

Provincial Gazette

Provinsiale Koerant

6125

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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. 71/2004

30 April 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 Erven 853 and 854, Oranjezicht, amends condition C.6.(c) contained in Deed of Transfer No. T.32057 of 2002 to read as follows:

“That the purchaser shall be obliged to set back all such buildings to a line of building frontage approved of by the City Engineer which shall not be less than 3,78 metres from the back line of the footway in each street or in the case of side streets marked on the plan not less than 3,15 metres so as to form a forecourt or garden in front thereof, provided however that within such strip of vacant property the Purchaser may, if he so desires, erect or construct a garage, which shall be a single-storey structure and may not at any time be used as or be converted into habitable room or rooms or be built upon, stoep or verandah.”

P.N. 72/2004

30 April 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 44972, Cape Town at Rondebosch, remove condition C.3.(d), contained in Deed of Transfer No. T.52110 of 2003.

P.N. 73/2004

30 April 2004

CITY OF CAPE TOWN:

SOUTH PENINSULA REGION

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 5048, Constantia, remove conditions B.3.(b), (c) and (d) contained in Deed of Transfer No. T.40696 of 1980.

PROVINSIALE KENNISGEWINGS

Die volgende Provinsiale Kennisgewings word vir algemene inligting gepubliseer.

G. A. LAWRENCE,
DIREKTEUR-GENERAAL

Provinsiale-gebou,
Waalstraat,
Kaapstad.

P.K. 71/2004

30 April 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 Erwe 853 en 854, Oranjezicht, wysig voorwaarde C.6.(c) vervat in Transportakte Nr. T.32057 van 2002, om as volg te lees:

“That the purchaser shall be obliged to set back all such buildings to a line of building frontage approved of by the City Engineer which shall not be less than 3,78 metres from the back line of the footway in each street or in the case of side streets marked on the plan not less than 3,15 metres so as to form a forecourt or garden in front thereof, provided however that within such strip of vacant property the Purchaser may, if he so desires, erect or construct a garage, which shall be a single-storey structure and may not at any time be used as or be converted into habitable room or rooms or be built upon, stoep or verandah.”

P.K. 72/2004

30 April 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 44972, Kaapstad te Rondebosch, hef voorwaarde C.3(d) vervat in Transportakte Nr. T.52110 van 2003, op.

P.K. 73/2004

30 April 2004

STAD KAAPSTAD:

SUIDSKIEREILAND STREEK

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 5048, Constantia, hef voorwaardes B.3.(b), (c) en (d) vervat in Transportakte Nr. T.40696 van 1980, op.

WESTERN CAPE GAMBLING AND RACING BOARD**TOTALISATOR RULES**

In terms of section 82 of the Western Cape Gambling and Racing Law, Law 4 of 1996, as amended, the Western Cape Gambling and Racing Board hereby makes the following amendments to the Rules published in Provincial Gazette Extraordinary 6073 under Provincial Notice 338/2003 dated 13 October 2003 and amended by P.N. 402/2003 dated 5 December 2003 and P.N. 43/2004 dated 5 March 2004:

GENERAL EXPLANATORY NOTE

[] Words in bold type in square brackets indicate omissions from the existing rules.

_____ Words underlined with a solid line indicate insertions in existing rules.

1. The following sub-rule is hereby substituted for sub-rule 2.23:

“2.23 MORE THAN 20 RUNNERS: Where there is a field in excess of 20 runners, all runners bearing the number 20 and higher are treated as a single runner (bearing the number 20, even if the runner actually bearing the number 20 is scratched) and, notwithstanding the official result, all such runners are deemed to finish in the place that the first of such runners finishes.

2. Rule 15 is hereby amended—

(a) by the substitution for sub-rule (1) of the following sub-rule:

“15.1 UNIT OF BETTING: The unit of betting for each pool is R1.00 with the exception of the two odd/even [exotic] bets and the pick 3 for which the unit of betting will be R10.00”, and

(b) by the substitution for sub-rule (2) of the following sub-rule:

“15.2 MINIMUM BET: The minimum bet on all pools shall be R6.00 with the exception of the two odd/even bets and the pick 3 where the minimum bet will be R10.00.”.

3. The following rule is inserted after Rule 17:

“PICK 3 POOL:

18.1. PURPOSE: The purpose of the pick 3 is to select the winners of each of the legs constituting a pick 3 as designated in the official race card.

18.2. UNIT OF BETTING AND MINIMUM BET: Refer to Chapter 15.

18.3. BRACKETING OF HORSES: The bracketing of horses shall not apply to a pick 3.

18.4. RESERVE RUNNER: The carded number of any Reserve runner replacing a scratched horse remains unaltered and consequently field selections should include all horses carded. Rule 18.5 applies to scratchings.

18.5. SCRATCHINGS:

18.5.1. If any horse is scratched from any leg, the holder of any ticket on which such horse has been selected, shall be deemed to have selected the totalisator favourite in such leg.

18.5.2. No refunds shall be given in respect of scratched horses.

18.5.3. In the event of joint totalisator favourites being declared in a particular race, a scratched horse to be substituted by the totalisator favourite in terms of Rule 18.5.1. will be substituted with the joint totalisator favourite, which is highest placed in the order of finishing of that race.

18.5.4. In the event of joint totalisator favourites dead heating for first place, a scratched horse to be substituted in terms of Rule 18.5.1. will be substituted with the joint totalisator favourite bearing the lower race card number.

18.6. CALCULATION OF DIVIDEND:

18.6.1. The dividend shall be determined by dividing the net pool by the total number of unit and fractional unit bets on the winning combination/s.

18.6.2. In the event that there are no full unit winning bets on a pick 3 pool, and at the same time, the sum of the percentage of bets purchased of all fractional winners is less than 100% of the unit of betting, then the dividend will be determined in respect of a full unit of betting and the balance of the dividend not apportioned to the fractional winners, will be carried over in terms of Rule 18.7 or apportioned in terms of Rule 18.10.2.

18.7. CARRY FORWARD: In the event of there being no ticket on any of the winning combinations, the net pool will be carried forward and added to a net pick 3 pool selected at the sole discretion of Management, provided that such carry forward is made within one month of the original pool.

18.8. ABANDONED OR CANCELLED LEGS: If for any reason whatsoever a pick 3 race is abandoned or cancelled the dividend shall be determined by dividing the net pool by the number of unit bets on the winning combinations in the legs of the pick 3 which were duly decided provided that if there is no unit bet on the winning combinations, read in conjunction with **Rule 18.6.2.**, the provisions of **Rule 18.7.** shall apply.

All selections in any abandoned or cancelled legs shall be deemed to be winning selections.

18.9. REFUNDS: No refunds will be made in respect of any pick 3 tickets, except in instances where a race meeting is cancelled or abandoned before either the first or second leg of a pick 3 pool. No refunds will be made in respect of any pool carried forward.

18.10 DEAD HEAT:

18.10.1. In the event of a dead heat between two or more horses in any leg for the first place in a pick 3 pool resulting in more than one winning combination, the net pool shall be divided into as many equal portions as there are winning combinations, and each such portion shall then be divided by the number of unit bets on each of the combinations.

18.10.2. Should there be no unit bets on one or more of the winning combinations as provided for under Rule 18.10.1. that portion of the net pool shall be carried forward and dealt with in terms of Rule 18.7."

P.N. 75/2004

30 April 2004

**PROVINCE OF THE WESTERN CAPE
BREEDERIVER/WINELANDS MUNICIPALITY
BY-ELECTION IN WARD 4: 26 MAY 2004**

Notice is hereby given in terms of section 25(4) of the Local Government: Municipal Structures Act, 1998 (Act 117 of 1998) that a by-election will be held in Ward 4 of the Breede River/Winelands Municipality on Wednesday, 26 May 2004, to fill the vacancy that developed as a result of the passing away of the ward councillor concerned.

Furthermore, notice is hereby given in terms of section 11(1)(b) of the Local Government: Municipal Electoral Act, 2000 (Act 27 of 2000) that the timetable for the by-election will soon be published in the Provincial Gazette of the Western Cape Province by the Independent Electoral Commission.

For any enquiries, please contact Mr. N. Nel, Private Bag X2, Ashton, 6715, at tel. (023) 615-1100.

Signed on this 30th day of April 2004.

J. J. DOWRY, PROVINCIAL MINISTER OF LOCAL GOVERNMENT

P.K. 75/2004

30 April 2004

**PROVINSIE WES-KAAP
MUNISIPALITEIT BREËRIVIER/WYNLAND
TUSSENVERKIESING IN WYK 4: 26 MEI 2004**

Kennis geskied hiermee ingevolge artikel 25(4) van die Wet op Plaaslike Regering: Munisipale Strukture, 1998 (Wet 117 van 1998) dat 'n tussenverkiesing in Wyk 4 van die Munisipaliteit Breërivier/Wynland gehou sal word op Woensdag, 26 Mei 2004, om die vakature te vul wat ontstaan het as gevolg van die heengaan van die betrokke wyksraadslid.

Kennis geskied hiermee verder ingevolge artikel 11(1)(b) van die Wet op Plaaslike Regering: Munisipale Verkiesing, 2000 (Wet 27 van 2000) dat die tydtafel vir die tussenverkiesing eersdaags deur die Onafhanklike Verkiesingskommissie in die Provinsiale Koerant van die Provinsie Wes-Kaap gepubliseer sal word.

Enige navrae kan intussen gerig word aan mnr. N. Nel, Privaatsak X2, Ashton, 6715, by telefoonnommer (023) 615-1100.

Geteken op hierdie 30ste dag van April 2004.

J. J. DOWRY, PROVINSIALE MINISTER VAN PLAASLIKE REGERING

P.N. 75/2004

30 April 2004

**IPHONDO LENTSHONA KOLONI
UMASIPALA WASE BREEDE RIVER/WINELANDS
UNYULO LOVALO-SIKHEWU KUWADI 4: NGOMHLA KA 26 KU MAY KA2004**

Ngolu xwebhu kwaziswa, ngokweCandelo 25(4) loMthetho wooRhulumente beNgingqi: amaSebe ooMasipala, 1998 (uMthetho 117 wonyaka we-1998), ukuba kuza kubanjwa unyulo lovalo sikhewu kuWadi 4 kummandla woMasipala wase Breede River/Winelands ngoLwesithathu umhla we-26 kuMay ka2004, ukuvala isikhewu esithe savela ngenxa yokusweleka kwelungu ebelimele iwadi leyo.

Ngokunjalo, ngolu xwebhu kwaziswa, ngokweCandelo 11(1)(b) loMthetho wooRhulumente beeNgingqi: Unyulo looMasipala, 2000 (uMthetho 27 wonyaka wama-2000), ukuba uludwe lwamaxsha okubanjwa konyulo lovalo sikhewu luya kupapashwa kuqala yiKomishoni eZimeleyo yoNyulo kwiGazethi yePhondo leNtshona Koloni.

Nayiphi na imibuzo ekhoyo ingabhekiswa kuMnu. N. Nel, Private Bag X2, Ashton, 6715, kwinqanaba yefowuni ethi (023) 615-1100.

Lusayinwe ngalo mhla we-30 kuApril ka2004.

J. J. DOWRY, UMPHATISWA WEPHONDO WORHULUMENTE WEEDOLOPHU

P.N. 76/2004

30 April 2004

WESTERN CAPE PROVINCIAL TREASURY

Correction Notice

P.N. 62/2004 published in Provincial Gazette Extraordinary 6119 dated 1 April 2004, page 18, under the heading Municipality, "Langeberg" should read "Theewaterskloof".

CITY OF CAPE TOWN (CAPE TOWN REGION)

REMOVAL OF RESTRICTIONS AND DEPARTURES:
ERF 41811, RONDEBOSCH EAST

Notice is hereby given in terms of section 3(6) of the Removal of Restrictions Act, 1967 (Act 84 of 1967) and in terms of section 15(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, Civic Centre, 12 Hertzog Boulevard, Cape Town 8001 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 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 office of the Manager: Land Use Management Branch, City of Cape Town, P.O. Box 4529, Cape Town 8000, faxed to (021) 421-1963 or e-mailed to trevor.upsheer@capetown.gov.za on or before 31 May 2004, quoting the above Act and Ordinance and the objector's erf and phone numbers. Any comments received after the aforementioned closing date may be disregarded.

File No: SG 07/41811 & LM 1482

Owner: Maney's Property Investment CC

Erf: 41811, Rondebosch East

Location: 5 Seventh Avenue

Suburb: Rondebosch East

Nature: Removal of restrictive title conditions applicable to Erf 41811, 5 Seventh Avenue, Rondebosch East, to enable the owners to regularise a double garage on the property. The street building line will be encroached upon.

A departure from the Zoning Scheme Regulations is also required:

Section 47(1): To permit the double garage to be setback 1,2 m in lieu of 4,5 m from Seventh Avenue.

Closing date for comments: 31 May 2004.

W. A. Mgoqi, City Manager.

30 April 2004.

P.K. 76/2004

30 April 2004

WES-KAAPSE PROVINSIALE TESOURIE

Regstellingskennisgewing

P.K. 62/2004 gepubliseer in Buitengewone Provinsiale Koerant 6119 van 1 April 2004, bladsy 18, onder die hofie Munisipaliteit moet "Langeberg" vervang word met "Theewaterskloof".

STAD KAAPSTAD (KAAPSTAD-STREEK)

OPHEFFING VAN BEPERKINGS EN AFWYKINGS:
ERF 41811, RONDEBOSCH-OOS

Kennis geskied hiermee ingevolge artikel 3(6) van die Wet op Opheffing van Beperkings, 1967 (Wet 84 van 1967) en artikel 15(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: 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: 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 31 Mei 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.upsheer@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.

Lêer Nr: SG 07/41811 & LM1482

Eienaar: Maney's Property Investment BK

Erf: 41811, Rondebosch-Oos

Ligging: Sewendelaan 5

Voorstad: Rondebosch-Oos

Aard: Opheffing van beperkende titelvoorwaardes van toepassing op Erf 41811, Sewendelaan 5, Rondebosch-Oos, om die eienaars in staat te stel om 'n dubbelmotorhuis op die eiendom te regulariseer. Die straatboulyn sal oorskry word.

'n Afwyking van die Soneringskema-regulasies word ook verlang:

Artikel 47(1): Om inspringsing ten opsigte van die dubbelmotorhuis toe te laat van 1,2 m in plaas van 4,5 m vanaf Sewendelaan.

Sluitingsdatum vir besware: 31 Mei 2004.

W. A. Mgoqi, Stadsbestuurder.

30 April 2004.

CITY OF CAPE TOWN (CAPE TOWN REGION)

REMOVAL OF RESTRICTIONS AND DEPARTURES:
ERF 34088, CAPE TOWN AT ATHLONE

Notice is hereby given in terms of section 3(6) of the Removal of Restrictions Act, 1967 (Act 84 of 1967) and in terms of section 15(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, Civic Centre, 12 Hertzog Boulevard, Cape Town 8001 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 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 office of the Manager: Land Use Management Branch, City of Cape Town, P.O. Box 4529, Cape Town 8000, faxed to (021) 421-1963 or e-mailed to trevor.upsher@capetown.gov.za on or before 31 May 2004, quoting the above Act and Ordinance and the objector's erf and phone numbers. Any comments received after the aforementioned closing date may be disregarded.

File No: SG7/34088

Owner: Izak Storm

Erf: 34088, Cape Town at Athlone

Location: 13 Boeschoten Road

Suburb: Athlone

Nature: Removal of a restrictive title condition applicable to Erf 34088, 13 Boeschoten Road, Athlone, to enable the owner to erect a second dwelling ("granny flat") on the property.

A departure from section 27(1) of the Zoning Scheme Regulations to permit a second dwelling unit ("granny flat") on the property is also required.

W. A. Mgoqi, City Manager.

E17/2/2/AA4/3MS 30 April 2004.

STAD KAAPSTAD (KAAPSTAD-STREEK)

OPHEFFING VAN BEPERKINGS EN AFWYKINGS:
ERF 34088, KAAPSTAD TE ATHLONE

Kennis geskied hiermee ingevolge artikel 3(6) van die Wet op Opheffing van Beperkings, 1967 (Wet 84 van 1967) en artikel 15(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 Direkoraat se faksnommer is (021) 483-3633.

Enige besware moet skriftelik, tesame met volledige redes, voor of op 31 Mei 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 erfen telefoonnommers. Enige kommentaar wat na die voormelde sluitingsdatum ontvang word, mag buite rekening gelaat word.

Lêer Nr: SG7/34088

Eienaar: Izak Storm

Erf: 34088, Kaapstad te Athlone

Ligging: Boeschotenweg 13

Voorstad: Athlone

Aard: Opheffing van 'n beperkende titelvoorwaarde van toepassing op Erf 34088, Boeschotenweg 13, Athlone, om die eienaar in staat te stel om 'n tweede woning ("oumawoonstel") op die eiendom op te rig.

'n Afwyking van artikel 27(1) van die Soneringskema regulasies word ook verlang om 'n tweede wooneenheid ("oumawoonstel") op die eiendom toe te laat.

W. A. Mgoqi, Stadsbestuurder.

E17/2/2/AA4/3MS 30 April 2004.

CITY OF CAPE TOWN (CAPE TOWN REGION)

REMOVAL OF RESTRICTIONS, CONSENT AND DEPARTURES: ERF 312, CAMPS BAY

Notice is hereby given in terms of section 3(6) of the Removal of Restrictions Act, 1967 (Act 84 of 1967) and in terms of section 15(3) of the Zoning Scheme Regulations and section 15(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, Civic Centre, 12 Hertzog Boulevard, Cape Town 8001 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 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 office of the Manager: Land Use Management Branch, City of Cape Town, P.O. Box 4529, Cape Town 8000, faxed to (021) 421-1963 or e-mailed to trevor.upsher@capetown.gov.za on or before 31 May 2004, quoting the above Act and Ordinance and the objector's erf and phone numbers. Any comments received after the aforementioned closing date may be disregarded.

File No: SG6/312 & LM1260

Owner: E Malan & Associates (Gauteng) CC

Erf: 312, Camps Bay

Location: 9 Strathmore Road

Suburb: Camps Bay

Nature of application: Removal of restrictive title conditions applicable to Erf 312, 9 Strathmore Road, Camps Bay, to enable the owner to convert the existing dwelling on the property into a double dwelling (two dwellings).

Consent to erect a double dwelling in a single dwelling residential use zone, is also required.

Departures from the following sections of the Scheme Regulations are also required:

Section 47(1): To permit the garages to be set back 1,4 m in lieu of 4,5 m from Strathmore Road.

Section 54(2): To permit the first floor garden area to be set back 3,9 m in lieu of 6,0 m from the north east boundary and to permit the first and second floors to be set back 2,500 m in lieu of 2,903 m from the north west and south east boundaries.

W. A. Mgoqi, City Manager.

E17/2/2/AC3/312 MS 30 April 2004.

STAD KAAPSTAD (KAAPSTAD-STREEK)

OPHEFFING VAN BEPERKINGS, TOESTEMMING EN AFWYKINGS: ERF 312, KAMPSBAAI

Kennis geskied hiermee ingevolge artikel 3(6) van die Wet op Opheffing van Beperkings, 1967 (Wet 84 van 1967) en artikel 15(3) van die Soneringskemaregulasies en artikel 15(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: 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: 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 Direkoraat se faksnommer is (021) 483-3633.

Enige besware moet skriftelik, tesame met volledige redes, voor of op 31 Mei 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.

Lêer nr: SG6/312 & LM 1260

Eienaar: E Malan & Vennote (Gauteng) BK

Erf: 312, Kampsbaai

Ligging: Strathmoreweg 9

Voorstad: Kampsbaai

Aard van aansoek: Opheffing van beperkende titelvoorwaardes van toepassing op Erf 312, Strathmoreweg 9, Kampsbaai, om die eienaar in staat te stel om die bestaande woning op die eiendom in 'n dubbelwoning (twee wonings) te omskep.

Toestemming om 'n dubbelwoning in 'n enkelwoning-residensiële gebruiksone op te rig, word ook verlang.

Afwykings word van die volgende artikels van die Skemaregulasies word ook verlang:

Artikel 47(1): Insprings ten opsigte van die motorhuise van 1,4 m in plaas van 4,5 m vanaf Strathmoreweg.

Artikel 54(2): Insprings ten opsigte van die tuingedeelte op die eerste verdieping van 3,9 m in plaas van 6,0 m vanaf die noordoostelike grens en ten opsigte van die eerste en tweede verdiepings van 2,500 m in plaas van 2,903 m vanaf die noordwestelike en suidoostelike grense.

W. A. Mgoqi, Stadsbestuurder.

E17/2/2/AC3/312 MS 30 April 2004.

CITY OF CAPE TOWN (CAPE TOWN REGION)

REMOVAL OF RESTRICTIONS: ERF 1311, GREEN POINT

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 for inspection at the office of the Manager: Land Use Management Branch, City of Cape Town, 14th Floor, Civic Centre, 12 Hertzog Boulevard, Cape Town 8001 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 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 office of the Manager: Land Use Management Branch, City of Cape Town, P.O. Box 4529, Cape Town 8000, faxed to (021) 421-1963 or e-mailed to trevor.upsher@capetown.gov.za on or before 31 May 2004, quoting the above Act and Ordinance and the objector's erf and phone numbers. Any comments received after the aforementioned closing date may be disregarded.

File No: SG21/1311 & LM 1521

Owners: Interfocus SA Investments 25 (Proprietary) Limited and 604 Bella Vista (Proprietary) Limited

Erf: 1311, Green Point

Location: 28 Ocean View Drive

Suburb: Green Point

Nature: Removal of restrictive title conditions applicable to Erf 1311, 28 Ocean View Drive, Green Point to enable the owners to legalise the garage that encroaches the street building line which will then allow the owners to register a two unit sectional title scheme on the property.

W. A. Mgoqi, City Manager.

E17/2/2/AG12/Erf 1311 SA 30 April 2004.

BREEDE RIVER/WINELANDS MUNICIPALITY

Bonnievale Office

MN NO. 33/2004

REMOVAL OF RESTRICTIONS ACT, 1967
(ACT 84 OF 1967)

ERF 560, 12 FORREST STREET, BONNIEVALE

Notice is hereby given in terms of section 3(6) of the above Act and section 24 of Ordinance 15 of 1985, that the undermentioned application has been received and is open to inspection during office hours at the office of the Municipal Manager, Breede River/Winelands Municipality, Ashton, as well as the Municipality's Bonnievale office and any enquiries may be directed to Mr. Jack van Zyl, Private Bag X2, Ashton ((023) 614-8000). The application is also open to inspection at the office of the Director, Land Development Management, Provincial Government of the Western Cape, at Room 601, 27 Wale Street, Cape Town, from 8:00-12:30 and 13:00-15:30 (Monday to Friday). Telephonic enquiries in this regard may be made at (021) 483-3009 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 at Private Bag X9086, Cape Town 8000, with a copy to the above-mentioned Municipal Manager on or before 31 May 2004, quoting the above Act and the objector's erf number. Any comments received after the aforementioned closing date may be disregarded.

*Applicant**Nature of Application*

Spronk & Associates Inc (on behalf of CMR Cornelissen)	Removal of restrictive title conditions applicable to Erf 560, 12 Forrest Street, Bonnievale, to enable the owner to subdivide the property into three portions (of 455 m ² , 185 m ² and 186 m ² in size) for residential purposes.
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STAD KAAPSTAD (KAAPSTAD-STREEK)

OPHEFFING VAN BEPERKINGS: ERF 1311, GROENPUNT

Kennis geskied hiermee ingevolge artikel 3(6) van die Wet op Opheffing van Beperkings, 1967 (Wet 84 van 1967) dat die onderstaande aansoek ontvang is en tussen 08:30-12:30 (Maandag tot Vrydag) by die kantoor van die Bestuurder: Grondgebruikbestuur, 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 Direktooraat se faksnommer is (021) 483-3633.

Enige besware moet skriftelik, tesame met volledige redes, voor of op 31 Mei 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 telefoonnommers. Enige kommentaar wat na die voormelde sluitingsdatum ontvang word, mag buite rekening gelaat word.

Lêer nr: SG21/1311 & LM 1521

Eienaars: Interfocus SA Investments 25 (Edms) Bpk en 604 Bella Vista (Edms) Bpk Erf: 1311, Groenpunt

Erf: 1311, Groenpunt

Ligging: Ocean Viewrylaan 28

Voorstad: Groenpunt

Aard: Opheffing van beperkende titelvoorwaardes van toepassing op Erf 1311, Ocean Viewrylaan 28, Groenpunt om die eienaars in staat te stel om die motorhuis wat die straatboulyn oorskry, te wettig wat die eienaars dan sal toelaat om 'n twee-eenheid deeltitelskema op die eiendom te registreer.

W. A. Mgoqi, Stadsbestuurder.

E17/2/2/AG12/Erf 1311 SA 30 April 2004.

MUNISIPALITEIT BREËRIVIER/WYNLAND

Bonnievale Kantoor

MK NR. 33/2004

WET OP OPHEFFING VAN BEPERKINGS, 1967
(WET 84 VAN 1967)

ERF 560, FORRESTSTRAAT 12, BONNIEVALE

Kragtens artikel 3(6) van bostaande Wet en artikel 24 van Ordonnansie 15 van 1985 word hiermee kennis gegee dat die onderstaande aansoek ontvang is en ter insae lê gedurende kantoorure by die kantoor van die Munisipale Bestuurder, Breërivier/Wynland Munisipaliteit, Ashton, sowel as die Bonnievale kantoor van die Munisipaliteit en enige navrae kan gerig word aan mnr. Jack van Zyl, Privaatsak X2, Ashton ((023) 614-8000). Die aansoek lê ook ter insae by die kantoor van die Direkteur, Grondontwikkelingsbestuur, Provinsiale Regering 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 hierdie verband kan gerig word aan (021) 483-3009 en die Direktooraat 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 Munisipale Bestuurder, ingedien word op of voor 31 Mei 2004 met vermelding van bogenoemde Wet en die beswaarmaker se erfnummer. Enige kommentaar wat na die voorgemelde sluitingsdatum, ontvang word, mag moontlik nie in ag geneem word nie.

*Aansoeker**Aard van Aansoek*

Spronk en Medewerkers Ing (namens CMR Cornelissen)	Opheffing van beperkende titelvoorwaardes van toepassing op Erf 560, Forreststraat 12, Bonnievale, ten einde die eienaar in staat te stel om die perseel in drie gedeeltes (van 455 m ² , 185 m ² en 186 m ² groot) vir residensiële doeleindes te onderverdeel.
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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**BEAUFORT WEST MUNICIPALITY**

NOTICE NO. 32/2004

PROPOSED REZONING OF A PORTION OF ERF 3894, AND CONSENT USE, 3 WATSONIA STREET, RUSTDENE, BEAUFORT WEST

Notice is hereby given in terms of section 17 of Ordinance 15 of 1985 that the Local Council has received an application from the owner of Erf 3894, 3 Watsonia Street, Rustdene, Beaufort West for the rezoning of the said property from residential zone I to business zone I with a consent use for conducting a tavern from the said property.

Full details regarding the above application are available for inspection at the office of the Acting Director: Corporative Services, 15 Church Street, Beaufort West from Mondays to Fridays between 07:30 till 16:15.

Objections, if any, against the proposed rezoning and consent use must be lodged in writing with the undersigned on or before Friday, 4 June 2004 stating full reasons for such objections.

D. E. Welgemoed, Municipal Manager, Municipal Offices, 15 Church Street, Beaufort West 6970.

[12/4/4/2; 12/3/2] 30 April 2004.

6838

BERG RIVER MUNICIPALITY

APPLICATION FOR SUBDIVISION: REMAINDER FARM BLINDEFONTEIN NO. 70, PIKETBERG

It is hereby notified in terms of section 24 of the Land Use Planning Ordinance, 1885 (Ordinance 15 of 1985), that the undermentioned application has been received, which is open to inspection at the offices of the Local Authority. Any objections to the application, with full reasons therefore, should be lodged in writing with the Municipal Manager, Church Street, Piketberg (P.O. Box 60, Piketberg 7320) or fax (022) 913-1380 by no later than 12:00 on 3 June 2004, quoting the above Ordinance as well as the objector's erf number.

*Applicant**Nature of Application*

Biff Lewis Geomatics on behalf of A. M. and A. A. Wiese	Subdivision of the remainder of the farm Blindefontein No. 70, Piketberg into Portion 1 (± 387,3295 ha) and Portion 2 (± 463,4838 ha) for agricultural purposes.
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Enquiries: Mr. W. Wagener, Piketberg, telephone (022) 913-1126.

A. J. Bredenhann, Municipal Manager, Municipal Offices, P.O. Box 60, Piketberg 7320.

MN 27/2004 30 April 2004.

6839

BERG RIVER MUNICIPALITY**CLOSURE OF PUBLIC PLACE ERF 240, AURORA**

Notice is hereby given in terms of the provisions of section 137(1) of Ordinance 20 of 1974 that public place Erf 240, Aurora, has been closed (S/6524 v1 p. 131). — A. J. Bredenhann, Municipal Manager, P.O. Box 60, Piketberg 7320.

MN 28/2004 30 April 2004.

6840

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 BEAUFORT-WES**

KENNISGEWING NR. 32/2004

VOORGESTELDE GEDEELTELIKE HERSONERING VAN ERF 3894 EN VERGUNNINGSGEBRUIK, WATSONIASTRAAT 3, RUSTDENE, BEAUFORT-WES

Kennis geskied hiermee ingevolge artikel 17 van Ordonnansie 15 van 1985 dat die Plaaslike Raad 'n aansoek ontvang het van die eienaar van Erf 3894, Watsoniastraat 3, Rustdene, Beaufort-Wes, vir die gedeeltelike herosnering van voormelde eiendom vanaf residensiële sone I na sakesone I met 'n vergunningsgebruik vir 'n taverne.

Volledige besonderhede met betrekking tot die bogemelde aansoek lê ter insae by die kantoor van die Waarnemende Direkteur: Korporatiewe Dienste, Kerkstraat 15, Beaufort-Wes vanaf Maandae tot Vrydae tussen 07:30 tot 16:15.

Besware, indien enige, teen die voorgestelde herosnering en vergunningsgebruik moet skriftelik en met vermelding van volledige redes vir sodanige besware, by die ondergetekende ingedien word voor of op Vrydag, 4 Junie 2004.

D. E. Welgemoed, Munisipale Bestuurder, Munisipale Kantore, Kerkstraat 15, Beaufort-Wes 6970.

[12/4/4/2; 12/3/2] 30 April 2004.

6838

BERGRIVIER MUNISIPALITEIT

AANSOEK OM ONDERVERDELING: RESTANT PLAAS BLINDEFONTEIN NR. 70, PIKETBERG

Kragtens artikel 24 van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie 15 van 1985), word hiermee kennis gegee dat die onderstaande aansoek ontvang is en ter insae lê by die kantore van die Plaaslike Owerheid. Enige besware, met die volledige redes daarvoor, moet skriftelik by die Munisipale Bestuurder, Kerkstraat, Piketberg (Posbus 60, Piketberg 7320) of per faks (022) 913-1380 ingedien word voor 12:00 op 3 Junie 2004 met vermelding van bogenoemde Ordonnansie asook die beswaarmaker se erfnummer.

*Aansoeker**Aard van Aansoek*

Biff Lewis Geomatics namens A. M. en A. A. Wiese	Onderverdeling van restant van die plaas Blindefontein Nr. 70 Piketberg in Gedeelte 1 (± 387,3285 ha) en Gedeelte 2 (± 463,4838 ha) vir landbouoelindes.
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Navrae: Mnr. W. Wagener, Piketberg, telefoon (022) 993-1126.

A. J. Bredenhann, Munisipale Bestuurder, Munisipale Kantore, Posbus 60, Piketberg 7320.

MK 27/2004 30 April 2004.

6839

MUNISIPALITEIT BERGRIVIER**SLUITING VAN OPENBARE PLEK ERF 240, AURORA**

Kennisgewing geskied hiermee ingevolge die bepalings van artikel 137(1) van Ordonnansie 20 van 1974 dat openbare plek Erf 240, Aurora gesluit is (S/6524 v1 p.131). — A. J. Bredenhann, Munisipale Bestuurder, Posbus 60, Piketberg 7320.

MK 28/2004 30 April 2004.

6840

BREEDE RIVER/WINELANDS MUNICIPALITY

Robertson Office

MN NO. 36/2004

PROPOSED TEMPORARY DEPARTURE:
ERF 613, 68 PAUL KRUGER 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 from Ms. E. S. J. van Rooyen for a temporary departure (for five years) to run a scrap-yard for the purchase of scrap metal from Erf 613, 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 24 May 2004. Further details are obtainable from Mr. Jack van Zyl ((023) 614-8000) 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 6712.

30 April 2004.

6841

BREEDE RIVER/WINELANDS MUNICIPALITY

Bonnievale Office

MN NO. 34/2004

PROPOSED SUBDIVISION OF ERF 809,
ALMERA AVENUE AND MILNER STREET, BONNIEVALE

(Ordinance 15 of 1985, Land Use Planning)

Notice is hereby given in terms of the provisions of sections 24(1) of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985), that the Council has received an application from Spronk and Associates on behalf of Ms. E. Plaatjies for the subdivision of Erf 809, Bonnievale, into nine portions (Portion 1 — ± 590 m²; Portion 2 — ± 602 m²; Portion 3 — ± 776 m²; Portion 4 — ± 719 m²; Portion 5 — ± 500 m²; Portion 6 — ± 500 m²; Portion 7 — ± 500 m²; Portion 8 — ± 530 m²; Portion 9 — ± 350 m²).

The application for the proposed subdivision will be open for inspection at the Bonnievale office during normal office hours. Written legal and fully motivated objections/comments, if any, must be lodged with the undersigned before or on 24 May 2004. Further details are obtainable from Mr. Jack van Zyl ((023) 614-8000) 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.

30 April 2004.

6842

MUNISIPALITEIT BREËRIVIER/WYNLAND

Robertson Kantoor

MK NR. 36/2004

VOORGESTELDE TYDELIKE AFWYKING:
ERF 613, PAUL KRUGERSTRAAT 68, 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 van me. E. S. J. van Rooyen om 'n tydelike afwyking (vir vyf jaar) ten einde 'n skroofterf te bedryf vir die aankoop van afvalmetaal, vanaf Erf 613, Robertson.

Die aansoek insake die voorgenome tydelike afwyking lê ter insae gedurende kantoorure in die Robertson kantoor en skriftelike regsgeldige en goed gemotiveerde besware/kommentaar, indien enige moet nie later as 24 Mei 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) 614-8000).

'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.

30 April 2004.

6841

MUNISIPALITEIT BREËRIVIER/WYNLAND

Bonnievale Kantoor

MK NR. 34/2004

VOORGESTELDE ONDERVERDELING VAN ERF 809,
ALMERALAAN EN MILNERSTRAAT, BONNIEVALE

(Ordonnansie 15 van 1985, Grondgebruikbeplanning)

Kennis geskied hiermee ingevolge artikel 24(1) van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie 15 van 1985) dat 'n aansoek ontvang is van Spronk Theron namens me. E. Plaatjies vir die onderverdeling van Erf 809, Bonnievale, in nege gedeeltes (Gedeelte 1 — ± 590 m²; Gedeelte 2 — ± 602 m²; Gedeelte 3 — ± 776 m²; Gedeelte 4 — ± 719 m²; Gedeelte 5 — ± 500 m²; Gedeelte 6 — ± 500 m²; Gedeelte 7 — ± 500 m²; Gedeelte 8 — ± 530 m²; Gedeelte 9 — ± 350 m²).

Die aansoek insake die voorgenome onderverdeling lê ter insae gedurende kantoorure in die Bonnievale kantoor en skriftelike regsgeldige en goed gemotiveerde besware/kommentaar, indien enige moet nie later as 24 Mei 2004 skriftelik by die ondergetekende ingedien word nie. Navrae kan gerig word aan mnr. Jack van Zyl by telefoonnommer ((023) 614-8000).

'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.

30 April 2004.

6842

BREEDE RIVER/WINELANDS MUNICIPALITY

Robertson Office

MN NO. 35/2004

PROPOSED SUBDIVISION OF ERF 591,
34 LOOP STREET, ROBERTSON

(Ordinance 15 of 1985, Land Use Planning)

Notice is hereby given in terms of section 24(1) of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985), that the Council has received an application from Geomatics Africa on behalf of Ms. J. B. Peacock for the proposed subdivision of Erf 295, Robertson, into two portions (Portion 1 — ± 675 m² and Portion 1 — ± 714 m²).

The application for the proposed subdivision 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 undersigned before or on 24 May 2004. Further details are obtainable from Mr. Jack van Zyl ((023) 614-8000) during office hours.

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

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

30 April 2004.

6843

CAPE AGULHAS MUNICIPALITY

PROPOSED REZONING AND SUBDIVISION:
ERF 2617, C/O VILJOEN AND HEUNINGBERG STREETS,
BREDASDORP

Notice is hereby given in terms of sections 17 and 24 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985), that Council has received an application from Jennings, Goulleé, Thompson for the rezoning and subdivision of Erf 2617, Bredasdorp. The application entails the rezoning of Erf 2617 from worship zone to residential zone and the subdivision of the property into six single residential erven. Erf 2617 is owned by the Old Apostolic Church of Africa.

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 31 May 2004.

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

30 April 2004.

6844

MUNISIPALITEIT BREËRIVIER/WYNLAND

Robertson Kantoor

MK NR. 35/2004

VOORGESTELDE ONDERVERDELING VAN ERF 591,
LOOPSTRAAT 34, ROBERTSON

(Ordonnansie 15 van 1985, Grondgebruikbeplanning)

Kennis geskied hiermee ingevolge artikel 24(1) van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie 15 van 1985) dat 'n aansoek ontvang is van Geomatics Africa namens me. J. B. Peacock vir die onderverdeling van Erf 591, Robertson, in twee dele (Gedeelte 1 — ± 675 m² en Gedeelte 2 — ± 714 m²).

Die aansoek insake die voorgename onderverdeling lê ter insae gedurende kantoorure in die Robertson kantoor en skriftelike regsgeldige en goed gemotiveerde besware/kommentaar, indien enige moet nie later as 24 Mei 2004 skriftelik by die ondergetekende ingedien word nie. Navrae kan gerig word aan mnr. Jack van Zyl by telefoonnommer ((023) 614-8000).

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

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

30 April 2004.

6843

MUNISIPALITEIT KAAP AGULHAS

VOORGESTELDE HERSONERING EN ONDERVERDELING:
ERF 2617, H/V VILJOEN- EN HEUNINGBERGSTRAAT,
BREDASDORP

Kennis geskied hiermee ingevolge artikels 17 en 24 van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie 15 van 1985), dat die Raad 'n aansoek ontvang het van Jennings, Goulleé, Thompson vir die hersonering en onderverdeling van Erf 2617, Bredasdorp. Die aansoek behels die hersonering van Erf 2617 van geloofsone na residensiële sone en die onderverdeling van die betrokke eiendom in ses enkelresidensiële woonerwe. Erf 2617 behoort tans aan die Ou Apostoliese Kerk van Afrika.

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 31 Mei 2004 bereik nie.

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

30 April 2004.

6844

CITY OF CAPE TOWN (BLAAUWBERG REGION)

SUBDIVISION, REZONING AND
CONSENT USE: PORTION 49 OF CAPE FARM
245, AT N1/SABLE ROAD INTERCHANGE, CENTURY CITY

Notice is hereby given in terms of sections 24 and 17(2)(a) of Ordinance 15 of 1985, that an application has been received from MLH Architects for subdivision and rezoning, and in terms of the section 8 Scheme Regulations, for consent use to establish a direct access service area on Portion 49 of Cape Farm 245, at N1/Sable Road interchange, Century City.

Notice is also given of a Draft Environmental Scoping Report in terms of regulation 4(6) of the EIA Regulations published in Government Notice No. R1183 under sections 21, 22 and 26 of the Environmental Conservation Act (Act No. 73 of 1989).

Details of the proposal are open for inspection at Milpark Centre (Ground Floor), cnr. Koeberg Road & Ixia Street, Milnerton, between 08:00 and 13:00 weekdays, as well as at Albow Gardens, Acacia and Kensington libraries and the offices of Crowther Campbell Associates www.ccaenvironmental.co.za. Any objection, with full reasons therefore, should be lodged in writing with the City Manager, P.O. Box 35, Milnerton 7435, by no later than 21 May 2004 quoting the objector's erf number.

(Ref. No. LC CFM245/49)

Applicant: MLH on behalf of Graafs Trust Limited.

W. A. Mgoqi, City Manager.

30 April 2004.

6845

CITY OF CAPE TOWN (TYGERBERG REGION)

CLOSURE, REZONING AND EXCHANGE TRANSFER:
PORTIONS OF PUBLIC PLACES AND PUBLIC
ROAD, DOOR-DE-KRAAL, BELLVILLE: D'ARIA VINEYARDS
(PTY) LTD

Notice is hereby given in terms of Provincial Notice No. 5988 (Clause 4(3)(a)), that the Council intends to:

- a) Transfer Erf 39160 (Renosterveld) in extent $\pm 17\,157\text{ m}^2$ from D'Aria Vineyards (Pty) Ltd to the City at a selling price of R100,00 (excluding VAT), to be incorporated and managed together with the abutting public place Erf 15651;
- b) close public open space Erven 39161 and 39164 and public road Erven 39162 and 39163, measuring $\pm 9\,895\text{ m}^2$ in extent in total;
- c) in terms of section 17 of the Land Use Planning Ordinance, 1985 (Ordinance No. 15 of 1985):
 - i) rezone the closed public open space and public road to agricultural purposes for consolidation and to be notarially tied to the adjacent farm Springfield;
 - ii) rezone Erf 39160 to public open space for incorporation with abutting public open space Erf 15651;
- d) transfer the consolidated erf in (c)(i) above from the City to D'Aria Vineyards (Pty) Ltd at a selling price of R10 000,00 (excluding VAT);
- e) register a servitude right-of-way in favour of D'Aria Vineyards (Pty) Ltd over Erf 37888 to allow access to the vineyards surrounding the proposed office park from the farm Springfield.

The proposal is available for inspection during office hours (08:00-13:00 and 13:30-16:30) by appointment at the office of Ms. A. Fransman (tel. (021) 918-2018), Civic Centre, Voortrekker Road, Bellville and objections, if any, must reach the undersigned in writing at P.O. Box 2, Bellville 7535 by not later than Monday, 31 May 2004.

W. A. Mgoqi, City Manager.

(TE 14/3/5/2/9) 30 April 2004.

6846

STAD KAAPSTAD (BLAAUWBERG-STREEK)

ONDERVERDELING, HERSONERING EN
VERGUNNINGSGEBRUIK: GEDEELTE 49 VAN KAAPSE PLAAS
245 GELEË TE N1/SABLEWEG-WISSELAAR, CENTURY CITY

Kennis geskied hiermee ingevolge artikels 24 en 17(2)(a) van Ordonnansie 15 van 1985, dat 'n aansoek ontvang is van MLH Argitekte om die onderverdeling, hersonering en ingevolge die artikel 8-Skemaregulasies, vergunningsgebruik vir die ontwikkeling van 'n direkte toegang diensarea op Gedeelte 49 van Kaapse Plaas 245, geleë te N1/Sableweg-wisselaar, Century City.

Kennis geskied ook hiermee van 'n konsep-omgewings-omvangsverslag ingevolge regulasie 4(6) van die OIB Regulasies soos gepubliseer in Staatskennisgewing Nr. R11883 kragtens artikels 21, 22 en 26 van die Wet op Omgewingsbewing (Wet Nr. 73 van 1989).

Verdere inligting met betrekking tot die voorstel is ter insae by die Milpark-sentrum (Grondverdieping), h/v Koebergweg & Ixiastraat, Milnerton, weksdae tussen 08:00 en 13:00, asook by die Albow Gardens, Acacia en Kensington biblioteke en Crowther Campbell Associates www.ccaenvironmental.co.za. Enige besware, met volledige motiverings daarvoor en verwysing na die erfnommers van die beswaarmaker, moet skriftelik gerig word aan die Stadsbestuurder, Posbus 35, Milnerton 7435, nie later as 21 Mei 2004 nie.

(Verw. Nr. LC CFM245/49)

Aansoeker: MLH namens Graafs Trust Beperk.

W. A. Mgoqi, Stadsbestuurder.

30 April 2004.

6845

STAD KAAPSTAD (TYGERBERG-STREEK)

SLUITING, HERSONERING EN RUILTRANSAKSIE:
GEDEELTES VAN OPENBARE OOPRUIMTES EN OPENBARE
PAD, DOOR-DE-KRAAL, BELLVILLE: D'ARIA VINEYARDS
(EDMS) BPK

Kennis geskied hiermee ingevolge Provinsiale Kennisgewing Nr. 5988 (Klousule 4(3)(a)), dat die Raad van voorneme is om:

- a) Erf 39160 (Renosterveld), $\pm 17\,157\text{ m}^2$ 26 September 2003 groot, vanaf D'Aria Vineyards (Edms) Bpk na die Stad oor te dra teen 'n koopsom van R100,00 (BTW uitgesluit) vir die inlywing met en bestuur daarvan saam met aangrensende openbare oopruimte Erf 15651;
- b) openbare oopruimte Erwe 39161 en 39164 en openbare pad Erwe 39162 en 39163, in geheel $\pm 9\,895\text{ m}^2$ groot, te sluit;
- c) ingevolge artikel 17 van die Ordonnansie op Grondgebruik-beplanning, 1985 (Ordonnansie 15 van 1985):
 - i) om die geslote publieke oopruimte en publieke pad na landbouoeloes te hersoneer vir konsolidasie en notarieel gebind te word met aangligende plaas Springfield;
 - ii) Erf 39160 na openbare oopruimte te hersoneer vir inlywing met aangrensende openbare oopruimte Erf 15651;
- d) die gekonsolideerde erf in (c)(i) hierbo vanaf die Stad na D'Aria Vineyards (Edms) Bpk teen 'n koopsom van R10 000,00 (BTW uitgesluit), oor te dra;
- e) 'n reg-van-weg-serwituut oor Erf 37888 ten gunste van D'Aria Vineyards (Edms) Bpk te registreer om toegang tot die wingerde wat die voorgestelde kantoorpark gaan omring, te verkry.

Die voorstel lê tydens kantoorure (08:00-13:00 en 13:30-16:30) ter insae, volgens afspraak, in die kantoor van me. A. Fransman (tel. (021) 918-2018), Burgersentrum, Voortrekkerweg, Bellville en besware, indien enige, moet die ondergetekende skriftelik bereik te Posbus 2, Bellville 7535, nie later nie as Maandag, 31 Mei 2004.

W. A. Mgoqi, Stadsbestuurder.

(TE 14/3/5/2/9) 30 April 2004.

6846

DRAKENSTEIN MUNICIPALITY

APPLICATION FOR REZONING AND SUBDIVISION:
PORTION 8 OF FARM 1298 AND REMAINDER OF FARM 1298,
HERMON DIVISION: PROPOSED HOUSING PROJECT

Notice is hereby given in terms of sections 17(2) and 24(2) of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985), that an application as set out below has been received and can be viewed during normal office hours at the office of the Head: Planning and Economic Development, Administrative Offices, Berg River Boulevard, Paarl (telephone (021) 807-6227):

Properties: Portion 8 of Farm 1298 and remainder of Farm 1298, Hermon Division

Applicant: CK Rumboll and Partners

Owner: Portion 8 of the Farm 1298 — National Housing Board remainder of the Farm 1298 — Mr. P. L. L. Abrahamse

Locality: ± 7 km south east of Riebeeck-Kasteel, next to Hermon Township and adjacent to Divisional Road No. 24

Extents: Portion 8 of Farm 1298: 5,0010 ha (± 1,8 ha for township development purposes).

Remainder of Farm 1298: 165,6069 ha (± 2 ha for township development purposes)

Proposal: Rezoning of a portion of the application property (± 4 ha) to “subdivisional area” for the establishment of the Hermon Housing Project in order to address the housing shortages in Hermon.

The proposed development will consist of the following:

“Residential zone I” (single dwelling erven) (maximum of 111 units on 2,7211 ha) (± 69,06% of the development property), “open space zone I” (private open space) (maximum of five units on 3 333 m²) (± 8,46% of the development property), “business zone I” (one business site on 241 m²) (± 0,61% of the development property), “public street” (total area of 8 615 m²) (± 21,87% of the development property).

The subdivision of the application properties in order to establish the development property (± 4 ha). The subdivision of the development property as follows:

- 111 “residential zone I” erven with an average size of ± 200 m²;
- five “open space zone I” erven for the purpose of facilities for the single residential component;
- one “business zone I” erf with a size of 241 m²;
- a 5 m wide tarred access road and 4,5 m wide internal gravel roads are to be provided and covers a total road reserve area of 8 615 m².

Motivated objections can be lodged in writing, to reach the undersigned by not later than Wednesday, 26 May 2004. No late objections will be considered.

Persons who are unable to read or write, can submit their objection verbally at the Municipal Offices, Berg River Boulevard, Paarl, where they will be assisted by a staff member to put their comment in writing.

J. J. H. Carstens, Municipal Manager.

15/4/1 (F1298) H x 17///5/5/3/2

30 April 2004.

6847

DRAKENSTEIN MUNISIPALITEIT

AANSOEK OM HERSONERING EN ONDERVERDELING:
GEDEELTE 8 VAN PLAAS 1298 EN RESTANT VAN PLAAS 1298,
HERMON AFDELING: VOORGESTELDE BEHUISINGSPROJEK

Kennis geskied hiermee ingevolge artikels 17(2) en 24(2) van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie 15 van 1985), dat 'n aansoek soos hieronder uiteengesit ontvang is en gedurende normale kantoorure ter insae is by die kantoor van die Hoof: Beplanning en Ekonomiese Ontwikkeling, Administratiewe Kantore, Bergrivier Boulevard, Paarl (telefoon (021) 807-6227):

Eiendomme: Gedeelte 8 van Plaas 1298 en restant van Plaas 1298, Hermon Afdeling

Aansoek: CK Rumboll en Vennote

Eienaar: Gedeelte 8 van Plaas 1298 — Nasionale Behuisingsraad restant van Plaas 1298 — mnr. P. L. L. Abrahamse

Ligging: ± 7 km suidoos van Riebeeck-Kasteel, langs die Hermon Dorpsgebied en langs die Afdelingspad Nr. 24

Groottes: Gedeelte 8 van Plaas 1298: 5,0010 ha (± 1,8 ha vir dorpsontwikkelingsdoeleindes).

Restant van Plaas 1298: 165,6069 ha (± 2 ha vir dorpsontwikkelingsdoeleindes).

Voorstel: Die hersonering van 'n gedeelte van die aansoekseiendomme (± 4 ha) na “onderverdelingsgebied”, vir die vestiging van die Hermon Behuisingsprojek, ten einde die behuisingstekort in Hermon aan te spreek.

Die voorgestelde projek sal uit die volgende bestaan:

“Residensiële sone I” (enkelwoon) (maksimum van 111 eenhede op 2,7211 ha) (± 69,06% van die voorgestelde ontwikkelingseiendom), “oopruiimte sone I” (privaat oopruiimte) (maksimum van vyf eenhede op 3 333 m²) (± 8,46% van die ontwikkelingseiendom), “sakesone I” (een sakeperseel op 241 m²) (± 0,61% van die ontwikkelingseiendom) “openbare straat” (beslaan 8 615 m²) (± 21,87% van die ontwikkelingseiendom).

Die onderverdeling van die aansoekseiendomme ten einde die ontwikkelingseiendom (± 4 ha) daar te stel. Die onderverdeling van die ontwikkelingseiendom is soos volg:

- 111 “residensiële sone I” erwe met 'n gemiddelde grootte van ± 200 m²;
- vyf “oopruiimtesone I” erwe vir die doeleindes van parkfasiliteite vir die enkelwoonkomponent;
- een “sakesone I” erf met 'n grootte van 241 m²;
- 'n 5 m wye geteerde toegangspad en 4,5 m interne gruispaaië sal voorsien word en beslaan 'n padreserwe oppervlakte van 8 615 m².

Gemotiveerde besware kan skriftelik by die ondergetekende ingedien word, teen nie later nie as Woensdag, 26 Mei 2004. Geen laat besware sal oorweeg word nie.

Indien 'n persoon nie kan lees of skryf nie, kan so 'n persoon sy kommentaar mondelings by die Munisipale Kantore, Bergrivier Boulevard, Paarl, af lê, waar 'n personeelid sal help om sy kommentaar/vertoë op skrif te stel.

J. J. H. Carstens, Munisipale Bestuurder.

15/4/1 (F1298) H x 17/5/5/3/2

30 April 2004.

6847

GEORGE MUNICIPALITY

NOTICE NUMBER 100 OF 2004

PROPOSED CLOSURE, REZONING AND CONSOLIDATION: PORTION OF ERF 3960, CYPRESS AVENUE, HEATHER PARK, GEORGE

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

1. Closure of a portion of Erf 3960, George, as public open space;
2. cut off the above-mentioned closed portion from Erf 3960, George;
3. rezone the above-mentioned closed portion in terms of section 17(2)(a) of Ordinance 15 of 1985 from public open space to single residential zone;
4. consolidate the rezoned portion with Erf 4903, George.

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 4903, George.

Motivated objections, if any, must be lodged in writing with the Deputy Director: Planning by not later than 31 May 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 6630.

30 April 2004.

6848

KNYSNA MUNICIPALITY

LAND USE PLANNING ORDINANCE, 1985 (ORDINANCE 15 OF 1985)

LOCAL GOVERNMENT ACT: MUNICIPAL SYSTEMS, 2000 (ACT 32 OF 2000)

PROPOSED REZONING: PORTION 33 OF THE FARM LEEUWENBOSCH 185, DISTRICT KNYSNA

Notice is hereby given in terms of section 17 of Ordinance 15 of 1985 that the undermentioned application has been received by the Municipal Manager and is open for inspection at the Municipal Building, Clyde Street, Knysna. Any objections, with full reasons therefor, should be lodged in writing with the Municipal Manager, P.O. Box 21, Knysna 6570, on or before Monday, 31 May 2004 quoting the above Ordinance and objector's erf number.

Notice is further given in terms of section 21(4) of the Local Government Act: Municipal Systems 2000 (Act 32 of 2000) that people who cannot write can approach the Town Planning section during normal office hours at the Municipal Offices where the Secretary will refer you to the responsible official whom will assist you in putting your comments or objections in writing.

*Applicant**Nature of Application*

Champion Chix (on behalf of Mariana Bouwer)	Rezoning of a 124 ha portion of Portion 33 of the farm Leeuwenbosch 185, District Knysna, from "agricultural zone I" to "agricultural zone II" to construct a poultry abattoir.
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D. Daniels, Municipal Manager.

File reference: KNY 185/33 30 April 2004.

6849

MUNISIPALITEIT GEORGE

KENNISGEWING NOMMER 100 VAN 2004

VOORGESTELDE SLUITING, HERSONERING EN KONSOLIDASIE: GEDEELTE VAN ERF 3960, CYPRESSLAAN, HEATHERPARK, GEORGE

Kennis geskied hiermee dat die Raad die volgende aansoek op bogenoemde eiendom ontvang het:

1. Sluiting van 'n gedeelte van Erf 3960, George as publieke oopruimte;
2. bogenoemde geslote gedeelte af te sny vanaf Erf 3960, George;
3. die Hersonerings in terme van artikel 17(2)(a) van Ordonnansie 15 van 1985 van bogenoemde geslote gedeelte vanaf publieke oopruimte na enkelwoonsone;
4. bogenoemde gehersoneerde gedeelte te konsolideer met Erf 4903, George.

Volledige besonderhede van die voorstel sal gedurende gewone kantoorure, Maandae tot Vrydae, ter insae wees by die Raad se kantoor te Bloemhofsentrum, Yorkstraat, George. *Navrae:* K. Meyer, *Verwysing:* Erf 4903, George.

Gemotiveerde besware, indien enige, moet skriftelik by die Adjunktdirekteur: Beplanning, ingedien word nie later as 31 Mei 2004.

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

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

30 April 2004.

6848

KNYSNA MUNISIPALITEIT

ORDONNANSIE OP GRONDGEBRUIKBEPLANNING, 1985 (ORDONNANSIE 15 VAN 1985)

WET OP PLAASLIKE REGERING: MUNISIPALE STELSELS, 2000 (WET 32 VAN 2000)

VOORGESTELDE HERSONERING: GEDEELTE 33 VAN DIE PLAAS LEEUWENBOSCH 185, DISTRIK KNYSNA

Kennis geskied hiermee ingevolge artikel 17 van Ordonnansie 15 van 1985 dat die onderstaande aansoek deur die Munisipale Bestuurder ontvang is en ter insae lê by die Munisipale-gebou, Clydestraat, Knysna. Enige besware, met volledige redes daarvoor, moet skriftelik by die Waarnemende Munisipale Bestuurder, Posbus 21, Knysna 6570, ingedien word op of voor Maandag, 31 Mei 2004 met vermelding van bogenoemde Ordonnansie en beswaarmaker se erfnummer.

Ingevolge artikel 21(4) van die Wet op Plaaslike Regering: Munisipale Stelsels 2000 (Wet 32 van 2000) word verder kennis gegee dat persone wat nie kan skryf nie die Stadsbeplanningsafdeling kan nader tydens normale kantoorure waar die Sekretaris u sal verwys na die betrokke amptenaar wat u sal help om u kommentaar of besware op skrif te stel.

*Aansoeker**Aard van Aansoek*

Champion Chix (namens Mariana Bouwer)	Hersonering van 'n 124 ha deel van Gedeelte 33 van die plaas Leeuwenbosch 185, Distrik Knysna, vanaf "landbousone I" na "landbousone II" vir die oprigting van 'n pluimvee abattoir.
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D. Daniels, Munisipale Bestuurder.

Lêerverwysing: KNY 185/33 30 April 2004.

6849

KNYSNA MUNICIPALITY

LAND USE PLANNING ORDINANCE, 1985
(ORDINANCE 15 OF 1985)LOCAL GOVERNMENT ACT: MUNICIPAL SYSTEMS, 2000
(ACT 32 OF 2000)PROPOSED REZONING: PORTION 33 OF THE
FARM LEEUWENBOSCH 185, DISTRICT KNYSNA

Notice is hereby given in terms of section 17 of Ordinance 15 of 1985 that the undermentioned application has been received by the Municipal Manager and is open for inspection at the Municipal Building, Clyde Street, Knysna. Any objections, with full reasons therefor, should be lodged in writing with the Municipal Manager, P.O. Box 21, Knysna 6570, on or before Monday, 31 May 2004 quoting the above Ordinance and objector's erf number.

Notice is further given in terms of section 21(4) of the Local Government Act: Municipal Systems 2000 (Act 32 of 2000) that people who cannot write can approach the Town Planning section during normal office hours at the Municipal Offices where the Secretary will refer you to the responsible official whom will assist you in putting your comments or objections in writing.

*Applicant**Nature of Application*

Champion Chix (on behalf of Mariana Bouwer)	Rezoning of a 124 ha portion of Portion 33 of the farm Leeuwenbosch 185, District Knysna, from "agricultural zone I" to "agricultural zone II" to construct a poultry abattoir.
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D. Daniels, Municipal Manager.

File reference: KNY 185/33 30 April 2004. 6850

LANGEBERG MUNICIPALITY

PROPOSED REZONING OF ERF 3492, BOSBOKDUIN AVENUE,
STILBAAI WEST

Notice is hereby given in terms of the provisions of section 17 of Ordinance 15 of 1985 that the Council received the following application for rezoning:

Property: Erf 3492, Bosbokduin Avenue, Stilbaai West

Proposal: Rezoning from residential I to residential II (duet dwelling)

Applicant: Dr. Piet Groenewald for Mr. D. Grobler.

Details concerning the application are available at the office of the undersigned during office hours. Any objections to the proposed rezoning should be submitted in writing to the office of the undersigned not later than 28 May 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.

30 April 2004. 6851

KNYSNA MUNISIPALITEIT

ORDONNANSIE OP GRONDGEBRUIKBEPLANNING, 1985
(ORDONNANSIE 15 VAN 1985)WET OP PLAASLIKE REGERING: MUNISIPALE STELSELS, 2000
(WET 32 VAN 2000)VOORGESTELDE HERSONERING: GEDEELTE 33 VAN DIE
PLAAS LEEUWENBOSCH 185, DISTRIK KNYSNA

Kennis geskied hiermee ingevolge artikel 17 van Ordonnansie 15 van 1985 dat die onderstaande aansoek deur die Munisipale Bestuurder ontvang is en ter insae lê by die Munisipale-gebou, Clydestraat, Knysna. Enige besware, met volledige redes daarvoor, moet skriftelik by die Waarnemende Munisipale Bestuurder, Posbus 21, Knysna 6570, ingedien word op of voor Maandag, 31 Mei 2004 met vermelding van bogenoemde Ordonnansie en beswaarmaker se erfnummer.

Ingevolge artikel 21(4) van die Wet op Plaaslike Regering: Munisipale Stelsels 2000 (Wet 32 van 2000) word verder kennis gegee dat persone wat nie kan skryf nie die Stadsbeplanningsafdeling kan nader tydens normale kantoorure waar die Sekretaris u sal verwys na die betrokke amptenaar wat u sal help om u kommentaar of besware op skrif te stel.

*Aansoeker**Aard van Aansoek*

Champion Chix (namens Mariana Bouwer)	Hersonering van 'n 124 ha deel van Gedeelte 33 van die plaas Leeuwenbosch 185, Distrik Knysna, vanaf "landbousone I" na "landbousone II" vir die oprigting van 'n pluimvee abattoir.
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D. Daniels, Munisipale Bestuurder.

Lêerverwysing: KNY 185/33 30 April 2004. 6850

LANGEBERG MUNISIPALITEIT

HERSONERING VAN ERF 3492, BOSBOKDUINLAAN,
STILBAAI-WES

Kennis geskied hiermee ingevolge die bepalings van artikel 17 van Ordonnansie 15 van 1985 dat die Langeberg Raad die volgende aansoek om hersonering ontvang het:

Eiendomsbeskrywing: Erf 3492, Bosbokduinlaan, Stilbaai-Wes

Aansoek: Aansoek om hersonering vanaf residensieel I na residensieel II (duetwoning)

Applikant: Dr. Piet Groenewald vir mnr. D. Grobler.

Besonderhede rakende die aansoek is ter insae by die kantoor van die ondergetekende gedurende kantoorure. Enige besware teen die voorgename hersonering moet skriftelik gerig word om die ondergetekende te bereik nie later as 28 Mei 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.

30 April 2004. 6851

LANGEBERG MUNICIPALITY

REZONING AND SUBDIVISION PORTION 6 OF THE
FARM WESTFIELD A NO. 483, WITSAND

Notice is hereby given in terms of the provisions of sections 17 and 24 of Ordinance 15 of 1985 that the Council received the following application for subdivision and rezoning:

Property: Portion 6 of the farm Westfield A No. 483, Witsand

Proposal:

1. Rezoning from agriculture I to residential III
2. subdivision of erven for townhouses

Applicant: T. V. Smit for Westfield Trust.

Details concerning the application are available at the office of the undersigned during office hours. Any objections, to the proposed subdivision and rezoning should be submitted in writing to the office of the undersigned before 28 May 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 you comments or objections in writing.

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

30 April 2004.

6852

OUDTSHOORN MUNICIPALITY

NOTICE NO. 52 OF 2004

NOTICE CALLING FOR OBJECTIONS TO PROVISIONAL
ADDITIONAL VALUATION ROLL
(OUDTSHOORN MUNICIPAL AREA
(REGULATION 12))

Notice is hereby given in terms of section 15(1)/19 of the Property Valuation Ordinance, 1993 to all owners of properties in Oudtshoorn Municipal Area.

That the provisional additional valuation roll for the 2003/2004 financial year is open for inspection at the Cashiers Hall on Ground Floor at the Langenhoven Road entrance of the Civic Centre, Oudtshoorn, from 29 April 2004 to 31 May 2004 between 08:00 and 15:00.

The owner of any property recorded on such roll may, in terms of section 16 of the said Ordinance, object to the valuation placed on his property, and such objection must reach the Municipal Manager before the expiry of the above-mentioned period.

The prescribed form for the lodging of an objection is available at the address given hereunder. You will also receive a form by post.

Illiterate persons may call at the offices of the Valuer for assistance in completion of their objection form.

Your attention is specifically focused on the fact that no person is entitled to any objection before the Valuation Board unless he has lodged an objection on the prescribed form on or before 31 May 2004.

The owner also includes a proxy, as defined in section 1 of Ordinance supra.

This notice appeared for the first time on 29 April 2004.

M. P. May, Acting Municipal Manager, Civic Centre, Oudtshoorn.

Cashiers Hall, Ground Floor, Langenhoven Road, Civic Centre, Oudtshoorn.

30 April 2004.

6853

LANGEBERG MUNISIPALITEIT

HERSONERING EN ONDERVERDELING GEDEELTE 6 VAN DIE
PLAAS WESTFIELD A NR. 483, WITSAND

Kennis geskied hiermee ingevolge die bepalings van artikels 17 en 24 van Ordonnansie 15 van 1985 dat die Langeberg Raad die volgende aansoek om onderverdeling hersonering ontvang het:

Eiendomsbeskrywing: Gedeelte 6 van die plaas Westfield A Nr. 483, Witsand

Aansoek:

1. Hersonering vanaf landhousone I na residensiële sone III
2. Onderverdeling in erwe vir dorpsuise

Applikant: T. V. Smit vir Westfield Trust.

Besonderhede rakende die aansoek is ter insae by die kantoor van die ondergetekende gedurende kantoorure. Enige besware teen die voorgenome aansoek moet skriftelik gerig word om die ondergetekende te bereik nie later nie as 28 Mei 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.

30 April 2004.

6852

MUNISIPALITEIT OUDTSHOORN

KENNISGEWING NR. 52 VAN 2004

KENNISGEWING WAT BESWARE TEEN VOORLOPIGE
AANVULLENDE WAARDASIELYS AANVRA
(OUDTSHOORN MUNISIPALE GEBIED
(REGULASIE 12))

Kennis geskied hiermee ingevolge artikel 15(1)/19 van die Ordonnansie op Eiendomswaardering, 1993 aan alle eienaars van eiendomme binne die Oudtshoorn Munisipale gebied:

Dat die voorlopige aanvullende waardasielys vir die boekjaar 2003/2004 ter insae lê in die Kassierelokaal op die Grondvloer vanaf ingang uit Langenhovenweg, Burgersentrum, Oudtshoorn, en wel vanaf 29 April 2004 tot 31 Mei 2004 tussen 08:00 en 15:00.

Die eienaar van enige eiendom wat in sodanige lys opgeteken is, kan ingevolge artikel 16/19 van genoemde Ordonnansie beswaar aanteken teen die waardasie wat op sy eiendom geplaas is en sodanige beswaar moet die Munisipale Bestuurder voor die verstryking van bogenoemde tydperk bereik.

Die voorgeskrewe vorm vir die indiening van 'n beswaar is by die adres hieronder aangedui, beskikbaar. U sal ook 'n vorm per pos ontvang.

Ongeletterde persone kan by die kantoor van die Waardeerder aandoen vir hulp met voltooiing van hul beswaarvorm.

U aandag word spesifiek gevestig op die feit dat geen persoon geregtig is om enige besware voor die Waardasieraad te opper, tensy hy 'n beswaar op die voorgeskrewe vorm voor of op 31 Mei 2004 ingedien het nie.

'n Eienaar sluit ook 'n gevolmagtigde in soos omskryf in artikel 1 van die Ordonnansie supra.

Hierdie kennisgewing het vir die eerste keer verskyn op 29 April 2004.

M. P. May, Waarnemende Munisipale Bestuurder, Burgersentrum, Oudtshoorn.

Kassiere Lokaal, Grondvloer, Langenhovenweg, Burgersentrum, Oudtshoorn.

30 April 2004.

6853

THEEWATERSKLOOF MUNICIPALITY

PROPOSED SUBDIVISION OF THE REMAINDER OF THE FARM DIEPGAT NO. 588, DISTRICT CALEDON

Notice is hereby given in terms of the provisions of section 24 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) that the Municipal Manager has received the undermentioned application, which is available for inspection during office hours (08:00-13:00 and 14:00-16:00) at the Caledon Municipal Office. Written objections, if any, stating reasons and directed to the Municipal Manager, P.O. Box 24, Caledon 7230, quoting the stated reference number, will be received from 30 April 2004 up to 31 May 2004.

<i>Applicant</i>	<i>Nature of Application</i>
Wright Approach Consultancy (Wrap)	<ol style="list-style-type: none"> The subdivision of the remainder of the farm Diepgat No. 588 into three portions, namely: Portion A (\pm 40 ha) Portion B (\pm 40 ha) Portion C (\pm 59 ha) The Consolidation of Portion A (\pm 40 ha) with the farm Diepgat No. 588/5. The Consolidation of Portion B (\pm 40 ha) with the farm Zuiderkrans No. 588/1.

Notice is further given in terms of section 21(4) of the Local Government Act: Municipal Systems, 2000 (Act 32 of 2000) that persons who cannot write can approach the Town Planning section during normal office hours where the Secretary will refer you to the responsible official whom will assist you in putting your comments or objections in writing.

D. J. Adonis, Acting Municipal Manager.

File reference: L/178 Notice No: KOR. 67

30 April 2004.

6854

BERG RIVER MUNICIPALITY

APPLICATION FOR SUBDIVISION: ERF 116, PIKETBERG

It is hereby notified in terms of section 24 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985), that the undermentioned application has been received, which is open to inspection at the offices of the Local Authority. Any objections to the application, with full reasons therefor, should be lodged in writing with the Municipal Manager, Church Street, Piketberg (P.O. Box 60, Piketberg 7320) or fax (022) 913-1380 by no later than 12:00 on 29 May 2004, quoting the above Ordinance as well as the objector's erf number.

<i>Applicant</i>	<i>Nature of Application</i>
GDPM on behalf of Cap de Fruiti (Pty) Ltd	Subdivision of Erf 116, Piketberg (\pm 36 ha) into Portion 1 (\pm 5,0 ha). Portion 2 (\pm 21,0 ha) as well as Portion 3 (\pm 10,0 ha) in order to create three separately transferable agricultural units.

Enquiries: Mr. W. Wagener, Piketberg, telephone (022) 913-1126.

A. J. Bredenhann, Municipal Manager, Municipal Offices, P.O. Box 60, Piketberg 7320.

MN 24/2004 30 April 2004.

6855

MUNISIPALITEIT THEEWATERSKLOOF

VOORGESTELDE ONDERVERDELING VAN DIE RESTANT VAN DIE PLAAS DIEPGAT NR. 588, DISTRIK CALEDON

Kennis geskied hiermee ingevolge die bepalings van artikel 24 van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie 15 van 1985), dat die onderstaande aansoek deur die Munisipale Bestuurder ontvang is, wat gedurende kantoorure (08:00-13:00 en 14:00-16:00) by die Munisipale Kantoor, Caledon ter insae lê. Skriftelike besware, indien enige, met volledige redes daarvoor en gerig aan die Munisipale Bestuurder, Posbus 24, Caledon 7230, met vermelding van die verwysingsnommer, word ingewag vanaf 30 April 2004 tot 31 Mei 2004.

<i>Aansoeker</i>	<i>Aard van Aansoek</i>
Wright Approach Consultancy (Wrap)	<ol style="list-style-type: none"> Die onderverdeling van die restant van die plaas Diepgat Nr. 588 in drie gedeeltes, nl: Gedeelte A (\pm 40 ha) Gedeelte B (\pm 40 ha) Gedeelte C (\pm 59 ha) Die konsolidasie van Gedeelte A (\pm 40 ha) met die plaas Diepgat Nr. 588/5. Die konsolidasie van Gedeelte B (\pm 40 ha) met die plaas Zuiderkruis Nr. 588/1.

Kennis geskied ook ingevolge artikel 21(4) van die Wet op Plaaslike Regering: Munisipale Stelsels, 2000 (Wet 32 van 2000) dat persone wat nie kan skryf nie die Stadsbeplanningsafdeling kan nader tydens normale kantoorure waar die Sekretaresse u sal verwys na die betrokke amptenaar wat u sal help om u kommentaar of besware op skrif te stel.

D. J. Adonis, Waarnemende Munisipale Bestuurder.

Lêerverwysing: L/178 Kennisgewing Nr: KOR. 67

30 April 2004.

6854

BERGRIVIER MUNISIPALITEIT

AANSOEK OM ONDERVERDELING: ERF 116, PIKETBERG

Kragtens artikel 24 van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie 15 van 1985), word hiermee kennis gegee dat die onderstaande aansoek ontvang is en ter insae lê by die kantore van die Plaaslike Owerheid. Enige besware, met die volledige redes daarvoor, moet skriftelik by die Munisipale Bestuurder, Kerkstraat, Piketberg (Posbus 60, Piketberg 7320) of per faks (022) 913-1380 ingedien word voor 12:00 op 29 Mei 2004 met vermelding van bogenoemde Ordonnansie asook die beswaarmaker se erfnummer.

<i>Aansoeker</i>	<i>Aard van Aansoek</i>
GDPM namens Cap de Fruiti (Edms) Bpk	Onderverdeling van Erf 116, Piketberg (\pm 36 ha) in Gedeelte 1 (\pm 5,0 ha). Gedeelte 2 (\pm 21,0 ha) asook Gedeelte 3 (\pm 10,0 ha) ten einde drie apart verveembare landbou eenhede te skep.

Navrae: Mnr. W. Wagener, Piketberg, telefoon (022) 913-1126.

A. J. Bredenhann, Munisipale Bestuurder, Munisipale Kantore, Posbus 60, Piketberg 7320.

MK 24/2004 30 April 2004.

6855

CITY OF CAPE TOWN (CAPE TOWN REGION)

REZONING AND DEPARTURES: ERF 1158, SEA POINT

Notice is hereby given in terms of sections 17(2)(a) and 15(2)(a) of 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, Hertzog Boulevard, Cape Town, from 08:00-12:30 (Monday to Friday). Any objections with full reasons, should be lodged in writing 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 31 May 2004, quoting the above Ordinance and the objector's erf number and phone number. If your response is not sent to this address, fax number or e-mail address and if, as a consequence, it arrives late, it will be deemed to be invalid.

Erf 1158, Sea Point, 19 Regent Road.

To be rezoned from general residential, sub-zone R7 to general business use zone, sub-zone B2 to permit business use.

The following departures from the Zoning Scheme Regulations are also required:

Section 39(1): To permit actual floor area 7 540 m² in lieu of 6 715 m².

Section 60(3): To permit setbacks:

North east up to 16 m from Kloof Road.

2,6 m in lieu of 4,5 m at 4th and 5th floor.

North east over 16 m from Kloof Road.

0 m in lieu of 4,5 m at 2nd floor.

2,6 m in lieu of 9,25 m at 4th floor.

2,6 m in lieu of 11,5 m at 5th floor.

South west over 16 m from Kloof Road.

4,5 m in lieu of 7,25 m at 3rd floor.

4,5 m in lieu of 9,25 m at 4th floor.

4,5 m in lieu of 11,5 m at 5th floor.

Section 78: To permit 0 loading bays in lieu of 1 required.

If you require any information or have any queries regarding the applications, please contact Ms. L. Janssen, tel. (021) 400-4252 or our Customer Care Enquiries, tel. (021) 400-3862, quoting the reference number SG52/1158 and LM1499.

W. A. Mgoqi, City Manager.

30 April 2004.

6856

STAD KAAPSTAD (KAAPSTAD-STREEK)

HERSONERING EN AFWYKINGS: ERF 1158, SEEPUNT

Kennis geskied hiermee ingevolge artikels 17(2)(a) en 15(2)(a) van die Ordonnansie op Grondgebruikbeplanning 15 van 1985 dat die onderstaande aansoek ontvang is en Maandag tot Vrydag vanaf 08:30-12:30 by die kantoor van die Bestuurder: Grondgebruikbestuurder, Stad Kaapstad, 14de Verdieping, Burgersentrum, Hertzog Boulevard, Kaapstad, 8001 ter insae beskikbaar lê. Enige kommentaar of besware moet skriftelik, met volledige redes, teen nie later nie as 31 Mei 2004, ingedien word by die kantoor van die Bestuurder: Grondgebruikbestuurder, Stad Kaapstad, Posbus 4529, Kaapstad 8000, indien gepos, gefaks na (021) 421-1963, per e-pos na trevor.upsher@capetown.gov.za, met vermelding van bogenoemde Ordonnansie en die beswaarmaker se erf- en telefoonnommer. Indien u reaksie nie gepos, per hand afgelewer of per e-pos aan hierdie adresse en faksnommer gestuur word nie en gevolglik laat ontvang word, sal dit as ongedig beskou word.

Erf 1158, Seepunt, Regentweg 19.

Hersonering van algemeen residensiële, subsone R7 na algemeen sakegebruiksone, subsone B2 om sakegebruik toe te laat.

Die volgende afwykings van die Soneringskema regulasies word ook toegelaat:

Artikel 39(1): Om toe te laat dat die werklike vloeroppervlakte 7 540 m² is in plaas van 6 715 m².

Artikel 60(3): Om inspringings toe te laat:

Noordoos tot op 16 m vanaf Kloofweg.

2,6 m in plaas van 4,5 m op 4de en 5de verdieping.

Noordoos meer as 16 m vanaf Kloofweg.

Om in plaas van 4,5 m op 2de verdieping.

2,6 m in plaas van 9,25 m op 4de verdieping.

2,6 m in plaas van 11,5 m op 5de verdieping.

Suidwes meer as 16 m vanaf Kloofweg.

4,5 m in plaas van 7,25 m op 3de verdieping.

4,5 m in plaas van 9,25 m op 4de verdieping.

4,5 m in plaas van 11,5 m op 5de verdieping.

Artikel 78: Om 0 laaiplekke in plaas van die 1 vereis toe te laat.

Indien u enige inligting verlang of enige navrae oor die aansoeke het, skakel asseblief vir me. L. Janssen, tel. (021) 400-4252 of ons kliëntediens navraetoonbank, tel. (021) 400-3862, met vermelding van die verwysingsnommer SG52/1158 en LM 1499.

W. A. Mgoqi, Stadsbestuurder.

30 April 2004.

6856

MATZIKAMA MUNICIPALITY

NOTICE: APPLICATION FOR REZONING

Notice is hereby given in terms of section 17(2) of the Land Use Planning Ordinance, No. 15 of 1985 read together with section 21 of Local Government: Municipal Systems Act, 2000 (Act No 32 of 2000) that an application, as set out below, has been submitted to Matzikama Municipality:

Applicant: J. J. D. Nieuwoudt

Owner: R. A. Nieuwoudt

Property: Erf No. 572, Louis Rood

Locality: Kronkelstraat, Strandfontein

Existing zoning: Residential zone I

Proposed development: Rezoning of Erf 572, Louis Rood, from residential zone I to residential zone V in order to establish guest-rooms for medium term letting.

Please note that in terms of section 21(4) of the Act on Local Government: Municipal Systems Act, No. 32 of 2000 persons who cannot read or write are invited to visit the office of the Director: Administration where officials will assist you to formulate your objection and/or complete any relevant documentation.

Full details can be obtained at the office of the Director: Administration during normal office hours. Motivated objections and/or comments, against the application, should be lodged in writing on or before 24 May 2004.

D. G. Ras, Municipal Manager, Municipal Offices, P.O. Box 98, Vredendal 8160.

Tel: (027) 213-1045 Fax: (027) 213-3238

Notice No: 41/2004 30 April 2004. 6857

SWELLENDAM MUNICIPALITY

APPLICATION FOR THE SUBDIVISION AND CONSOLIDATION OF ERF 5334 AND THE REMAINDER OF ERF 683, SWELLENDAM

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 the following application:

1. Subdivision of Erf 5334, Hermitage, in three portions, namely Portion A (1,2574 ha), Portion B (0,7856 ha) and the remainder (27,4419 ha).
2. Subdivision of remainder of Erf 683, Hermitage, in two portions, namely Portion A (0,4296 ha) and the remainder (2,5938 ha).
3. Consolidation thereafter of the remainder of Erf 683 and the remainder of Erf 5334.

Owner: Mr. Dirk Cornelius Steyn

Further particulars regarding the proposal are available for inspection at the Municipal Offices during office hours. Objections to the proposal, if any, must reach the undermentioned on or before 31 May 2004.

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

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

Notice 47/2004 30 April 2004. 6858

MUNISIPALITEIT MATZIKAMA

KENNISGEWING: AANSOEK OM HERSONERING

Kennis geskied hiermee ingevolge artikel 17(2) van die Ordonnansie op Grondgebruikbeplanning, Nr. 15 van 1985 saamgelees met artikel 21 van die Wet op Plaaslike Regering: Munisipale Stelsels, Nr. 32 van 2000, dat die Raad die volgende aansoek ontvang het vir oorweging:

Aansoeker: J. J. D. Nieuwoudt

Eienaar: R. A. Nieuwoudt

Eiendom: Erf Nr. 572, Louis Rood

Ligging: Kronkelstraat, Strandfontein

Huidige sonering: Geag gesoneer residensiële sone I

Voorstel: Hersonerings van Erf 572, Louis Rood van residensiële sone I na residensiële sone V ten einde gastekamers vir korttermyn verhuur te bedryf.

Geliewe kennis te neem dat u ingevolge artikel 21(4) van die Wet op Plaaslike Regering: Munisipale Stelsels, Nr. 32 van 2000 genooi word om in geval waar u nie kan lees of skryf die kantoor van die Direkteur Administrasie te besoek waar personeel u behulpsaam sal wees, gedurende genoemde ure, met of die formulering van u beswaar en/of die voltooiing van enige tersaaklike dokumentasie.

Volledige besonderhede is verkrygbaar by die Direkteur: Administrasie gedurende kantoorure en alle skriftelike, gemotiveerde besware, teen die voorstel, moet die ondergetekende bereik voor of op 24 Mei 2004.

D. G. Ras, Munisipale Bestuurder, Munisipale Kantore, Posbus 98, Vredendal 8160.

Tel: (021) 213-1045 Faks: (027) 213-3238

Kennisgewing No: 41/2004 30 April 2004. 6857

MUNISIPALITEIT SWELLENDAM

AANSOEK OM ONDERVERDELING EN KONSOLIDASIE VAN ERF 5334 EN RESTANT VAN ERF 683, SWELLENDAM

Kennis geskied hiermee ingevolge artikel 24 van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie Nr. 15 van 1985) dat die Raad die volgende aansoek ontvang het:

1. Die onderverdeling van Erf 5334, Hermitage, in drie gedeeltes, naamlik Gedeelte A (1,2574 ha), Gedeelte B (0,7856 ha) en restant (27,4419 ha).
2. Die onderverdeling van restant van Erf 683, Hermitage, in twee gedeeltes, naamlik Gedeelte A (0,4296 ha) en restant (2,5938 ha).
3. Konsolidasie daarna van restant van Erf 683 en restant van Erf 5334, Swellendam.

Eienaar: Mnr. Dirk Cornelius Steyn

Verdere besonderhede van die voorstel lê gedurende kantoorure by die Munisipale Kantore, Swellendam, ter insae. Skriftelike besware teen die voorstel, indien enige, moet die ondergemelde voor of op 31 Mei 2004 bereik.

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

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

Kennisgewing 47/2004 30 April 2004. 6858

SALDANHA BAY MUNICIPALITY

REZONING AND SUBDIVISION OF A PORTION
OF PORTION 37 OF THE FARM UITKOMST NO. 23,
PATERNOSTER

Notice is hereby given that Council received an application for:

- a) the subdivision of Portion 37 of the farm Uitkomst No. 23, in terms of section 24 of the Land Use Planning Ordinance (No. 15 of 1985), in order to develop a portion (\pm 6,9343 ha);
- b) the rezoning of a portion of Portion 37 of the farm Uitkomst No. 23, in terms of section 17 of the Land Use Planning Ordinance (No. 15 of 1985), from agricultural zone to subdivisional area, and the subdivision, in terms of section 24 of the mentioned Ordinance, in order to allow for six general residential zoned properties for residential and/or group housing, three public open spaces and a street.

Details are available at the Municipal Manager's office in the Buller Centre, Main Street, Vredenburg. Weekdays: 08:00-13:00 and 13:30-16:30.

Enquiries: N. Colyn.

Objections/comment to the proposal, with relevant reasons, must be lodged in writing with the Municipal Manager, Private Bag X12, Vredenburg 7380, before 1 June 2004.

Municipal Manager.

30 April 2004.

6859

SALDANHA BAY MUNICIPALITY

CONSOLIDATION, REZONING AND SUBDIVISION OF
PORTIONS 23/3, 23/7, 23/18, 23/19, 23/23 & 23/24 OF THE
FARM UITKOMST NO. 23, PATERNOSTER

Notice is hereby given that Council received an application for:

- a) the consolidation, rezoning (from undetermined to subdivisional area) and subdivision of Portions A and 24 of the farm Uitkomst No. 23, in terms of sections 17 and 24 of the Land Use Planning Ordinance (No. 15 of 1985), to allow for 24 single residential erven, one general residential erf (16 units), one public open space and road,
- b) the rezoning (from undetermined to subdivisional area) and subdivision of Portion 19 of the farm Uitkomst No. 23, in terms of sections 17 and 24 of the Land Use Planning Ordinance (No. 15 of 1985), to allow for seven single residential erven, one general residential erf (15 units), one public open space and road,
- c) the consolidation, rezoning (from undetermined to subdivisional area) and subdivision of Portions 7 and 18 of the farm Uitkomst No. 23, in terms of sections 17 and 24 of the Land Use Planning Ordinance (No. 15 of 1985), in order to allow for 90 single residential erven, two public open spaces and road,
- d) the closure and rezoning (from road to public open space) of three portions of Portion 3 of the farm Uitkomst No. 23, in terms of section 137 of the Municipal Ordinance (No. 20 of 1974) and section 17 of the Land Use Planning Ordinance (No. 15 of 1985), and
- e) the amendment of the Paternoster Urban Structure Plan, in terms of section 4(7) of the Land Use Planning Ordinance (No. 15 of 1985).

Details are available for scrutiny at the Municipal Manager's office, Buller Centre, Main Street, Vredenburg, during the hours 08:00-13:00 and 13:30-16:30, Mondays to Fridays. *Enquiries:* N. Colyn (tel. (022) 701-7107).

Objections/comment to the proposal, with relevant reasons, must be lodged in writing with the Municipal Manager, Private Bag X12, Vredenburg 7380, before 1 June 2004.

Municipal Manager.

30 April 2004.

6860

MUNISIPALITEIT SALDANHABAAI

HERSONERING EN ONDERVERDELING VAN 'N GEDEELTE
VAN GEDEELTE 37 VAN DIE PLAAS UITKOMST NR. 23,
PATERNOSTER

Kennis geskied hiermee dat die Raad 'n aansoek ontvang het vir:

- a) die onderverdeling van Gedeelte 37 van die plaas Uitkoms Nr. 23, ingevolge artikel 24 van die Ordonnansie op Grondgebruikbeplanning (Nr. 15 van 1985), ten einde 'n gedeelte (\pm 6,9343 ha) te ontwikkel;
- b) die hersonering van 'n gedeelte van Gedeelte 37 van die plaas Uitkomst Nr. 23, ingevolge artikel 17 van die Ordonnansie op Grondgebruikbeplanning (Nr. 15 van 1985), vanaf landbousone na onderverdelingsgebied en die onderverdeling, ingevolge artikel 24 van gemelde Ordonnansie, ten einde ses algemene woonbuurt-gesoneerde persele, beperk tot woonhuise en/of groepsbehuising, drie openbare oopruimtes en 'n straat te skep.

Nadere besonderhede lê ter insae by die Munisipale Bestuurder se kantoor te Bullersentrum, Hoofstraat, Vredenburg. Weekdae: 08:00-13:00 en 13:30-16:30.

Navrae: N. Colyn.

Besware/kommentare ten opsigte van die aansoek, tesame met betrokke redes, moet skriftelik voor 1 Junie 2004 by die Munisipale Bestuurder, Privaatsak X12, Vredenburg 7380, ingedien word.

Munisipale Bestuurder.

30 April 2004.

6859

MUNISIPALITEIT SALDANHABAAI

KONSOLIDASIE, HERSONERING EN ONDERVERDELING VAN
GEDEELTES 23/3, 23/7, 23/18, 23/19, 23/23 & 23/24 VAN DIE
PLAAS UITKOMST NR. 23, PATERNOSTER.

Kennis geskied hiermee dat die Raad 'n aansoek ontvang het vir:

- a) die konsolidasie, hersonering (vanaf onbepaald na onderverdelingsgebied) en onderverdeling van Gedeeltes 23 en 24 van die plaas Uitkomst Nr. 23, ingevolge artikels 17 en 24 van die Ordonnansie op Grondgebruikbeplanning (Nr. 15 van 1985), ten einde 24 enkelresidensiële erwe, een algemeen residensiële erf (16 eenhede), een publieke oopruimte en straat te skep,
- b) die hersonering (vanaf onbepaald na onderverdelingsgebied) en onderverdeling van Gedeelte 19 van die plaas Uitkomst Nr. 23, ingevolge artikels 17 en 24 van die Ordonnansie op Grondgebruikbeplanning (Nr. 15 van 1985), ten einde sewe enkelresidensiële erwe, een algemeen residensiële erf (15 eenhede), een publieke oopruimte en straat te skep,
- c) die konsolidasie, hersonering (vanaf onbepaald na onderverdelingsgebied) en onderverdeling van Gedeeltes 7 en 18 van die plaas Uitkomst Nr. 23, ingevolge artikels 17 en 24 van die Ordonnansie op Grondgebruikbeplanning (Nr. 15 van 1985), ten einde 90 enkelresidensiële erwe, twee publieke oopruimtes en straat te skep,
- d) die sluiting en hersonering (vanaf pad na publieke oopruimte; van drie gedeeltes van Gedeelte 3 van die plaas Uitkomst Nr. 23, ingevolge artikel 137 van die Munisipale Ordonnansie (Nr. 20 van 1974) en artikel 17 van die Ordonnansie op Grondgebruikbeplanning (Nr. 15 van 1985), en
- e) die wysiging van die Paternoster Stedelike Struktuurplan, ingevolge artikel 4(7) van die Ordonnansie op Grondgebruikbeplanning (Nr. 15 van 1985).

Nadere besonderhede lê ter insae by die Munisipale Bestuurder se kantoor, Bullersentrum, Hoofstraat, Vredenburg, gedurende die ure 08:00-13:00 en 13:30-16:30, Maandae tot Vrydae. *Navrae:* N. Colyn (tel. (022) 701-7107).

Besware/kommentare ten opsigte van die aansoek, tesame met betrokke redes, moet skriftelik voor 1 Junie 2004 by die Munisipale Bestuurder, Privaatsak X12, Vredenburg 7380, ingedien word.

Munisipale Bestuurder.

30 April 2004.

6860

MUNICIPALITY OF OUDTSHOORN

NOTICE NO. 55 OF 2004

CLOSING OF A PORTION OF ERF 10395, PUBLIC OPEN SPACE
ADJACENT TO ERVEN 7130, 7131 AND 7132, OUDTSHOORN

Notice is hereby given in terms of section 137(1) of Ordinance 20 of 1974 that the Council has closed a portion of Erf 10395 adjacent to Erven 7130, 7131 and 7132, Oudtshoorn.

(Surveyor-General's Reference: S/8064/187 v1 p. 89)

M. P. May, Acting Municipal Manager, Civic Centre, Oudtshoorn.

30 April 2004.

6861

MUNICIPALITY SWELLENDAM

CONSENT USE: ERF 4081, SWELLENDAM

Notice is hereby given in terms of the Swellendam Zoning Scheme that Council has received an application for consent use, tourism business, in order to establish a deli, cafeteria and arts and craft display on Erf 4081, 270 Voortrek Street, Swellendam.

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 31 May 2004.

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

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

Notice 48/2004 30 April 2004.

6862

SWARTLAND MUNICIPALITY

NOTICE 241/03/04

PROPOSED SUBDIVISION OF ERF 1199,
MALMESBURY

Notice is hereby given in terms of section 25 of Ordinance 15 of 1985 that an application has been received for the subdivision of Erf 1199, situated c/o West and St. Thomas Streets, Malmesbury, into a remainder ($\pm 954 \text{ m}^2$) and a Portion A ($\pm 474 \text{ m}^2$).

Further particulars are available during office hours (weekdays) at the office of the Chief: Planning and Development, Department Corporate Services, Municipal Office, Church Street, Malmesbury.

Any comments may be lodged in writing with the undersigned not later than 31 May 2004.

C. F. J. van Rensburg, Municipal Manager, Municipal Office, Private Bag X52, Malmesbury.

30 April 2004.

6863

MUNISIPALITEIT VAN OUDTSHOORN

KENNISGEWING NR. 55 VAN 2004

SLUITING VAN GEDEELTE VAN ERF 10395, OPENBARE PLEK
GRESENDE AAN ERWE 7130, 7131 EN 7132, OUDTSHOORN

Kennis geskied hiermee ingevolge artikel 137(1) van Ordonnansie 20 van 1974 dat die Stadsraad 'n gedeelte van openbare plek Erf 10395 grensende aan Erwe 7130, 7131 en 7132, Oudtshoorn, gesluit het.

(Landmeter-generaal se verwysing: S/8064/187 v1 p. 89)

M. P. May, Waarnemende Munisipale Bestuurder, Burgersentrum, Oudtshoorn.

30 April 2004.

6861

MUNISIPALITEIT SWELLENDAM

VERGUNNINGSGEBRUIK: ERF 4081, SWELLENDAM

Kennisgewing geskied hiermee ingevolge Swellendam Skemaregulasies dat die Raad 'n aansoek ontvang het vir 'n vergunningsgebruik ten einde toerismesake (deli, kafeteria, kuns en handwerk uitstalarea) op die eiendom Erf 4081, Voortrekstraat 270, Swellendam, te bedryf.

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 31 Mei 2004 bereik.

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

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

Kennisgewing 48/2004 30 April 2004.

6862

MUNISIPALITEIT SWARTLAND

KENNISGEWING 241/03/04

VOORGESTELDE ONDERVERDELING VAN ERF 1199,
MALMESBURY

Kennis geskied hiermee ingevolge artikel 25 van Ordonnansie 15 van 1985 dat 'n aansoek ontvang is vir die onderverdeling van Erf 1199, geleë h/v West- en St. Thomasstraat, Malmesbury, in 'n restant ($\pm 954 \text{ m}^2$) en 'n Gedeelte A ($\pm 474 \text{ m}^2$).

Verdere besonderhede is gedurende gewone kantoorure (weekdae) by die kantoor van die Hoof: Beplanning en Ontwikkeling, Departement Korporatiewe Dienste, Munisipale Kantoor, Kerkstraat, Malmesbury beskikbaar.

Enige kommentaar kan skriftelik by die ondergetekende ingedien word nie later nie as 31 Mei 2004.

C. F. J. van Rensburg, Munisipale Bestuurder, Munisipale Kantoor, Privaatsak X52, Malmesbury.

30 April 2004.

6863

MOSSEL BAY MUNICIPALITY:

LAND USE PLANNING ORDINANCE, 1985
(ORDINANCE 15 OF 1985)

LOCAL GOVERNMENT ACT: MUNICIPAL SYSTEMS, 2000
(ACT 32 OF 2000)

Erven

9279, Rodger Street, Mossel Bay
7938, E-Pinea Street, Dana Bay
2666, Hannes Pienaar Avenue, Bayview
2253, Kieriehout Street, Hartenbos Heights
427, J. B. Muller Drive, Reebok
526, Oyster Drive, Boggoms Bay

Proposed departures

It is hereby notified in terms of section 15 of the above Ordinance that the undermentioned applications have been received by the Municipal Manager and is open to inspection at the Department: Town Planning, 4th Floor, Montagu Street, Mossel Bay. Any objections, with full reasons therefor, should be lodged in writing to the Municipal Manager, P.O. Box 25, Mossel Bay 6500, on or before Monday, 31 May 2004, quoting the above Ordinance and objector's erf number. In cases where comments are not received in time, the application will be processed and late comments be ignored. In terms of section 21(4) of the Local Government Act: Municipal Systems, 2000 (Act 32 of 2000) notice is hereby given that people who cannot write can approach any one of the five Customer Care Managers of Council at Mossel Bay, D'Almeida, KwaNonqaba, Hartenbos and Great Brak River respectively whom will assist you in putting your comments or objections in writing.

<i>Applicants</i>	<i>Nature of Application</i>	
M. Winston Richlyn's Guest-house M. Vermeulen W. P. van der Linde A. S. Vaughan Prof. S. G. Roos	Departures from the land use restrictions to operate guest-houses.	
C. Zietsman, Municipal Manager.		
30 April 2004.		6866

MOSSEL BAY MUNICIPALITY:

LAND USE PLANNING ORDINANCE, 1985
(ORDINANCE 15 OF 1985)

LOCAL GOVERNMENT ACT: MUNICIPAL SYSTEMS, 2000
(ACT 32 OF 2000)

ERVEN 4006 AND 4007, DIAZ BEACH, HARTENBOS:
PROPOSED SUBDIVISION

It is hereby notified in terms of section 15 of the above Ordinance that the undermentioned applications have been received by the Municipal Manager and is open to inspection at the Department: Town Planning, 4th Floor, Montagu Street, Mossel Bay. Any objections, with full reasons therefor, should be lodged in writing to the Municipal Manager, P.O. Box 25, Mossel Bay 6500, on or before Monday, 31 May 2004, quoting the above Ordinance and objector's erf number. In cases where comments are not received in time, the application will be processed and late comments be ignored. In terms of section 21(4) of the Local Government Act: Municipal Systems, 2000 (Act 32 of 2000) notice is hereby given that people who cannot write can approach any one of the five Customer Care Managers of Council at Mossel Bay, D'Almeida, KwaNonqaba, Hartenbos and Great Brak River respectively whom will assist you in putting your comments or objections in writing.

<i>Applicant</i>	<i>Nature of Application</i>	
M. Johnson	Subdivision of Erven 4006 and 4007, Karveel Crescent, Diaz Beach, Hartenbos, into two portions each.	
C. Zietsman, Municipal Manager.		
30 April 2004.		6867

MOSSELBAAI MUNISIPALITEIT:

ORDONNANSIE OP GRONDGEBRUIKBEPLANNING, 1985
(ORDONNANSIE 15 VAN 1985)

WET OP PLAASLIKE REGERING: MUNISIPALE STELSELS, 2000
(WET 32 VAN 2000)

Erwe

9279, Rodgerstraat, Mosselbaai
7938, E-Pineastraat, Danabaai
2666, Hannes Pienaarlaan, Bayview
2253, Kieriehoutstraat, Hartenbos Heuwels
427, J. B. Mullerrylaan, Reebok
526, Oesterrylaan, Boggomsbaai

Voorgestelde afwykings

Kragtens artikel 15 van die bostaande Ordonnansie word hiermee kennis gegee dat die onderstaande aansoeke deur die Munisipale Bestuurder ontvang is en ter insae lê by die Departement: Stadsbeplanning, 4de Vloer, Montagustraat, Mosselbaai. Enige besware, met volledige redes daarvoor, moet skriftelik by die Munisipale Bestuurder, Posbus 25, Mosselbaai 6500, ingedien word op of voor Maandag, 31 Mei 2004, met vermelding van bogenoemde Ordonnansie en beswaarmaker se ernommer. In gevalle waar kommentaar nie betyds ontvang word nie, sal daar voortgegaan word met die prosesering van die aansoek en laat kommentaar geïgnoreer word. 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 skryf nie enige van die vyf Klantediensbestuurders van die Raad te Mosselbaai, D'Almeida, KwaNonqaba, Hartenbos en Groot-Brakrivier onderskeidelik nader vir hulpverlening om u kommentaar of besware op skrif te stel.

<i>Aansoekers</i>	<i>Aard van Aansoek</i>	
M. Winston Richlyn's Gastehuis M. Vermeulen W. P. van der Linde A. S. Vaughan Prof. S. G. Roos	Afwykings van die grondgebruikbeperkings om gastehuisse te bedryf.	
C. Zietsman, Munisipale Bestuurder.		
30 April 2004.		6866

MOSSELBAAI MUNISIPALITEIT:

ORDONNANSIE OP GRONDGEBRUIKBEPLANNING, 1985
(ORDONNANSIE 15 VAN 1985)

WET OP PLAASLIKE REGERING: MUNISIPALE STELSELS, 2000
(WET 32 VAN 2000)

ERWE 4006 EN 4007, DIAZ STRAND, HARTENBOS:
VOORGESTELDE ONDERVERDELING

Kragtens artikel 15 van die bostaande Ordonnansie word hiermee kennis gegee dat die onderstaande aansoeke deur die Munisipale Bestuurder ontvang is en ter insae lê by die Departement: Stadsbeplanning, 4de Vloer, Montagustraat, Mosselbaai. Enige besware, met volledige redes daarvoor, moet skriftelik by die Munisipale Bestuurder, Posbus 25, Mosselbaai 6500, ingedien word op of voor Maandag, 31 Mei 2004, met vermelding van bogenoemde Ordonnansie en beswaarmaker se ernommer. In gevalle waar kommentaar nie betyds ontvang word nie, sal daar voortgegaan word met die prosesering van die aansoek en laat kommentaar geïgnoreer word. 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 skryf nie enige van die vyf Klantediensbestuurders van die Raad te Mosselbaai, D'Almeida, KwaNonqaba, Hartenbos en Groot-Brakrivier onderskeidelik nader vir hulpverlening om u kommentaar of besware op skrif te stel.

<i>Aansoeker</i>	<i>Aard van Aansoek</i>	
M. Johnson	Onderverdeling van Erwe 4006 en 4007, Karveelsingel, Diaz Strand, Hartenbos, in twee gedeeltes elk.	
C. Zietsman, Munisipale Bestuurder.		
30 April 2004.		6867

BREDE RIVER/WINELANDS MUNICIPALITY

BY-LAW ON THE KEEPING AND CONTROLLING OF DOGS

Purpose of By-Law

To provide for the control over the amount of dogs that may be kept, the breeding with dogs, control over dogs by their owners, pounding of stray dogs and the prevention of nuisance through the keeping of dogs and the prevention of back yard breeding.

1. DEFINITIONS**Purpose of By-Law**

To provide for the control over the amount of dogs that may be kept, the breeding with dogs, control over dogs by their owners, pounding of stray dogs and the prevention of nuisance through the keeping of dogs and the prevention of back yard breeding.

(1) Definitions

“authorized officer” means—

- (a) a member of the South African Police;
- (b) an officer authorized in writing by the Municipal Manager to carry out any function which deems necessary for the purpose of ensuring that the provisions of these by-laws are observed and
- (c) an appointed officer of an animal welfare organization warranted under the hand of the magistrate in the area;

“breeder” means a person who is registered to breed dogs;

“Council” means the Council of the Municipality of Breede River/Winelands;

“dog” means a dog and a bitch, as well as a spayed bitch over the age of six months;

“he/him/his” shall be deemed to refer to persons of both sexes and not be regarded as discriminatory;

“Municipal Manager” means the person occupying or in the post of Municipal Manager of the Breede River / Winelands Municipality and includes any person fully authorized by him to exercise the powers or perform the functions granted or imposed on him in terms of this by-law;

“Nuisance” means, any act, omission or condition which is, in the opinion of the municipality, detrimental to health or offensive or injurious or which materially interferes with the ordinary comfort or convenience of the public or adversely affects the safety of the public or which disturbs the quiet of the neighborhood;

“Ordinance” means the Dog Tax Ordinance, 1978 (Ordinance 19 of 1978);

“Owner” in relation to a dog means any person who keeps a dog;

“premises” means any land, whether vacant, occupied or with buildings thereon;

“public place” means any square, park, recreation ground, sports ground, lane, open space or enclosed place vested in the Municipality or other state authority or indicated as such on the Surveyor General’s records or utilized by the public or zoned as such in terms of the applicable zoning scheme or at any time declared or rendered such by the municipality or any other competent authority.

“sterilize” means the removal of male and female reproductive organs by a method approved by the SPCA National Council of Southern Africa;

“Town Planning Scheme” means any approved scheme of

BREËRIVIER/WYNLAND MUNISIPALITEIT

VERORDENING INSAKE DIE AANHOU EN BEHEER VAN HONDE

Doel van Verordening

Om voorsiening te maak vir beheer oor die getal honde wat aangehou mag word, die teel met honde, die beheer oor honde deur hulle eienaars, beslaglegging op rondloperhonde en die voorkoming van oorlaste deur die aanhouding van honde en voorkoming van agterplaas telery.

1. WOORDBEPALINGS

In hierdie verordening, tensy onbestaanbaar met die sinsverband—

beteken “Dorpsaanlegskema” enige goedgekeurde skema of skema in afwagting van goedkeuring ingevolge relevante wetgewing.

beteken “eienaar” met betrekking tot ’n hond iemand wat ’n hond aanhou;

beteken “gemagtigde beampte”—

- (a) ’n lid van die Suid-Afrikaanse Polisie;
- (b) ’n beampte, deur die Munisipale Bestuurder skriftelik gemagtig om enige funksie te verrig wat as noodsaaklik geag word vir die doel om te verseker dat die bepalings van hierdie verordeninge aan voldoen word; en
- (c) ’n aangestelde beampte van ’n diere welsyns-organisasie wat daartoe gemagtig is deur die landdros van die betrokke area;

beteken “hy, sy, hom” persone van beide geslag en moet dit nie beskou word as diskriminerend nie;

beteken “Munisipale Bestuurder” die persoon wat die betrekking van Munisipale Bestuurder van die Munisipaliteit Breërivier/Wynland beklee of daarin waarneem, en omvang dit enige persoon wat behoorlik deur hom gemagtig is om die bevoegdhede of pligte wat aan hom verleen of opgelê is ingevolge hierdie verordening uit te oefen of te vervul;

“oorlas” onder meer enige handeling, versuim of toestand wat na die mening van die munisipaliteit skadelik vir die gesondheid of aanstootlik of nadelig is of wat wesenlik inbreuk maak op die gewone gemak of gerief van die publiek of die veiligheid van die publiek nadelig raak of wat inbreuk maak op die stilte van die omgewing;

“openbare plek” enige plein, park, ontspanningsterrein, sportterrein, steeg, oop ruimte of omheinde plek wat by die Munisipaliteit of ander staatsgesag berus of as sulks op die Landmeter-Generaal se rekords aangetoon word of deur die publiek gebruik of wat as sulks ingevolge die toepaslike soneringskema gesoneer is of wat te enige tyd deur die munisipaliteit of enige ander bevoegde owerheid tot sodanig gemaak of verklaar is;

“openbare pad” enige pad, straat of deurgang of enige ander plek wat gewoonlik deur die publiek of ’n deel daarvan gebruik word of waartoe die publiek of ’n deel daarvan die reg van toegang het en ook—

- (a) die soom van enige sodanige pad, straat of deurgang;
- (b) enige voetpad, sypaadje of soortgelyke voetganger gedeelte van ’n padreserwe;
- (c) enige brug, pont of drif waaroor of waardeur enige sodanige pad, straat of deurgang loop;
- (d) enige ander werk of voorwerp wat ’n deel uitmaak van of verbind is met of behoort tot daardie pad, straat, deurgang, voetpad of sypaadje, en

scheme awaiting approval in terms of relevant legislature;

“veterinary” means a person who is qualified as such in accordance with the provisions of the Veterinary Act, 1933 (Act 16 of 1933);

“public road” means any road, street or thoroughfare or any other place which is commonly used by the public or any section thereof or to which the public or any section thereof has a right of access, and includes—

- (a) the verge of any such road, street or thoroughfare;
- (b) any footpath, sidewalk or similar pedestrian portion of a road reserve;
- (c) any bridge, ferry or drift traversed by any such road, street or thoroughfare;
- (d) any other work or object belonging to such road, street or thoroughfare, footpath or sidewalk, and
- (e) any premises with or without structures thereon, used or set aside as a public parking area or public parking place for the parking of motor vehicles whether or not access to such a parking area or place is free of charge.

any other word or expression defined in the Municipal Ordinance 1974 (Ordinance 20 of 1974) or the Dog Tax Ordinance, 1978 (Ordinance 19 of 1978), as the case may be, shall when used in this by-law, have the meaning assigned thereto in such Ordinance.

2. RESTRICTION ON KEEPING OF DOGS

- (1) No person shall, without the written permission of the Council and under such conditions as it may deem fit, keep more dogs than—
 - (a) one dog per flat;
 - (b) one dog per sixty square meters of yard space per townhouse;
 - (c) three dogs on any other property with open space in excess of one hundred square meters, provided that this provision shall not apply to—
 - (i) the litter of a bitch when such litter is younger than six months;
 - (ii) dogs kept in a veterinary surgeon’s clinic for treatment;
 - (iii) dogs kept on premises occupied by the Animal Welfare Society and
- (2) A person being the owner or occupier of any premises zoned for industrial, special industrial or business purposes may in terms of the Scheme Regulations, apply to the Council in writing for permission to keep more than three dogs on such premises, and the Council may grant permission for the keeping of such dogs during fixed hours of the day or night, if he is satisfied that—
 - (a) the dogs are kept on the premises exclusively for the protection of the owner’s property;
 - (b) the premises or section thereof where the keeping of the dogs is envisaged is suitable for the keeping of the type of dog in respect of which permission is requested bearing in mind the location and size of the said premises; and
 - (c) the dogs will be kept under proper control at all times by the applicant or by a person employed by him so that they will not cause a nuisance or an annoyance to any resident of the area.

- (e) enige perseel, met of sonder geboue of strukture daarop, wat gebruik word of daargestel is as ’n openbare parkeerarea of openbare parkeerplek vir die parkering van motorvoertuie ongeag of toegang tot sodanige parkeerplek of parkeerarea gratis is al dan nie.

beteken “Ordonnansie” die Ordonnansie op Hondebelasting, 1978 (Ordonnansie 19 van 1978);

beteken “raad” die raad van die Munisipaliteit van die Breërivier/Wynland;

beteken “steriliseer” die verwydering van manlike en vroulike voortplantingsorgane deur middel van ’n metode deur die Suid-Afrikaanse Nasionale Raad van die DBV, goedgekeur;

beteken “teler” ’n persoon wat geregistreer is om honde te teel;

beteken “veearts” ’n persoon wat as sodanig gekwalifiseer is in ooreenstemming met die bepalings van die Veeartswet, 1933 (Wet 16 van 1933);

en het enige ander woord of uitdrukking wat in die Munisipale Ordonnansie 1974 (Ordonnansie 20 van 1974) of die Ordonnansie op Hondebelasting, 1978 (Ordonnansie 19 van 1978) na gelang van die geval, omskryf word, wanneer dit in hierdie verordening gebruik word, die betekenis in sodanige Ordonnansie daaraan geheg.

2. BEPERKING OP DIE AANHOU VAN DIERE

- (1) Geen persoon mag, sonder die skriftelike toestemming van die Raad en op sulke voorwaardes as wat gepas gevind mag word, meer honde aanhou nie, as—
 - (a) een hond per woonstel
 - (b) een hond per sestig vierkante meter erfgröotte per dorps huis
 - (c) drie honde op enige ander eiendom met oop ruimte groter as eenhonderd vierkante meter, met dien verstande dat hierdie bepaling nie van toepassing is nie op—
 - (i) ’n teef se werpsel, as sodanige werpsel jonger as ses maande oud is;
 - (ii) honde wat in ’n veearts se kliniek vir behandeling gehou word;
 - (iii) honde aangehou op ’n perseel wat deur die Dierbeskermings-vereniging geokkupeer word;
- (2) Iedereen wat die eienaar of okkupeerder is van enige perseel wat ingevolge die skemaregulasies vir nywerheids-, spesiale nywerheids- of besigheidsdoel-eindes gesoneer is, kan skriftelik by die raad aansoek doen om toestemming om meer as drie honde op sodanige perseel aan te hou en die raad kan toestemming daartoe verleen dat sodanige honde op vasgestelde tye van die dag of nag aangehou kan word indien hy hom daarvan oortuig het dat—
 - (a) die honde uitsluitlik vir die beskerming van die eienaar se eiendom op die perseel gebou word;
 - (b) die perseel of deel daarvan, waar daar beoog word om die honde aan te hou, geskik is vir die aanhou van die soort hond ten opsigte waarvoor toestemming versoek word, gedagtig aan die ligging en gröotte van genoemde perseel, en
 - (c) die honde te alle tye behoorlik versorg en onder behoorlike beheer deur die aansoeker of ’n persoon in sy diens gehou sal word, sodat dit nie vir enige inwoner van die gebied ’n oorlas of steurnis sal veroorsaak nie.

- (3) No persons not being grantee permission by the Municipality to run dens or kennels, or the owner of a bitch registered by the Kennel Union of South Africa shall keep on this premises a bitch other than a spayed bitch provided that a person in possession of such a bitch on the date of promulgation of this by-law, may keep such bitch until it dies or is disposed of.
- (4) For the purposes of this section "premises" shall include any building or section of a building or an erf or lot registered in the Deeds Registry as an erf or lot.

3. SEIZURE, IMPOUNDING AND DESTRUCTION OF DOGS

- (1) Subject to the provisions of subsection 3 (5), an authorized officer may seize and impound at a place appointed by Council any dog which—
- may be destroyed in terms of section 13(b) of the Ordinance;
 - be suspected of suffering from mange or any other infectious or contagious disease;
 - in his opinion constitutes a hazard to vehicular or pedestrian traffic using any public street;
 - causes damage to persons or property;
 - is at large in circumstances contemplated by section 4(1)(a) or (d) provided that if such dog is wearing a current metal badge contemplated for by section 3(2) of the Ordinance or any other badge or token identifying the owner of such dog, such officer shall within 12 hours of the impounding, inform the owner thereof by registered post addressed to his last known address; and
 - is found on private property by the owner or occupier of such property and detained by such owner or occupier until the arrival of an authorized officer; provided that if such dog is wearing a current metal badge contemplated by section 3(2) of Ordinance or any other badge or token identifying the owner of such dog, such official shall, within 12 hours of the impounding, inform the owner thereof by registered post addressed to his last known address.
- (2) A dog impounded in terms of subsection 3(1) other than a dog so impounded in terms of subsection 3(1)(b), shall be released to the owner or person keeping such dog on demand upon—
- payment of a fee which the Council may from time to time determine which fee shall cover the costs necessarily incurred in impounding the dog; and
 - payment of the tax and penalty due in respect of such dog or, if such tax and penalty have already been paid, production of the current license issued in respect of such dog.
- (3) A dog impounded in terms of subsection 3(1) other than a dog impounded in terms of subsection 3(1)(b) may be destroyed or sold or otherwise disposed of to a person or organization approved by the Council upon payment of the fees indicated in subsection 3(2)(a) and after compliance with subsection 3(2)(b); provided that if such dog is a bitch it shall not be handed to the new owner before it has been spayed and the costs thereof shall be included in the fee contemplated in subsection 3(2)(a) and (b), after it has been detained for not less than two days excluding Saturdays and Sundays and public holidays, unless it has been claimed and released in terms of subsection 3(2).
- (4) Notwithstanding the provisions of subsection 3(3) and a dog which has been seized or impounded in terms of—

- (3) Niemand aan wie daar nie deur die Munisipaliteit toestemming verleen is om hondehokke of 'n troeteldierverblyfplek te bedryf of wat die eienaar is van 'n teef wat deur die "Kennel Union" van Suid-Afrika geregistreer is, mag op sy perseel 'n ander teef as 'n gesteriliseerde teef aanhou nie, met dien verstande dat 'n persoon wat op die datum van afkondiging van hierdie verordening so 'n teef besit, sodanige teef kan aanhou totdat sy vrek of weggedoen word.

3. BESLAGLEGGING OP, SKUT EN AFMAAK VAN HONDE

- (1) Onderworpe aan die bepalings van artikel 3(5) kan 'n gemagtigde beampte op enige hond beslag lê en dit skut op 'n plek deur die raad aangewys indien die hond—
- Ingevolge artikel 13(b) van die Ordonnansie afgemaak kan word;
 - na sy vermoede aan skurfte of enige aansteeklike of besmetlike siekte ly;
 - na sy mening 'n gevaar vir voertuig- of voetganger-verkeer wat 'n openbare straat gebruik, uitmaak;
 - aan persone of eiendom skade berokken;
 - los rondloop in omstandighede soos by artikel 4(1)(a) of (d) beoog, met dien verstande dat indien sodanige hond 'n geldige metaalplaatjie, soos by artikel 3(2) van die Ordonnansie beoog, of enige ander plaatjie of kenteken dra wat die eienaar van sodanige hond identifiseer, sodanige gemagtigde beampte binne 12 uur nadat die hond geskut is, die eienaar daarvan per geregistreerde pos by sy jongste bekende adres in kennis moet stel; en
 - aangetref word op 'n private eiendom deur die eienaar of okkupeerder van sodanige eiendom en deur sodanige eienaar of okkupeerder aangehou word totdat 'n gemagtigde beampte opdaag; met dien verstande dat indien sodanige hond 'n geldige metaalplaatjie, soos by artikel 3(2) van die Ordonnansie beoog, of enige ander plaatjie of kenteken dra wat die eienaar van sodanige hond identifiseer, sodanige gemagtigde beampte binne 12 uur nadat die hond geskut is, die eienaar daarvan per geregistreerde pos by sy jongste bekende adres in kennis moet stel.
- (2) 'n Hond wat kragtens artikel 3(1) geskut word, uitgesonderd 'n hond wat aldus geskut is ingevolge artikel 3(1)(b), word aan die eienaar daarvan of aan die persoon wat dit aanhou op aanvraag vrygestel teen—
- betaling van 'n bedrag wat die raad van tyd tot tyd vasstel en wat die uitgewas dek wat noodsaaklikerwys in verband met die skut van die hond aangegaan moet word; en
 - betaling van die belasting en boete wat verskuldig is ten opsigte van sodanige hond of, indien sodanige belasting en boete reeds betaal is, by die voorlegging van die geldige lisensie wat uitgereik is ten opsigte van sodanige hond.
- (3) 'n Hond wat kragtens artikel 3(1) geskut word, uitgesonderd 'n hond wat aldus geskut is ingevolge artikel 3(1)(b) kan afgemaak word of verkoop of andersins weggedoen word aan 'n persoon of organisasie goedgekeur deur die raad teen betaling van die gelde beoog in artikel 3(2)(a) en voldoening aan artikel 3(2)(b); met dien verstande dat indien sodanige hond 'n teef is, dit nie aan die nuwe eienaar oorhandig sal word nie voordat dit gesteriliseer is en die koste daarvan ingesluit sal word in die gelde beoog in artikel 3(2)(a) en (b) nadat dit ten minste tien volle dae, uitgesonderd Saterdag, Sondag en openbare feesdae, aangehou is, tensy dit ingevolge artikel 3(2) opgeëis en vrygelaat is.
- (4) Ondanks die bepalings van artikel 3(3) kan 'n hond waarop beslag gelê is of wat geskut is ingevolge—

- (a) subsection 3(1)(b), or
- (b) any provision of this by-law or the provisions of any other law and which is found to be suffering from any incurable, infectious or contagious, or which are badly injured,

may be destroyed forthwith on the recommendation of the person or organization, appointed and approved by the Council.

- (5) An authorized officer may seize any ferocious, vicious or dangerous dog or any dog which has caused damage to any person or property and have it destroyed forthwith on his recommendation.
- (6) The destruction of any dog in terms of sub section 4(4) and (5) or under any provisions of the Ordinance shall be by such painless methods as may be approved by a veterinary officer and shall take place only under the supervision of an authorized officer.
- (7) Neither the Council nor any authorized officer or any employee of the Council shall be liable for or in respect of any injury suffered by, disease contracted by or damage caused to any dog or loss suffered by the owner thereof as a result of or during its seizure, impounding, detention, sale or destruction in terms of the Ordinance of by this by-law.
- (8) The Council shall keep records of all dogs seized and impounded or destroyed in terms of this by-law.
- (9) Notwithstanding the provisions of subsections 3(1) to (5), no person shall seize or impound—
 - (a) a guide dog; or
 - (b) any bitch rearing unweaned young, unless such bitch and unweaned young are impounded together; or
 - (c) any diseased dog in respect of which the provisions of section 10 of the Animal Diseases and Parasites Act, 1956, apply.
- (10) Any person who has seized a dog in terms of this section shall ensure that such dog is not ill-treated in any manner.

4. CONTROL OF DOGS

- (1) No person shall—
 - (a) permit any bitch on heat owned or kept by him to be in any public street or public place and such bitch shall be kept in kennels (which exclude the pound) for a minimum of three weeks;
 - (b) urge or allow any dog attack, worry or frighten any person or animal, except when necessary for the defense of any person or property;
 - (c) Keep any dog which—
 - (i) creates a disturbance or a nuisance by excessive barking, yelping, howling or whining or;
 - (ii) behaves in any other manner so as to interfere materially with the ordinary comfort, convenience, peace or quiet of any other person;
 - (iii) suffers from a contagious disease: Provided that a veterinary surgeon or animal welfare organization may keep such a dog in a clinic for treatment; and
 - (iv) after the owner had been informed that it has on more than one occasion bitten or attempted to

- (a) artikel 3(1)(b), of
- (b) enige bepaling van hierdie verordening of die bepalings van enige ander wet en wat blyk aan enige ongeneeslike, aansteeklike of besmetlike siekte te ly, of erg beseer te wees,

onverwyld op aanbeveling van die persoon of organisasie wat deur die raad aangewys en goedgekeur is, afgemaak laat word.

- (5) 'n Gemagtigde beampte kan op enige hond wat wild, kwaai of gevaarlik is of wat aan persone of eiendom skade berokken het, beslag lê en op sy aanbeveling onverwyld laat afmaak.
- (6) Die afmaak van enige hond ingevolge artikel 3(4) en (5) of kragtens enige bepalings van die Ordonnansie moet gedoen word op 'n pynlose wyse wat deur 'n veeartsenykundige beampte goedgekeur word en mag net onder die toesig van 'n gemagtigde beampte plaasvind.
- (7) Nog die Raad nog enige gemagtigde beampte of enige werknemer van die raad is aanspreeklik vir of ten opsigte van enige besering of siekte opgedoen deur of skade veroorsaak aan enige hond of verlies deur die eienaar daarvan gely as gevolg van of gedurende die inbeslagneming, skut, inbewaring hou, verkoop of afmaak daarvan ingevolge die Ordonnansie of hierdie verordening.
- (8) Die raad hou boek van alle honde waarop daar kragtens hierdie verordening beslag gelê word en wat daar kragtens geskut of afgemaak word.
- (9) Ondanks die bepalings van artikels 3(1) tot (5) mag geen persoon beslag lê op of die volgende hond skut nie—
 - (a) 'n gidshond: of
 - (b) enige teef met ongespeende werpsel tensy die teef en ongespeende werpsel tesame geskut word; of
 - (c) enige siek hond waarna verwys word in die bepalings van artikel 10 van die Wet op Diersiektes en Parasiete, 1956.
- (10) Enige persoon wat beslag gelê het op 'n hond kragtens die bepalings van hierdie artikel sal seker maak dat so 'n hond op geen wyse mishandel word nie.

4. BEHEER OOR HONDE

- (1) Niemand mag—
 - (a) Toelaat dat enige loopse teef waarvan hy/sy die eienaar is of wat hy/sy aanhou in enige openbare straat of plek is nie en sodanige teef moet vir minstens drie weke in hondehokke (uitgesonderd die skut) aangehou word;
 - (b) enige hond aanspoor of toelaat om enige persoon of dier aan te val, lastig te val of bang te maak nie, behalwe waar dit nodig is vir die verdediging van enige persoon of eiendom;
 - (c) enige hond aanhou wat—
 - (i) 'n steurnis of oorlas veroorsaak deur buitensporige geblaf, gekef, gehuil of getjank;
 - (ii) op enige ander wyse sodanig gedra dat hy die gewone gemak, gerief, vrede of rus van enige persoon wesenlik versteur;
 - (iii) ly aan 'n aansteeklike siekte : behalwe in die geval van 'n veearts of dierebeskermings-organisasie waar die hond(e) versorg word en
 - (iv) nadat die eienaar ingelig is dat die hond by meer as een geleentheid 'n mens of dier gebyt of

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| <p>bite a person or animal other than in defense or protection;</p> <p>(d) permit any dog owned or kept by him—</p> <p>(i) to be in a public street or public place or any other place outside its owner's premises unless it is held on a leash by a person who is capable of handling such dog, or</p> <p>(ii) to be in public street or public place or any other place outside its owner's premises while suffering from mange or any other infections or contagious disease, or</p> <p>(iii) to evacuate in a public street or public place, or any other place outside its owner's premises without such person causing the said evacuation to be removed immediately to the satisfaction of the authorized officer, except in the case of a blind person, or</p> <p>(iv) which is ferocious, vicious or dangerous to be in a public street or public place or any other place outside its owner's premises unless it is muzzled and held on a leash and under the control of a person who is capable of handling such dog;</p> <p>(v) an authorized officer may impound any uncontrolled dog found in a public place.</p> <p>(e) without reasonable cause—</p> <p>(i) set a dog on any person, animal or bird, or</p> <p>(ii) permit any dog under his supervision or in his custody to attack or terrify any person, animal or bird.</p> <p>(2) (a) In the event of the authorized officer being of the opinion that a dog contemplated in sub section 4(1)(a), (b), (c), (d) and (e) he may cause a notice to be served on the owner of the dog requiring such owner to take such steps as will effectively abate such nuisance and to establish to the satisfaction of the Municipal Manager or authorized officer that such dog is being kept under proper control. In the event of an owner failing to comply with any requirement of such notice the Municipal Manager or authorized officer may order such owner in writing to remove such dog within 96 hours from 12:00 on the day on which such order was served; and</p> <p>(b) in the event of the authorized officer being of the opinion that a dog is a dog contemplated in subsection 4 (1)(c)(iii) and (d)(ii) he may cause a notice to be served on the owner of the dog requiring such owner to deliver such dog forthwith to a veterinary surgeon for examination and such treatment as the veterinary surgeon may prescribe, and to furnish the Municipal Manager or authorized officer with a report on the outcome of such examination within a reasonable period of time.</p> <p>(3) No person shall be allowed to keep a dog as from 1 March 2004 if his premises or part thereof is not fenced or otherwise prepared so as to keep his dog or dogs on such premises.</p> <p>(4) No person shall be allowed to keep a dog or dogs for which he cannot care for with regard to proper feeding and caring.</p> <p>(5) In the event of an owner failing to comply with any requirement contemplated in sub section 4, the Municipal Manager may order such owner in writing to remove such</p> | <p>gepoog het om te byt anders as ter verdediging of beskerming.</p> <p>(d) toelaat dat enige hond waarvan hy die eienaar is of wat deur hom aangehou word—</p> <p>(i) in 'n openbare straat of openbare plek of enige ander plek buite sy eienaar se perseel is nie, tensy dit aan 'n leiriem gehou word deur en onder die beheer is van 'n persoon wat daartoe in staat is om sodanige hond te hanteer, of</p> <p>(ii) in 'n openbare straat of openbare plek of enige ander plek buite sy eienaar se perseel is terwyl dit aan skurfte of enige ander besmetlike of aansteeklike siekte ly nie, en</p> <p>(iii) in 'n openbare straat of openbare plek of enige ander plek buite sy eienaar se perseel ontas nie, sonder dat sodanige persoon onmiddellik genoemde ontlasting ten genoë van die gemagtigde beampte laat verwyder, of</p> <p>(iv) in 'n openbare straat of openbare plek of enige ander plek buite sy eienaar se perseel is as dit wild, kwaai of gevaarlik is nie, tensy dit gemuilband is en aan 'n leiriem gehou word en onder beheer is van 'n persoon wat daartoe instaat is om sodanige hond te hanteer.</p> <p>(2) (a) Indien 'n gemagtigde beampte van mening is dat 'n hond 'n hond is soos beoog in artikel 4(1)(a), (b), (c), (d) en (e), kan hy 'n kennisgewing aan die eienaar van die hond laat beteken waarin daar van sodanige eienaar vereis word om stappe te doen wat sodanige oorlas doeltreffend uit die weg te ruim en om ten genoë van die gemagtigde beampte te bewys dat sodanige hond onder behoorlike beheer gehou word. Indien die eienaar versuim om aan enige vereistes van sodanige kennisgewing te voldoen, kan die gemagtigde beampte aan sodanige eienaar skriftelik opdrag gee om sodanige hond uit die munisipale gebied van Breërivier/Wynland te verwyder en moet die eienaar sodanige hond binne 96 uur vanaf 12:00 op die dag waarop sodanige kennisgewing beteken word aldus verwyder; en</p> <p>(b) indien die gemagtigde beampte van oordeel is dat 'n hond 'n hond is soos beoog in artikel 4(1)(c)(iii) en (d)(ii) kan hy 'n kennisgewing aan die eienaar van die hond laat beteken waarin daar van sodanige eienaar vereis word om sodanige hond onmiddellik na 'n veearts vir ondersoek en die behandeling wat die veearts voorskryf, te lewer en binne 'n redelike tydperk 'n verslag aan die munisipale bestuurder of gemagtigde beampte te lewer oor die uitslag van sodanige ondersoek.</p> <p>(3) Geen persoon mag vanaf 1 Maart 2004 'n hond of honde aanhou nie tensy sy perseel of gedeelte daarvan sodanig omhein of andersins ingerig is dat sy hond of honde binne sodanige perseel gehou kan word.</p> <p>(4) Geen persoon mag 'n hond of honde aanhou waarna hy nie behoorlik kan omsien nie in terme van behoorlike voeding en versorging daarvan.</p> <p>(5) Indien 'n eienaar versuim om aan enige vereistes soos beoog in artikel 4(3) en (4) te voldoen kan die munisipale bestuurder aan sodanige eienaar skriftelik opdrag gee om sodanige</p> |
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dog from the municipal area of Breede River/Winlands and the owner shall remove such dog within 96 hours from 12:00 on the date on which such order was served.

- (6) In the event of an owner failing to comply with any requirement contemplated in sub section 4 an authorized officer may forthwith seize the dog(s) and have it/them destroyed as described in section 3(3).

5. THE RESCUE OF IMPOUNDED DOGS

No person shall by threats of violence or otherwise rescue or attempt to rescue from the person or persons in charge thereof any dog being lawfully brought to the pound, or shall rescue or attempt to rescue any dog after such dog has been lawfully impounded by an authorized officer.

6. ENTERING UPON PREMISES

An authorized officer may for any purpose connected with the enforcement of these by-laws—

- (a) at any reasonable time and without notice, enter upon any premises accompanied if he deems it necessary by an interpreter or other assistant to—
- (i) carry out any examination, inspection or enquiry that he deem necessary; or
 - (ii) exercise any other power in terms of these by-laws, and he may for that purpose take any necessary appliance with him into the premises;
- (b) call upon the owner of a dog to render such assistance or to furnish such information, including his full name and address, as such officer may reasonably require: Provided that at the time of exercising his powers in terms of this section such officer shall have in his possession written authority as contemplated in section 1(b) or (c) of these by-laws.

7. LODGING OF COMPLAINTS

- (1) The Council shall have the right to demand a written statement or affidavit or solemn declaration in support of any complaint in connection with a contravention of these by-laws prior to such complaint being investigated by the Council.

8. OFFENCES AND PENALTIES

- (1) Any person contravening any provision of these by-laws shall be guilty of an offence and liable on conviction to a fine not exceeding R500,00 or in default of payment to imprisonment. Provided such fine shall not apply to contraventions in terms of Section 4 when the penalty shall be the cost of neutering the animal.
- (4) When it is alleged for the purpose of a prosecution under these by-laws that a dog is of a certain breed, sex or age, it shall be so presumed until the contrary is proved.

hond/honde binne 96 uur vanaf 12:00 op die dag waarop sodanige kennisgewing beteken is, aldus te verwyder.

- (6) Indien 'n eienaar versuim om te voldoen aan enige vereiste soos beoog in artikel 4 kan 'n gemagtigde beampte onverwyld op die hond(e) beslag lê en dit laat afmaak soos artikel 3(4) omskryf.

5. DIE VRYLATING VAN GESKUTTE HONDE

Niemand mag deur dreigemente van geweld of andersins enige hond wat wettig na die skut gebring is, vrylaat of probeer vrylaat van die persoon of persone in beheer daarvan nie, of mag enige hond vrylaat of probeer vrylaat nadat dit wettig deur 'n gemagtigde beampte geskut is nie.

6. BETREDING VAN PERSEEL

Enige gemagtigde beampte mag om enige rede wat verband hou met die handhawing van hierdie verordeninge—

- (a) te enige redelike tyd en sonder kennisgewing enige perseel betree, vergesel van, indien hy dit nodig mag ag, 'n tolk of ander assistent om—
- (i) enige ondersoek, inspeksie of navraag uit te voer wat hy nodig mag ag; of
 - (ii) enige ander bevoegdheid uit te voer ingevolge hierdie verordeninge, en mag vir daardie doel enige nodige toerusting met hom saamneem na die perseel;
- (b) 'n beroep doen op die eienaar van 'n hond om bystand te verleen of sodanige inligting te voorsien, insluitend sy volle naam en adres, wat so 'n beampte redelik mag vereis: daaraan onderhewig dat so 'n beampte ingevolge hierdie afdeling geskrewe magtiging in sy besit sal hê soos voorgeskryf in afdeling (1)(a) van hierdie verordeninge.

7. INDIENING VAN KLAGTES

- (1) Die Raad het die reg om 'n geskrewe verklaring of beëdigde verklaring of plegtige verklaring te vereis ter ondersteuning van enige klagte in verband met 'n oortreding van hierdie verordeninge voordat sodanige klagte deur die Raad ondersoek word.

8. OORTREDINGS EN STRAF

- (1) Enige persoon wat enige bepaling van hierdie verordeninge oortree, sal skuldig wees aan 'n oortreding en by skuldigbevinding hom onderhewig maak aan 'n boete van hoogstens R500,00 of, by nalate van boetebetaling, aan gevangenisstraf, met die voorwaarde dat die boete nie van toepassing sal wees op oortredings ingevolge artikel 4 nie, in welke geval die straf gelykstaande sal wees aan die koste van kastrering van die dier.
- (2) In die geval van 'n voortdurende misdryf met 'n addisionele boete of 'n addisionele tydperk van gevangenisstraf van 10 dae, of of sodanige addisionele boete of sodanige addisionele gevangenisstraf, of beide sodanige addisionele boete en gevangenisstraf vir elke dag wat sodanige misdryf voortduur; en
- (3) 'n Verdere bedrag gelyk aan enige koste en uitgawes wat na bevinding van die hof deur die munisipaliteit aangegaan is as gevolg van sodanige oortreding of versuim.
- (4) Wanneer vir die doel van vervolging ingevolge hierdie verordeninge aangeneem word dat 'n hond van 'n sekere ras, geslag of ouderdom is, sal dit so aanvaar word tot die teendeel bewys word.

9. TOEPASSING VAN VERORDENING

Die bepalings van artikels 2(1) en (3) sal nie op persele wat vir landboudoeleindes gesoneer is, van toepassing wees nie, met dien verstande dat 'n persoon wat honde aanhou op 'n perseel wat vir landboudoeleindes soneer is, nie vrygestel word nie van nakoming van enige ander bepaling van hierdie verordening of enige ander wetgewing wat van toepassing mag wees.

9. REPEAL OF BY-LAWS

The by-laws promulgated under provincial notice PN 575/1983, PN 665/1987, PN 22/1991, PN 770/1980 and PN 647/1988.

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SCHEDULE

BREEDE RIVER/WINELANDS MUNICIPALITY:

BY-LAW FOR THE SUPERVISION AND CONTROL OF THE CARRYING ON OF THE BUSINESS OF STREET VENDOR, PEDLAR OR HAWKER

Definitions

1. (1) Unless the context otherwise indicates, any word or expression to which a meaning has been assigned in the Businesses Act, 1991 (Act 72 of 1991), shall, when used in this by-law, have the meaning thus assigned, and—
 - (i) “Council” means the Council of the Breede River Winelands and includes any committee or employee of the Council exercising powers or performing duties delegated to that committee or employee by the council;
 - (ii) “goods” includes any receptacle, vehicle or movable structure used for the storage or transport of goods;
 - (iii) “litter” means any receptacle, container or other object or matter discarded or abandoned by an informal trader or his or her customers;
 - (iv) “informal trader” means a person who carries on the business of street vendor, pedlar or hawker, and includes an employee of such a person and shall, for the purposes of this by-law, also include such a person who trades in a public road of public place;
 - (v) “informal trading” includes the selling of goods or the supplying or offering to supply a service for reward as an informal trader in a public road or public place but does not include the sale of newspapers only;
 - (vi) “Local authority service” means any system conducted by or on behalf of a local authority for the collection, conveyance, treatment or disposal of refuse, sewage or storm water or for the manufacture, generation, impounding, storage, purification, distribution, conduction, transmission, conveyance, provision or supply of water, gas or electricity;
 - (vii) “local authority service work” means all works of whatever nature necessary or desirable for or incidental, supplementary or ancillary to any local authority service and includes anything of whatever nature used for or in connection with any such works or service;
 - (viii) “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 a person or which materially interferes with the ordinary comfort, convenience, peace or quiet of a person;
 - (ix) “officer” means—
 - (a) a traffic officer appointed under section 3 of the Road Traffic Act, 1989 (Act 29 of 1989);
 - (b) a member of the Force as defined in section 1(1) of the Police Act 1958 (Act 7 of 1958)

10. HERROEPING VAN VERORDENINGE

Die verordeninge gepromulgeer ingevolge provinsiale kennisgewing PN 575/1983, PN 665/1987, PN 22/1991, PN 770/1980 en PN 647/1988.

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BYLAE

BREËRIVIER/WYNLAND MUNISIPALITEIT

VERORDENING VIR DIE TOESIG EN BEHEER OOR DIE BEDRYF VAN DIE BESIGHEID VAN STRAATHANDELAAR, VENTER OF SMOUS

Woordomsrywings

1. (1) Tensy uit die samehang anders blyk, het enige woord of uitdrukking waaraan 'n betekenis in die Wet op Besighede, 1991 (Wet 71 van 1991), geheg is, die betekenis wat aldus toegeken is wanneer dit in hierdie verordening gebruik word, en beteken—
 - (i) “Raad” die raad van die Breërivier Wynland Munisipaliteit en sluit dit enige komitee of werknemer van die Raad in wat bevoegdhede uitoefen of pligte uitvoer wat deur die Raad aan daardie komitee of werknemer gedelegeer is;
 - (ii) “goedere” ook enige houer, voertuig of beweegbare struktuur wat vir die opberging of vervoer van goedere gebruik word;
 - (iii) “rommel” 'n houer of ander voorwerp of materiaal wat 'n informele handelaar of sy of haar klante weggooi of agterlaat;
 - (iv) “informele handelaar” 'n persoon wat die besigheid van straathandelaar, venter of smous bedryf en sluit dit 'n werknemer van 'n persoon in, en vir die toepassing van hierdie verordening sluit dit so 'n persoon in wat in 'n openbare pad of openbare plek handel dryf;
 - (v) “informele handel” die verkoop van goedere of die lewering van of die aanbied van 'n diens teen vergoeding as informele handelaar in 'n openbare pad of openbare plek, maar sluit dit nie die verkoop van koerante alleen in nie;
 - (vi) “plaaslike owerheidsdiens” enige stelsel wat deur of namens die Raad bestuur word vir die versameling, vervoer of afvoer, behandeling of wegdoen van vullis, rioolvuil of stormwater of vir die vervaardiging, opwekking, opvang, opberging, suiwering, distribusie, geleiding, transmissie, vervoer, voorsiening of verskaffing van water, gas of elektrisiteit;
 - (vii) “plaaslike owerheidsdienswerke” alle werke van watter aard ook al wat nodig of wenslik is vir of bykomstig is tot of aanvullend is by of gepaard gaan met enige plaaslike owerheidsdiens en sluit dit enige ding van watter aard ook al wat gebruik word vir of in verband met daardie werke of diens;
 - (viii) “oorlas” enige gedrag wat 'n stand van sake of toestand meebring of kan meebring wat 'n bron van gevaar vir 'n persoon of die eiendom van 'n persoon inhou, of wat wesenlik inbreuk maak op die gewone gerief, gemak, rus of vrede van 'n persoon;
 - (ix) “beampte”
 - (a) 'n verkeersbeampte aangestel kragtens artikel 3 van die Padverkeerswet, 1989 (Wet 29 van 1989)
 - (b) 'n lid van die Mag soos omskryf in artikel 1(1) van die Polisiewet, 1958 (Wet 7 van 1958);

- (c) a peace officer contemplated in section 334 of the Criminal Procedure Act, 1977 (Act 51 of 1977);
 - (d) an environmental health officer in the service of the Council, or
 - (e) an official of the Council authorized to implement the provisions of this by-law;
 - (x) "public place" 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 expiring after the thirty-first day of December 1959, or
 - (d) at any time been declared or rendered such by the council or other competent authority;
 - (xi) "public road" means any road, street, thoroughfare or place (whether a thoroughfare or not) which is commonly used by the public or a section of the public or to which the public has a right or access, and includes—
 - (a) the verge of such road, street or thoroughfare;
 - (b) any bridge, ferry or drift traversed by such road, street or thoroughfare, and
 - (c) any other work or object forming part of or connected with or belonging to such road, street or thoroughfare;
 - (xii) "sidewalk" means a sidewalk as defined in section 1 of the Road Traffic Act, 1989 (Act 29 of 1989);
 - (xiii) "the Act" means the Businesses Act, 1991 (Act 71 of 1991), and
 - (xiv) "verge" means that portion of the road, street or thoroughfare which is not the roadway.
- (2) For the purposes of the provisions of this by-law a person carrying on the business of street vendor, pedlar or hawker includes any employee of this person.

Prohibited areas

2. A person shall not carry on the business of street vendor, pedlar or hawker—
- (a) in a garden or park to which the public has a right of access;
 - (b) on a verge contiguous to
 - (i) a building belonging to, or occupied solely by, the State or the local authority;
 - (ii) a church or other place of worship, or
 - (iii) a building declared to be a national monument under the National Monuments Act, 1969 (Act 28 of 1969);
 - (c) in an area declared under section 6A(2)(a) of the Act to be a place where the carrying on of the business of street vendor, pedlar or hawker is—

- (c) 'n vredesbeampte beoog in artikel 334 van die Strafproseswet, 1977 (Wet 51 van 1977);
 - (d) 'n omgewingsgesondheidsbeampte is diens van die Raad, of
 - (e) 'n beampte van die Raad wat gemagtig is om die bepalings van hierdie verordening, toe te pas.
 - (x) "openbare plek enige plein, park, ontspanningsterrein, sportterrein, sanitêre steeg of oop ruimte wat—
 - (a) in verband met enige onderverdeling of aanleg van grond in erwe, standplase of boupersele, voorsien, gereserveer of afgesonder is vir gebruik deur die publiek of die eienaars of okkupeerders van erwe, daardie standplase of boupersele, ongeag of dit op 'n algemene plan, 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 wat na die een en dertigste dag van Desember 1959 verstryk het, of
 - (d) te eniger tyd deur die Raad of 'n ander bevoegde owerheid tot openbare plek verklaar of gemaak is;
 - (xi) "openbare pad" enige pad, straat, deurgang of plek (hetsy 'n deurgang of nie) wat gewoonlik deur die publiek of gedeelte daarvan gebruik word of waartoe die publiek 'n reg van toegang het, en ook—
 - (a) die soom van daardie pad, straat of deurgang;
 - (b) enige brug, pont of drif waaroor of waardeur daardie pad, straat, of deurgang loop, en
 - (c) enige ander werk of voorwerp wat 'n deel uitmaak van of verbind is met of behoort tot daardie pad, straat of deurgang;
 - (xii) "sypaadjie" 'n sypaadjie soos omskryf in artikel 1 van die Padverkeerswet, 1989 (Wet 29 van 1989).
 - (xiii) "die Wet" die Wet op Besighede, 1991 (Wet 71 van 1991); en
 - (xiv) "soom" die gedeelte van 'n pad, straat of deurgang wat nie die ryvlak is nie.
- (2) Vir die toepassing van die bepalings van hierdie verordening sluit 'n persoon wat die besigheid van straathandelaar, venter of smous bedryf, enige werknemer van so 'n persoon in.

Verbode gebiede

2. 'n Persoon mag nie die besigheid van straathandelaar, venter of smous bedryf nie—
- (a) in 'n tuin of park waartoe die publiek 'n reg van toegang het;
 - (b) op 'n soom aangrensend aan
 - (i) 'n gebou wat behoort aan, of geokkupeer word slegs deur, die Staat of die plaaslike owerheid;
 - (ii) 'n kerk of ander plek van aanbidding, of
 - (iii) 'n gebou wat kragtens die Wet op Nasionale Gedenkwaardighede, 1969 (Wet 28 van 1969), tot nasionale gedenkwaardigheid verklaar is;
 - (c) 'n gebied wat kragtens artikel 6A(2)(a) van die Wet verklaar is tot 'n gebied waar die bedryf van die besigheid van straathandelaar, venter of smous—

- (i) Prohibited, or
- (ii) in contravention of a condition imposed by the Council in respect of such an area;
- (d) at a place where—
 - (i) it causes an obstruction in front of a fire hydrant or any entrance to or exit from a building;
 - (ii) it causes an obstruction to vehicular traffic or
 - (iii) it substantially obstructs pedestrians in their use of a sidewalk;
- (e) on a verge contiguous to a building in which business is being carried on by any person who sells goods of the same nature as or of a similar nature to goods being sold by the street vendor, pedlar or hawker concerned without the consent of that person;
- (f) 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 thereto, and
- (g) at a place where—
 - (i) it obstructs access to street furniture, bus passenger benches or shelters, queuing lines, refuse disposal bins or other facilities intended for the use of the general public;
 - (ii) it obstructs the visibility of a display window of business premises, if the person carrying on business on the premises concerned objects thereto;
 - (iii) it obstructs access to a pedestrian crossing;
 - (iv) it obstructs access to any vehicle;
 - (v) it obstructs any road traffic sign or any marking, notice or sign displayed in terms of this by-law, or
 - (vi) it interferes in any way with any vehicle that may be parked alongside such place, and
- (h) in contravention of the terms and conditions of a lease or allocation to him or her of a stand or area in terms of section 6A(3)(c) of the Act.

General

3. A person carrying on the business of street vendor, pedlar or hawker shall not-
- (a) in any way obstruct free access to any local authority service or local authority service works;
 - (b) if such business is carried on on any public road or public place—
 - (i) stay overnight at the place of such business, or
 - (ii) without the prior written approval of the Council, erect any structure (other than a device which operates in the same manner as an umbrella) for the purpose of providing shelter;
 - (c) carry on such business in such a manner as to-
 - (i) create a traffic nuisance;
 - (ii) damage or deface the surface of any public road or public place or any other Council property, or
 - (iii) create a traffic hazard;

- (i) verbied word, of
- (ii) in stryd is met 'n voorwaarde wat deur die Raad ten opsigte van so 'n gebied opgelê is;
- (d) op 'n plek waar—
 - (i) dit 'n brandkraan of 'n ingang of uitgang van 'n gebou versper;
 - (ii) dit voertuigverkeer belemmer, of
 - (iii) dit voetgangers wesenlik belemmer in die gebruik van 'n sypaadjie;
- (e) op 'n soom aangrensend aan 'n gebou waarin besigheid bedryf word deur 'n persoon wat goedere verkoop wat van dieselfde of 'n soortgelyke aard is as goedere wat deur die betrokke straathandelaar, venter of smous verkoop word, sonder die toestemming van daardie persoon;
- (f) op daardie helfte van 'n openbare pad aangrensend aan 'n gebou wat vir residensiële doeleindes gebruik word, indien die eienaar of persoon in beheer of enige bewoner van die gebou daarteen beswaar maak;
- (g) op 'n plek waar—
 - (i) dit toegang tot straattoebehore, buspassasiers banke of skuilings, toustaanplekke, vullishouers of ander geriewe wat vir die gebruik van die algemene publiek bedoel is, versper;
 - (ii) dit die sigbaarheid van 'n vertoonvenster van 'n sakeperseel versper, indien die persoon wat sake op die betrokke sakeperseel doen, daarteen beswaar maak;
 - (iii) dit toegang tot 'n voetgang versper;
 - (iv) dit toegang tot enige voertuig versper;
 - (v) dit enige padverkeersteken of enige merk, kennisgewing of teken wat ingevolge hierdie verordening vertoon word, versper, of
 - (vi) dit op enige wyse inbreuk maak op enige voertuig wat langs so 'n plek geparkeer is, en
- (h) waar dit strydig is met die bepaling en voorwaardes van die verhuur of toewysing aan hom of haar van 'n standplaas of gebied ingevolge artikel 6A(3)(c) van die Wet.

Algemeen

3. 'n Persoon wat die besigheid van straathandelaar, venter of smous bedryf, mag nie—
- (a) op enige wyse die vrye toegang tot enige plaaslike owerheidsdiens of plaasklike owerheidsdienswerke belemmer nie;
 - (b) indien die besigheid op 'n openbare pad of openbare plek bedryf word—
 - (i) by die plek van besigheid oornag nie, of
 - (ii) sonder die voorafverkreë skriftelike goedkeuring van die Raad, enige struktuur (uitgesonderd 'n toestel wat op dieselfde wyse werk as 'n sambreel) met die doel om skuiling te verskaf, oprig nie;
 - (c) die besigheid op so 'n wyse bedryf dat dit—
 - (i) 'n verkeersoorlas veroorsaak nie;
 - (ii) die oppervlak van enige openbare pad of openbare plek of enige ander eiendom van die Raad beskadig of skend nie, of
 - (iii) 'n gevaar vir die verkeer veroorsaak nie;

- (d) other than in a refuse receptacle approved by the Council, accumulate, dump, store or deposit or cause or permit to be accumulated, dumped, stored or deposited any refuse, scrap or waste material on any land or premises or on any public road or public place;
- (e) fail or refuse to remove or move any goods, receptacle, vehicle or movable structure after having been requested to do so by an officer or a duly authorized employee of the Council acting in terms of the provisions of section 5(1);
- (f) 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 or on a public road or public place, and
- (g) make a fire at a place or in circumstances where it could harm any person or damage a building or vehicle or any street furniture referred to in subsection (f).

Specific restrictions

- 4. (1) (a) Subject to the provisions of subsection (2) no informal trader shall trade on a roadway.
- (b) An informal trader may not trade inside an urban area on a roadway within 5 m from any intersection in the goods or services specified in Schedule A.
- (c) An informal trader shall not trade in goods or services other than those specified in Schedule A.
 - (i) on a verge in an urban area within 5 m from any intersection, or
 - (ii) on a verge outside an urban area outside a stand or area set apart for street trading purposes as contemplated in section 6A(3)(b) of the Act.
- (2) No informal trader shall trade in an area specified in Schedule B, outside a stand or area set apart for trading purposes as contemplated in section 6A(3)(c) of the Act.

Cleanliness of place of business and protection of public health

- 5. A person carrying on the business of street vendor, pedlar or hawker shall
 - (1) (a) unless prior written approval exempting that person from the provisions of this paragraph has been given by the Council, remove daily from any public road or public place at the conclusion of trading all waste, packaging material, stock and equipment of whatever nature which are utilized in connection with such business;
 - (b) carry on business in such a manner as not to be a danger or threat to public health or public safety;
 - (c) at the request of an officer or a duly authorized employee of the Council move or remove anything from the place of business so that the place may be cleaned, and
 - (d) carry on business in such a manner that the place of business is always in a clean and neat condition.
 - (2) The local authority shall—
 - (a) ensure that the sites on which the informal traders trade are cleaned and sanitised on a regular basis;

- (d) behalwe in 'n vullishouer wat deur die Raad goedgekeur is, enige vullis, rommel of afvalmateriaal op enige grond of perseel of op enige openbare pad of openbare plek ophoop, stort, opgaar of plaas of laat ophoop, stort, opgaar of plaas of toelaat dat dit gedoen word nie;
- (e) versuim of weier om enige goedere, houer, voertuig of beweegbare struktuur te verwyder of te verskuif nadat hy of sy deur 'n beampte of 'n behoorlik gemagtigde werknemer van die Raad wat ingevolge die bepalings van artikel 5(1) daartoe versoek is nie;
- (f) enige voorwerp op enige wyse aan enige gebou, struktuur, sypaadjie, boom, parkeermeter, lamppaal, elektrisiteitspaal, telefoonhokkie, posbus, verkeersteken, bank of enige ander straattoebehore in of op 'n openbare pad of openbare plek heg nie, en
- (g) 'n vuur maak op plek of in omstandighede waar dit 'n persoon kan beseer of 'n gebou of voertuig of enige straattoebehore in subartikel (f) bedoel, kan beskadig nie.

Spesifieke beperkinge

- 4. (1) (a) Behoudens die bepalings van subartikel (2) mag 'n informele handelaar nie handel dryf op 'n ryvlak nie.
- (b) 'n Informele handelaar mag nie handel dryf binne 'n stedelike gebied op 'n ryvlak binne vyf meter van enige kruising met goedere en dienste soos in Bylae A gespesifiseer.
- (c) 'n Informele handelaar mag nie handel dryf in ander goedere of dienste as wat in Bylae A gespesifiseer word nie.
 - (i) Op 'n soom in 'n stedelike gebied binne 5 m van 'n kruising of
 - (ii) op 'n soom buite 'n stedelike gebied buite 'n staanplek of gebied opsy gesit vir doeleindes om handel te dryf ingevolge artikel 6A(3)(b) van die Wet.
- (2) Geen informele handelaar mag handel dryf in 'n beperkte gebiede wat gespesifiseer is in Bylae B buite 'n staanplek of gebied wat opsy gesit is vir doeleindes van handel dryf ingevolge artikel 6A(3)(c) van die Wet nie.

Sindelikheid van plek van besigheid en beskerming van openbare gesondheid

- 5. 'n Persoon wat die besigheid van straathandelaar, venter of smous bedryf, moet—
 - (1) (a) tensy skriftelike goedkeuring vooraf deur die Raad verleen is wat daardie persoon van die bepalings van hierdie paragraaf vrystel, alle rommel, verpakkingsmateriaal, voorraad en toerusting van watter aard ook al wat in verband met die besigheid gebruik word, na afloop van elke dag se handeldryf van enige openbare pad of openbare plek verwyder;
 - (b) besigheid op so 'n wyse bedryf dat dit nie 'n gevaar of bedreiging vir die openbare gesondheid of openbare veiligheid inhou nie;
 - (c) op versoek van 'n beampte of 'n behoorlik gemagtigde werknemer van die Raad enigiets van die plek van besigheid verskuif of verwyder sodat die plek van besigheid skoongemaak kan word, en
 - (d) besigheid op so 'n wyse bedryf dat die plek van besigheid te alle tye in 'n skoon en netjiese toestand is.
 - (2) Die plaaslike owerheid moet—
 - (a) verseker dat persele waar informele handel bedryf word op 'n gereelde grondslag skoongemaak en gereinig word.

- (b) provide receptacles on the sites in order to facilitate the disposal of litter by the informal traders, and
- (c) ensure that the receptacles are emptied on a regular basis in order to facilitate the cleaning of trading sites.

Removal and impoundment

6. (1) An officer may remove and impound any goods—
- (a) which—
 - (i) are found at a place where the carrying on of such business is prohibited or restricted in terms of section 2 and which, in the officer's opinion, constitute an infringement of that section, or
 - (ii) in the officer's opinion, are so placed that they
 - (aa) cause an obstruction to vehicular traffic, or
 - (bb) obstruct a local authority service or local authority service works;
 - (b) which the person carrying on the business of street vendor, pedlar or hawker has failed or refused to remove from the place concerned after having been requested to do so by an officer or a duly authorized employee of the Council, or
 - (c) which have been abandoned
- (2) Any officer acting in terms of subsection (1) shall—
- (a) issue to the person carrying on the business of street vendor, pedlar or hawker a receipt for any goods so removed and impounded, and
 - (b) immediately deliver any such goods to the Council.
- (3) Property removed and impounded as contemplated in 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 the property shall, subject to the provisions of subsection (4), at any time prior to its disposal be returned to the owner at the request of and on proof of ownership by the 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 at the request of and on proof of ownership by the owner to the local authority within a period of one month from the date of impoundment.
- (4) The local authority shall be entitled to keep the property until all reasonable expenses have been paid to it, failing which the property may be sold or, in the case of perishable goods, either be sold or destroyed by the local authority.
- (5) In the case of a sale of impounded property by the local authority, the proceeds of the sale less the reasonable expenses incurred by the local authority in connection with the removal, impoundment or disposal of the property shall be paid to the person who was the owner of the property when it was impounded. If the 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.

- (b) houers op die persele voorsien ten einde die wegdoen van rommel deur die informele handelaars te vergemaklik, en
- (c) verseker dat die houers op 'n gereelde grondslag leeggemaak word ten einde die skoonmaak van handelspersele te vergemaklik.

Verwydering en skut

6. (1) 'n Beamppte kan enige goedere verwyder en skut—
- (a) wat gevind word op 'n plek waar—
 - (i) die bedryf van die besigheid ingevolge artikel 2 verbode of beperk is en wat na die oordeel van die beamppte 'n oortreding van hierdie artikel is, of
 - (ii) na die oordeel van die beamppte, die goedere soos geplaas is dat dit—
 - (aa) voertuigverkeer versper, of
 - (bb) 'n plaaslike owerheidsdiens of plaaslike owerheidsdienswerke belemmer;
 - (b) wat die persoon wat die besigheid van straathandelaar, venter of smous bedryf, versuim of geweier het om van die betrokke plek te verwyder nadat hy of sy deur 'n beamppte of 'n behoorlik gemagtigde werknemer van die Raad daartoe versoek is, of
 - (c) wat daar agtergelaat is.
- (2) 'n Beamppte wat ingevolge subartikel (1) optree, moet—
- (a) aan die persoon wat die besigheid van straathandelaar, venter of smous bedryf, 'n kwitansie uitreik vir goedere wat op die wyse verwyder en geskut word, en
 - (b) dadelik daardie goedere aan die Raad oorhandig.
- (3) Eiendom wat verwyder of geskut word, soos in artikel 6A van die Wet beoog—
- (a) kan in die geval van bederfbare eiendom binne 'n redelike tydperk na die skut daarvan deur die plaaslike owerheid verkoop of vernietig word, met dien verstande dat daardie eiendom, behoudens die bepalinge van subartikel (4) te eniger tyd voordat daaroor beskik word, aan die eienaar terug besorg moet word op versoek van en met bewyslewering van eienaarskap deur die eienaar aan die plaaslike owerheid.
 - (b) moet behoudens die bepalinge van subartikel (4), in die geval van ander eiendom as bederfbare eiendom, binne 'n tydperk van een maand vanaf die datum van verwydering en skut aan die eienaar terug besorg word op versoek van en met bewyslewering van eienaarskap deur die eienaar aan die plaaslike owerheid.
- (4) Die plaaslike owerheid is daarop geregtig om die eiendom te behou 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 goed deur die plaaslike owerheid of verkoop of vernietig word.
- (5) In die geval van die verkoop van geskutte eiendom deur die plaaslike owerheid, moet die opbrengs van die verkoping minus die redelike uitgawes deur die plaaslike owerheid aangegaan ten opsigte van die verwydering, of skut van of die beskikking oor die eiendom betaal word aan die persoon wat die eienaar van die eiendom was toe dit geskut is. Indien die eienaar in gebreke bly om die opbrengs binne drie maande van die datum waarop die eiendom verkoop is op te eis, word die opbrengs verbeur aan die plaaslike owerheid en in 'n spesiale fonds gestort wat die plaaslike owerheid ingestel het vir die ontwikkeling van die informele sektor en verwante aangeleenthede.

- (6) If the proceeds of a sale of property, contemplated in this section are not sufficient to defray the reasonable expenses incurred by the local authority in connection with the property, the owner of the property which has been removed and impounded or disposed of, as contemplated, shall be liable for all reasonable expenses incurred by the local authority in connection with the removal, impoundment or disposal.

Carrying of written approval

7. A person carrying on the business of street vendor, pedlar or hawker shall, whenever that person is carrying on such business, carry on his or her person any written approval granted or issued to that person by the Council in terms of this by-law and shall on demand show such written approval to an officer or a duly authorized employee of the Council.

Demarcated stands or areas

8. (1) If the Council has set apart and demarcated any stand or area for the purposes of the carrying on of the business of street vendor, pedlar or hawker as contemplated in section 6A(3)(b) of the Act, no person may trade on that stand or area unless that person is in possession of written proof that he or she has leased the stand or area from the Council or that it has otherwise been allocated to him or her.
- (2) The Council may design or make and display signs, markings or other devices indicating restricted or prohibited areas.

Charges

9. The Council shall fix the 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.

Appeals

10. (1) A person who feels aggrieved at a decision of the Council may appeal against the decision to an Appeal Committee in accordance with the provisions set out herein.
- (2) A person who feels aggrieved at a decision of the Council shall, within 10 days of having received notification of the Council's decision, notify the Council and the Chairperson of the Appeal Committee of an intention to appeal against the decision in writing.

Constitution of Appeal Committee

11. (1) The provincial minister responsible for economic affairs and tourism may, with the concurrence of the Council, designate representatives of the street vendors, pedlars or hawkers and any other interested persons as members of the Appeal Committee.
- (2) The Appeal Committee shall consist of a maximum of six members but at least two members shall be representatives referred to in subsection (1).
- (3) The members of the Appeal Committee shall appoint one member to act as chairperson.
- (4) If the chairperson is of the opinion that a particular person is able to assist the Appeal Committee, that person may be co-opted to the Appeal Committee.
- (5) A person so co-opted shall not be entitled to vote at a meeting of the Appeal Committee.
- (6) The chairperson shall, within 10 days of the receipt of the notice of appeal, notify the aggrieved person of the date, time and place of the meeting of the Appeal Committee at which that person's presence is required.

- (6) As die opbrengs van 'n verkoping van eiendom in hierdie artikel beoog, nie voldoende is om die redelike uitgawes te dek wat die plaaslike owerheid in verband met die eiendom aangegaan het nie, is die eienaar van die eiendom, wat verwyder en geskut of waaroor beskik is soos hierin beoog, aanspreeklik vir alle redelike uitgawes deur die plaaslike owerheid aangegaan in verband met die verwydering, skut of beskikking.

Dra van skriftelike goedkeuring

7. 'n Persoon wat die besigheid van straathandelaar, venter of smous bedryf, moet, wanneer daardie persoon ook al die besigheid bedryf enige skriftelike goedkeuring wat deur die Raad ingevolge hierdie verordening aan daardie persoon toegestaan of uitgereik is, aan sy of haar persoon dra en moet op aanvraag die dokument aan 'n beampte of behoorlik gemagtigde werknemer van die Raad toon.

Afgebakende staanplekke of gebiede

8. (1) Indien die Raad enige staanplek of gebied gereserveer en afgebaken het vir die doel om die besigheid van straathandelaar, venter of smous soos beoog in artikel 6A(3) (b) van die Wet te bedryf, mag geen persoon op daardie staanplek of in daardie gebied handel dryf nie, tensy die persoon in besit is van skriftelike bewys wat bevestig dat hy of sy die staanplek of gebied by die Raad gehuur het of dit andersins aan hom of haar toegeken is.
- (2) Die Raad mag tekens, merke of ander toestelle wat beperkte of verbode gebiede aandui, ontwerp of maak en vertoon.

Gelde

9. Die Raad stel die gelde vas wat aan hom betaalbaar is vir die verhuring van staanplekke of stalletjies binne afgebakende gebiede onder sy beheer, van waardie bedryf van die besigheid van straathandelaar, venter of smous toelaatbaar is.

Apelle

10. (1) 'n Persoon wat veronreg voel deur 'n besluit van die Raad kan by 'n Appelkomitee appelleer in ooreenstemming met die bepaling hierin uiteengesit.
- (2) 'n Persoon wat veronreg voel deur 'n besluit van die Raad moet binne 10 dae na ontvangs van die kennisgewing van sy besluit, die Raad en die voorsitter van die Appelkomitee skriftelik in kennis stel van 'n voorneme om teen die besluit te appelleer.

Samestelling van Appelkomitee

11. (1) Die Provinsiale Minister belas met ekonomiese sake en toerisme kan, met die instemming van die Raad, verteenwoordigers van die straathandelaars, venters of smouse en enige ander belanghebbendes as lede van die Appelkomitee aanwys.
- (2) Die Appelkomitee moet bestaan uit hoogstens ses lede, maar minstens twee lede moet verteenwoordigers bedoel in subartikel (1) wees.
- (3) Die lede van die Appelkomitee moet een lid aanstel om as voorsitter te dien.
- (4) As die voorsitter van mening is dat 'n bepaalde persoon in staat is om die Appelkomitee behulpsaam te wees, kan daardie persoon die Appelkomitee gekoopteer word.
- (5) 'n Persoon wat aldus gekoopteer is, is nie geregtig om op 'n vergadering van die Appelkomitee te stem nie.
- (6) Die voorsitter moet die veronregte persoon binne 10 dae vanaf ontvangs van die kennisgewing van appel verwittig van die datum, tyd en plek van die vergadering van die Appelkomitee waar daardie persoon se teenwoordigheid vereis word.

- (7) The aggrieved person who has received notice in terms of subsection (6) shall personally appear at the meeting and may appoint a legal representative or any other person to appear on his or her behalf.

Procedure at appeal meetings

12. (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 a document of other property which is in the person's possession or under that person's control, or
 - 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;
 - how the decision will affect the aggrieved person's ability to trade, and
 - whether alternative measures may be adopted to enable the aggrieved person to continue his or her business.
- (5) A decision of the Appeal Committee shall be taken by a majority of votes of the members present at the meeting and if there is an equality of votes, the Chairperson shall have a casting vote in addition to a deliberative vote.
- (6) The Appeal Committee, having considered the evidence presented, may
- refuse the appeal;
 - uphold the appeal, or
 - take any other steps that it may think fit.
- (7) The Appeal Committee shall as soon as is practicable—
- notify the aggrieved person of its decision in writing, and
 - furnish the aggrieved person with written reasons for the decision.

Offences

13. (1) A person who—
- contravenes or fails to comply with a provision of this by-law;
 - ignores, disregards or disobeys a notice, sign or marking displayed or erected for the purposes of this by-law;
 - contravenes or fails to comply with an approval or a condition granted or imposed in terms of this by-law
 - fails to comply with a request to move or remove his or her property;
 - deliberately furnishes false or misleading information to an officer or duly authorised employee of the Council, or

- (7) Die veronregte persoon wat ingevolge subartikel (6) kennis ontvang het, moet die vergadering persoonlik bywoon en kan 'n regsverteenvoer-diger of enige ander persoon aanstel om namens hom of haar te verskyn.

Prosedure op appelvergaderings

12. (1) Die Voorsitter moet die prosedure op die vergadering bepaal.
- (2) Al die lede moet op die vergadering van die Appelkomitee teenwoordig wees.
- (3) Enige persoon wat die vergadering bywoon, kan—
- deur die voorsitter versoek word om getuienis te lewer;
 - deur die voorsitter versoek word om 'n dokument of ander eiendom in daardie persoon se besit of onder daardie persoon se beheer aan die Appelkomitee voor te lê, of
 - deur die Appelkomitee ondervra word oor die aangeleentheid wat voor die komitee dien.
- (4) Die Appelkomitee moet die besluit van die plaaslike owerheid hersien neem en 'n bevinding doen ten opsigte van die volgende:
- of die besluit van die plaaslike owerheid onder die omstandighede billik en regverdig was;
 - hoe die besluit die vermoë van die veronregte persoon om handel te dryf sal raak, en
 - of alternatiewe maatreëls getref kan word om die veronregte persoon in staat te stel om sy of haar besigheid voor te sit.
- (5) 'n Besluit van die Appelkomitee moet geneem word met 'n meerderheid van stemme van die lede wat op die vergadering teenwoordig is, en in die geval van 'n staking van stemme het die voorsitter 'n beslissende stem benewens 'n gewone stem.
- (6) Die Appelkomitee kan, nadat hy die getuienis wat gelewer is, oorweeg het—
- die appel van die hand wys;
 - die appel handhaaf, of
 - ander stappe doen soos wat hy goeddink.
- (7) Die Appelkomitee moet so gou doenlik—
- die veronregte persoon skriftelik van sy besluit verwittig, en
 - die veronregte persoon van skriftelike redes vir die besluit voorsien.

Misdrywe

13. (1) 'n Persoon wat—
- 'n bepaling van hierdie verordening oortree of versuim om daaraan te voldoen;
 - 'n kennisgewing, teken of merk wat vir die toepassing van hierdie verordening vertoon of opgerig is, ignoreer, verontagsaam of nie gehoorsaam nie;
 - 'n goedkeuring of voorwaarde wat ingevolge hierdie verordening verleen of opgelê is, oortree of versuim om daaraan te voldoen;
 - versuim om te voldoen aan 'n versoek om sy of haar eiendom te verskuif of te verwyder;
 - opsetlik vals of misleidende inligting aan 'n beampte of behoorlik gemagtigde werknemer van die Raad verstrek, of

- (f) threatens, resists, interferes with or obstructs an officer or duly authorized employee of the Council in the exercise or performance of that officer's or employee's power or duties under this by-law shall be guilty of an offence and liable on conviction to a fine not exceeding one thousand rand (R1 000) or to imprisonment for a period not exceeding three (3) months.

Application

14. The by-law set out in this Schedule is applicable throughout the area of jurisdiction of the Breede River Winelands.

SCHEDULE A

GOODS OR SERVICES WHICH MAY BE TRADED IN INTERSECTION

(section 4(1)(b) and (c))

Newspapers
Flowers

SCHEDULE B

RESTRICTED AREAS WHERE TRADING IS RESTRICTED TO DEMARCATED STANDS AND AREAS.

1. Erf 594, Main Road, Bonnievale 6865

- (f) 'n beampte of behoorlik gemagtigde werknemer van die Raad by die uitoefening of uitvoering van daardie beampte of werknemer se bevoegdhede of pligte kragtens hierdie verordening dreig, teenstaan, hom of haar daarmee bemoei of die beampte of werknemer dwarsboom, Is skuldig aan 'n misdryf en by skuldigbevinding strafbaar met 'n boete van hoogstens eenduisend rand (R1 000) of met gevangenisstraf vir 'n tydperk van hoogstens drie (3) maande.

Toepassing

14. Die verordening wat in hierdie Bylae uiteengesit is, is oral in die regsgebied van Breërivier Wynland Munisipaliteit van toepassing.

BYLAE A

GOEDERE OF DIENSTE WAARMEE HANDEL GEDRYF MAG WORD BY KRUISINGS

(artikel 4 (1)(b) en (c))

Koerante
Blomme

BYLAE B

BEPERKTE GEBIEDE WAAR HANDELDRYF BEPERK WORD TOT AFGEBAKENDE STAANPLEKKE EN GEBIEDE.

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