8 Peperboom Avenue, Erf 5064.

The application for the proposed consent use will be open for inspection at the Montagu Office during normal office hours. Written legal and fully motivated objections/comments, if any, must be lodged with the Municipal Manager, Private Bag X2, Ashton, 6715, before or on 23 April 2004. Further details are obtainable from Mr Jack van Zyl (023) 614-1112 during office hours.

Any person who cannot write may come to the office mentioned above, during office hours where a staff member of the municipality will assist that person to transcribe his/her comments or representations.

N. Nel, Municipal Manager, Municipal Office, Private Bag X2, Ashton 6715.

26 March 2004. 6699

MUNISIPALITEIT BREËRIVIER/WYNLAND

Montagu Kantoor

MK NR. 24/2004

VOORGESTELDE VERGUNNINGSGEBRUIKE:
 ERWE 2000, 4119, 2174 EN 2123, MONTAGU
 (Montagu Soneringskemaregulasies)

Kennis geskied hiermee ingevolge die Soneringskemaregulasies van Montagu (Ordonnansie Nr. 15 van 1985), dat die Raad die onderstaande aansoeke om vergunningsgebruike ontvang het vir tuisondernemings ten einde mobiele winkels op te rig:

V Adendorff, Eikelaan 13, Montagu, Erf 2000.

L Scheepers namens S Beard, Geelhoutlaan 5, Montagu, Erf 4119.

JF January namens A January, Du Preezstraat 61, Montagu, Erf 2174.

R Pieterse namens A Adendorf, Andersonstraat 13, Montagu, Erf 2123.

Die aansoeke insake die voorgename vergunningsgebruike lê ter insae gedurende kantoorure in die Montagu Kantoor en skriftelike regsgeldige en goed gemotiveerde besware/kommentaar, indien enige moet nie later as 23 April 2004 skriftelik by die Munisipale Bestuurder, Privaatsak X2, Ashton, 6715, ingedien word nie. Navrae kan gerig word aan mnr Jack van Zyl by telefoonnommer (023) 614-1112.

'n Persoon wat nie kan skryf nie kan gedurende kantoorure na bogenoemde kantoor kom waar 'n personeellid van die munisipaliteit daardie persoon sal help om sy/haar kommentaar of vertoë af te skryf.

N. Nel, Munisipale Bestuurder, Munisipale Kantoor, Privaatsak X2, Ashton 6715.

26 Maart 2004. 6698

MUNISIPALITEIT BREËRIVIER/WYNLAND

Montagu Kantoor

MK NR. 25/2004

VOORGESTELDE VERGUNNINGSGEBRUIKE:
 ERWE 4735, 2813, 4822, 3783 EN 5064, MONTAGU
 (Montagu Soneringskemaregulasies)

Kennis geskied hiermee ingevolge die Soneringskemaregulasies van Montagu (Ordonnansie Nr. 15 van 1985), dat die Raad die onderstaande aansoeke om vergunningsgebruike ontvang het vir tuisondernemings ten einde mobiele winkels op te rig:

A Adendorf namens M Soldaat, Kareelaan 80, Erf 4735.

PJ van Zyl, Wilhelm Thyslaan 1A, Erf 2813.

P Filander, Gwarrielaan 50, Erf 4822.

A Borens namens A Borens, Boesakstraat 7, Erf 3783.

C Olivier namens N Louw, Peperboomlaan 8, Erf 5064.

Die aansoeke insake die voorgename vergunningsgebruike lê ter insae gedurende kantoorure in die Montagu Kantoor en skriftelike regsgeldige en goed gemotiveerde besware/kommentaar, indien enige moet nie later as 23 April 2004 skriftelik by die Munisipale Bestuurder, Privaatsak X2, Ashton, 6715, ingedien word nie. Navrae kan gerig word aan mnr Jack van Zyl by telefoonnommer (023) 614-1112.

'n Persoon wat nie kan skryf nie kan gedurende kantoorure na bogenoemde kantoor kom waar 'n personeellid van die munisipaliteit daardie persoon sal help om sy/haar kommentaar of vertoë af te skryf.

N. Nel, Munisipale Bestuurder, Munisipale Kantoor, Privaatsak X2, Ashton 6715.

26 Maart 2004. 6699

CAPE AGULHAS MUNICIPALITY

SUBDIVISION: ERF 397, SUIDERSTRAND

CORRECTION

Please note the above-mentioned application was advertised on 27 February 2004 for comment/objections. The closing date for objection/comments was incorrectly indicated as 26 May 2004 and should read 26 March 2004.

In terms of section 21(4) of the Local Government Act: Municipal Systems, 2000 (Act 32 of 2000) notice is hereby given that persons who cannot read or write may request that an employee at any of the reception offices of the Cape Agulhas Municipality assist in the formulation and writing of input, comments or objections.

K. Jordaan, Municipal Manager, P.O. Box 51, Bredasdorp 7280.

26 March 2004.

6700

CAPE AGULHAS MUNICIPALITY

PROPOSED SUBDIVISION:
ERF 209, WAENHUISKRANS/ARNISTON

Notice is hereby given in terms of section 24 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) that Council received an application from Spronk and Associates for the subdivision of Erf 209, Waenhuiskrans/Arniston into two portions of approximately 514 m² and 647 m². Access to the newly created erven will be obtained from Commando and Dunkirk Streets.

In terms of section 21(4) of the Local Government Act: Municipal Systems, 2000 (Act 32 of 2000) notice is hereby given that persons who cannot read or write may request that an employee at any of the reception offices of the Cape Agulhas Municipality assist in the formulation and writing of input, comments or objections.

Further particulars are available for inspection in the office of the undersigned during office hours and written objections, if any, must reach him not later than 19 April 2004.

K. Jordaan, Municipal Manager, P.O. Box 51, Bredasdorp 7280.

26 March 2004.

6701

CAPE AGULHAS MUNICIPALITY

DEPARTURE: ERF 1351, 103 SAREL CILLIER STREET, NAPIER

Notice is hereby given in terms of section 15 of the Ordinance on Land Use Planning 1985 (No. 15 of 1985) that Council has received an application from Mrs G Alegi, Erf 1351, 103 Sarel Cillier Street, Napier in order to conduct a tourist orientated business, that would include the sale of antique furniture, on the premises.

In terms of section 21(4) of the Local Government Act: Municipal Systems, 2000 (Act 32 of 2000) notice is hereby given that persons who cannot read or write may request that an employee at any of the reception offices of the Cape Agulhas Municipal Council assist in the formulation and writing of input, comments or objections.

Further particulars are available for inspection in the office of the undersigned during office hours and written objections, if any, must reach him not later than 26 April 2004.

K. Jordaan, Municipal Manager, P.O. Box 51, Bredasdorp 7280.

26 March 2004.

6702

KAAP AGULHAS MUNISIPALITEIT

ONDERVERDELING: ERF 397, SUIDERSTRAND

REGSTELLING

Bogenoemde aansoek is 27 Februarie 2004 gedateer vir kommentaar/besware en is daar verkeerdlik aangedui dat die tydperk vir kommentaar/besware op 26 Mei 2004 sluit in plaas van 26 Maart 2004. Die datum vir sluiting van kommentare is dus 26 Maart 2004.

Ingevolge artikel 21(4) van die Wet op Plaaslike Regering: Munisipale Stelsels, 2000 (Wet 32 van 2000) word kennis gegee dat persone wat nie kan lees of skryf nie enige munisipale personeellid by enige ontvangskantore van die Raad te Kaap Agulhas kan nader vir hulpverlening om u kommentaar, beswaar of inset op skrif te stel.

K. Jordaan, Munisipale Bestuurder, Posbus 51, Bredasdorp 7280.

26 Maart 2004.

6700

KAAP AGULHAS MUNISIPALITEIT

VOORGESTELDE ONDERVERDELING:
ERF 209 WAENHUISKRANS/ARNISTON

Kennis geskied hiermee ingevolge artikel 24 van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie 15 van 1985) dat die Raad 'n aansoek van Spronk en Medewerkers vir die onderverdeling van Erf 209, Waenhuiskrans/Arniston in twee gedeeltes van ongeveer 514 m² en 647 m². Toegang tot die nuutgeskepte erwe sal vanaf Kommando- en Dunkirkstraat geskied.

Ingevolge artikel 21(4) van die Wet op Plaaslike Regering: Munisipale Stelsels, 2000 (Wet 32 van 2000) word kennis gegee dat persone wat nie kan lees of skryf nie enige munisipale personeellid by enige ontvangskantore van die Raad te Kaap Agulhas kan nader vir hulpverlening om u kommentaar, beswaar of inset op skrif te stel.

Verdere besonderhede van bogenoemde lê ter insae in die kantoor van die ondergetekende en skriftelike besware, indien enige, moet hom nie later as 19 April 2004 bereik nie.

K. Jordaan, Munisipale Bestuurder, Posbus 51, Bredasdorp 7280.

26 Maart 2004.

6701

MUNISIPALITEIT KAAP AGULHAS

AFWYKING: ERF 1351, SAREL CILLIERSTRAAT 103, NAPIER

Kennis geskied hiermee ingevolge artikel 15 van die Ordonnansie op Grondgebruikbeplanning, 1985 (Nr. 15 van 1985) dat die Raad 'n aansoek ontvang het van mev G Alegi, Erf 1351, Sarel Cillierstraat 103, Napier om 'n toeriste-georiënteerde besigheid wat ook die verkoop van antieke meubels insluit, op die eiendom te bedryf.

Ingevolge artikel 21(4) van die Wet op Plaaslike Regering: Munisipale Stelsels, 2000 (Wet 32 van 2000) word kennis gegee dat persone wat nie kan lees of skryf nie enige munisipale personeellid by enige ontvangskantore van die Raad te Kaap Agulhas kan nader vir hulpverlening om u kommentaar, beswaar of inset op skrif te stel.

Verdere besonderhede van bogenoemde lê ter insae in die kantoor van die ondergetekende en skriftelike besware, indien enige, moet hom nie later as 26 April 2004 bereik nie.

K. Jordaan, Munisipale Bestuurder, Posbus 51, Bredasdorp, 7280.

26 Maart 2004.

6702

CEDERBERG MUNICIPALITY

CLOSURE OF PORTION OF OPEN SPACE ERF 2095,
ADJACENT TO ERF 2094, CLANWILLIAM

Notice is hereby given in terms of section 137(1) of the Municipal Ordinance, 1974 (Ordinance 20 of 1974) that portion of open space Erf 2095, adjacent to Erf 2094, Clanwilliam has been closed. (Surveyor-General's reference S/9187 V2 p. 552.) — P. L. Volschenk, Municipal Manager, Private Bag X2, Clanwilliam 8135.

26 March 2004.

6703

CEDERBERG MUNICIPALITY

PROPOSED SUBDIVISION OF PORTION 14 OF
THE FARM VERLORENVLEI NO. 277,
DIVISION CLANWILLIAM

Notice is hereby given in terms of section 24(2)(a) of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985), that an application has been received for the subdivision of Portion 14 of the farm Verlorenvlei No. 277, zoned as open space zone III and agricultural zone I, into Portion A (131,08 ha) and the remainder (1 764 ha). After subdivision Portion A will be zoned open space zone III and the remainder agricultural zone I.

Full details of the proposal are available for inspection, during office hours, at the West Coast District Municipality at 58 Long Street, Moorreesburg.

Objections against the proposal or comments must be lodged at the West Coast District Municipality (P.O. Box 242, Moorreesburg 7310) on or before 26 April 2004.

L. Volschenk, Municipal Manager.

Reference number 13/2/5/263. 26 March 2004.

6704

CITY OF CAPE TOWN (HELDERBERG REGION)

AMENDMENT OF ZONING SCHEME: REZONING AND
SUBDIVISION: REMAINDER FARM 1089, WEDDERWILL,
SIR LOWRY'S PASS

Notice is hereby given in terms of the provisions of sections 17(2)(a) and 24(2)(a) of Ordinance 15 of 1985 that the Council has received the undermentioned proposal, which is available for inspection during office hours (08:00-12:30), at the First Floor, Directorate: Planning and Environment, Land Use Management Branch, Municipal Offices, Somerset West. Written objections, if any, stating reasons and directed to the Director: Planning and Environment, P.O. Box 19, Somerset West 7129, or faxed to (021) 850-4354, or e-mailed to ciska.du_toit@capetown.gov.za, or hand delivered to the Land Use Management Branch, 1st Floor, Municipal Offices, Andries Pretorius Street, Somerset West, quoting the above-mentioned reference number, will be received from 26 March 2004 up to 23 April 2004.

If your response is not sent to this address, e-mail address or fax number and if, as a consequence it arrives late, it will be deemed to be invalid.

Amendment of Zoning Scheme: Rezoning and subdivision: Remainder Farm 1089, Wedderwill, Sir Lowry's Pass.

Ref No: Rem Farm 1089 SLP

Notice No: 12UP/2004

Applicant: Messrs Chittenden Nicks De Villiers

Nature of Application:

- The subdivision of the above property into 1 portion, measuring approximately 9 467 m² in extent, and a remainder;
- the rezoning of Portion 1 (being the 9 467 m² portion) which adjoins the existing resort zoning, from agricultural zone I to resort zone II.

Any enquiries in the above regard can be directed to Mr J Neubert at tel. (021) 850-4466.

W. A. Mgoqi, City Manager.

26 March 2004.

6705

MUNISIPALITEIT CEDERBERG

SLUITING VAN GEDEELTE VAN OPENBARE PLEK ERF 2095,
GRENSSEND AAN ERF 2094, CLANWILLIAM

Kennis geskied hiermee ingevolge die bepalings van artikel 137(1) van die Munisipale Ordonnansie, 1974 (Ordonnansie 20 van 1974) dat gedeelte van openbare plek Erf 2095, grensend aan Erf 2094, Clanwilliam, gesluit is. (Landmeter-Generaal verwysing S/9187 V2 p. 552.) — P. L. Volschenk, Munisipale Bestuurder, Privaatsak X2, Clanwilliam 8135.

26 Maart 2004.

6703

CEDERBERG MUNISIPALITEIT

VOORGESTELDE ONDERVERDELING VAN GEDEELTE 14 VAN
DIE PLAAS VERLORENVLEI NR. 277,
AFDELING CLANWILLIAM

Kennis geskied hiermee ingevolge die bepalings van artikel 24(2)(a) van die Ordonnansie op Grondgebruikbeplanning 1985, (Ordonnansie 15 van 1985), dat die Raad 'n aansoek ontvang het vir die onderverdeling van Gedeelte 14 van die plaas Verlorenvlei Nr. 277, soneer as opruimtesone III en landbousone I, in Gedeelte A (131,08 ha) en 'n restant (1 764 ha). Na onderverdeling is Gedeelte A soneer as opruimtesone III en die restant as landbousone I.

Besonderhede van die voorstel lê ter insae, gedurende kantoorure by die kantoor van die Weskus Distriksmunisipaliteit te Langstraat 58, Moorreesburg.

Besware teen die voorstel of kommentaar moet die Weskus Distriksmunisipaliteit (Posbus 242, Moorreesburg 7310) vóór of op 26 April 2004 bereik.

L. Volschenk, Munisipale Bestuurder.

Verwysingsnommer: 13/2/5/263. 26 Maart 2004.

6704

STAD KAAPSTAD (HELDERBERG-STREEK)

WYSIGING VAN SONERINGSKEMA: HERSONERING EN
ONDERVERDELING: RESTANT PLAAS 1089, WEDDERWILL,
SIR LOWRY'S PAS

Kennis geskied hiermee ingevolge die artikels 17(2)(a) en 24(2)(a) van Ordonnansie 15 van 1985 dat die Raad die onderstaande aansoek ontvang het, wat gedurende kantoorure (08:00-12:30) by die Eerste Vloer, Direkoraat: Beplanning en Omgewing, Grondgebruikbeplanningsafdeling, Munisipale Kantore, Somerset-Wes, ter insae lê. Skriftelike besware, indien enige, met 'n opgaaf van redes en gerig aan die Direkteur: Beplanning en Omgewing, Posbus 19, Somerset-Wes 7129, of gefaks aan (021) 850-4354, of per e-pos aan ciska.du_toit@capetown.gov.za, of per hand afgelewer by die Grondgebruikbestuursafdeling, 1ste Vloer, Munisipale Kantore, Andries Pretoriusstraat, Somerset-Wes, met vermelding van die bostaande verwysingsnommer, word vanaf 26 Maart 2004 tot 23 April 2004 ingewag.

Indien u terugvoer nie na die bogenoemde adres, e-pos adres of faksnommer gestuur word nie en, indien dit as gevolg daarvan laat arriveer, sal dit as ongeldig geag word.

Wysiging van Soneringskema: Hersonerings en onderverdeling: Restant Plaas 1089, Wedderwill, Sir Lowry's Pas.

Verw Nr: Res Plaas 1089 SLP

Kennisgewing Nr: 12UP/2004

Applikant: Mnre Chittenden Nicks De Villiers

Aard van aansoek:

- Die onderverdeling van die bogemelde eiendom in 1 gedeelte, van ongeveer 9 467 m² groot en 'n restant;
- die hersonerings van Gedeelte 1 (die 9 467 m² gedeelte), wat aan die bestaande oordsone grens, vanaf landbousone I na oordsone II.

Enige navrae in die bogenoemde verband kan aan mnr J Neubert by tel. (021) 850-4466 gerig word.

W. A. Mgoqi, Stadsbestuurder.

26 Maart 2004.

6705

CITY OF CAPE TOWN (OOSTENBERG REGION)

REZONING: PORTION OF ERF 10618, CORNER OF OLD PAARL ROAD AND WILLIAM DABS STREET, BRACKENFELL

Invitation for your comment:

Notice is hereby given in terms of section 17(2)(a) of the Land Use Planning Ordinance, No. 15 of 1985, that Council has received an application for the rezoning of a portion of Erf 10618 from light industrial to central business. Further details are available for inspection during normal office hours at Council's Offices in Brighton Road, Kraaifontein. Written comments and/or objections against the proposal, with reasons, must be submitted to the City Manager, City of Cape Town (for attention: Mrs. M. Terblanche), Private Bag X16, Kuils River 7579 (94 Van Riebeeck Road) on or before 23 April 2004.

W. A. Mgoqi, City Manager.

(Notice number: 19/2004) 26 March 2004.

6706

CITY OF CAPE TOWN (OOSTENBERG REGION)

REZONING AND SUBDIVISION: PORTION 2 OF FARM 4, KRUIJN STREET, BRACKENFELL

Invitation for your comment:

Notice is hereby given in terms of sections 17(2)(a) and 24(2)(a) read with section 22 of the Land Use Planning Ordinance, No. 15 of 1985, that Council has received an application for the rezoning of the above-mentioned premises from agriculture zone I to subdivisional area for the purposes of residential zone I, residential zone II, residential zone III, residential zone IV, open space zone I, transport zone II and the subsequent subdivision thereof into six single residential erven, eight group housing erven, 17 townhouse erven, two erven designated for 28 flats, one open space and remainder roads. Further details are available for inspection during normal office hours at Council's Offices in Brighton Road, Kraaifontein. Written comments and/or objections against the proposal, with reasons, must be submitted to the City Manager, City of Cape Town (for attention: Mrs. M. Terblanche), Private Bag X16, Kuils River 7579 (94 Van Riebeeck Road) on or before 23 April 2004.

W. A. Mgoqi, City Manager.

(Notice number: 20/2004) 26 March 2004.

6707

CITY OF CAPE TOWN

SOUTH PENINSULA REGION

CLOSING OF PORTIONS OF PUBLIC ROAD ADJOINING ERVEN 8448 AND 8449, CONSTANTIA (S14/3/4/3111/16/8449)

Notice is hereby given in terms of section 6(1) of the By-Law relating to the Management and Administration of the City of Cape Town's Immovable Property, that a portion of the public road adjoining Erven 8448 and 8449, Constantia, as shown on plans LT 92 and LT 93/1 has been closed. (S/1720/34/ v1 (p. 179).)

Dr. Wallace Mgoqi, City Manager, City of Cape Town: South Peninsula Region, 3 Victoria Road, Plumstead.

26 March 2004.

6708

STAD KAAPSTAD (OOSTENBERG-STREEK)

HERSONERING: GEDEELTE VAN ERF 10618, HOEK VAN OU PAARLPAD EN WILLIAM DABSSTRAAT, BRACKENFELL

Uitnodiging vir u kommentaar:

Kennis geskied hiermee ingevolge artikel 17(2)(a) van die Ordonnansie op Grondgebruikbeplanning, Nr. 15 van 1985, dat die Raad 'n aansoek ontvang het om die hersonering van 'n gedeelte van Erf 10618 vanaf ligte industrieel na sentrale sake. Nadere besonderhede van die aansoek lê gedurende normale kantoorure ter insae by die Raad se kantore te Brightonweg, Kraaifontein. Skriftelike kommentaar en/of besware teen die aansoek, met redes daarvoor, moet voor of op 23 April 2004 aan die Stadsbestuurder, Stad Kaapstad (vir aandag: mev. M. Terblanche), Privaatsak X16, Kuilsrivier 7579 (Van Riebeeckweg 94), voorgelê word.

W. A. Mgoqi, Stadsbestuurder.

(Kennisgewingnommer: 19/2004) 26 Maart 2004.

6706

STAD KAAPSTAD (OOSTENBERG-STREEK)

HERSONERING EN ONDERVERDELING: GEDEELTE 2 VAN PLAAS 4, KRUIJNSTRAAT, BRACKENFELL

Uitnodiging vir u kommentaar:

Kennis geskied hiermee ingevolge artikels 17(2)(a) en 24(2)(a) saamgelees met artikel 22 van die Ordonnansie op Grondgebruikbeplanning, Nr. 15 van 1985 dat die Raad 'n aansoek ontvang het om die hersonering van bogemelde perseel vanaf landbousone I na onderverdelingsgebied vir die doel van residensieel I, residensieel II, residensieel III, residensieel IV, oopruimtesone I en vervoersone II en die daaropvolgende onderverdeling in ses enkelwoonerwe, agt groepbehuisingserwe asook 17 dorpshuiserwe, twee erwe bestem vir 28 woonstelle, een oopruimte perseel en restant paaie. Nadere besonderhede van die aansoek lê gedurende normale kantoorure ter insae by die Raad se Kantore te Brightonweg, Kraaifontein. Skriftelike kommentaar en/of besware teen die aansoek, met redes daarvoor, moet voor of op 23 April 2004 aan die Stadsbestuurder, Stad Kaapstad (vir aandag: mev. M. Terblanche), Privaatsak X16, Kuilsrivier 7579 (Van Riebeeckweg 94), voorgelê word.

W. A. Mgoqi, Stadsbestuurder.

(Kennisgewingnommer: 20/2004) 26 Maart 2004.

6707

STAD KAAPSTAD

SUIDSKIEREILAND-STREEK

SLUITING VAN GEDEELTE OPENBARE PAD AANGRENSEND AAN ERWE 8448 EN 8449, CONSTANTIA (S14/3/4/3/111/16/8449)

Kennis geskied hiermee kragtens artikel 6(1) van die Verordening met betrekking tot die Bestuur en Administrasie van die Stad Kaapstad van Onroerende Eiendom dat die gedeelte van openbare pad aangrensend aan Erwe 8448 en 8449, Constantia, soos aangedui op planne LT 92 en LT 93/1 gesluit is. (S/1720/34 v1 (p. 179).)

Dr. Wallace Mgoqi, Stadsbestuurder, Stad Kaapstad: Suidskiereiland Streek, Victoriaweg 3, Plumstead.

26 Maart 2004.

6708

GEORGE MUNICIPALITY

NOTICE NUMBER 59 OF 2004

PROPOSED SUBDIVISION: ERF 4663,
54 PROTEA ROAD, HEATHERPARK, GEORGE

Notice is hereby given that Council has received an application for the subdivision of above-mentioned property into two portions (Portion A = 1 025 m² and remainder = 950 m²) in terms of section 24(2) of Ordinance 15 of 1985.

Details of the proposal are available for inspection at the Council's Office at Bloemhof Centre, York Street, George during normal office hours, Mondays to Fridays. Enquiries: K. Meyer, Reference: Erf 4663 George.

Motivated objections, if any, must be lodged in writing with the Deputy Director: Planning, by not later than 26 April 2004.

Any person, who is unable to write, can submit their objection verbally to the Council's Offices where they will be assisted by a staff member to put their comments in writing.

T. I. Lötter, Municipal Manager, Civic Centre, York Street, George 6529.

26 March 2004.

6709

GEORGE MUNICIPALITY

NOTICE NUMBER 58 OF 2004

PROPOSED REZONING AND DEPARTURE: ERF 22119
(PORTION OF URBAN'S SHOE FACTORY), GEORGE

Notice is hereby given that Council has received the following application on the above-mentioned property:

1. The rezoning in terms of section 17(2)(a) of Ordinance 15 of 1985 from single residential zone to general residential zone;
2. departure in terms of section 15 of Ordinance 15 of 1985 for:
 - 2.1 building line relaxation to 3 m at the northern boundary;
 - 2.2 maximum coverage of 25% to 30%;
 - 2.3 maximum floor area of 0,75 to 1,0.

Details of the proposal are available for inspection at the Council's Office at Bloemhof Centre, York Street, George, during normal office hours, Mondays to Fridays. Enquiries: K. Meyer, Reference: Erf 22119 George.

Motivated objections, if any, must be lodged in writing with the Deputy Director: Planning, by not later than 26 April 2004.

Any person, who is unable to write, can submit their objection verbally to the Council's Offices where they will be assisted by a staff member to put their comments in writing.

T. I. Lötter, Municipal Manager, Civic Centre, York Street, George 6530.

26 March 2004.

6710

MUNISIPALITEIT GEORGE

KENNISGEWING NOMMER 59 VAN 2004

VOORGESTELDE ONDERVERDELING: ERF 4663,
PROTEAWEG 54, HEATHERPARK, GEORGE

Kennis geskied dat die Raad 'n aansoek ontvang het vir die onderverdeling van bogenoemde eiendom in twee gedeeltes (Gedeelte A = 1 025 m² en restant = 950 m²), in terme van artikel 24(2) van Ordonnansie 15 van 1985.

Volledige besonderhede van die voorstel sal gedurende gewone kantoorure, Maandag tot Vrydag, ter insae wees by die Raad se Kantoor te Bloemhofsentrum, Yorkstraat, George. Navrae: K. Meyer, Verwysing: Erf 4663 George.

Gemotiveerde besware, indien enige, moet skriftelik by die Adjunk-direkteur: Beplanning, ingedien word nie later nie as 26 April 2004.

Indien enige persoon nie kan skryf nie, kan sodanige persoon sy kommentaar mondelings by die Raad se Kantoor aflê waar 'n personeellid sal help om die kommentaar/vertoë op skrif te stel.

T. I. Lötter, Munisipale Bestuurder, Burgersentrum, Yorkstraat, George 6529.

26 Maart 2004.

6709

MUNISIPALITEIT GEORGE

KENNISGEWING NOMMER 58 VAN 2004

VOORGESTELDE HERSONERING EN AFWYKING: ERF 22119
(GEDEELTE VAN URBAN'S SKOENFABRIEK), GEORGE

Kennis geskied hiermee dat die Raad die volgende aansoek ontvang het:

1. Die hersonering in terme van artikel 17(2)(a) van Ordonnansie 15 van 1985 vanaf enkelwoonsone na algemene woonsone;
2. Afwyking in terme van artikel 15 van Ordonnansie 15 van 1985 vir:
 - 2.1 boulynerslapping na 3 m teen noordelike grens;
 - 2.2 maksimum dekking van 25% na 30%;
 - 2.3 maksimum vloeroppervlakte van 0,75 na 1,0.

Volledige besonderhede van die voorstel sal gedurende gewone kantoorure, Maandag tot Vrydag, ter insae wees by die Raad se Kantoor te Bloemhofsentrum, Yorkstraat, George. Navrae: K. Meyer, Verwysing: Erf 22119 George.

Gemotiveerde besware, indien enige, moet skriftelik by die Adjunk-direkteur: Beplanning, ingedien word nie later nie as 26 April 2004.

Indien 'n persoon nie kan skryf nie, kan sodanige persoon sy kommentaar mondelings by die Raad se Kantoor aflê waar 'n personeellid sal help om die kommentaar/vertoë op skrif te stel.

T. I. Lötter, Munisipale Bestuurder, Burgersentrum, Yorkstraat, George 6530.

26 Maart 2004.

6710

GEORGE MUNICIPALITY

NOTICE NO. 88 OF 2004

PROPOSED CLOSURE, REZONING AND
ALIENATION OF A ROAD PORTION ADJACENT TO
ERF 13160, GEORGE

Notice is hereby given in terms of the provisions of section 17(2)(a) of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) that it is Council's intention to close, rezone a road portion situated adjacent to Erf 13160, Robin Lane, Eden, George, to single residential purpose, to consolidate it with Erf 13160 and to alienate it to the owner of Erf 13160, George.

Full particulars of the foregoing proposals are available for inspection at the office of the Deputy Director: Planning, during normal office hours.

Objections, if any, must be lodged in writing to reach the undersigned not later than Monday, 26 April 2004.

Any person who is unable to write can submit their objection verbally to Council's Office where they will be assisted by a staff member to put their comments in writing.

T. I. Lötter, Municipal Manager, Civic Centre, York Street, George 6530.

26 March 2004.

6711

LANGEBERG MUNICIPALITY

PROPOSED SUBDIVISION OF FARM BUFFELS DRIFT 153/2,
RURAL AREA ALBERTINIA

Notice is hereby given in terms of the provisions of section 24 of Ordinance 15 of 1985 that the Council received the following application for subdivision:

Property: Farm Buffels Drift 153/2, Rural Area 30 km north of Albertinia

Proposal:

1. Application for subdivision of Buffels Drift 153/2 into two portions:

Portion A — 177 ha

Portion B — 130 ha

2. Portion B will be consolidated with farm Buffels Drift 153/5.

Application: Van der Walt Surveyors for Die Wolfaardt Eiendomstrust.

Details concerning the application are available at the office of the undersigned during office hours. Any objections, to the proposed subdivision should be submitted in writing to the office of the undersigned before or on 16 April 2004.

People who cannot write can approach the office of the undersigned during normal office hours where the responsible official will assist you in putting your comments or objections in writing.

Municipal Manager, Langeberg Municipality, P.O. Box 2, Stilbaai 6674.

26 March 2004.

6712

MUNISIPALITEIT GEORGE

KENNISGEWING NR. 88 VAN 2004

VOORGESTELDE SLUITING, HERSONERING EN
VERVREEMDING VAN 'N PADGEDEELTE AANGRENSEND AAN
ERF 13160, GEORGE

Kennis geskied hiermee ingevolge die bepalings van artikel 17(2)(a) van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie 15 van 1985) dat die Raad van voorneme is om 'n padgedeelte aangrensend aan Erf 13160, Robinrylaan, Eden, George, te sluit, te hersoneer na enkelwoondoeleindes, te konsolideer met Erf 13160 en aan die eienaar van Erf 13160, George, te vervreem.

Volledige besonderhede van die voorafgaande voorstelle is ter insae beskikbaar by die kantoor van die Adjunk-direkteur: Beplanning, gedurende gewone kantoorure.

Besware, indien enige, moet skriftelik by die ondergetekende ingedien word nie later as Maandag, 26 April 2004, nie.

Indien 'n persoon nie kan skryf nie, kan sodanige persoon sy kommentaar mondelings by die Raad se Kantoor aflê waar 'n personeelid sal help om die kommentaar/vertoë op skrif te stel.

T. I. Lötter, Munisipale Bestuurder, Burgersentrum, Yorkstraat, George 6530.

26 Maart 2004.

6711

LANGEBERG MUNISIPALITEIT

ONDERVERDELING VAN PLAAS BUFFELS DRIFT 153/2,
LANDELIKE GEBIED ALBERTINIA

Kennis geskied hiermee ingevolge die bepaling van artikel 24 van Ordonnansie 15 van 1985 dat die Langeberg Raad die volgende aansoek om onderverdeling ontvang het:

Eiendomsbeskrywing: Plaas Buffels Drift 153/2, Landelike Gebied 30 km noord van Albertinia

Aansoek:

1. Aansoek om onderverdeling van Buffels Drift 153/2 in twee gedeeltes:

Gedeelte A — 177 ha

Gedeelte B — 130 ha

2. Gedeelte B word met Buffels Drift 153/5 gekonsolideer.

Applikant: Van der Walt Landmeters vir Die Wolfaardt Eiendomstrust.

Besonderhede rakende die aansoek is ter insae by die kantoor van die ondergetekende gedurende kantoorure. Enige besware teen die voorgenome onderverdeling moet skriftelik gerig word om die ondergetekende te bereik voor of op 16 April 2004.

Persone wat nie kan skryf nie, kan die onderstaande kantoor nader tydens sy normale kantoorure waar die betrokke amptenaar u sal help om u kommentaar of besware op skrif te stel.

Munisipale Bestuurder, Langeberg Munisipaliteit, Posbus 2, Stilbaai 6674.

26 Maart 2004.

6712

STELLENBOSCH MUNICIPALITY

AMENDMENT TO ZONING SCHEME

APPLICATION FOR REZONING AND SUBDIVISION:
PORTION OF FARM 527, JAMESTOWN SPORT GROUNDS

Notice is hereby given in terms of sections 18(1) and 24 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985), for the rezoning and subdivision of a portion of the Jamestown Sport Grounds (Farm 527) in order to implement the Jamestown housing project.

Further particulars are available between 08:00 and 12:45 (weekdays) at the office of the Chief Town Planner, Department of Planning and Economic Development Services, Town Hall, Plein Street, Stellenbosch, during office hours and any comments may be lodged in writing with the undersigned, but not later than 23 April 2004.

Municipal Manager.

File: 6/2/2/5 P 1527/1 Notice No. 44 dated 26 March 2004. 6713

STELLENBOSCH MUNICIPALITY

AMENDMENT TO ZONING SCHEME

APPLICATION FOR REZONING, SUBDIVISION AND
CLOSURE OF PUBLIC OPEN SPACE: ERVEN 6667 AND 6852,
STELLENBOSCH

Notice is hereby given in terms of sections 18(1) and 24 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985), for the rezoning and subdivision of Erven 6667 and 6852, North End Street, Cloeteville, Stellenbosch, in order to implement phase 2 of the Cloeteville housing project.

Notice is further given in terms of section 137 of the Municipal Ordinance, 1974 (No. 20 of 1974) for the closure of Erf 6852 as a public open space in order to permit the said development.

Further particulars are available between 08:00 and 12:45 (weekdays) at the office of the Chief Town Planner, Department of Planning and Economic Development Services, Town Hall, Plein Street, Stellenbosch, during office hours and any comments may be lodged in writing with the undersigned, but not later than 23 April 2004.

Municipal Manager.

File: 6/2/2/5 Erven 6667 and 6825.

Notice No. 43 dated 26 March 2004. 6714

SWELLENDAM MUNICIPALITY

APPLICATION FOR SUBDIVISION: ERF 206, BARRYDALE

Notice is hereby given in terms of section 24 of the Land Use Planning Ordinance, 1985 (Ordinance No. 15 of 1985) that Council has received an application for the subdivision of Erf 206, 22 Tennant Street, Barrydale, in two portions, namely, portion A (818 m²) and the remainder (1 403 m²).

Further particulars regarding the proposal are available for inspection at the Municipal Office, Swellendam, during office hours. Objections to the proposal, if any, must reach the undermentioned on or before 26 April 2004.

Persons who are unable to write will be assisted during office hours, at the Municipal Office, Swellendam, to write down their objections.

T. Botha, Municipal Manager, Municipal Office, Swellendam.

Notice 38/2004 26 March 2004. 6715

MUNISIPALITEIT STELLENBOSCH

WYSIGING VAN SONERINGSKEMA

AANSOEK OM HERSONERING EN ONDERVERDELING:
GEDEELTE VAN PLAAS 527, JAMESTOWN SPORTGRONDE

Kennis geskied hiermee ingevolge artikels 18(1) en 24 van die Ordonnansie op Grondgebruiksbeplanning, 1985 (Ordonnansie 15 van 1985), dat die Stadsraad van voorneme is om 'n gedeelte van die Jamestown Sportgronde perseel (Plaas 527) te hersoneer en onderverdeel ten einde die Raad se behuisingsprojek te Jamestown te implementeer.

Verdere besonderhede is tussen 08:00 en 12:45 (weekdae) by die kantoor van die Hoofstadsbeplanner, Departement Beplanning en Ekonomiese Ontwikkelingsdienste, Stadhuis, Pleinstraat, Stellenbosch, beskikbaar en enige kommentaar kan skriftelik by die ondergetekende ingedien word, maar nie later as 23 April 2004.

Munisipale Bestuurder.

Lêer: 6/2/2/5 P1527/1 Kennisgewing Nr. 44 gedateer 26 Maart 2004. 6713

MUNISIPALITEIT STELLENBOSCH

WYSIGING VAN SONERINGSKEMA

AANSOEK OM HERSONERING, ONDERVERDELING EN
SLUITING VAN PUBLIEKE OOPRUIMTE: ERWE 6667 EN 6852,
STELLENBOSCH

Kennis geskied hiermee ingevolge artikels 18(1) en 24 van die Ordonnansie op Grondgebruiksbeplanning, 1985 (Ordonnansie 15 van 1985), dat die Stadsraad van voorneme is om Erwe 6667 en 6852, North Endstraat, Cloeteville, Stellenbosch, te hersoneer en onderverdeel ten einde fase 2 van die Raad se behuisingsprojek in Cloeteville te implementeer.

Kennis geskied hiermee ook ingevolge artikel 137 van die Munisipale Ordonnansie, 1974 (Nr. 20 van 1974) vir die sluiting van Erf 6852 as publiek oopruimte ten einde bogenoemde behuisingsprojek moontlik te maak.

Verdere besonderhede is tussen 08:00 en 12:45 (weekdae) by die kantoor van die Hoofstadsbeplanner, Departement Beplanning en Ekonomiese Ontwikkelingsdienste, Stadhuis, Pleinstraat, Stellenbosch, beskikbaar en enige kommentaar kan skriftelik by die ondergetekende ingedien word, maar nie later as 23 April 2004.

Munisipale Bestuurder.

Lêer: 6/2/2/5 Erwe 6667 en 6825.

Kennisgewing Nr. 43 gedateer 26 Maart 2004. 6714

MUNISIPALITEIT SWELLENDAM

AANSOEK OM ONDERVERDELING: ERF 206, BARRYDALE

Kennis geskied hiermee ingevolge artikel 24 van die Ordonnansie op Grondgebruiksbeplanning, 1985 (Ordonnansie Nr. 15 van 1985) dat die Raad 'n aansoek ontvang het vir die onderverdeling van Erf 206, Tennantstraat 22, Barrydale, in twee gedeeltes, naamlik Gedeelte A (818 m²) en die restant (1 403 m²).

Verdere besonderhede van die voorstel lê gedurende kantoorure by die Munisipale Kantoor, Swellendam, ter insae. Skriftelike besware teen die voorstel, indien enige, moet die ondergemelde bereik voor of op 26 April 2004.

Persones wat nie kan skryf nie, sal gedurende kantoorure by die Munisipale Kantoor, Swellendam, gehelp word om hulle besware neer te skryf.

T. Botha, Munisipale Bestuurder, Munisipale Kantoor, Swellendam.

Kennisgewing 38/2004 26 Maart 2004. 6715

SWELLENDAM MUNICIPALITY	MUNISIPALITEIT SWELLENDAM
CONSENT USE: ERF 3618, SWELLENDAM	VERGUNNINGSGEBRUIK ERF 3618, SWELLENDAM
<p>Notice is hereby given in terms of the Swellendam Zoning Scheme that Council has received an application for consent use in order to build a second dwelling on Erf 3618, 11 Keerom Street, Swellendam.</p> <p>Further particulars regarding the proposal are available for inspection at the Municipal Offices at Swellendam during office hours. Objections to the proposal, if any, must reach the undermentioned on or before 26 April 2004.</p> <p>Persons who are unable to write will be assisted during office hours, at the Municipal Offices, Swellendam, to write down their objections.</p> <p>T. Botha, Municipal Manager, Municipal Office, Swellendam.</p> <p>Notice 37/2004 26 March 2004. 6716</p>	<p>Kennisgewing geskied hiermee ingevolge Swellendam Skemaregulasies dat die Raad 'n aansoek ontvang het vir 'n vergunningsgebruik ten einde 'n tweede wooneenheid op die eiendom Erf 3618, Keeromstraat 11, Swellendam, op te rig.</p> <p>Verdere besonderhede van die voorstel lê gedurende kantoorure by die Munisipale Kantore, Swellendam, ter insae. Skriftelike besware teen die voorstel, indien enige, moet die ondergetekende voor of op 26 April 2004 bereik.</p> <p>Persone wat nie kan skryf nie, sal gedurende kantoorure by die Munisipale Kantore, Swellendam, gehelp word om hulle besware neer te skryf.</p> <p>T. Botha, Munisipale Bestuurder, Munisipale Kantoor, Swellendam.</p> <p>Kennisgewing 37/2004 26 Maart 2004. 6716</p>

BOLAND DISTRICT MUNICIPALITY

BY-LAW RELATING TO TARIFFS, CHARGES AND FEES

PREAMBLE

WHEREAS a municipal council may make and administer by-laws for the effective administration of the matters which it has the right to govern in terms of s 156(2) of the constitution;

AND WHEREAS a municipality must administer its internal financial arrangements in an efficient, transparent, effective and responsible manner;

AND WHEREAS a municipal council has the right to finance the affairs of the municipality by charging tariffs, charges and fees for services;

NOW THEREFORE the municipality adopts the following by-law to give effect to its policy relating to tariffs, charges and fees.

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1. DEFINITIONS
2. OBLIGATION TO ADOPT POLICY
3. TARIFF PRINCIPLES
4. REVISION OF POLICY
5. DETERMINATION OF TARIFFS, NOTICE AND OBJECTIONS
6. REPEAL OF BY-LAWS
7. SHORT TITLE AND COMMENCEMENT

Definitions

1. In this by-law, any word or expression to which a meaning has been assigned in the Act, must bear the same meaning and unless the context indicates otherwise—

“Act” means the Local Government: Municipal Systems Act, 32 of 2000;

“charges” means the price determined by the municipality which price is based on the recovery of the actual cost, for any municipal service;

“council” means the municipal council of Boland District Municipality;

“fees” means the price determined by the municipality for the use of facilities or services provided by the municipality, which price is not necessarily based on the recovery of actual cost for providing such facility or service;

“municipal area” means the municipal area of the Boland District Municipality as described in section 2(1) of the Establishment Notice as published per provincial Notice 486 of 22 September 2000;

“municipality” means the Boland District Municipality established in terms of section 12 of the Municipal Structures Act, 117 of 1998, Provincial Notice 486 dated 22 September 2000 and includes any political structure, political office bearer, councillor, duly authorised agent thereof or any employee thereof acting in connection with this by-law by virtue of a power vested in the municipality and delegated or sub-delegated to such political structure, political office bearer, councillor, agent or employee;

“municipal services” means a service that a municipality in terms of its powers and functions provides or may provide to or for the benefit of the local community irrespective of whether—

- (a) such a service is provided, or to be provided, by the municipality through an internal mechanism contemplated in section 76 or by engaging an external mechanism contemplated in section 76; and
- (b) fees, charges or tariffs are levied in respect of such a service or not;

“municipal manager” means the person appointed by the municipality in terms of section 82 of the Municipal Structures Act, Act 117 of 1998, and includes:

- (a) the person acting in such position; and
- (b) to whom the municipal manager has delegated any power, function or responsibilities in as far as it concerns the execution of those functions;

“tariffs” means the price determined by the municipality for rendering any municipal trading services for which payment is expected which services include, but is not limited to—

- (a) Water supply
- (b) Electricity supply
- (c) Refuse removal
- (d) Sewerage disposal;

“tariff policy” means the process and principles approved by the municipality for the determination and levying of tariffs, charges, fees and other levies for services provided by the municipality itself or by way of service delivery agreements and which complies with the provisions of the Act and any other applicable legislation.

Obligation to adopt policy

2. In terms of section 74 of the Act a municipal council must adopt and implement a policy on the levying of tariffs, charges and fees for municipal services provided by the municipality itself or by way of service delivery agreements and which complies with the provisions of the Act and any other applicable legislation.

Tariff principles

3. (1) The municipality shall apply the principles as contained in the approved tariff policy when determining tariffs, charges and fees for municipal services with due observance of the principles contained in section 74(2)(a) to (i) of the Municipal Systems Act, 32 of 2000, namely that—
 - (a) users of municipal services should be treated equitably in the application of tariffs;
 - (b) the amount individual users pay for services should generally be in proportion to their use of that service;
 - (c) poor households must have access to at least basic services through—
 - (i) tariffs that cover only operating and maintenance costs,
 - (ii) special tariffs or life line tariffs for low levels of use or consumption of services or for basic levels of service; or
 - (iii) any other direct or indirect method of subsidisation of tariffs for poor households;
 - (d) tariffs must reflect the costs reasonably associated with rendering the service, including capital, operating, maintenance, administration and replacement costs, and interest charges;
 - (e) tariffs must be set at levels that facilitate the financial sustainability of the service, taking into account subsidisation from sources other than the service concerned;
 - (f) provision may be made in appropriate circumstances for a surcharge on the tariff for a service;
 - (g) provision may be made for the promotion of local economic development through special tariffs for categories of commercial and industrial users;
 - (h) the economical, efficient and effective use of resources, the recycling of waste, and other appropriate environmental objectives must be encouraged;
 - (i) the extent of subsidisation of tariffs for poor households and other categories of users should be fully disclosed.
- (2) The municipality’s policy relating to tariffs, charges and fees may differentiate between categories of users, debtors, service providers, services, service standards, geographical areas and other matters as long as the differentiation does not amount to unfair discrimination.

Revision of Policy

4. (1) The municipality shall revise its policy relating to tariffs, charges and fees annually when considering its budget with a view to comply with the principles set out in the said policy from time to time;
- (2) Revision of the policy as contemplated in section 4(1) shall be undertaken in terms of the public participation policy approved by the municipality.

Determination of tariffs, notice and objections

5. (1) The municipality may—
- (a) by resolution supported by a majority of the members of the council, and in accordance with its approved policy, levy and recover tariffs, charges and fees in respect of any function or service provided by the municipality;
 - (b) from time to time by resolution of the council, and in accordance with the policy contemplated in subsection (1)(a), amend or withdraw such determination and determine a date, not earlier than 30 days from date of resolution, on which such determination, amendment or withdrawal shall come into operation; and
 - (c) recover any charges so determined or amended, including interest on any outstanding amount.
- (2) After a resolution as contemplated in section (1)(a) and (b) has been passed, the municipal manager shall forthwith give notice of such resolution by—
- (a) conspicuously displaying a copy of the resolution for a period of at least 30 days at the main administrative office of the municipality and at such other places within the municipality to which the public has access as the municipal manager may determine;
 - (b) publishing in a newspaper of general circulation in the municipality a notice stating—
 - (i) that a resolution as contemplated in section 5(1) has been passed by the council;
 - (ii) that a copy of the resolution is available for public inspection during office hours at the main administrative office of the municipality and at any other places specified in the notice; and
 - (iii) the date on which the determination will come into operation;
 - (iv) that any person who desires to object to such determination or amendment shall do so in writing within 30 days after the date on which the notice is first published.
 - (c) seeking to convey the information referred to in subsection (1)(i) to (iii) to the local community by means of radio broadcasts covering the area of the municipality.
- (3) Where—
- (a) no objection is lodged within the period referred to in subsection (2)(b)(iv), the determination or amendment shall come into operation as contemplated in subsection (1)(b);
 - (b) an objection is lodged within the period referred to in subsection (2)(b)(iv), the municipality shall consider every objection and may amend or withdraw the determination and may determine a date other than the date contemplated in subsection (1)(b) on which the determination or amendment shall come into operation, whereupon subsection (2) shall apply with the necessary changes.

Repeal of By-laws

6. (1) Any by-law applicable in the jurisdiction area of the municipality and which relates to tariffs, charges and fees, is hereby repealed.
- (2) The repeal of existing by-laws referred to in section 6(1), is effective from the date of promulgation of this by-law.

Short title and commencement

7. This by-law shall be known as the **By-Law relating to Tariffs, Charges and Fees** and shall come into operation on the date of publication thereof in the Provincial Gazette.

26 March 2004.

6717

BOLAND DISTRIKSMUNISIPALITEIT
VERORDENING INSAKE TARIWE, KOSTE EN GELDE
AANHEF

NADEMAAL 'n munisipale raad verordeninge kan uitvaardig en administreeer vir die doeltreffende administrasie van die aangeleenthede wat hy die reg het om te administreeer ingevolge artikel 156(2) van die Grondwet;

EN NADEMAAL 'n munisipaliteit sy interne finansiële reëlings op 'n doeltreffende, deursigtige en verantwoordelike wyse moet administreeer;

EN NADEMAAL 'n munisipale raad die reg het om sy werksaamhede te finansier deur die heffing van tariewe, kostes en gelde vir dienste;

NOU DERHALWE word die volgende verordening deur die munisipaliteit uitgevaardig om uitvoering te gee aan sy beleid insake tariewe, koste en gelde.

INHOUDSOPGAWE

1. **WOORDOMSKRYWINGS**
2. **VERPLIGTING OM BELEID TE BEPAAL**
3. **BELEIDSBEGINSELS**
4. **HERSIENING VAN BELEID**
5. **VASSTELLING VAN TARIWE, KENNISGEWING EN BESWARE**
6. **HERROEPING VAN VERORDENINGE**
7. **KORT TITEL EN INWERKINGTREDING**

Woordomsrywings

1. Vir die doeleindes van hierdie verordening het enige woord of uitdrukking waaraan 'n bepaalde betekenis geheg is in die Wet dieselfde betekenis tensy uit die samehang anders blyk, en beteken:

“gelde” die prys wat deur die munisipaliteit bepaal word vir die gebruik van fasiliteite of geriewe wat deur die munisipaliteit voorsien word, welke prys nie noodwendig gebaseer is op die verhalings van werklike koste vir die voorsiening van sodanige fasiliteite of geriewe nie;

“koste” die prys wat deur die munisipaliteit bepaal word en wat gebaseer word op die verhalings van werklike koste vir enige munisipale diens;

“munisipale bestuurder” die persoon wie deur die raad aangestel is ingevolge die bepalings van artikel 82 van die Wet op Plaaslike Regering: Munisipale Strukture, Wet 117 van 1998, en sluit in:

 - (a) enige persoon wat in sodanige pos waarneem, en
 - (b) aan wie die munisipale bestuurder enige magte, funksies, of pligte gedelegeer het vir soverre dit die uitvoering van sodanige magte, funksies of pligte aangaan;

“munisipale diens” 'n diens wat deur 'n munisipaliteit ingevolge sy bevoegdhede en funksies voorsien word, of voorsien kan word, aan of tot voordeel van die plaaslike gemeenskap, ongeag of—

 - (a) die diens voorsien word, of voorsien staan te word deur die munisipaliteit deur 'n interne meganisme beoog in artikel 76, of deur hom te begeef in 'n eksterne meganisme beoog in artikel 76; en
 - (b) gelde, kostes of tariewe ten opsigte van die diens hef word aldan nie;

“munisipale gebied” die munisipale gebied van Boland Distriksmunisipaliteit soos omskryf in artikel 2(1) van die instellingskennisgewing soos gepubliseer per Provinsiale Kennisgewing 486 van 22 September 2000;

“munisipaliteit” die Boland Distriksmunisipaliteit gestig in terme van artikel 12 van die Munisipale Strukturewet, 117 van 1998, Provinsiale Kennisgewing 486 gedateer 22 September 2000 en sluit in enige politieke struktuur, politieke ampsbekleder, raadslid, behoorlik geïmagineerde agent daarvan of enige werknemer daarvan handelende ingevolge hierdie verordening uit hoofde van 'n bevoegdheid van die munisipaliteit wat gedelegeer of gesubdelegeer is aan gemelde politieke struktuur, politieke ampsbekleder, raadslid, agent of werknemer;

“raad” die munisipale raad van die Boland Distriksmunisipaliteit;

“tariewe” die prys wat deur die raad vasgestel word vir die lewering van enige munisipale handelsdienste waarvoor betaling verwag word, welke handelsdienste insluit, maar nie daartoe beperk is nie—

 - (a) Watervoorsiening;
 - (b) Elektrisiteitsvoorsiening;
 - (c) Vullisverwydering; en
 - (d) Rioolwegdoening;

“tariefbeleid” die proses en die beginsels wat deur die munisipaliteit goedgekeur is vir die bepaling en heffing van gelde, tariewe, belastings en ander heffings vir dienste gelewer deur die munisipaliteit self of deur middel van diensleweringsooreenkomste en wat voldoen aan die bepalings van die Wet;

“Wet” die Wet op Plaaslike Regering: Munisipale Stelsels, Wet 32 van 2000.

Verpligting om beleid te bepaal

2. Ooreenkomstig die bepalings van artikel 74 van die Wet moet die munisipaliteit 'n beleid aanvaar en implementeer met betrekking tot die bepaling van tariewe, koste en gelde vir dienste gelewer, hetsy deur die munisipaliteit self of deur middel van 'n diensleweringsooreenkoms.

Beleidsbeginsels

3. (1) Die munisipaliteit sal die beginsels in die goedgekeurde beleid toepas wanneer tariewe, koste en gelde vir munisipale dienste bepaal word met inagneming verder van die onderstaande beginsels soos vervat in artikel 74(2)(a) tot (i) van die Munisipale Stelselswet, 32 van 2000, naamlik dat—

- (a) gebruikers van munisipale dienste billik behandel moet word by die toepassing van tariewe;
 - (b) die bedrag wat individuele gebruikers vir dienste betaal in die algemeen in verhouding moet wees met hul gebruik van daardie diens;
 - (c) arm huishoudings minstens tot basiese dienste toegang moet hê deur—
 - (i) tariewe wat bloot bedryfs- en instandhoudingskoste dek;
 - (ii) spesiale tariewe of lewenslyntariewe vir lae vlakke van gebruik of verbruik van dienste of vir basiese diensvlakke; of
 - (iii) enige ander regstreekse of onregstreekse metode van subsidiëring van tariewe vir arm huishoudings;
 - (d) tariewe die koste moet weerspieël wat redelikerwys met die lewering van die diens in verband gebring word, insluitende kapitaal-, bedryfs-, instandhoudings-, administrasie- en vervangingskoste, en renteheffings;
 - (e) tariewe teen vlakke gestel moet word wat die finansiële volhoubaarheid van die diens fasiliteer, met inagneming van subsidiëring uit bronne anders dan die betrokke diens;
 - (f) voorsiening in toepaslike omstandighede gemaak kan word vir 'n bobelasting op die tarief vir 'n diens;
 - (g) voorsiening gemaak kan word vir die bevordering van plaaslike ekonomiese ontwikkeling deur spesiale tariewe vir kategorieë of kommersiële- en nywerheidsgebruikers;
 - (h) die ekonomiese, doeltreffende en effektiewe gebruik van hulpbronne, die herwinning van afval, en ander toepaslike omgewingsoogmerke aangemoedig moet word;
 - (i) die mate van subsidiëring van tariewe vir arm huishoudings en ander kategorieë gebruikers volledig openbaar gemaak moet word.
- (2) Die munisipaliteit se beleid insake tariewe kostes en gelde mag onderskeid tref tussen verskillende kategorieë van gebruikers, debiteure, diensverskaffers, dienste, dienstestandaarde en geografiese areas, mits sodanige onderskeid nie sal lei tot onbillike diskriminasie nie.

Hersiening van Beleid

4. (1) Die munisipaliteit sal jaarliks tydens die oorweging van sy begroting sy beleid insake tariewe koste en gelde hersien met die oog op voldoening aan die beginsels soos van tyd tot tyd in sy tariefbeleid neergelê.
- (2) Die hersiening van die tariefbeleid soos in artikel 4(1) bedoel, sal geskied ooreenkomstig die munisipaliteit se beleid met betrekking tot publieke deelname.

Vasstelling van Tariewe, Kennisgewing an Besware

5. (1) Die munisipaliteit mag—
- (a) deur middel van 'n besluit wat deur 'n meerderheid van die lede van die raad gesteun word, tariewe, koste an gelde ooreenkomstig sy aanvaarde beleid hef en vorder ten opsigte van enige funksie of diens wat deur die munisipaliteit gelewer word;
 - (b) van tyd tot tyd deur middel van 'n besluit van die raad, ooreenkomstig die beleid soos bedoel in subartikel (1)(a), sodanige tariewe, koste an gelde wysig of intrek en 'n datum vasstel, wat nie vroeër is as 30 dae vanaf datum van die besluit van die raad nie, waarop sodanige vasstelling, wysiging of intrekking in werking sal tree; en
 - (c) enige gelde wat sodanig vasgestel of gewysig is, insluitende rente op enige uitstaande bedrae, verhaal.
- (2) Nadat 'n besluit soos bedoel in subartikel (1)(a) en (b) aangeneem is gee die munisipale bestuurder onverwyld kennis van sodanige besluit deur—
- (a) vir 'n tydperk van minstens 30 dae, 'n afskrif van die besluit ooglopend te vertoon by die hoof-administratiewe kantoor van die munisipaliteit en by die ander plekke binne die munisipaliteit waartoe die publiek toegang het wat die munisipale bestuurder bepaal;
 - (b) 'n kennisgewing te publiseer in 'n koerant wat algemeen versprei word in die munisipaliteit wat—
 - (i) vermeld dat 'n besluit soos beoog in subartikel (1) deur die raad aangeneem is;
 - (ii) vermeld dat 'n afskrif van die besluit ter insae van die publiek is gedurende kantoorure by die hoof-administratiewe kantoor van die munisipaliteit en by die ander plekke in die kennisgewing genoem;
 - (iii) die datum vermeld waarop die vasstelling in werking sal tree; en
 - (iv) dat enige persoon wat teen sodanige vasstelling beswaar wil aanteken dit op skrif moet indien binne 30 dae na die datum waarop die kennisgewing die eerste keer gepubliseer is;
 - (c) daarna streef om die inligting bedoel in paragraaf (b) aan die plaaslike gemeenskap oor te dra by wyse van radio-uitsendings wat die gebied van die munisipaliteit dek.
- (3) Waar—
- (a) geen beswaar binne die tydperk in subartikel (2)(b)(iv) bedoel, ingedien is nie, tree die vasstelling of wysiging in werking soos in subartikel (1)(b) in werking;
 - (b) 'n beswaar binne die tydperk in subartikel (2)(b)(iv) bedoel ingedien is, oorweeg die munisipaliteit elke beswaar en kan die vasstelling of wysiging wysig of intrek en mag 'n ander datum as dié in subartikel (1)(b) bepaal waarop die wysiging of intrekking van krag sal word, waarna subartikel (2) met die nodige veranderinge van toepassing word.

Herroeping van Verordeninge

6. (1) Enige verordening van toepassing in die regsgebied van die munisipaliteit wat betrekking het op tariewe, koste en gelde, word hiermee herroep.
- (2) Die herroeping van bestaande verordeninge soos bedoel in subartikel 6(1), geld vanaf datum van publikasie van hierdie verordening.

Kort Titel on Inwerkingtreeding

7. Hierdie verordening heet die **Verordening insake Tariewe, Koste en Gelde** en tree in werking op die datum van publikasie daarvan in die Provinsiale Koerant.

26 Maart 2004.

6717

UMASIPALA WE-BOLAND DISTRICT**UMTHETHO KAMASPALA ONXULUMENE NEERHAFU, IINTLAWULO NEMIRHUMO****IMBULAMBETHE**

NANGONA ibhunga likamaspala linokwenza liphinde lilawule imithetho kamasपाला ukulungiselela ulawulo olululo lwemicimbi elinelungelo lokuyilawula ngokwemigaqo yecandelo 156(2) loMgaqo-siseko;

KWAYE NANGONA umasपाला kufuneka elawule amalungiselelo akhe ezimali angaphakathi ngendlela eyiyo, engafihlisiyo, esebenzayo nesezingqondweni;

KWAKHONA NANGONA ibhunga likamaspala linelungelo lokuhlawula imicimbi kamasपाला ngokubiza iirhafu, iintlawulo nemirhumo elungiselela iinkonzo;

NGOKU KE umasपाला ungenisa lo mthetho kamasपाला ulandelayo ukwenza ukuba umgaqo-nkqubo wakhe onxulumene neerhafu, iintlawulo nemihumo.

ITAFILE YEZIQULATHO

1. **IINKCAZA**
2. **UXANDUVA LOKUNGENISA UMGAQO-NKQUBO**
3. **IMIGAQO-NKQUBO YEERHAFU**
4. **UKUPHINDWA KOMGAQO-NKQUBO**
5. **UKUMISELWA KWEERHAFU, ISAZISO NEZICHASO**
6. **UKUBHANGISWA KWEMITHEETHO KAMASPALA**
7. **ISIHLOKO ESIFUTSHANE NOKUQALISA**

Iinkcaza

1. Kulo mthetho kamasपाला, naliphina igama okanye uluvo olunentsingiselo ethe yanikelwa kuMthetho, mayinike intsingiselo enye kwaye ngaphandle kokuba umxholo uthetha enye into—

“UMthetho” uthetha uRhulumente woMmandla: uMthetho weNkqubo kaMasपाला, 32 ka-2000;

“iintlawulo” zithetha izabiso elimiselwe ngumasपाला xabiso elo lisekelezwe ekufumaneni eyona ndleko yenkonzo kamasपाला;

“ibhunga” lithetha ibhunga likamaspala weSithili sikaMasपाला waseBoland;

“iintlawulo” zithetha ixabiso elimiselwe ngumasपाला ukulungiselela ukusetyenziswa kwezibonelelo okanye iinkonzo ezibonelelwe ngumasपाला, xabiso elo lingabhekiselelanga ekufunyanweni kweyona ndleko yokubonela isibonelelo okanye inkonzo enjalo;

“indawo kamasपाला” ithetha indawo kamasपाला yeSithili sikaMasपाला waseBoland njengoko kuchaziwe kwicandelo 2(1) leSaziso soMiselo njengoko sipapashwe kwiSaziso sephondo ngasinye 486 sowa-22 Septemba 2000;

“umasपाला” uthetha iSithili sikaMasपाला waseBoland esisekwe ngokwemigaqo yeCandelo 12 loMthetho woLwakhlo loMasपाला, 117 ka-1998, iSaziso sePhondo 486 esibhalwe owama-22 Septemba 2000 kwaye kuquka iqela lezopolitiko, igosa lezopolitiko, uceba, i-arhente egunayazisiweyo ke ngoko okanye umqeshwa osebenza ngokunxulumene nalo mthetho kamasपाला ngegunya elinikwe umasपाला kunye nelinikwe iqela lezopolitiko elinjalo, igosa lezopolitiko, uceba, i-arhente okanye umqeshwa;

“iinkonzo zikamasपाला” zithetha inkonzo enikezelwa okanye enganikezelwa ngumasपाला ngokwemigaqo yamagunya nemisebenzi yakhe ukwenzela inzuzo yoluntu lommandla kungakhathalisekanga nokuba ngaba—

- (a) inkonzo enjalo inikezelwe, okanye iza kunikezelwa ngumasपाला kusetyenziswa inkqubo yangaphakathi ebekwe kwicandelo 76 okanye ngokusebenzisa inkqubo yangaphandle ebekwe kwicandelo 76; kwaye
- (b) imirhumo, iintlawulo neerhafu zibizwa ngokwenkonzo enjalo okanye engenjalo;

“imanejala kamasipala” ithetha umntu owonyulwe ngumasipala ngokwemigaqo yecandelo 82 loMthetho woLwaxhiwo looMasipala, uMthetho 117 ka-1998, kwaye kuquka:

- (a) umntu obambeleyo kweso sikhundla; kunye
- (b) nokwanikwe igunya, umsebenzi okanye uxanduva yimanejala kamasipala ngokubhekiselele ekwenziweni kwalo misebenzi;

“iirhafu” zithetha ixabiso elimiselwe ngumasipala lokunikezelwa kwazo naziphina iinkonzo zorhebo zikamasipala apho intlawulo ilindelwe kwiinkonzo eziquka, kodwa ayiphelelanga—

- (a) Kubonelelo lwamanzi
- (b) Kubonelelo lombane
- (c) Kugutyulo lokungcola
- (d) Ukulahlwa kwenkunkuma;

“umgaqo-nkqubo werhafu” uthetha inkqubo nemigaqo-nkqubo ephunyezwe ngumasipala ukumisela nokubiza iirhafu, iintlawulo imirhumo nezinye iintlawulo kwiinkonzo ezibonelelwe ngumasipala ngokwakhe okanye ngendlela yezivumelwano zonikezelo lwenkonzo nezikwahambelana nezibonelelo zoMthetho kwaye zikwasebenza kumthetho.

Uxanduva lokuphelelela umgaqo-nkqubo

- 2. Ngokwemigaqo yecandelo 74 loMthetho ibhunga likamasipala maliphehlelele lize liqalise umgaqo-nkqubo wokubiza iirhafu, iintlawulo nemirhumo ngeenkonzo zikamasipala ezibonelelwe ngumasipala ngokwakhe okanye ngendlela yezivumelwano zonikezelo lwenkonzo nezikwahambelana nezibonelelo zoMthetho kunye nomnye umthetho osebenzayo.

Imigaqo-nkqubo yeerhafu

- 3. (1) Umasipala uza kusebenzisa imigaqo-nkqubo njengoko kukhona kumgaqo-nkqubo ophunyeziweyo xa emisela iirhafu, iintlawulo nemirhumo yeenkonzo zikamasipala ngokusebenzisa uqwalaselo lwemigaqo-nkqubo ekhoyo kwicandelo 74(2)(a) ukuya ku (i) loMthetho weeNkqubo zikamasipala, 32 ka-2000, othi—
 - (a) abasebenzisi beenkonzo zikamasipala kufuneka baphathwe ngokulinganayo kusetyenziso lweerhafu;
 - (b) isixamali esihlawulwa ngabasebenzisi belungiselela iinkonzo kufuneka sihambelane nokusebenzisa kwabo loo nkonzo;
 - (c) abahlali abahlelekileyo kufuneka bafikelele kubuncinane kwiinkonzo zesiseko—
 - (i) ngeerhafu ezijonge kuphela iindleko zomsebenzi nolondolozo,
 - (ii) ngeerhafu ezizodwa okanye iirhafu ezilungiselwe abo bangathabathi ntweni kulungiselwa amanqanaba asezantsi osetyenziso okanye amanqanaba asisiseko seenkonzo; okanye
 - (iii) nangayo nayiphina indlela ethe ngqo okanye engathanga ngqo yesibonelelo seerhafu sabahlali abahlelekileyo;
 - (d) iirhafu mazibonakalise iindleko ezinxulumene nonikezelo lwenkonzo, kuquka inkunzi, umusebezi, ulondolozo, ulawulo neendleko zokufaka izixhobo ezintsha, kunye neentlawulo zenzala;
 - (e) iirhafu mazibekwe kumanqanaba alungiselela uzinzo lwezimali lwenkonzo, kuqwalaselwa isibonelelo esiphuma kwimithombo endaweni yenkonzo ekuthethwa ngayo;
 - (f) ubonelelo lungenziwa kwiimeko ezifanelekileyo kwintlawulo eyongezelweyo kwirhafu yenkonzo;
 - (g) ubonelelo lungenzelwa ukhuthazo lophuhliso lwezoqoqosho lommandla kusetyenziswa iirhafu ezizodwa kulungiselelwa izintlu zabasebenzisi bezorhwebo noshishino;
 - (h) usetyenziso lwezoqoqosho, olusebenzayo nolubonakalaya lwemithombo, ujikeleziso loko kulahlwayo, kwaye nezinye iinjongo ezifanelekileyo zesokusingqongileyo kufuneka zikhuthazwe;
 - (i) ifuthe lesibonelelo seerhafu sabantu abahlelekileyo nezinye izintlu zabasebenzisi kufuneka zichazwe ngokupheleleyo,
- (2) Umgaqo-nkqubo kamasipala onxulumene neerhafu, iintlawulo nemirhumo ungehluka phakathi kwezintlu zabasebenzisi, abatyali, ababoneleli ngeenkonzo, iinkonzo, imigangatho yeenkonzo, iindawo zejyografi neminye imiba ukuba lo mahluko awuzisi lubandlululo olubi.

Uphindo loMgaqo-nkqubo

- 4. (1) Umasipala uza kuphinda umgaqo-nkqubo wakhe onxulumene neerhafu, iintlawulo nemirhumo qho ngonyaka xa eqwalasela uhlahlolwabiwo-mali lwakhe ngembono yokuhambelana nemigaqo-nkqubo ebekwe kulo mgqaqo-nkqubo kuthethwa ngawo ngokuhamba kwexesha.
- (2) Uphindo lomgaqo-nkqubo njengoko kubekiwe kwicandelo 4(1) luza kuqhutywa ngokwemigaqo yomgaqo-nkqubo wentatho-nxaxheba yoluntu ephunyezwe ngumasipala.

Umiselo lweerhafu, isaziso nokukhatywa

- 5. (1) Umasipala angathi—

- (a) ngesisombululo esixhaswa sisininzi samalungu ebhunga, kwanangokuhambelana nomgaqo-nkqubo ophunyeziweyo, abize aze afumane iirhafu, iintlawulo nemirhumo ngokomsebenzi okanye inkonzo ebonelelweyo ngumasपाला;
- (b) ngamaxesha ngamaxesha ngesisombululo sebhunga kwanangokuhambelana nomgaqo-nkqubo obekwe kwicandelwana (1)(a), alungise okanye arhoxise umiselo olunjalo aze amisele umhla, hayi ngaphambi kokuba kudlule ama-30 eentsuku zomhla wesisombululo, apho umiselo, ulungiso okanye urhaxiso olunjalo luza kuqala ukusebenza; kwaye
- (c) angafumana naziphina iintlawulo ezimiselweyo okanye ezilungisiweyo kuquka inzala yesixamali ekusafuneka sihlawulwe.
- (2) Emva kokuba isisombululo njengoko kubekiwe kwicandelo (1)(a) no (b) siphunyeziwe, imanejala kamasपाला iza kunika isaziso ke ngoko ngesisombululo esinjalo—
- (a) ngokungafihlisiyo ithi thaca ikopi yesisombululo ixesha ubuncinane elingama-30 eentsuku kwi-ofisi engundlukulu yolawulo kamasपाला apho uluntu lunokufikelela njengoko imanejala kamasपाला inokumisela;
- (b) ngokupapasha kwiphaphandaba elijikeleziswa ngokubanzi kumasपाला isaziso esixela—
- (i) ukuba isisombululo njengoko sibekiwe kwicandelo 5(1) sithe saphanyezwa libhunga;
- (ii) ukuba ikopi yesisombululo ikhona ukuze ihlolwe luluntu ngeeyure zokusebenza kwi-ofisi kandlunkulu yolawulo lukamasपाला kwakunye nkwakwezinye iindawo ezichazwe kwisaziso; kwakunye
- (iii) nomhla apho umiselo luya kuqala ukusebenza;
- (iv) ukuba nawuphina umntu onqwenela ukuchasa umiselo okanye isilungiso esinjalo uya kukwenza oko ngembalelwano phakathi kwiintsuku ezingama-30 emva komhla apho isaziso sithe sapapashwa okokuqala.
- (c) ngokufuna ukuhambisa ulwazi ekubhekiswe kulo kwicandelwana (1)(i) ukuya ku (iii) kuluntu lommandla ngosasazo lukanomathotholo olujongene nendawo kamasपाला.
- (3) Apho—
- (a) kungekho sichaso singenisiweyo phakathi kwixesha ekubhekiswe kulo kwicandelwana (2)(b)(iv), umiselo okanye isilungiso siza kuqala ukusebenza njengoko kubekiwe kwicandelwana (1)(b);
- (b) isichaso singenisiweyo phakathi kwixesha ekubhekiswe kulo kwicandelwana (2)(b)(iv), umasपाला uza kuqwalasela zonke izichaso kwaye angalungisa okanye arhoxise umiselo kwaye angamisela umhla ngaphandle kwalo ubekwe kwicandelwana (1)(b) apho umiselo okanye isilungiso siza kuqala ukusebenza, apho icandelwana (2) liza kusebenza neenguqu eziyimfuneko.

Ukubhangiswa kweMithetho kamasपाला

6. (1) Nawuphina umthetho kamasपाला osebenzayo kwindawo yommandla kamasपाला kwaye nonxulumene neerhafu, iintlawulo nemirhumo kungokunje uyabhangiswa.
- (2) Ubhangiso lwemithetho kamasपाला ekhoyo ekubhekiswe kuyo kwicandelo 6(1), luyasebenza ukusuka kumhla wokubhengezwa kwalo mthetho kamasपाला.

Ishloko esifutshane nokuqalisa

7. Lo mthetho kamasपाला uza kwaziwa njengoMthetho kamasपाला onxulumene neerhafu, iintlawulo neMirhumo kwaye uza kuqala ukusebenza ngomhla wokupapashwa kwawo ke ngoko kwiGazethi yePhondo.

26 Matshi 2004.

6717

CITY OF CAPE TOWN CITY IMPROVEMENT DISTRICT BY-LAW	STAD KAAPSTAD VERORDENING OP STADSVERBETERINGSGBIEDE
<p>1. PREAMBLE</p> <p>(1) The City Improvement District model is based on international best practice. It is aimed at preventing the degeneration of cities and towns and the consequential urban decay, and facilitating their upliftment, economic growth and sustainable development.</p> <p>(2) The purposes of City Improvement Districts are to—</p> <p>(a) enhance and supplement the municipal services provided by the City of Cape Town (“the City”);</p> <p>(b) facilitate investment in the City Improvement Districts;</p> <p>(c) facilitate a co-operative approach between the City and the private sector in the provision of municipal services;</p>	<p>1. AANHEF</p> <p>(1) Die model vir stadsverbeteringsgebiede is op internasionale beste praktyk geskoei. Dit het ten doel om die agteruitgang van stede en dorpe en die gevolglike stedelike verval te verhoed en die stede en dorpe se opheffing, ekonomiese groei en volhoubare ontwikkeling aan te moedig.</p> <p>(2) Die oogmerke van die stadsverbeteringsgebiede is om—</p> <p>(a) die munisipale dienste wat deur die Stad Kaapstad (“die Stad”) verskaf word, te verbeter en uit te brei;</p> <p>(b) beleggings in die stadsverbeteringsgebiede aan te moedig;</p> <p>(c) ’n samewerkingsbenadering tussen die Stad en die privaat sektor vir die verskaffing van munisipale dienste daar te stel;</p>

- (d) halt the degeneration and facilitate the upliftment of distressed business and mixed-use areas; and
- (e) promote economic growth and sustainable development and in this way assist the Council in the fulfilment of its objects and developmental duties as set out in sections 152 and 153 of the Constitution.
- (3) This By-Law accordingly seeks to—
- (a) establish a mechanism whereby property owners and tenants will be encouraged to participate in the processes of sustainable development;
- (b) consolidate and give effect to the City's urban renewal imperatives while recognising the unique needs and challenges facing different commercial and mixed-use precincts;
- (c) facilitate the recognition of defined geographic districts in order to enhance and supplement the provision of municipal services within them;
- (d) clearly define the processes in terms of which City Improvement Districts must be established and ensure that property owners within the areas of the proposed City Improvement Districts are fully involved in these processes, thereby facilitating their participation in the affairs of the City; and
- (e) consolidate in a single By-Law the By-Laws passed by the predecessors-in-law of the City of Cape Town and extend the ambit thereof throughout the City's area of jurisdiction.

2. INTERPRETATION

In this By-Law, the English text prevails in the event of any conflict with the Afrikaans or isiXhosa texts, and, unless the context otherwise indicates—

“*Applicant*” means any owner who makes an application for the establishment of a City Improvement District in accordance with the provisions of section 3, or if a management body is established in terms of section 12, any reference to “the Applicant” means the management body;

“*City Improvement District*” means a geographic district approved by the Council in accordance with the provisions of section 8 for the purposes set out in section 1(2);

“*City*” means the City of Cape Town;

“*City Improvement District plan*” means a City Improvement District plan as contemplated in section 4(1)(c)(i);

“*Council*” or “*the Council*” means the Council of the City of Cape Town;

“*Constitution*” means the Constitution of the Republic of South Africa, Act No. 108 of 1996;

“*levy*” when used as a noun in connection with the implementation of a City Improvement District plan, means an additional rate contemplated in section 14(2);

“*management body*” means the management body of the City Improvement District to be incorporated or established in accordance with the provisions of section 12(1);

“*mixed-use area*” means an area in which not more than 40% (forty percent) of the rates base value consists of residential property;

“*owner*” means any registered owner of rateable property within the City Improvement District concerned and, in the case of a sectional title scheme established in terms of the provisions of the Sectional Titles Act, No. 95 of 1986, means the body corporate;

- (d) agteruitgang stop te sit en die opheffing van sake- en gemengdegebruikgebiede wat in die nood is, te ondersteun; en
- (e) ekonomiese groei en volhoubare ontwikkeling te bevorder en die stadsraad op dié wyse te help om sy oogmerke en ontwikkelingsfunksies ingevolge artikels 152 en 153 van die Grondwet te verwesenlik.
- (3) Hierdie verordening beoog dus dienooreenkomstig om—
- (a) 'n meganisme daar te stel waardeur grondeienaars en huurders aangemoedig word om aan die prosesse van volhoubare ontwikkeling deel te neem;
- (b) uitvoering te gee aan die Stad se opdragte vir stedelike vernuwing en dit te konsolideer met inagneming van die unieke behoeftes en uitdagings wat die verskillende kommersiële en gemengdegebruik-omgewings in die gesig staar;
- (c) die herkenning van gedefinieerde geografiese gebiede te vergemaklik ten einde die verskaffing van munisipale dienste in dié gebiede te verbeter en uit te brei;
- (d) die prosesse waarvolgens die stadsverbeteringsgebiede ingestel moet word, duidelik te omskryf en te verseker dat die grondeienaars binne die gebiede van die voorgestelde stadsverbeteringsgebiede ten volle by hierdie prosesse betrek word ten einde hul deelname aan die Stad se sake te vergemaklik; en
- (e) die verordeninge wat deur die Stad Kaapstad se regsvoorgangers aangeneem is, in een enkele verordening te konsolideer en om die trefwydte daarvan dwarsdeur die Stad se jurisdiksiegebied uit te brei.

2. WOORSOMSKRYWING

In hierdie verordening geld die Engelse teks indien daar in enige teenstrydigheid met die Afrikaanse of isiXhosa- tekste bestaan, en, tensy dit uit die samehang anders blyk, beteken—

“*Aansoeker*” enige eienaar wat aansoek doen om die instelling van 'n stadsverbeteringsgebied ooreenkomstig die bepaling van artikel 3, of as 'n bestuursliggaam ingevolge artikel 12 ingestel word, beteken die

“*aansoeker*” die bestuursliggaam;

“*belasbare eiendom*” onroerende goed/vaste eiendom waarop eiendomsbelasting ingevolge die Grondwet of enige magtigende wetgewing gehef kan word;

“*belastinggebaseerde waarde*” die totale waarde van al die vaste eiendom binne die grense van 'n stadsverbeteringsgebied wat ingevolge hierdie verordening ingestel of beoog word om ingestel te word soos blyk uit die waardasierol opgestel ooreenkomstig die tersaaklike wetgewing;

“*bestuursliggaam*” die bestuursliggaam van die stadsverbeteringsgebied wat ingevolge die bepaling van artikel 12(1) geïnkorporeer of ingestel mag word;

“*diens*” of “*munisipale diens*” 'n diens wat verskaf of verskaf mag word, of 'n funksie wat vervul of vervul mag word deur die Stad Kaapstad tot voordeel van of ten behoeve van persone binne die gebied van die betrokke stadsverbeteringsgebied, en ten opsigte waarvan die Stad ingevolge artikel 156(1) van die Grondwet uitvoerende gesag en die reg op administrasie het, maar sluit daardie funksies uit wat die Stad regtens self moet lewer.

“*eienaar*” enige geregistreerde eienaar van belasbare eiendom in die betrokke stadsverbeteringsgebied, en 'n korporatiewe liggaam ten opsigte van 'n deeltitelskema opgerig ingevolge die bepaling van die Wet op Deeltitels, No. 95 van 1986;

“*gemengdegebruikgebied*” 'n gebied waarin nie meer as

“*rateable property*” means immovable property on which a rate may be levied in accordance with the Constitution or any enabling legislation;

“*rates base value*” means the total value of all immovable properties within the boundaries of a City Improvement District established or proposed to be established in terms of this By-Law as appears from the valuation roll prepared in accordance with the relevant legislation;

“*service*” or “*municipal service*” means a service that is provided or may be provided, or a function which is fulfilled or may be fulfilled, by the City of Cape Town to or for the benefit of persons within the area of the City Improvement District concerned, and in respect of which the City has executive authority and the right to administer in terms of section 156(1) of the Constitution, but excludes those services or functions which the City is required by law to render itself.

PART 1—ESTABLISHMENT OF CITY IMPROVEMENT DISTRICTS

3. ESTABLISHMENT OF A CITY IMPROVEMENT DISTRICT AND APPROVAL OF A CITY IMPROVEMENT DISTRICT PLAN

- (1) Any owner of rateable property located within the area of jurisdiction of the City may apply to the Council for the approval of the establishment of a City Improvement District.
- (2) The application process must entail—
 - (a) advertising the intention to hold a public meeting in terms of section 5;
 - (b) the holding of a public meeting in terms of section 6;
 - (c) the submission of an application in terms of section 4;
 - (d) advertising the application and consideration of objections in terms of section 7;
 - (e) the decision of the Council in terms of section 8; and
 - (f) the obtaining of majority support in terms of section 9.
- (3) All costs incurred by the applicant in respect of the establishment of a City Improvement District shall be for his or her own account; provided that, after implementation of the City Improvement District plan, the management body may reimburse the applicant for some or all of those costs.

4. APPLICATION

- (1) Any application for the establishment of a City Improvement District must—
 - (a) be in writing and be in the form (if any) as the Council may from time to time determine;
 - (b) be submitted not more than 90 (ninety) days after the date on which the public meeting referred to in section 6 is held; and
 - (c) be accompanied by—
 - (i) a City Improvement District plan covering a period ending on 30 June of the fourth year after the proposed establishment of the City Improvement District, which plan must include at least a description of the services to be provided by the management body, a draft budget and the proposed levy, and which must be clearly identified by means of a compilation date;
 - (ii) subject to subsection (2), written confirmation from owners of rateable properties within the boundaries of the proposed City Improvement

40% (veertig persent) van die belastinggebaseerde waarde uit residensiële eiendom bestaan nie;

“*Grondwet*” die Grondwet van die Republiek van Suid-Afrika, Wet No.108 van 1996;

“*heffing*” ’n bykomende belasting beoog in artikel 14(2) as dit as ’n naamwoord in verband met die inwerkingstelling van ’n plan vir ’n stadsverbeteringsgebied gebruik word;

“*plan vir ’n stadsverbeteringsgebied*” ’n plan vir ’n stadsverbeteringsgebied soos in artikel 4(1)(c)(i) beoog;

“*Stad*” die Stad Kaapstad;

“*stadsraad*” of “*die stadsraad*” die stadsraad van die Stad Kaapstad;

“*stadsverbeteringsgebied*” ’n geografiese gebied deur die stadsraad goedgekeur ooreenkomstig die bepaling van artikel 8 vir die doeleindes soos in artikel 1(2) uiteengesit;

DEEL 1—INSTELLING VAN STADSVERBETERINGSGBIEDE

3. INSTELLING VAN ’N STADSVERBETERINGSGBIED EN GOEDKEURING VAN ’N PLAN VIR ’N STADSVERBETERINGSGBIED

- (1) Enige eienaar van belasbare eiendom geleë binne die Stad se jurisdiksiegebied mag by die stadsraad aansoek doen om goedkeuring vir die instelling van ’n stadsverbeteringsgebied.
- (2) Die aansoekproses moet behels dat—
 - (a) die voorneme om ’n openbare vergadering ingevolge artikel 5 te hou, geadverteer word;
 - (b) ’n openbare vergadering ingevolge artikel 6 gehou word;
 - (c) ’n aansoek ingevolge artikel 4 ingedien word;
 - (d) die aansoek en die oorweging van besware ingevolge artikel 7 geadverteer word;
 - (e) die stadsraad ingevolge artikel 8 daaroor besluit; en
 - (f) meerderheidsteun ingevolge artikel 9 verkry word.
- (3) Alle koste wat die aansoeker ten opsigte van die instelling van ’n stadsverbeteringsgebied aangaan, is vir sy of haar eie rekening; met dien verstande dat die bestuurskomitee die aansoeker vir sommige of al die koste vergoed nadat die plan vir ’n stadsverbeteringsgebied in werking gestel is.

4. AANSOEK

- (1) Enige aansoek om die instelling van ’n stadsverbeteringsgebied moet—
 - (a) skriftelik wees en in die vorm (indien enige) soos die stadsraad van tyd tot tyd bepaal;
 - (b) ingedien word nie meer as 90 (negentig) dae ná die datum waarop die openbare vergadering waarna in artikel 6 verwys word, gehou word nie; en
 - (c) vergesel wees van—
 - (i) ’n plan vir ’n stadsverbeteringsgebied vir ’n tydperk eindigend op 30 Junie van die vierde jaar ná die voorgestelde instelling van die stadsverbeteringsgebied, welke plan ten minste ’n beskrywing van die dienste wat deur die bestuursliggaam verskaf sal word en ’n konsepbegroting en die voorgestelde heffing moet bevat en wat duidelik uitgekán kan word deur die datum toe dit opgestel is;
 - (ii) skriftelike bevestiging behoudens subartikel (2) deur die eienaars van belasbare eiendomme binne die grense van die voorgestelde stadsverbete-

District who together own not fewer than 25% (twenty five percent) in number of such properties and not less than 25% (twenty five percent) of the rates base value of such properties, that they support the establishment of the proposed City Improvement District in accordance with the City Improvement District plan. The written confirmation must refer to the compilation date of the City Improvement District plan;

- (iii) proof that the provisions of sections 5 and 6 have been complied with;
- (iv) payment of the fee (if any) as the Council may from time to time determine.

Approval of a limited City Improvement District area

- (2) If an application in terms of subsection (1) is not accompanied by the requisite number of written confirmations from owners required by subsection (1)(c)(ii), but the applicant can demonstrate to the Council's satisfaction that—
 - (a) there are such confirmations from owners in respect of rateable properties in a discrete geographical area within the proposed City Improvement District area that would meet the requirements of subsection (1)(c)(ii) if they were to be applied to that area; and
 - (b) the services to be provided will not be reduced and the levy will not be increased as a result of the provision of those services in the discrete area referred to in subsection (2)(a), as compared to the provision of those services in the whole of the proposed City Improvement District,

then the Council may accept such an application and, subject to the other requirements of this By-Law, approve the establishment of a City Improvement District and the City Improvement District plan in respect of the discrete area referred to in subsection (2)(a) alone.

5. ADVERTISING OF INTENTION TO HOLD PUBLIC MEETING

- (1) Prior to the public meeting referred to in section 6, the Applicant must—
 - (a) give notice of his or her intention to apply for the approval of the City Improvement District, such notice to be given by publishing a notice in at least 2 (two) daily newspapers circulating in the proposed City Improvement District and by placing prominent information posters within the proposed City Improvement District, or by giving written notice to all owners of rateable property within the proposed City Improvement District, or in any other manner approved of in writing by the Council;
 - (b) in the notice referred to in subsection (1)(a), give notice of a public meeting to be held in accordance with the provisions of section 6, which notice shall state the purpose of such meeting and shall contain details of the place, date and time when such meeting is to be held.
- (2) The public meeting must be held not less than 7 (seven) days and not more than 30 (thirty) days after the date of publication of the last of the notices referred to in subsection (1)(a).

6. PUBLIC MEETING

- (1) The public meeting must be held at such place, date and time as advertised in terms of section 5.
- (2) At the meeting interested persons shall be—

ringsgebied wat gesamentlik nie minder 25% (vyf-en-twintig persent) in getal van sodanige eiendomme en nie minder as 25% (vyf-en-twintig persent) van die belastinggebaseerde waarde van sodanige eiendomme besit nie, dat hulle die instelling van die voorgestelde stadsverbeteringsgebied ooreenkomstig die plan vir 'n stadsverbeteringsgebied steun. Die skriftelike bevestiging moet verwys na die datum waarop die plan vir 'n stadsverbeteringsgebied opgestel is;

- (iii) bewys dat daar aan die bepalings van artikels 5 en 6 voldoen is;
- (iv) betaling van die gelde (indien enige) soos wat van tyd tot tyd deur die stadsraad vasgestel word.

Goedkeuring van 'n beperkte gebied vir 'n stadsverbeteringsgebied

- (2) Indien 'n aansoek ingevolge subartikel (1) nie vergeesel word van die vereiste getal skriftelike bevestigings van eienaars wat ingevolge subartikel (1)(c)(ii) vereis word nie, maar die aansoeker kan die stadsraad tevrede stel dat—
 - (a) daar sodanige bevestigings van eienaars bestaan ten opsigte van belasbare eiendomme in 'n afsonderlike geografiese gebied binne die voorgestelde gebied van die stadsverbeteringsgebied wat aan die vereistes van subartikel (1)(c)(ii) sal voldoen as hulle op daardie gebied van toepassing gemaak word; en
 - (b) die dienste wat verskaf word nie verminder word en die heffing nie verhoog word as gevolg van die verskaffing van daardie dienste in die afsonderlike gebied genoem in subartikel (2)(a) in vergelyking met die verskaffing van daardie dienste in die hele voorgestelde stadsverbeteringsgebied nie,

dan kan die stadsraad sodanige aansoek aanvaar en, onderworpe aan die ander vereistes van hierdie verordening, die instelling van 'n stadsverbeteringsgebied en die plan vir 'n stadsverbeteringsgebied goedkeur ten opsigte van die afsonderlike gebied waarna net in subartikel 2 (a) verwys word.

5. ADVERTEER VOORNEME OM 'N OPENBARE VERGADERING TE HOU

- (1) Voor die openbare vergadering waarna in artikel 6 verwys word, moet die aansoeker—
 - (a) kennis gee van sy of haar voorneme om aansoek te doen om goedkeuring van 'n stadsverbeteringsgebied en sodanige kennis moet gegee word deur 'n kennisgewing te publiseer in ten minste 2 (twee) dagblaaie wat in die voorgestelde stadsverbeteringsgebied versprei word en deur opvallende inligtingsplakkate in die voorgestelde stadsverbeteringsgebied op te plak, of deur alle eienaars van belasbare eiendom in die voorgestelde stadsverbeteringsgebied skriftelik in kennis te stel, of op enige ander manier wat die stadsraad skriftelik goedgekeur het;
 - (b) in die kennisgewing waarna in subartikel (1)(a) verwys word, kennis gee van 'n openbare vergadering wat ooreenkomstig die bepalings van artikel 6 gehou sal word, welke kennisgewing die doel van sodanige vergadering sal aandui en die besonderhede van die plek, datum en tyd van die vergadering sal verskaf.
- (2) Die openbare vergadering moet gehou word nie minder as 7 (sewe) dae en nie meer as 30 (dertig) dae ná die publikasiedatum van die laaste van die kennisgewings waarna in subartikel (1)(a) verwys word nie.

6. OPENBARE VERGADERING

- (1) Die openbare vergadering moet gehou word op sodanige plek, datum en tyd soos ingevolge artikel 5 geadverteer is.
- (2) By die vergadering sal belanghebbendes—

- (a) furnished with all relevant information relating to the proposed City Improvement District including the draft City Improvement District plan; and
 - (b) given an opportunity to ask questions and express their views.
- (3) The public meeting must be held at a place which is within the boundaries of the proposed City Improvement District unless the Council approves another venue in writing before the public meeting is held.
- (4) The public meeting must be chaired by a suitably qualified and experienced person.

7. ADVERTISING OF APPLICATION AND OBJECTIONS

- (1) The applicant must within 14 (fourteen) days after the application is lodged in accordance with section 4, or within such further period which the Council may approve—
- (a) cause a notice of the application to be published at least once in 2 (two) daily newspapers circulating in the proposed City Improvement District; and
 - (b) either before or up to 7 (seven) days after the date of publication of the notice in terms of subsection (1)(a), give written notice of the application to all owners of rateable property within the proposed City Improvement District, such notice to be given by pre-paid registered post, hand delivery or in any other manner approved of in writing by the Council.
- (2) Every notice contemplated in terms of subsection (1) must state that written objections to the establishment of a City Improvement District or the provisions of the City Improvement District plan may be lodged with the Council by a date specified in the notice, which shall not be less than 30 (thirty) days after the date of publication of the notice in terms of subsection (1)(a), and must state where the documentation specified in subsection (5) will be available for inspection.
- (3) Any owner of rateable property or other interested person occupying rateable property within the proposed City Improvement District may submit written objections to the establishment of the City Improvement District, which objections must be received by the Council not later than the date stipulated in the notice referred to in subsection (2).
- (4) The Council may allow the applicant and any objector to make oral representations to it.
- (5) The application and all objections must be available for inspection at the offices of the Council for the period referred to in subsection (2).

8. DECISION

- (1) After the provisions of sections 4, 5, 6 and 7 have been complied with, the Council must, at the first full meeting of the Council held 30 (thirty) days or more after the last date for the submission of objections in accordance with section 7(2), consider the application and—
- (a) approve the establishment of a City Improvement District in accordance with the City Improvement District plan; or
 - (b) approve the establishment of a City Improvement District and the City Improvement District plan with such amendments or conditions as the Council considers to be in the public interest; or
 - (c) approve the establishment of a City Improvement District and the City Improvement District plan in respect of a limited area, as more fully set out in section 4(2);
 - (d) refuse the application, in which event the Council must within 30 (thirty) days furnish the applicant with written reasons for not approving the establishment of

- (a) alle tersaaklike inligting oor die voorgestelde stadsverbeteringsgebied met inbegrip van die konsepplan vir 'n stadsverbeteringsgebied ontvang; en
 - (b) die geleentheid gegun word om vrae te stel en hul menings te lug.
- (3) Die openbare vergadering moet gehou word op 'n plek binne die grense van die voorgestelde stadsverbeteringsgebied tensy die stadsraad 'n ander plek skriftelik goedkeur voor die openbare vergadering gehou word.
- (4) 'n Bevoegde en ervare persoon moet as voorsitter by die openbare vergadering optree.

7. ADVERTEER AANSOEKE EN BESWARE

- (1) Die aansoeker moet binne 14 (veertien) dae nadat die aansoek ooreenkomstig artikel 4 ingedien is, of binne sodanige verdere tydperk as wat die stadsraad mag goedkeur—
- (a) reël dat 'n kennisgewing van die aansoek ten minste een keer in 2 (twee) dagblaaië gepubliseer word wat in die voorgestelde stadsverbeteringsgebied versprei word; en
 - (b) óf voor óf tot 7 (sewe) dae ná die publikasiedatum van die kennisgewing ingevolge subartikel (1)(a), skriftelik kennis gee van die aansoek aan al die eienaars van belasbare eiendom in die voorgestelde stadsverbeteringsgebied, welke kennisgewing per vooraf-betaalde geregistreerde pos gestuur of per hand afgelewer word of op enige ander manier wat skriftelik deur die stadsraad goedgekeur is.
- (2) Elke kennisgewing beoog ingevolge subartikel (1) moet aandui dat skriftelike besware teen die instelling van 'n stadsverbeteringsgebied of teen die bepalings van die plan vir 'n stadsverbeteringsgebied by die stadsraad ingedien mag word op 'n datum wat in die kennisgewing aangedui word, wat nie minder as 30 (dertig) dae ná die publikasiedatum van die kennisgewing ingevolge subartikel (1)(a) moet wees nie, en moet aandui waar die dokumente aangedui in subartikel (5) ter insae sal wees vir inspeksie.
- (3) Enige eienaar van belasbare eiendom of enige ander belanghebbende wat belasbare eiendom in die stadsverbeteringsgebied bewoon, mag skriftelike besware teen die instelling van die voorgestelde stadsverbeteringsgebied indien, welke besware die stadsraad moet bereik nie later as die datum waarna in subartikel (2) verwys word nie.
- (4) Die stadsraad mag die aansoeker en enige beswaarmaker toelaat om mondelinge voorleggings aan hulle te maak.
- (5) Die aansoek en alle besware moet ter insae wees vir inspeksie by die raaskantore vir die tydperk waarna in subartikel (2) verwys word.

8. BESLUIT

- (1) Nadat daar aan die bepalings van artikels 4, 5, 6 en 7 voldoen is, moet die stadsraad by die eerste volle vergadering van die stadsraad wat 30 (dertig) dae of meer na die laaste datum vir die voorlegging van besware ingevolge artikel 7(2) gehou sal word, oorweging skenk aan die aansoek en—
- (a) die instelling van 'n stadsverbeteringsgebied ooreenkomstig die plan vir 'n stadsverbeteringsgebied goedkeur; of
 - (b) die instelling van 'n stadsverbeteringsgebied en die plan vir 'n stadsverbeteringsgebied goedkeur met sodanige wysigings of voorwaardes as wat die stadsraad in die openbare belang ag; of
 - (c) die instelling van 'n stadsverbeteringsgebied en die plan vir 'n stadsverbeteringsgebied goedkeur ten opsigte van 'n beperkte gebied soos volledig in artikel 4(2) uiteengesit is;
 - (d) die aansoek weier in welke geval die stadsraad binne 30 (dertig) dae skriftelike redes aan die aansoeker moet verstrek waarom die instelling van 'n stadsverbete-

a City Improvement District or the City Improvement District plan; or

- (e) refer the application back to the applicant for amendment in such manner as the Council may direct.

- (2) If any application is refused by the Council in accordance with the provisions of subsection (1)(d), the applicant may at any time thereafter re-apply to the Council for the establishment of the City Improvement District; provided that such re-application has been appropriately amended in the light of the reasons for refusal by the Council.
- (3) If a City Improvement District plan is at any time before the approval thereof amended in any material respect, the Council may require that the application be re-advertised *mutatis mutandis* in accordance with the provisions of section 7.

9. MAJORITY SUPPORT

Within 6 (six) months of the approval of the application in terms of section 8, the applicant must provide written proof to the Council that owners of rateable property within the boundaries of the City Improvement District who own not fewer than 50% (fifty percent) in number of such properties and not less than 50% (fifty percent) of the rates base value of the rateable properties within the boundaries of the City Improvement District, approve the formation of the City Improvement District and the City Improvement District plan as approved by the Council.

10. ESTABLISHMENT OF CITY IMPROVEMENT DISTRICT AND IMPLEMENTATION OF CITY IMPROVEMENT DISTRICT PLAN

Once section 9 has been complied with, the City Improvement District plan may only be implemented after the management body has been established in accordance with section 12.

11. AMENDMENT OF CITY IMPROVEMENT DISTRICT PLAN AND EXTENSIONS OF TERM OF CITY IMPROVEMENT DISTRICT PLAN

- (1) A City Improvement District plan may be amended by the Council on written application by the management body at any time after the formation of the City Improvement District.
- (2) An amendment in terms of subsection (1) which the Council considers is not likely to materially affect the rights or interests of any person may be approved forthwith by the Council; provided that the Council may require the management body to cause notice of the application for such amendment to be published in a daily newspaper circulating in or near the vicinity of the City Improvement District.
- (3) An amendment in terms of subsection (1) which the Council considers is likely to materially affect the rights or interests of any person, and/or which affects the levy to be charged in respect of the City Improvement District, and/or which changes the boundaries of the City Improvement District, may only be approved by the Council in accordance with the provisions of Part 1 of this By-Law, with the changes required by the context; provided that the Council may, for good reason, which it must record, on written application by the management body, exempt the management body from complying with any such provisions or condone any non-compliance with any such provisions.
- (4) Not earlier than 90 (ninety) days prior to the expiry of the period of the City Improvement District plan referred to in section 4(1)(c)(i) or the expiry of any extension of the City Improvement District plan under this subsection (4), the management body must submit to the Council an application for extension of the term of the City Improvement District plan or any extension thereof, for approval by the Council; provided that—
- (a) such extension shall not materially affect the rights or interests of any person or materially affect the levy to be charged in respect of the City Improvement District

ringsgebied en die plan vir 'n stadsverbeteringsgebied nie goedgekeur is nie; of

- (e) die aansoek na die aansoeker terugverwys om op sodanige manier gewysig te word as wat die stadsraad mag voorskryf.

- (2) Indien enige aansoek deur die stadsraad geweier word ooreenkomstig die bepalings van subartikel (1)(d), mag die aansoeker te enigertyd daarna weer aansoek doen by die stadsraad om die instelling van die stadsverbeteringsgebied; met dien verstande dat sodanige heraansoek behoorlik gewysig is met inagneming van die redes waarom die stadsraad dit geweier het.
- (3) Indien die plan vir 'n stadsverbeteringsgebied op enige tyd stip wesenlik gewysig word voordat dit goedgekeur word, mag die stadsraad vereis dat die aansoek *mutatis mutandis* heradverteer word ooreenkomstig die bepalings van artikel 7.

9. MEERDERHEIDSTEUN

Binne 6 (ses) maande nadat die aansoek ingevolge artikel 8 goedgekeur is, moet die aansoeker skriftelike bewyse aan die stadsraad voorlê dat die eienaars van belasbare eiendom binne die grense van die stadsverbeteringsgebied wat nie minder as 50% (vyftig persent) in getal van sodanige eiendomme en nie minder as 50% (vyftig persent) van die belastinggebaseerde waarde van die belasbare eiendomme binne die grense van die stadsverbeteringsgebied besit nie, die instelling van die stadsverbeteringsgebied en die plan vir 'n stadsverbeteringsgebied aanvaar soos dit deur die stadsraad goedgekeur is.

10. INSTELLING VAN DIE STADSVERBETERINGSGBIED EN INWERKINGSTELLING VAN DIE PLAN VIR 'N STADSVERBETERINGSGBIED

Nadat daar aan die vereistes van artikel 9 voldoen is, kan die plan vir die stadsverbeteringsgebied in werking gestel word nadat die bestuursliggaam ingevolge artikel 12 ingestel is.

11. WYSIGING VAN DIE PLAN VIR 'N STADSVERBETERINGSGBIED EN VERLENGING VAN DIE TERMYN VAN DIE PLAN VIR 'N STADSVERBETERINGSGBIED

- (1) 'n Plan vir 'n stadsverbeteringsgebied kan deur die stadsraad gewysig word as die bestuursliggaam enige tyd na die instelling van die stadsverbeteringsgebied skriftelik daarom aansoek doen.
- (2) 'n Wysiging ingevolge subartikel (1) wat volgens die stadsraad waarskynlik nie die regte en belange van enige persoon wesenlik sal beïnvloed nie, kan onverwyld deur die stadsraad goedgekeur word; met dien verstande dat die stadsraad mag vereis dat die bestuursliggaam moet reël dat 'n kennisgewing van die aansoek om sodanige wysiging in 'n dagblad gepubliseer word wat in of in die omgewing van die stadsverbeteringsgebied versprei word.
- (3) 'n Wysiging ingevolge subartikel (1) wat volgens die stadsraad waarskynlik 'n wesenlike uitwerking op die regte en belange van enige persoon sal hê, en/of wat die heffings beïnvloed wat vir die stadsverbeteringsgebied gehef word, en/of wat die grense van die stadsverbeteringsgebied verander, mag slegs deur die stadsraad goedgekeur word ooreenkomstig die bepalings van Deel 1 van hierdie verordening, met die veranderinge deur die konteks vereis; met dien verstande dat die stadsraad op goeie gronde wat hulle moet aanteken en op grond van 'n skriftelike aansoek deur die bestuursliggaam, die bestuursliggaam mag vrystel van voldoening aan enige sodanige bepalings, of enige sodanige bepalings kondoneer waaraan nie voldoen is nie.
- (4) Die bestuursliggaam moet nie vroeër as 90 (negentig) dae voor die verstryking van die tydperk van die plan vir 'n stadsverbeteringsgebied ingevolge artikel 4(1)(c)(i) of die verstryking van enige uitbreiding van die plan vir die stadsverbeteringsgebied ingevolge hierdie subartikel (4), 'n aansoek om die verlenging van die termyn van die plan vir 'n stadsverbeteringsgebied of enige uitbreiding daarvan aan die stadsraad voorlê vir hul goedkeuring nie; met dien verstande dat—
- (a) sodanige uitbreiding nie wesenlik die regte of belange van enige persoon, of wesenlik die heffing wat gehef sal word op die stadsverbeteringsgebied beïnvloed nie

or change the boundaries of the City Improvement District;

- (b) the Council may, before taking a decision to extend the term of the City Improvement District plan, require the management body to cause notice of the application for such extension to be published in a daily newspaper circulating in or near the vicinity of the City Improvement District, which notice must comply with the provisions of section 7(2), with the changes required by the context.

The provisions of subsections (1) to (3) shall apply in the same terms to any amendment of a City Improvement District plan which has been extended in terms of this subsection (4).

PART 2—CITY IMPROVEMENT DISTRICTS—STRUCTURES AND FINANCES

12. ESTABLISHMENT AND COMPOSITION OF MANAGEMENT BODY

- (1) The applicant must, before the City Improvement District plan is implemented in accordance with the provisions of section 10, cause to be established a management body for the purposes of managing and controlling the implementation of the City Improvement District plan. Such management body shall be a company incorporated in accordance with the provisions of section 21 of the Companies Act, No. 61 of 1973. The memorandum and articles of association of the management body shall be subject to the prior written approval of the Council.
- (2) Owners of rateable property and tenants within the boundaries of the City Improvement District shall be entitled to be members of the management body; provided that—
- (a) the votes of members who are owners must be weighted in proportion to the levies payable by them;
- (b) the weighting accorded to any one member may not exceed one third of the total number of votes which may be cast;
- (c) members who are tenants may attend meetings of the management body and participate in the debate, but may only vote if permitted to do so in terms of the management body's articles of association.
- (3) The Council shall monitor compliance by the management body with the applicable provisions of this By-Law, any guidelines or policies adopted by the Council in terms of section 16, and any agreements entered into with the management body and the Council, by—
- (a) receiving and considering the financial statements referred to in section 13(3);
- (b) if it elects to do so, nominating representatives to attend and participate, but not vote, at meetings of the management body.

13. POWERS AND DUTIES OF MANAGEMENT BODY

- (1) Within 2 (two) months after receipt of the first levy, the management body must commence to provide services in accordance with the City Improvement District plan.
- (2) The management body must comply with all applicable guidelines and policies published by the Council in terms of section 16.
- (3) The management body must provide the Council with its audited financial statements for the immediately preceding financial year, within 3 (three) months of the end of each financial year.

14. FINANCES

- (1) The financial year of the management body must coincide with the financial year of the Council.

of die grense van die stadsverbeteringsgebied verander nie;

- (b) die stadsraad mag, voordat hulle besluit om die termyn van die plan vir die stadsverbeteringsgebied te verleng, vereis dat die bestuursliggaam reël dat 'n kennisgewing van die aansoek om sodanige verlenging in 'n dagblad gepubliseer word wat versprei word in of in die omgewing van die stadsverbeteringsgebied, welke kennisgewing aan die vereistes van artikel 7(2) moet voldoen, met die veranderinge wat deur die konteks vereis word.

Die bepaling van subartikels (1) tot (3) is volgens dieselfde voorwaardes van toepassing op enige wysiging van 'n plan vir 'n stadsverbeteringsgebied wat ingevolge hierdie subartikel (4) uitgebrei word.

DEEL 2—STADSVERBETERINGSGBIEDE—STRUKTURE EN FINANSIES

12. INSTELLING EN SAMESTELLING VAN DIE BESTUURSLIGGAAM

- (1) Die aansoeker moet, voordat die plan vir die stadsverbeteringsgebied ingevolge die bepaling van artikel 10 in werking gestel word, reël dat 'n bestuursliggaam ingestel word om die plan vir 'n stadsverbeteringsgebied te bestuur en te beheer. Sodanige bestuursliggaam sal 'n maatskappy wees, geïnkorporeer ooreenkomstig die bepaling van artikel 21 van die Maatskappywet, No.61 van 1973. 61 of 1973. Die memorandum en statute van die bestuursliggaam is onderworpe aan die vooraf verkreeë skriftelike goedkeuring van die stadsraad.
- (2) Eienaars van belasbare eiendom en huurders binne die grense van die stadsverbeteringsgebied is daarop geregtig om lede van die bestuursliggaam te wees; met dien verstande dat—
- (a) die stemme van die lede wat eienaars is gewig dra in verhouding tot die heffings wat hulle moet betaal;
- (b) die gewig wat aan enige een lid toegestaan word, mag nie 'n derde van die totale getal stemme wat uitgebring word, oorskry nie;
- (c) lede wat huurders is, mag vergaderings van die bestuursliggaam bywoon en aan die besprekings deelneem, maar mag net stem as hulle ingevolge die bestuursliggaam se statute toegelaat word om dit te doen.
- (3) Die stadsraad monitor die bestuursliggaam se voldoening aan die toepaslike bepaling van hierdie verordening, enige riglyne of beleid wat deur die stadsraad ingevolge artikel 16 aanvaar is, en enige ooreenkomste wat met die bestuursliggaam en die stadsraad aangegaan is, deur—
- (a) die finansiële state waarna in artikel 13(3) verwys is, te ontvang en te oorweeg;
- (b) indien die stadsraad verkies om dit te doen, verteenwoordigers te benoem om vergaderings van die bestuursliggaam by te woon en daaraan deel te neem, maar nie te stem nie.

13. BEVOEGDHEDE EN FUNKSIES VAN DIE BESTUURSLIGGAAM

- (1) Binne 2 (twee) maande nadat die eerste heffing ontvang is, moet die bestuursliggaam begin om dienste ingevolge die plan vir die stadsverbeteringsgebied te verskaf.
- (2) Die bestuursliggaam moet voldoen aan alle toepaslike riglyne en beleid deur die stadsraad ingevolge artikel 16 gepubliseer.
- (3) Die bestuursliggaam moet binne 3 (drie) maande na die einde van elke boekjaar die geouditeerde finansiële state vir die onmiddellik voorafgaande jaar aan die stadsraad voorleë.

14. FINANSIES

- (1) Die boekjaar van die bestuursliggaam moet met die boekjaar van die stadsraad ooreenstem.

- (2) Where a City Improvement District has been established, the Council will levy in accordance with the provisions of relevant legislation, a property rate in addition to the rates that it already charges on the owners of rateable property in the City Improvement District for the purposes of the City Improvement District; provided that, when determining the additional property rate, consideration must be given to differentiating between residential and non-residential properties.
- (3) The levy due in terms hereof shall be a debt due to the Council and shall be payable and collected in the same manner as other property rates imposed by the Council.
- (4) Any payment by the Council to a City Improvement District is conditional upon the conclusion of a finance agreement to be entered into between the Council and the relevant City Improvement District, such agreement to regulate, among other things, the mechanisms and manner of payment, and the other terms on which payment to the relevant City Improvement District is to be made.
- (5) The Council may, after consultation with the City Improvement Districts, determine and impose on the City Improvement Districts an administrative charge to reimburse the Council for the costs incurred by it in fulfilling its obligations in terms of the finance agreements referred to in subsection (4).

PART 3—DISSOLUTION OF A CITY IMPROVEMENT DISTRICT

15. DISSOLUTION

- (1) The Council may dissolve a City Improvement District—
 - (a) upon written application signed by owners of rateable property within the boundaries of the City Improvement District who own not fewer than 50% (fifty percent) in number of such properties and not less than 50% (fifty percent) of the rates base value of the rateable properties within the boundaries of the City Improvement District; or
 - (b) after prior consultation with the management body, for any other good cause, whereupon the Council may cause the management body to be wound up.
- (2) Upon the winding up of a management body, the assets remaining after the satisfaction of all its liabilities shall be utilised by the Council to provide additional municipal services in accordance with the provisions of the City Improvement District plan for such area.

PART 4—MISCELLANEOUS PROVISIONS

16. GUIDELINES AND POLICIES

The Council may at any time publish guidelines or policies in respect of the establishment of City Improvement Districts, including but not limited to guidelines or policies in respect of the areas or categories of area within which City Improvement Districts may be established and guidelines or policies regarding the services that may be provided by the management body.

17. RESIDENTIAL CITY IMPROVEMENT DISTRICTS

Nothing in this By-Law shall be construed as precluding the Council from establishing City Improvement Districts in predominantly residential areas; provided that—

- (1) as soon as possible after the coming into operation of this By-Law, the Council must initiate an investigation into the advisability of promulgating a separate by-law in respect of the establishment of City Improvement Districts in predominantly residential areas;
- (2) any City Improvement District established in terms of this section must comply fully with the provisions of this By-Law, save that, with reference to the majority

- (2) Waar 'n stadsverbeteringsgebied ingestel is, sal die stadsraad eiendomsbelasting hef bykomend tot die belasting wat dit alreeds hef op die eienaars van belasbare eiendom in die stadsverbeteringsgebied vir die doeleindes van die stadsverbeteringsgebied ooreenkomstig die bepalings van tersaaklike wetgewing; met dien verstande dat, wanneer die bykomende eiendomsbelasting bepaal word, oorweging daaraan geskenk word om tussen residensiële en nie-residensiële eiendomme te onderskei.
- (3) Die heffing betaalbaar ingevolge hiervan sal skuld wees betaalbaar aan die stadsraad en sal betaalbaar wees en ingesamel word op dieselfde manier as die ander eiendomsbelasting wat deur die stadsraad gehef word.
- (4) Enige betaling deur die stadsraad aan 'n stadsverbeteringsgebied berus voorwaardelik op die aangaan van 'n finansiële ooreenkoms tussen die stadsraad en die tersaaklike stadsverbeteringsgebied, met sodanige ooreenkoms wat onder meer die meganismes en manier van betaling reguleer, en die ander voorwaardes waarvolgens betalings aan die tersaaklike stadsverbeteringsgebied gemaak moet word.
- (5) Die stadsraad mag, na oorlegpleging met die stadsverbeteringsgebiede, 'n administratiewe tarief vir die stadsverbeteringsgebiede bepaal en daarop hef om die stadsraad terug te betaal vir die koste wat dit aangegaan het om sy verpligtinge na te kom ingevolge die finansiële ooreenkoms waarna in subartikel (4) verwys is.

DEEL 3—ONTBINDING VAN 'N STADSVERBETERINGSGBIED

15. ONTBINDING

- (1) Die stadsraad mag 'n stadsverbeteringsgebied ontbind—
 - (a) by ontvangs van 'n skriftelike aansoek onderteken deur die eienaars van belasbare eiendom binne die grense van die stadsverbeteringsgebied wat nie minder as 50% (vyftig persent) in getal van sodanige eiendomme en nie minder as 50% (vyftig persent) van die belastinggebaseerde waarde van die belasbare eiendomme binne die grense van die stadsverbeteringsgebied besit nie; of
 - (b) ná vooraf oorlegpleging met die bestuursliggaam vir enige ander grondige rede, waarna die stadsraad mag reël dat die bestuursliggaam gelikwider word.
- (2) Nadat die bestuursliggaam gelikwider is, sal die stadsraad die bates wat oorbly nadat al die laste gedelg is, gebruik om bykomende munisipale dienste te verskaf ooreenkomstig die bepalings van die plan vir 'n stadsverbeteringsgebied vir daardie gebied.

DEEL 4—DIVERSE BEPALINGS

16. RIGLYNE EN BELEID

Die stadsraad mag te enigertyd riglyne of beleid publiseer met betrekking tot die instelling van stadsverbeteringsgebiede wat behels maar nie beperk is tot riglyne of beleid ten opsigte van gebiede of gebiedskategorieë waarin stadsverbeteringsgebiede ingestel mag word, en riglyne en beleid met betrekking tot die dienste wat deur die bestuursliggaam verskaf mag word.

17. RESIDENSIËLE STADSVERBETERINGSGBIEDE

Niks in hierdie verordening moet vertolk word as sou dit die stadsraad verhoed om stadsverbeteringsgebiede in hoofsaaklik residensiële gebiede in te stel nie; met dien verstande dat—

- (1) so gou as moontlik nadat hierdie verordening van krag geword het, die stadsraad ondersoek moet instel na die raadsaamheid om 'n aparte verordening uit te vaardig met betrekking tot die instelling van stadsverbeteringsgebiede in hoofsaaklik residensiële gebiede;
- (2) enige stadsverbeteringsgebied ingestel ingevolge hierdie artikel moet voldoen aan al die bepalings van hierdie verordening, behalwe dat, met verwysing na die

support required in terms of section 9, the applicant must provide written proof to the Council that owners of rateable property within the boundary of the City Improvement District who own not fewer than 75% (seventy five percent) in number of such properties and not less than 75% (seventy five percent) of the rates base value of the rateable properties within the boundaries of the City Improvement District, approve the formation of the City Improvement District and the City Improvement District plan as approved by the Council.

18. TRANSITIONAL PROVISIONS

- (1) Any City Improvement District, Municipal Improvement District or Community Improvement District established in terms of a By-Law referred to in section 19 shall be deemed to have been established in terms of this By-Law, and any reference to a Municipality Improvement District or a Community Improvement District shall be deemed to be a reference to a City Improvement District.
- (2) Any—
 - (a) application initiated by an applicant, including a City Improvement District plan prepared for such an application;
 - (b) advertisement or public meeting in respect of such application;
 - (c) application submitted to Council;
 - (d) approval by the Council of any application;

made, done or given prior to the date of this By-Law, shall be governed by this By-Law.
- (3) Within one year of the operative date of this By-Law, all City Improvement Districts established prior thereto must, if applicable, take the steps necessary to amend their financial year in order to comply with the provisions of section 14(1).
- (4) Any City Improvement District plan which terminates in the course of the City's financial year shall be deemed to have been extended to the end of the relevant financial year.

19. REPEAL OF BY-LAWS

The following By-Laws are hereby repealed:—

- (1) By-Law for the Establishment of City Improvement Districts, PN 116/1999, published in Provincial Gazette 5337 of 26 March 1999, as amended by PN 511/2000, published in Provincial Gazette 5596 of 29 September 2000, in respect of the area of the former City of Cape Town;
- (2) By-Law for the Establishment of Municipal Improvement Districts, published in Provincial Gazette 5434 of 10 March 2000, in respect of the area of the former South Peninsula Municipality;
- (3) By-Law relating to the Establishment of City Improvement Districts, PN 557/2000, published in Provincial Gazette 5607 of 13 October 2000, in respect of the area of the former City of Tygerberg.

20. OPERATIVE DATE

This By-Law takes effect on the date of publication in the Provincial Gazette; provided that no new City Improvement District established in terms of this By-Law may implement its City Improvement District plan prior to 1 July 2004.

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meerderheidsteun vereis ingevolge artikel 9, die aansoeker skriftelike bewys aan die stadsraad lewer dat die eienaars van belastbare eiendom wat nie minder as 75% (vyf-en-sewentig persent) in getal van sodanige eiendomme en wat nie minder as 75% (vyf-en-sewentig persent) van die belastinggebaseerde waarde van die belastbare eiendomme binne die grense van die stadsverbeteringsgebied besit nie, die instelling van die stadsverbeteringsgebied en die plan vir die stadsverbeteringsgebied aanvaar soos dit deur die stadsraad goedgekeur is.

18. OORGANGSBEPALINGS

Enige stadsverbeteringsgebied, munisipale verbeteringsgebied of gemeenskapsverbeteringsgebied ingestel ingevolge 'n verordening waarna in artikel 19 verwys word, sal geag word ingestel te wees ingevolge hierdie verordening, en enige verwysing na 'n munisipale verbeteringsgebied of 'n gemeenskapsverbeteringsgebied sal geag word 'n verwysing na 'n stadsverbeteringsgebied te wees.

- (1) Enige—
 - (a) aansoek geïnisieer deur die aansoeker, met inbegrip van 'n plan vir 'n stadsverbeteringsgebied opgestel vir sodanige aansoek;
 - (b) advertensie of openbare vergadering met betrekking tot sodanige aansoek;
 - (c) aansoek aan die stadsraad voorgelê;
 - (d) goedkeuring van enige aansoek deur die stadsraad;

gedoen, gehou of verleen voor die datum van hierdie verordening, se posisie sal deur hierdie verordening gereël word.
- (2) Binne een jaar na die datum van inwerkingtreding van hierdie verordening moet, indien van toepassing, alle stadsverbeteringsgebiede wat voor dié datum ingestel is, die nodige stappe doen om hul boekjaar te wysig ten einde aan die bepalings van artikel 14(1) te voldoen.
- (3) Enige plan vir 'n stadsverbeteringsgebied wat gedurende die loop van die stadsraad se boekjaar verstryk, word geag as om verleng te word na die einde van die tersaaklike boekjaar.

19. HERROEPING VAN VERORDENINGE

Die volgende verordeninge word hiermee herroep:

- (1) Verordening op die Instelling van Stadsverbeteringsgebiede, PK 116/1999, gepubliseer in die Provinsiale Koerant 5337 van 26 Maart 1999, soos gewysig deur PK 511/2000, gepubliseer in die Provinsiale Koerant 5596 van 29 September 2000, met betrekking tot die gebied van die eertydse Stad Kaapstad;
- (2) Verordening op die Instelling van Munisipale Verbeteringsgebiede, gepubliseer in die Provinsiale Koerant 5434 van 10 Maart 2000, met betrekking tot die gebied van die eertydse Suid-Skiereiland Munisipaliteit;
- (3) Verordening ten opsigte van die Instelling van Stadsverbeteringsgebiede, PK 557/2000, gepubliseer in die Provinsiale Koerant 5607 van 13 Oktober 2000, met betrekking tot die gebied van die eertydse Stad Tygerberg.

20. DATUM VAN INWERKINGTREDING

Hierdie verordening tree in werking op die datum wanneer dit in die Provinsiale Koerant gepubliseer word; met dien verstande dat geen nuwe stadsverbeteringsgebied wat ingevolge hierdie verordening ingestel is, sy plan vir 'n stadsverbeteringsgebied voor 1 Julie 2004 in werking mag stel nie.

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