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CONTENTS

INHOUD

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Provincial Notices

177 Land Use Planning Ordinance (15 of 1985): Amendment of scheme regulations in terms of section 7(2) and section 8	794
178 Cape Agulhas Municipality: Constitution of valuation appeal board	796
179 City of Cape Town (Bellville): Removal of restrictions	796
180 City of Cape Town (Bellville): Removal of restrictions	797
181 City of Cape Town (Cape Town Administration): Rectification: Removal of restrictions	797
182 City of Cape Town (Cape Town Administration): Removal of restrictions	797
183 City of Cape Town: Removal of restrictions	798
184 City of Cape Town (Blaauwberg Administration): Removal of restrictions	798
185 Matzikama Municipality: Removal of restrictions	798
186 Overstrand Municipality (Hangklip-Kleinmond Administration): Removal of restrictions	798
187 Saldanha Bay Municipality: Constitution of valuation appeal board	799

Removal of restrictions in towns

Applications:	799
---------------------	-----

Tenders:

Notices	804
---------------	-----

Local Authorities

Breede River/Winlands Municipality: Consent use	805
Breede River/Winlands Municipality: Consent use	805
Breede River/Winlands Municipality: Application for township establishment	806
Breede River/Winlands Municipality: Rezoning and subdivision	804
City of Cape Town: (Cape Flats District): Rezoning	806
City of Cape Town: (Cape Flats District): Rezoning, consent use and amendment of schedule condition	807

Provinsiale Kennisgewings

177 Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie 15 van 1985): Wysiging van skemaregulasies ingevolge artikel 7(2) en artikel 8	794
178 Kaap Agulhas Munisipaliteit: Samestelling van waardasie-appèlraad	796
179 Stad Kaapstad (Bellville): Opheffing van beperkings	796
180 Stad Kaapstad (Bellville): Opheffing van beperkings	797
181 Stad Kaapstad (Kaapstad Administrasie): Regstelling: Opheffing van beperkings	797
182 Stad Kaapstad (Kaapstad Administrasie): Opheffing van beperkings	797
183 Stad Kaapstad: Opheffing van beperkings	798
184 Stad Kaapstad (Blaauwberg Administrasie): Opheffing van beperkings	798
185 Matzikama Munisipaliteit: Opheffing van beperkings	798
186 Overstrand Munisipaliteit (Hangklip-Kleinmond Administrasie): Opheffing van beperkings	798
187 Saldanhabaai Munisipaliteit: Samestelling van waardasie-appèlraad	799

Opheffing van beperkings in dorpe

Aansoeke:	799
-----------------	-----

Tenders:

Kennisgewings:	804
----------------------	-----

Plaaslike Owerhede

Breërivier/Wynland Munisipaliteit: Vergunningsgebruik	805
Breërivier/Wynland Munisipaliteit: Vergunningsgebruik	805
Breërivier/Wynland Munisipaliteit: Aansoek om dorpsstigting	806
Breërivier/Wynland Munisipaliteit: Hersonerings en onderverdeling	804
Stad Kaapstad (Kaapse Vlakte Distrik): Hersonerings	806
Stad Kaapstad: (Kaapse Vlakte Distrik): Hersonerings, vergunningsgebruik en wysiging van skedulevoorwaarde	807

PROVINCIAL NOTICES

The following Provincial Notices are published for general information.

V. L. PETERSEN (Ms),
DIRECTOR-GENERAL

Provincial Building,
Wale Street
Cape Town.

P.N. 177/2009

29 May 2009

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

**AMENDMENT TO SCHEME REGULATIONS IN TERMS OF
SECTION 7(2) AND SECTION 8**

The Minister of Local Government, Environmental Affairs and Development Planning has in terms of section 9(2) of the Ordinance, amended the zoning scheme regulations approved in terms of Provincial Notices 1047, 1048 and 1049 of 5 December 1988, in regard to the powers of municipalities in terms of the Ordinance to grant or refuse applications for departures and subdivision, including instances where restrictive title conditions are involved, as follows:

1. Departures

- 1.1 Regulation 2.1 of the Scheme Regulations made in terms of section 7(2) of the Ordinance and published in Provincial Notice 1047 of 5 December 1988 to supplement the Scheme Regulations relating to the zoning schemes set out in the Schedule thereto and regulation 2 of the Scheme Regulations made in terms of section 7(2) of the Ordinance and published in Provincial Notice 1049 of 5 December 1988 to supplement the Scheme Regulations of the Municipality of Cape Town, shall be amended to read as follows (the discretionary proviso is the amendment):

“The Council may in terms of subsections (1)(b) and (5) of section 15 of the Ordinance respectively grant or refuse an application for a departure, or determine an extended period after which such departure shall lapse; provided that, where the Council authorises the utilization of land on a temporary basis as contemplated by section 15(1)(a)(ii), such concession shall be granted for a maximum period of five years, with the exception of a departure for which a permit is required in terms of section 6B of Act 88 of 1967, in which case the concession may be granted for such number of years as is related to the expected lifetime of the mine concerned: provided that the Council may elect not to exercise its power to grant or refuse an application for departure where such an application forms part of a land-use proposal which includes other applications in terms of the Ordinance, which require approval by the competent authority at Provincial Government sphere. In such cases all the applications forming part of the land-use proposal may be referred to the competent authority at Provincial Government sphere, for decision. Any comments and/or recommendation submitted by the Council to the competent authority at Provincial Government sphere shall receive consideration”.

- 1.2 Regulation 5.1.1 of the Scheme Regulations made in terms of section 8 of the Ordinance, published in Provincial Notice 1048 of 5 December 1988, shall be amended to read as follows (the discretionary proviso is the amendment):

“A council, may, in terms of section 15(1)(b) of the Ordinance grant or refuse an application for a departure, or in terms of section 15(5) determine an extended period, after which such departure shall lapse; provided that, where the council authorises the utilization of land on a temporary basis as contemplated by section 15(1)(a)(ii), such concession shall be granted for a period of at most five years, with the exception of a departure for which a permit is required in terms of section 6B of Act 88 of 1967, in which case the concession may be granted for such number of years as is related to the expected life time of the mine concerned:

PROVINSIALE KENNISGEWINGS

Die volgende Provinsiale Kennisgewings word vir algemene inligting gepubliseer.

V. L. PETERSEN (Me),
DIREKTEUR-GENERAAL

Provinsiale-gebou,
Waalstraat
Kaapstad.

P.K. 177/2009

29 Mei 2009

**ORDONNANSIE OP GRONDGEBRUIKBEPLANNING, 1985
(ORDONNANSIE 15 VAN 1985)**

**WYSIGING VAN SKEMAREGULASIES INGEVOLGE
ARTIKEL 7(2) EN ARTIKEL 8**

Die Minister vir Plaaslike Regering, Omgewingsake en Ontwikkelingsbeplanning het ingevolge artikel 9(2) van die Ordonnansie, die skemaregulasies uitgevaardig ingevolge Provinsiale Kennisgewings 1047, 1048 en 1049 van 5 Desember 1988, met betrekking tot die magte van munisipaliteite ingevolge die Ordonnansie om aansoeke om afwykings en onderverdelings toe te staan of te weier, insluitend gevalle waar beperkende titelvoorwaardes betrokke is, soos volg gewysig:

1. Afwykings

- 1.1 Regulasie 2.1 van die Skemaregulasies uitgevaardig ingevolge artikel 7(2) van die Ordonnansie en afgekondig in Provinsiale Kennisgewing 1047 van 5 Desember 1988 ter aanvulling van die Skemaregulasies insake die soneringskemas uiteengesit in die Bylae daarvan, en regulasie 2 van die Skemaregulasies uitgevaardig ingevolge artikel 7(2) van die Ordonnansie en afgekondig in Provinsiale Kennisgewing 1049 van 5 Desember 1988 ter aanvulling van die Skemaregulasies van die Munisipaliteit van Kaapstad, word gewysig om soos volg te lui (die diskresionêre voorbehoudsbepaling is die wysiging):

“Die raad kan ingevolge subartikels (1)(b) en (5) van artikel 15 van die Ordonnansie onderskeidelik ’n aansoek om ’n afwyking toestaan of weier, of ’n verlengde tydperk vasstel waarna sodanige afwyking verval; met dien verstande dat, waar die raad die aanwending van grond op ’n tydelike basis magtig, soos by artikel 15(1)(a)(ii) beoog, sodanige vergunning vir ’n tydperk van hoogstens vyf jaar toegestaan word, met die uitsondering van ’n afwyking waarvoor ’n permit ingevolge artikel 6B van Wet 88 van 1967 benodig word, in welke geval die vergunning toegestaan kan word vir die aantal jare wat verband hou met die verwagte lewensduur van die betrokke myn: met dien verstande dat die raad mag verkies om sy bevoegdheid om ’n aansoek om afwyking toe te staan of te weier, nie uit te oefen nie waar sodanige aansoek deel uitmaak van ’n grondgebruikvoorstel wat ander aansoeke ingevolge die Ordonnansie insluit, wat goedkeuring deur die bevoegde gesag op Provinsiale Regeringsfeer vereis. In sulke gevalle mag al die aansoeke wat deel van die grondgebruikvoorstel uitmaak, na die bevoegde gesag op Provinsiale Regeringsfeer verwys word vir ’n besluit. Enige kommentaar en/of aanbeveling deur die raad aan die bevoegde gesag op Provinsiale Regeringsfeer ingedien, sal in aanmerking geneem word”.

- 1.2 Regulasie 5.1.1 van die Skemaregulasies uitgevaardig ingevolge artikel 8 van die Ordonnansie, afgekondig in Provinsiale Kennisgewing 1048 van 5 Desember 1988, word gewysig om soos volg te lui (die diskresionêre voorbehoudsbepaling is die wysiging):

“’n Raad kan ingevolge artikel 15(1)(b) van die Ordonnansie ’n aansoek om ’n afwyking toestaan of weier, of ingevolge artikel 15(5) ’n verlengde tydperk vasstel waarna sodanige afwyking verval; met dien verstande dat waar die raad die aanwending van grond op ’n tydelike basis magtig, soos by artikel 15(1)(a)(ii) beoog, sodanige vergunning vir ’n tydperk van hoogstens vyf jaar toegestaan word, met die uitsondering van ’n afwyking waarvoor ’n permit ingevolge artikel 6B van Wet 88 van 1967 benodig word, in welke geval die vergunning toegestaan kan word vir die aantal jare wat verband hou met die verwagte

provided that the council may elect not to exercise its power to grant or refuse an application for departure where such an application forms part of a land-use proposal which includes other applications in terms of the Ordinance, which require approval by the competent authority at Provincial Government sphere. In such cases all the applications forming part of the land-use proposal may be referred to the competent authority at Provincial Government sphere, for decision. Any comments and/or recommendation submitted by the council to the competent authority at Provincial Government sphere shall receive consideration”.

2. Subdivision

- 2.1 Regulation 3.1 of the Scheme Regulations made in terms of section 7(2) of the Ordinance and published in Provincial Notice 1047 of 5 December 1988 to supplement the Scheme Regulations relating to the zoning schemes set out in the Schedule thereto and regulation 3.1 of the Scheme Regulations made in terms of section 7(2) of the Ordinance to supplement the Scheme Regulations of the Municipality of Cape Town, published in Provincial Notice 1049 of 5 December 1988, shall be amended to read as follows (the proviso is the amendment):

“The Council may grant or refuse an application for the subdivision of land in terms of section 25(1) of the Ordinance within, and subject to the conditions applicable to, a subdivisional area, as well as an application for the subdivision of land involving no change in zoning: provided that the Council may elect not to exercise its power to grant or refuse an application for subdivision where such an application forms part of a land-use proposal which includes other applications in terms of the Ordinance, which require approval by the competent authority at Provincial Government sphere. In such cases all the applications forming part of the land-use proposal may be referred to the competent authority at Provincial Government sphere, for decision. Any comments and/or recommendation submitted by the Council to the competent authority at Provincial Government sphere shall receive consideration”.

- 2.2 Regulation 5.2.1 of the Scheme Regulations made in terms of section 8 of the Ordinance, published in Provincial Notice 1048 of 5 December 1988 shall be amended to read as follows (the proviso is the amendment):

“A council may grant or refuse an application for the subdivision of land in terms of section 25(1) of the Ordinance within, and subject to the conditions applicable to, a subdivisional area, as well as an application for the subdivision of land involving no change in zoning: provided that the council may elect not to exercise its power to grant or refuse an application for subdivision where such an application forms part of a land-use proposal which includes other applications in terms of the Ordinance, which require approval by the competent authority at Provincial Government sphere. In such cases all the applications forming part of the land-use proposal may be referred to the competent authority at Provincial Government sphere, for decision. Any comments and/or recommendation submitted by the council to the competent authority at Provincial Government sphere shall receive consideration”.

3. Removal of restrictions

- 3.1 Regulation 4 of the Scheme Regulations made in terms of section 7(2) of the Ordinance and published in Provincial Notice 1047 of 5 December 1988 to supplement the Scheme Regulations relating to the zoning schemes set out in the Schedule thereto and regulation 4 of the Scheme Regulations made in terms of section 7(2) of the Ordinance to supplement the Scheme Regulations of the Municipality of Cape Town, published in Provincial Notice 1049 of 5 December 1988, shall be amended to read as follows (the proviso is the amendment):

lewenduur van die betrokke myn: met dien verstande dat die raad mag verkies om sy bevoegdheid om 'n aansoek om afwyking toe te staan of te weier, nie uit te oefen nie waar sodanige aansoek deel uitmaak van 'n grondgebruikvoorstel wat ander aansoeke ingevolge die Ordonnansie insluit, wat goedkeuring deur die bevoegde gesag op Provinsiale Regeringsfeer vereis. In sulke gevalle mag al die aansoeke wat deel van die grondgebruikvoorstel uitmaak, na die bevoegde gesag op Provinsiale Regeringsfeer verwys word vir 'n besluit. Enige kommentaar en/of aanbeveling deur die raad aan die bevoegde gesag op Provinsiale Regeringsfeer ingedien, sal in aanmerking geneem word”.

2. Onderverdeling

- 2.1 Regulasie 3.1 van die Skemaregulasies uitgevaardig ingevolge artikel 7(2) van die Ordonnansie en afgekondig in Provinsiale Kennisgewing 1047 van 5 Desember 1988 ter aanvulling van die Skemaregulasies insake die soneringskemas uiteengesit in die Bylae daarvan, en regulasie 3.1 van die Skemaregulasies uitgevaardig ingevolge artikel 7(2) van die Ordonnansie ter aanvulling van die Skemaregulasies van die Munisipaliteit van Kaapstad, afgekondig in Provinsiale Kennisgewing 1049 van 5 Desember 1988, word gewysig om soos volg te lui (die voorbehoudsbepaling is die wysiging):

“Die raad kan 'n aansoek om die onderverdeling van grond ingevolge artikel 25(1) van die Ordonnansie binne, en onderworpe aan die voorwaardes van toepassing op, 'n onderverdelingsgebied toestaan of weier, asook 'n aansoek om die onderverdeling van grond waarby geen verandering van sonering betrokke is nie: met dien verstande dat die raad mag verkies om sy bevoegdheid om 'n aansoek om onderverdeling toe te staan of te weier, nie uit te oefen nie waar sodanige aansoek deel uitmaak van 'n grondgebruikvoorstel wat ander aansoeke ingevolge die Ordonnansie insluit, wat goedkeuring deur die bevoegde gesag op Provinsiale Regeringsfeer vereis. In sulke gevalle mag al die aansoeke wat deel van die grondgebruikvoorstel uitmaak, na die bevoegde gesag op Provinsiale Regeringsfeer verwys word vir 'n besluit. Enige kommentaar en/of aanbeveling deur die raad aan die bevoegde gesag op Provinsiale Regeringsfeer ingedien, sal in aanmerking geneem word”.

- 2.2 Regulasie 5.2.1 van die Skemaregulasies uitgevaardig ingevolge artikel 8 van die Ordonnansie, afgekondig in Provinsiale Kennisgewing 1048 van 5 Desember 1988, word gewysig om soos volg te lui (die voorbehoudsbepaling is die wysiging):

“'n Raad kan 'n aansoek om die onderverdeling van grond ingevolge artikel 25(1) van die Ordonnansie binne, en onderworpe aan die voorwaardes van toepassing op, 'n onderverdelingsgebied toestaan of weier, asook 'n aansoek om die onderverdeling van grond waarby geen verandering van sonering betrokke is nie: met dien verstande dat die raad mag verkies om sy bevoegdheid om 'n aansoek om onderverdeling toe te staan of te weier, nie uit te oefen nie waar sodanige aansoek deel uitmaak van 'n grondgebruikvoorstel wat ander aansoeke ingevolge die Ordonnansie insluit, wat goedkeuring deur die bevoegde gesag op Provinsiale Regeringsfeer vereis. In sulke gevalle mag al die aansoeke wat deel van die grondgebruikvoorstel uitmaak, na die bevoegde gesag op Provinsiale Regeringsfeer verwys word vir 'n besluit. Enige kommentaar en/of aanbeveling deur die raad aan die bevoegde gesag op Provinsiale Regeringsfeer ingedien, sal in aanmerking geneem word”.

3. Opheffing van beperkings

- 3.1 Regulasie 4 van die Skemaregulasies uitgevaardig ingevolge artikel 7(2) van die Ordonnansie en afgekondig in Provinsiale Kennisgewing 1047 van 5 Desember 1988 ter aanvulling van die Skemaregulasies insake die soneringskemas uiteengesit in die Bylae daarvan, en regulasie 4 van die Skemaregulasies uitgevaardig ingevolge artikel 7(2) van die Ordonnansie ter aanvulling van die Skemaregulasies van die Munisipaliteit van Kaapstad, afgekondig in Provinsiale Kennisgewing 1049 van 5 Desember 1988, word gewysig om soos volg te lui (die voorbehoudsbepaling is die wysiging):

“Notwithstanding regulations 2 and 3, all conditions restricting subdivision, the number of buildings that may be erected or the utilisation of the land or any other restrictive conditions which may have a bearing on the subdivision or departure applied for and registered against the land unit shall, where applicable, first be removed prior to an application being granted, provided that a Council may elect not to exercise its power to grant or refuse an application for subdivision or departure and may submit this application to the competent authority at Provincial Government sphere for a decision, which decision shall be taken together with a decision regarding the removal or amendment of the restrictive conditions. Any comments and/or recommendation submitted by the Council to the competent authority at Provincial Government sphere shall receive consideration”.

3.2 Regulation 5.3 of the Scheme Regulations made in terms of section 8 of the Ordinance, published in Provincial Notice 1048 of 5 December 1988, shall be amended to read as follows (the proviso is the amendment):

“Notwithstanding regulations 5.1 and 5.2 of these regulations, all conditions restricting subdivision, the number of buildings that may be erected or the utilisation of the land or any other restrictive conditions which may have a bearing on the subdivision or departure applied for and registered against the land unit shall, where applicable, first be removed prior to an application being granted, provided that a Council may elect not to exercise its power to grant or refuse an application for subdivision or departure and may submit this application to the competent authority at Provincial Government sphere for a decision, which decision shall be taken together with a decision regarding the removal or amendment of the restrictive conditions. Any comments and/or recommendation submitted by the Council to the competent authority at Provincial Government sphere shall receive consideration”.

P.N. 178/2009

29 May 2009

**CAPE AGULHAS MUNICIPALITY
CONSTITUTION OF VALUATION APPEAL BOARD**

In terms of Section 56 of the Municipal Property Rates Act, 2004 (Act 6 of 2004) notice is hereby given for the constitution of a valuation appeal board for the area of jurisdiction of Cape Agulhas. The members appointed for the valuation appeal board, are as follows:

Chairperson: Mr DB Davids

Member/Valuer: Mr FA Schönland

Member: Mr PC Luttig and

Member: Mr V Valentine

Dated at Cape Town this 18th day of May 2009.

MR A BREDELL, MINISTER OF LOCAL GOVERNMENT,
ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

P.N. 179/2009

29 May 2009

**CITY OF CAPE TOWN (BELLVILLE)
REMOVAL OF RESTRICTIONS ACT, 1967
(ACT 84 OF 1967)**

Notice is hereby given that the Minister of Environment, Planning and Economic Development, properly designated as competent authority in terms of paragraph (a) of State President Proclamation No. 160 of 31 October 1994, in terms of section 2(1) of the Removal of Restrictions Act, 1967 (Act 84 of 1967), and on application by the owner Erf 7593, Bellville, remove conditions F.(c)2.(a) and (c) and G.(d)2.(a) and (c) contained in deed of Transfer No. T 31080 of 2002.

“Ondanks regulasies 2 en 3 moet alle voorwaardes wat 'n beperking plaas op onderverdeling, die getal geboue wat opgerig kan word of die aanwending van die grond of enige ander beperkende voorwaardes wat betrekking het op die onderverdeling of afwyking waarom aansoek gedoen is en wat teen die grondeenheid geregistreer is, waar toepaslik, eers opgehef word voordat 'n aansoek toegestaan word, met dien verstande dat 'n raad mag verkies om sy bevoegheid om 'n aansoek om onderverdeling of afwyking toe te staan of te weier, nie uit te oefen nie en die aansoek aan die bevoegde gesag op Provinsiale Regeringsfeer vir 'n besluit voor te lê, welke besluit geneem moet word saam met 'n besluit betreffende die opheffing of wysiging van die beperkende voorwaardes. Enige kommentaar en/of aanbeveling deur die raad aan die bevoegde gesag op Provinsiale Regeringsfeer ingedien, sal in aanmerking geneem word”.

3.2 Regulasie 5.3 van die Skemaregulasies uitgevaardig ingevolge artikel 8 van die Ordonnansie, afgekondig in Provinsiale Kennisgewing 1048 van 5 Desember 1988, word gewysig om soos volg te lui (die voorbehoudsbepaling is die wysiging):

“Ondanks regulasies 5.1 en 5.2 moet alle voorwaardes wat 'n beperking plaas op onderverdeling, die getal geboue wat opgerig kan word of die aanwending van die grond of enige ander beperkende voorwaardes wat betrekking het op die onderverdeling of afwyking waarom aansoek gedoen is en wat teen die grondeenheid geregistreer is, waar toepaslik, eers opgehef word voordat 'n aansoek toegestaan word, met dien verstande dat 'n raad mag verkies om sy bevoegheid om 'n aansoek om onderverdeling of afwyking toe te staan of te weier, nie uit te oefen nie en die aansoek aan die bevoegde gesag op Provinsiale Regeringsfeer vir 'n besluit voor te lê, welke besluit geneem moet word saam met 'n besluit betreffende die opheffing of wysiging van die beperkende voorwaardes. Enige kommentaar en/of aanbeveling deur die raad aan die bevoegde gesag op Provinsiale Regeringsfeer ingedien, sal in aanmerking geneem word”.

P.K.178 /2009

29 Mei 2009

**KAAP AGULHAS MUNISIPALITEIT
SAMESTELLING VAN WAARDASIE-APPËLRAAD**

Kennis word gegee kragtens Artikel 56 van die “Municipal Property Rates Act, 2004 (Act 6 of 2004)” op Eiendomswaardering, vir die samestelling van 'n waardasie-appëlraad vir die regsgebied van Kaap Agulhas. Die lede wat aangestel word vir die waardasie appëlraad is soos volg:

Voorsitter: Mnr DB Davids

Lid: Mnr FA Schönland

Lid: Mnr PC Luttig, en

Lid: Mnr V Valentine

Gedateer te Kaapstad op hierdie 18de dag van Mei 2009.

MNR A BREDELL, MINISTER VAN PLAASLIKE REGERING,
OMGEWINGSKE EN ONTWIKKELINGSBEPLANNING

P.K. 179/2009

29 Mei 2009

**STAD KAAPSTAD (BELLVILLE)
WET OP OPHEFFING VAN BEPERKINGS, 1967
(WET 84 VAN 1967)**

Kennis geskied hiermee dat die Minister van Omgewing, Beplanning en Ekonomiese Ontwikkeling, behoorlik aangewys as bevoegde gesag ingevolge paragraaf (a) van Staatspresident Proklamasie No 160 van 31 Oktober 1994 kragtens artikel 2(1) van die Wet op Opheffing van Beperkings, 1967 (Wet 84 van 1967), en op aansoek van die eienaar van Erf 7593, Bellville, hef voorwaardes, F.(c)2.(a) en (c) en G.(d)2.(a) en (c) vervat in Transportakte Nr. T 31080 van 2002, op.

P.N. 180/2009

29 May 2009

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

I, Jeremy Benjamin, in my capacity as Chief Land Use Management Regulator 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 10446, Bellville, removes condition D. "1. contained in Deed of Transfers No. T. 32138 of 2008 and T.31350 of 2006.

P.N. 181/2009

29 May 2009

RECTIFICATION**CITY OF CAPE TOWN****CAPE TOWN ADMINISTRATION****REMOVAL OF RESTRICTIONS ACT, 1967
(ACT 84 OF 1967)**

Notice is given that the Minister for Local Government, Environmental Affairs and Development Planning, properly designated as competent authority in terms of paragraph (a) of State President Proclamation No. 160 of 31 October 1994, in terms of section 2(1) of the Removal of Restrictions Act, 1967 (Act 84 of 1967), and on application by the owner of Erf 153796, Cape Town at Wynberg, removes conditions B. (a) 2., B. (a) 4., B. (b) and C. and amends condition B.(a) 3 under component I contained in Deed of Transfer No. T. 67728 of 2002 to read as follows:

"that not more than 65% of the area of this Erf be built upon".

Provincial Notice P.N. 457/2008 of 28 November 2008 is hereby cancelled.

P.N. 182/2009

29 May 2009

CITY OF CAPE TOWN**CAPE TOWN ADMINISTRATION****REMOVAL OF RESTRICTIONS ACT, 1967
(ACT 84 OF 1967)**

Notice is hereby given that the Minister for Local Government, Environmental Affairs and Development Planning, properly designated as competent authority in terms of paragraph (a) of State President Proclamation No. 160 of 31 October 1994, in terms of section 2(1) of the Removal of Restrictions Act, 1967 (Act 84 of 1967), and on application by the owners of Erf 3666, Milnerton, amends condition B. (i) (a) contained in Deed of Transfer No. T. 11813 of 2004 and with regard to Erf 3667, Milnerton, removes conditions (ii) A. (b), (ii) A. (c) and (ii) A. (d) and amends condition (ii) A. (a) contained in the Schedule of Conditions relating to the scheme named IFEZ COURT, SS 166 of 1985 to read as follows:

Condition B. (i) (a) Erf 3666 "That this erf be used for residential and business purposes only, provided that after having first obtained the written consent of the Local Authority such use shall not exclude the erf being used for a special building or a building designed for use as a place of public worship, a social hall, a parking garage, or a place of instruction."

Condition (ii) A. (a) Erf 3667 "That this erf be used for residential and business purposes only or, subject to the consent of the Local Authority a special building or building designed for use as a place of public worship, a social hall, a parking garage, or a place of instruction."

P.K. 180/2009

29 Mei 2009

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

Ek, Jeremy Benjamin, in my hoedanigheid as Hoof Grondgebruiksbestuur Reguleerder 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), behoorlik 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 10446, Bellville, hef voorwaarde D. "1. vervat in Transportaktes Nr. T. 32138 van 2008 en T. 31350 van 2006 op.

P.K. 181/2009

29 Mei 2009

REGSTELLING**STAD KAAPSTAD****KAAPSTAD ADMINISTRASIE****WET OP OPHEFFING VAN BEPERKINGS, 1967
(WET 84 VAN 1967)**

Kennis geskied dat die Minister vir Plaaslike Regering, Omgewingsake en Ontwikkelingsbeplanning, behoorlik aangewys as bevoegde gesag ingevolge paragraaf (a) van Staats President Proklamasie Nr. 160 van 31 Oktober 1994, kragtens artikel 2(1) van die Wet op Opheffing van Beperkings, 1967 (Wet 84 van 1967), en op aansoek van die eienaar van Erf 153796, Kaapstad te Wynberg, hef voorwaardes B. (a) 2., B. (a) 4., B. (b) en C. en wysig voorwaarde B. (a) 3. onder component I soos vervat in Transportakte Nr. T. 67728 van 2002 om soos volg te lees:

"that not more than 65% of the area of this Erf to be built upon".

Provinsiale Kennisgewing P.K. 457/2008 van 28 November 2008 word hiermee gekanselleer.

P.K. 182/2009

29 Mei 2009

STAD KAAPSTAD**KAAPSTAD ADMINISTRASIE****WET OP OPHEFFING VAN BEPERKINGS, 1967
(WET 84 VAN 1967)**

Kennis geskied hiermee dat die Minister van Plaaslike Regering, Omgewingsake en Ontwikkelingsbeplanning, behoorlik aangewys as bevoegde gesag ingevolge paragraaf (a) van Staats President Proklamasie Nr. 160 van 31 Oktober 1994, kragtens artikel 2(1) van die Wet op Opheffing van Beperkings, 1967 (Wet 84 van 1967), en op aansoek van die eienaars van Erf 3666, Milnerton, wysig voorwaarde B. (i) (a) soos vervat in Transportakte Nr. T. 11813 van 2004 en met betrekking tot Erf 3667, Milnerton, hef voorwaardes (ii) A. (b), (ii) A. (c) en (ii) A. (d) op en wysig voorwaarde (ii) A. (a) soos vervat in die Skedule van Voorwaardes met betrekking tot die skema IFEZ COURT, SS 166 van 1985, om soos volg te lees:

Voorwaarde B. (i) (a) Erf 3666 "That this erf be used for residential and business purposes only, provided that after having first obtained the written consent of the Local Authority such use shall not exclude the erf being used for a special building or a building designed for use as a place of public worship, a social hall, a parking garage, or a place of instruction."

Voorwaarde (ii) A. (a) Erf 3667 "That this erf be used for residential and business purposes only or, subject to the consent of the Local Authority a special building or building designed for use as a place of public worship, a social hall, a parking garage, or a place of instruction."

P.N. 183/2009

29 May 2009

CITY OF CAPE TOWN MUNICIPALITY**REMOVAL OF RESTRICTIONS ACT, 1967**

I, Farzana Parker, in my capacity as Deputy-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 owners of Erf 39046, Cape Town at Athlone, remove conditions B. "1., B. 4 and B. 7 contained in Deed of Transfer No. T. 8436 of 1977.

P.N. 184/2009

29 May 2009

CITY OF CAPE TOWN**BLAAUWBERG ADMINISTRATION****REMOVAL OF RESTRICTIONS ACT, 1967
(ACT 84 OF 1967)**

Notice is hereby given that the Minister for Local Government, Environmental Affairs and Development Planning, properly designated as competent authority in terms of paragraph (a) of State President Proclamation No. 160 of 31 October 1994, in terms of section 2(1) of the Removal of Restrictions Act, 1967 (Act 84 of 1967), and on application by the owners of Erf 608, Milnerton, remove conditions B.1 and B. 3 and amends condition B. 6 contained in Deed of Transfer No. T.17276 of 2004 to read as follows:

"No building shall be erected within 7,87 metres of any road forming a boundary of the said land. Not more than two-thirds of the area of the said land shall be built upon".

P.N. 185/2009

29 May 2009

MATZIKAMA MUNICIPALITY**REMOVAL OF RESTRICTIONS ACT, 1967**

I, Farzana Kapdi, in my capacity as Deputy-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 1163 portion of Erf 246, Vanrhynsdorp, removes condition B. contained in Deed of Transfer No.69638 of 1992.

P.N. 186/2009

29 May 2009

OVERSTRAND MUNICIPALITY**HANGKLIP-KLEINMOND ADMINISTRATION****REMOVAL OF RESTRICTIONS ACT, 1967**

Notice is hereby given that the Minister for Local Government, Environmental Affairs and Development Planning, properly designated as competent authority in terms of paragraph (a) of State President Proclamation No. 160 of 31 October 1994, in terms of section 2(1) of the Removal of Restrictions Act, 1967 (Act 84 of 1967), and on application by the owner of Erf 725, Pringle Bay, removes conditions III.6.(1), III.6.(2)(a) and III.6.(2)(b) in Deed of Transfer No. T. 61398 of 2005.

P.K. 183/2009

29 Mei 2009

STAD KAAPSTAD MUNISIPALITEIT**WET OP OPHEFFING VAN BEPERKINGS, 1967**

Ek, Farzana Parker, in my hoedanigheid as Adjunk-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), behoorlik aan my gedelegeer ingevolge artikel 1 van die Wes-Kaapse Wet op die Delegasie van Bevoegdhede, 1994, en op aansoek van die eienaars van Erf 39046, Kaapstad te Athlone, hef voorwaardes B. "1., B.4 en B.7 vervat in Transportakte Nr. T.8436 van 1977, op.

P.K. 184/2009

29 Mei 2009

STAD KAAPSTAD**BLAAUWBERG ADMINISTRASIE****WET OP OPHEFFING VAN BEPERKINGS, 1967
(WET 84 VAN 1967)**

Kennis geskied hiermee dat die Minister van Plaaslike Bestuur, Omgewingsake en Ontwikkelingsbeplanning, behoorlik aangewys as bevoegde gesag ingevolge paragraaf (a) van Staats President Proklamasie Nr. 160 van 31 Oktober 1994, kragtens artikel 2(1) van die Wet op Opheffing van Beperkings, 1967 (Wet 84 van 1967), en op aansoek van die eienaars van Erf 608, Milnerton, hef voorwaardes B.1 en B.3 en wysig voorwaarde B.6 soos vervat in Transportakte Nr. T 17276 van 2004 om soos volg te lees:

"No building shall be erected within 7,87 metres of any road forming a boundary of the said land. Not more than two-thirds of the area of the said land shall be built upon".

P.K. 185/2009

29 Mei 2009

MATZIKAMA MUNISIPALITEIT**WET OP OPHEFFING VAN BEPERKINGS, 1967**

Ek, Farzana Kapdi, my hoedanigheid as Adjunk-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), behoorlik 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 1163 gedeelte van Erf 246, Vanrhynsdorp, hef voorwaardes B. vervat in Transportakte Nr. T.69638 van 1992, op.

P.K. 186/2009

29 Mei 2009

OVERSTRAND MUNISIPALITEIT**HANGKLIP-KLEINMOND ADMINISTRASIE****WET OP OPHEFFING VAN BEPERKINGS, 1967**

Kennis geskied hiermee dat die Minister van Plaaslike Regering, Omgewingsake en Ontwikkelingsbeplanning, behoorlik aangewys as bevoegde gesag ingevolge paragraaf (a) van Staatspresident Proklamasie Nr. 160 van 31 Oktober 1994, kragtens artikel 2(1) van die Wet op Opheffing van Beperkings, 1967 (Wet 84 van 1967), en op aansoek van die eienaar van Erf 725, Pringlebaai, hef voorwaardes III.6.(1), III.6.(2)(a) en III.6.(2)(b) vervat in Transportakte Nr. T. 61398 of 2005, op.

P.N. 187/2009

29 May 2009

SALDANHA BAY MUNICIPALITY**CONSTITUTION OF VALUATION APPEAL BOARD**

In terms of Section 56 of the Municipal Property Rates Act, 2004 (Act 6 of 2004) notice is hereby given for the constitution of a valuation appeal board for the area of jurisdiction of Saldanha Bay. The members appointed for the appeal board, are as follows:

Chairperson: Mr. MMB Van Zyl

Alternate chairperson: Adv. PB Koekemoer

Member/Valuer: Mr. H Truter

Member: Mr. JR Suntele and

Member: Ms. H Hanekom

Dated at Cape Town this 18th day of May 2009.

MR A BREDELL, MINISTER OF LOCAL GOVERNMENT,
ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

REMOVAL OF RESTRICTIONS IN TOWNS**CITY OF CAPE TOWN (DISTRICT F)****REMOVAL OF RESTRICTION**

- Erf 21763 Mitchells Plain (*second placement*)

Notice is hereby given in terms of the Title Deed condition(s) 1(b) in terms of the Removal of Restrictions Act No 84 of 1967 that Council has received the undermentioned application, which is open to inspection at the office of the District Manager at Department: Planning & Building Development Management at E-Block, Stocks and Stocks Complex, Ntlazane Street, Ilitha Park, Kayelitsha. Enquiries may be directed to G Hanekom, Department: Planning & Building Development Management, PO Box X93, Bellville, 7535 or e-mail gerhard.hanekom@capetown.gov.za or fax (021) 360-1113 week days during 08:00-12:00. Written objections, if any, with reasons may be lodged at the office of the abovementioned District Manager on or before 12 July 2009, quoting the above applicable legislation, the application number, as well as your erf and contact phone number and address.

Location address: Cnr AZ Berman & Highlands

Owner: Provincial Government — Western Cape

Applicant: Taryn Elliott MCA

Application no: 170360

Nature of Application: Removal of the Title Deed condition(s) 1(b) in terms of the Removal of Restrictions Act No 84 of 1967 in respect of the following Erven: 21765 & 21762 contained in the Deed of Transfer No 38967/1981.

ACHMAT EBRAHIM, CITY MANAGER

P.K. 187/2009

29 Mei 2009

SALDANHABAAI MUNISIPALITEIT**SAMESTELLING VAN WAARDASIE-APPÈLRAAD**

Kennis word gegee kragtens Artikel 56 van die "Municipal Property Rates Act, 2004 (Act 6 of 2004)" op Eiendomswaardering, vir die samestelling van 'n waardasie-appèlraad vir die regsgebied van Saldanhabaai. Die lede wat aangestel word vir die waardasie appèlraad is sons volg:

Voorsitter: Mnr. MMB Van Zyl

Alternatiewe voorsitter: Adv. PB Koekemoer

Lid/Waardeerder: Mnr. H Truter

Lid: Mnr. JR Suntele en

Lid: Me. H Hanekom

Gedateer te Kaapstad op hierdie 18de dag van Mei 2009.

MNR A BREDELL, MINISTER VAN PLAASLIKE REGERING,
OMGEWINGSKE EN ONTWIKKELINGSBEPLANNING

OPHEFFING VAN BEPERKINGS IN DORPE**STAD KAAPSTAD (DISTRIF F)****OPHEFFING VAN BEPERKINGS**

- Erf 21763 Mitchells Plain (*tweede plasing*)

Kennisgewing geskied hiermee ingevolge die titelaktevoorwaarde(s) 1(b) ingevolge die Wet op Opheffing van Beperkings, Wet 84 van 1967, dat die raad onderstaande aansoek ontvang het wat ter insae beskikbaar is by die kantoor van die distriksbestuurder, departement: beplanning en bou-ontwikkelingsbestuur, Blok E, Stocks & Stocks-kompleks, Ntlazanestraat, Ilitha Park, Khayelitsha. Navrae kan gerig word aan G Hanekom, departement: beplanning en bou-ontwikkelingsbestuur, Posbus X93, Bellville 7535, e-posadres gerhard.hanekom@capetown.gov.za of faksnr. (021) 360-1113, weksdae van 08:00-12:00. Skriftelike besware, as daar is, kan voor of op 12 Julie 2009 aan die kantoor van bogenoemde distriksbestuurder gerig word, met vermelding van bogenoemde toepaslike wetgewing, die aansoeknommer sowel as u erf- en kontaktelefoonnommer en adres.

Liggingsadres: h/v AZ Berman & Highlands

Eienaar: Provinsiale Regering—Wes-Kaap

Aansoeker: Taryn Elliott MCA

Aansoeknr.: 170360

Aard van aansoek: Opheffing van titelaktevoorwaarde(s) 1(b) ingevolge die Wet op Opheffing van Beperkings, Wet 84 van 1967, ten opsigte van die volgende Erwe: 21765 & 21762, vervat in Transportaktenr. 38967/1981.

ACHMAT EBRAHIM, STADSBEESTUURDER

CITY OF CAPE TOWN (HELDERBERG DISTRICT)**REMOVAL OF RESTRICTIONS & DEPARTURE**

- Unregistered Erf 7934 (Consolidation of Erven 300 & 302), 89 Beach Road, Gordon's Bay (*second placement*)

Notice is hereby given in terms of Sections 3(6) of the Act 84 of 1967 & 15(2)(a) of Ordinance 15 of 1985 that the undermentioned application has been received and is open to inspection at the office of the District Manager, First Floor, Municipal Offices, cnr/o Victoria & Andries Pretorius Streets, Somerset West. Enquiries may be directed to Mr Jurgen Neubert, PO Box 19, Somerset West, 7129, e-mail to ciska.smit@capetown.gov.za, tel (021) 850-4346 or fax (021) 850-4487 during 08:00-13:00. The application is also open to inspection at the office of the Director: Integrated Environmental Management, Region B1, Provincial Government of the Western Cape, at Room 601, 1 Dorp 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 4033 and the Directorate's fax number is (021) 483-3098. Any objections, with full reasons therefor, must be lodged in writing at the office of the abovementioned Director: Integrated Environmental Management at Private Bag X9086, Cape Town, 8000, on or before 22 June 2009, quoting the above Act and the objector's erf number. Any comments received after the aforementioned closing date may be disregarded.

Applicant: SN Holden

Owner: LM & GS Jones

Application Number: 177431

Notice Number: 18/2009

Erf No: Unregistered Erf 7934, Gordon's Bay

Address: Consolidation of Erven 300 & 302, 89 Beach Road, Gordon's Bay

Nature of Application:

- The removal of a restrictive title deed condition pertaining to Erf 302 (which is in the process of being consolidated with Erf 300, to create consolidated Erf 7934) Gordon's Bay;
- The departure from the relevant Zoning Scheme Regulations for the:
 - Relaxation of the street building line from 4.5m to 2.31m to permit the construction of a double garage;
 - Relaxation of the side space (adjacent to Erf 2960) from 1m to 0.563 and 0.372m to permit the construction of the aforesaid garage;
 - Relaxation of the 50% coverage requirement from 50% to 58.41%;
 - Relaxation of permissible boundary wall heights adjoining Erf 2960 and Church Street.

ACHMAT EBRAHIM, CITY MANAGER

CITY OF CAPE TOWN (SOUTHERN DISTRICT)**REMOVAL OF RESTRICTIONS & SUBDIVISION**

- Erf 70349 Cape Town at Plumstead (*second placement*)

Notice is hereby given in terms of Section 3(6) of the Removal of Restrictions Act, 1967 (Act 84 of 1967), Section 24 of the Land Use Planning Ordinance 15 of 1985 that the undermentioned application has been received and is open to inspection at the office of the District Manager, Department: Planning & Building Development Management, City of Cape Town, Ground Floor, 3 Victoria Rd, Plumstead, and any enquiries may be directed to D Samaai, from 08:30-13:00 Monday to Friday. The application is also open for inspection at the office of the Director: Integrated Environmental Management, Department of Environmental Affairs & Development Planning, Provincial Government of the Western Cape at the Utilitas

STAD KAAPSTAD (HELDERBERG-DISTRIK)**OPHEFFING VAN BEPERKINGS & AFWYKINGS**

- Ongeregistreerde Erf 7934 (konsolidasie van Erwe 300 & 302), Kusweg 89, Gordonsbaai (*tweede plasing*)

Kennisgewing geskied hiermee ingevolge artikel 3(6) van Wet 84 van 1967 & artikel 15(2)(a) van Ordonnansie 15 van 1985 dat onderstaande aansoek ontvang is en ter insae beskikbaar is by die kantoor van die distriksbestuurder, Eerste Verdieping, Munisipale Kantore, h/v Victoria- en Andries Pretoriusstraat, Somerset-Wes. Navrae kan gerig word aan mnr. Jurgen Neubert, Posbus 19, Somerset-Wes 7129, e-posadres ciska.smit@capetown.gov.za, tel (021) 850-4346 of faksnr. (021) 850-4487 gedurende 08:00-13:00. Die aansoek is ook ter insae beskikbaar by die kantoor van die direkteur: geïntegreerde omgewingsbestuur, Streek B1, provinsiale regering van die Wes-Kaap, Kamer 601, Dorpstraat 1, Kaapstad, van 08:00-12:30 en 13:00-15:30 (Maandag tot Vrydag). Telefoniese navrae in die verband kan aan (021) 483-4033 gerig word, en die direktoraat se faksnr. is (021) 483-3098. Enige besware, met volledige redes daarvoor, moet voor of op 22 Junie 2009 skriftelik aan die kantoor van bogenoemde direkteur: geïntegreerde omgewingsbestuur, Privaat Sak X9086, Kaapstad 8000, gerig word, met vermelding van bogenoemde Wet en die beswaarmaker se erfnummer. Enige kommentaar wat na voormelde sluitingsdatum ontvang word, kan dalk buite rekening gelaat word.

Aansoeker: SN Holden

Eienaar: LM & GS Jones

Aansoeknr.: 177431

Kennisgewingnr.: 18/2009

Erfnr.: Ongeregistreerde Erf 7934, Gordonsbaai

Adres: Konsolidasie van Erwe 300 & 302, Kusweg 89, Gordonsbaai

Aard van aansoek:

- Die opheffing van 'n beperkende titelaktevoorwaarde wat op Erf 302 (wat met Erf 300 gekonsolideer staan te word om gekonsolideerde Erf 7934 te skep), Gordonsbaai, van toepassing is.
- Afwyking van die toepaslike soneringskema-regulasies vir die:
 - verslapping van die straatboulyn van 4.5m tot 2.31m om die konstruksie van 'n dubbelmotorhuis toe te laat;
 - verslapping van die syruimte (aanliggend aan Erf 2960) van 1m tot 0.563m en 0.372m ten einde die konstruksie van voormelde motorhuis toe te laat;
 - verslapping van die 50% dekkingsvereiste van 50% tot 58.41%;
 - verslapping van die toegelate grensmuurhoogtes aanliggend aan Erf 2960 en Kerkstraat.

ACHMAT EBRAHIM, STADSBESTUURDER

STAD KAAPSTAD (SUIDELIKE DISTRIK)**OPHEFFING VAN BEPERKINGS & ONDERVERDELING**

- Erf 70349 Kaapstad te Plumstead (*tweede plasing*)

Kennisgewing geskied hiermee ingevolge artikel 3(6) van die Wet op Opheffing van Beperkings, Wet 84 van 1967, en artikel 24 van die Ordonnansie op Grondgebruikbeplanning, nr. 15 van 1985, dat onderstaande aansoek ontvang is en ter insae beskikbaar is by die kantoor van die distriksbestuurder, departement: beplanning en bou-ontwikkelingsbestuur, Stad Kaapstad, 1e Verdieping, Victoriaweg 3, Plumstead 7801. Navrae kan gerig word aan me. D Samaai van 8:30 tot 13:00, Maandag tot Vrydag. Die aansoek is ook ter insae beskikbaar by die kantoor van die direkteur: geïntegreerde omgewingsbestuur, departement van omgewings- en ontwikkelingsbeplanning, provinsiale regering van die Wes-Kaap, Utilitas-gebou, Dorpstraat 1,

Building, 1 Dorp Street, Cape Town week days from 08:00-12:30 and 13:00-15:30. Any objections and/ or comments, with full reasons therefor, must be submitted in writing at both (1) the office of the District Manager, Department: Planning & Building Development Management, City of Cape Town, Private Bag X5, Plumstead, 7801 or fax (021) 710-8283 or e-mailed to dhilshaad.samaai@capetown.gov.za and (2) the Director: Integrated Environmental Management, Department of Environmental Affairs & Development Planning, Provincial Government of the Western Cape at the Utilitas Building, 1 Dorp Street, Cape Town on or before the closing date, quoting, the above Act and Ordinance, the belowmentioned reference number, and the objector's erf and phone numbers and address. Objections and comments may also be hand-delivered to the abovementioned street addresses by no later than the closing date. If your response is not sent to these addresses and/or fax number, and if, as a consequence it arrives late, it will be deemed to be invalid. For any further information, contact D Samaai on (021) 710-8249. The closing date for objections and comments is 29 June 2009.

File ref: LUM/00/70349 (164200)

Applicant: KA Hodge Land Surveyors

Address: 11 St Joan's Road, Plumstead

Nature of Application: Removal of restrictive title conditions and to subdivide the property into 2 portions (Portion 1: $\pm 560\text{m}^2$ and a Remainder $\pm 430\text{m}^2$) for single residential purposes.

ACHMAT EBRAHIM, CITY MANAGER

GEORGE MUNICIPALITY

NOTICE NO: 068/2009

REMOVAL OF RESTRICTIONS ACT, 1967
(ACT 84 OF 1967), AND REZONING (ORDINANCE 15 OF 1985):
ERF 2252, ALBERT STREET, GEORGE

A. Notice is hereby given in terms of section 3(6) of the above Act that the undermentioned application has been received and is open to inspection at the office of the Municipal Manager, George Municipality and any enquiries may be directed to the Deputy Director: Planning, Civic Centre, York Street, George.

The application is also open to inspection at the office of the Director, Integrated Environmental Management: Region A1, Provincial Government of the Western Cape, at Utilitas Building, 1 Dorp 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 8331 (M. Mofokeng) and Directorate's fax number is (021) 483-3633. Any objections with full reasons therefor, should be lodged in writing at the office of the abovementioned Director: Integrated Environmental Management at Private Bag X9086, Cape Town, 8000, with a copy to the abovementioned Municipal Manager on or before Monday, 6 July 2009 quoting the above Act and the objector's erf number. Please note that no objections by e-mail will be accepted. Any comments received after the aforementioned closing date may be disregarded.

Applicant: Albert Wiffen

Nature of application: Removal of restrictive title conditions applicable to Erf 2252, George to enable the owner to utilise the property as a business premises.

B. Rezoning in terms of Section 17(2)a of Ordinance 15 of 1985 from Single Residential Zone to Business Zone.

CM AFRICA, MUNICIPAL MANAGER

Civic Centre, York Street, GEORGE 6530. Tel: (044) 801-9435 Fax: (086) 529-9985 Email: keith@george.org.za

Kaapstad, van 08:00-12:30 en 13:00-15:30 (Maandae tot Vrydae). Enige besware en/of kommentaar, met volledige redes daarvoor, moet voor of op die sluitingsdatum by sowel (1) die kantoor van die distriksbestuurder, departement: beplanning en bou-ontwikkelingsbestuur, Stad Kaapstad, Privaat Sak X5, Plumstead 7801, faksnr. (021) 710-8283, e-posadres dhilshaad.samaai@capetown.gov.za, as (2) die direkteur: geïntegreerde omgewingsbestuur, departement van omgewingsake en ontwikkelingsbeplanning, provinsiale regering van die Wes-Kaap, Utilitas-gebou, Dorpstraat 1, Kaapstad, ingedien word, met vermelding van bogenoemde Wet en Ordonnansie, onderstaande verwysingsnommer en die beswaarmaker se erf- en telefoonnommer en adres. Besware en kommentaar kan ook voor of op die sluitingsdatum per hand by bogenoemde straatadresse afgelewer word. As u reaksie nie na die adresse en/of faksnr. gestuur word nie en gevolglik laat ontvang word, sal dit ongeldig geag word. Om nadere inligting, tree asseblief in verbinding met D Samaai, tel (021) 710-8249. Die sluitingsdatum vir besware en kommentaar is 29 Junie 2009.

Lêerverw.: LUM/00/70349 (164200)

Aansoeker: KA Hodge Landmeters

Adres: St. Joan's-weg, Plumstead

Aard van aansoek: Opheffing van beperkings en onderverdeling van die eiendom in twee gedeeltes (Gedeelte 1: $\pm 560\text{m}^2$ en 'n Restant $\pm 430\text{m}^2$) vir enkelresidensiële doeleindes.

ACHMAT EBRAHIM, STADSBESTUURDER

GEORGE MUNISIPALITEIT

KENNISGEWING NR: 068/2009

WET OP OPHEFFING VAN BEPERKINGS, 1967
(WET 84 VAN 1967), EN HERSONERING (ORDONNANSIE 15
VAN 1985): ERF 2252, ALBERTSTRAAT, GEORGE

A. Kragtens artikel 3(6) van bostaande Wet word hiermee kennis gegee dat die onderstaande aansoek ontvang is en ter insae lê by die kantoor van die Munisipale Bestuurder, George Munisipaliteit en enige navrae kan gerig word aan die Adjunk Direkteur Beplanning, Burgersentrum, Yorkstraat, George.

Die aansoek lê ook ter insae by die Kantoor van die Direkteur: Geïntegreerde Omgewingsbestuur: Streek A1, Provinsiale Regering van die Wes-Kaap, Utilitasgebou, Dorpstraat 1, Kaapstad, vanaf 08:00 -12:30 en 13:00-15:30 (Maandag tot Vrydag). Telefoniese navrae in hierdie verband kan gerig word by (021) 483-8331 (M. Mofokeng) en die Direktoraat se faksnommer is (021) 483-3633. Enige besware met die volledige redes daarvoor, moet skriftelik by die kantoor van die bogenoemde Direkteur: Geïntegreerde Omgewingsbestuur, Privaatsak X9086, Kaapstad, 8000 met 'n afskrif aan die bogenoemde Munisipale Bestuurder, ingedien word op of voor Maandag, 6 Julie 2009 met vermelding van bogenoemde Wet en die beswaarmaker se erfnummer. Let asseblief daarop dat geen e-pos besware aanvaar sal word nie. Enige kommentaar wat na die voorgemelde sluitingsdatum ontvang word, mag moontlik nie in ag geneem word nie.

Aansoeker: Albert Wiffen

Aard van aansoek: Opheffing van beperkende titelvoorwaardes van toepassing op Erf 2252, George, ten einde die eienaar in staat te stel om die eiendom as 'n besigheidspersoneel aan te wend.

B. Hersonering in terme van Artikel 17(2)a van Ordonnansie 15 van 1985 vanaf Enkelwoonsone na Sakesone.

CM AFRICA, MUNISIPALE BESTUURDER

Burgersentrum, Yorkstraat, GEORGE 6530 Tel: (044) 801-9435 Fax: (086) 529-9985 Epos: keith@george.org.za

GEORGE MUNICIPALITY

NOTICE NO: 079/2009

REMOVAL OF RESTRICTIONS ACT, 1967 (ACT 84 OF 1967): ERF 2936, NEWTON STREET, GEORGE

Notice is hereby given in terms of section 3(6) of the above Act that the undermentioned application has been received and is open to inspection at the office of the Municipal Manager, George Municipality and any enquiries may be directed to the Deputy Director: Planning, Civic Centre, York Street, George.

The application is also open to inspection at the office of the Director, Integrated Environmental Management: Region A1, Provincial Government of the Western Cape, at Room 601, 1 Dorp 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) 483-8781 (B Bantom) and Directorate's fax number is (021) 4833633. Any objections with full reasons therefor, should be lodged in writing at the office of the abovementioned Director: Integrated Environmental Management at Private Bag X9086, Cape Town, 8000, with a copy to the abovementioned Municipal Manager on or before Monday, 6 July 2009 quoting the above Act and the objector's erf number. Please note that no objections by e-mail will be accepted. Any comments received after the aforementioned closing date may be disregarded.

Applicant: Bailey & Le Roux Land Surveyors

Nature of application: Removal of restrictive title conditions applicable to Erf 2936, George, to enable the owner to subdivide the property into two portions (Portion A: 510m² and Remainder: 500m²)

CM AFRICA, MUNICIPAL MANAGER

Civic Centre, York Street, GEORGE 6530. Tel: (044) 801-9473 Fax: (086) 570-1900 Email: marisa@george.org.za

GEORGE MUNICIPALITY

NOTICE NO: 080/2009

PROPOSED REMOVAL OF RESTRICTIONS ACT, 1967 (ACT 84 OF 1967) AND DEPARTURE (ORDINANCE 15 OF 1985): ERF 215, WILDERNESS, DIVISION GEORGE

A. Notice is hereby given in terms of section 3(6) of the above Act that the undermentioned application has been received and is open to inspection at the office of the Municipal Manager, George Municipality and any enquiries may be directed to the Deputy Director: Planning, Civic Centre, York Street, George.

The application is also open to inspection at the office of the Director, Integrated Environmental Management: Region A1, Provincial Government of the Western Cape, at Room 601, 1 Dorp 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) 483-4793 (J Fullard) and Directorate's fax number is (021) 483-3633. Any objections with full reasons therefor, should be lodged in writing at the office of the abovementioned Director: Integrated Environmental Management at Private Bag X9086, Cape Town, 8000, with a copy to the abovementioned Municipal Manager on or before Monday, 6 July 2009 quoting the above Act and the objectors erf number. Please note that no objections by e-mail will be accepted. Any comments received after the aforementioned closing date may be disregarded.

GEORGE MUNISIPALITEIT

KENNISGEWING NR: 079/2009

WET OP OPHEFFING VAN BEPERKINGS, 1967 (WET 84 VAN 1967): ERF 2936, NEWTONSTRAAT, GEORGE

Kragtens artikel 3(6) van bostaande Wet word hiermee kennis gegee dat die onderstaande aansoek ontvang is en ter insae lê by die kantoor van die Munisipale Bestuurder, George Munisipaliteit en enige navrae kan gerig word aan die Adjunk Direkteur Beplanning, Burgersentrum, Yorkstraat, George.

Die aansoek lê ook ter insae by die Kantoor van die Direkteur: Geïntegreerde Omgewingsbestuur: Streek A1, Provinsiale Regering van die Wes-Kaap, by Kamer 601, Dorpstraat 1, Kaapstad, vanaf 08:00-12:30 en 13:00-15:30 (Maandag tot Vrydag). Telefoniese navrae in hierdie verband kan gerig word by (021) 483-8781 (B Bantom) en die Direktoraat se faksnommer is (021) 483-3633. Enige besware met die volledige redes daarvoor, moet skriftelik by die kantoor van die bogenoemde Direkteur: Geïntegreerde Omgewingsbestuur, Privaatsak X9086, Kaapstad, 8000 met 'n afskrif aan die bogenoemde Munisipale Bestuurder, ingedien word op of voor Maandag, 6 Julie 2009 met vermelding van bogenoemde Wet en die beswaarmaker se ernommer. Let asseblief daarop dat geen e-pos besware aanvaar word nie. Enige kommentaar wat na die voorgeselde sluitingsdatum ontvang word, mag moontlik nie in ag geneem word nie.

Aansoeker: Bailey & Le Roux Landmeters

Aard van aansoek: Opheffing van 'n beperkende titelvoorwaarde van toepassing op Erf 2936, George, ten einde die eienaar in staat te stel om die erf onder te verdeel in 2 gedeeltes (Gedeelte A: 510m² en Restant: 500m²).

CM AFRICA, MUNISIPALE BESTUURDER

Burgersentrum, Yorkstraat, GEORGE 6530. Tel: (044) 801-9473 Fax: (086) 570-1900 Epos: marisa@george.org.za

GEORGE MUNISIPALITEIT

KENNISGEWING NR: 080/2009

VOORGESTELDE OPHEFFING VAN BEPERKINGS, 1967 (WET 84 VAN 1967) EN AFWYKING (ORDONNANSIE 15 VAN 1985): ERF 215, WILDERNES, AFDELING GEORGE

A. Kragtens artikel 3(6) van bostaande Wet word hiermee kennis gegee dat die onderstaande aansoek ontvang is en ter insae lê by die kantoor van die Munisipale Bestuurder, George Munisipaliteit en enige navrae kan gerig word aan die Adjunk Direkteur Beplanning, Burgersentrum, Yorkstraat, George.

Die aansoek lê ook ter insae by die Kantoor van die Direkteur: Geïntegreerde Omgewingsbestuur: Streek A1, Provinsiale Regering van die Wes-Kaap, by Kamer 601, Dorpstraat 1, Kaapstad, vanaf 08:00-12:30 en 13:00-15:30 (Maandag tot Vrydag). Telefoniese navrae in hierdie verband kan gerig word by (021) 483-4793 (J Fullard) en die Direktoraat se faksnommer is (021) 483-3633. Enige besware met die volledige redes daarvoor, moet skriftelik by die kantoor van die bogenoemde Direkteur: Geïntegreerde Omgewingsbestuur, Privaatsak X9086, Kaapstad, 8000 met 'n afskrif aan die bogenoemde Munisipale Bestuurder, ingedien word op of voor Maandag, 6 Julie 2009 met vermelding van bogenoemde Wet en die beswaarmaker se ernommer. Let asseblief daarop dat geen e-pos besware aanvaar word nie. Enige kommentaar wat na die voorgeselde sluitingsdatum ontvang word, mag moontlik nie in ag geneem word nie.

Applicant: Delplan

Nature of application: Removal of restrictive title condition applicable to Erf 215, Wilderness, to enable the owner to add a portion to the existing house on the property.

Departure in terms of Section 15 of Ordinance 15 of 1985 for the relaxation of the south-eastern side building line from 4.75m to 2.0m for a play room, lounge and study area on the 1st floor above a new garage on ground floor.

CM AFRICA, MUNICIPAL MANAGER

Civic Centre, York Street, GEORGE 6530. Tel: (044) 801-9473 Fax: (086) 570-1900 Email: marisa@george.org.za

KNYSNA MUNICIPALITY

REMOVAL OF RESTRICTIONS ACT 1967 (ACT 84 OF 1967) LAND USE PLANNING ORDINANCE, 1985 (ORDINANCE 15 OF 1985) MUNICIPAL SYSTEMS; LOCAL GOVERNMENT ACT, 2000 (ACT 32 OF 2000)

PROPOSED REMOVAL OF TITLE DEED RESTRICTIONS AND BUILDING LINE RELAXATION: ERF 1245 SEDGEFIELD (No. 10 Johan St)

Notice is hereby given that the under-mentioned application has been received and is open for inspection at the Municipal Town Planning Offices, Pitt Street, PO Box 21, Knysna, 6570 (Tel: (044) 302-1605; Fax: (044) 302-6338) and at the office of the Director: Integrated Environmental Management, Region A, Provincial Government of the Western Cape, Room 201, No. 1 Dorp Street, Cape Town from 08:00 to 12:30 and 13:00 to 15:30 (Monday to Friday). Telephonic enquiries in this regard may be made at (021) 483-4114 or fax number (021) 493 3633. Any objections, with full reasons therefor, should be lodged in writing to the office of the abovementioned Director: Integrated Environmental Management, Region A, Private Bag X9086, Cape Town, 8000, with a copy to the abovementioned Local Authority on or before Monday, 6 July 2009 quoting the above Act and the objector's erf number. Any comments received after the aforementioned closing date may be disregarded.

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.

Nature of Application:

- I. The Relaxation of Building Lines in terms of Section 15 of the Land Use Planning Ordinance 1985, (Ordinance 15 of 1985) to enable the owner to legalise the existing swimming pool and pump room;
- II. The Removal of Restrictive Title Deed Conditions D.(4) in terms of Section 3(6) of the Removal of Restrictions Act, 1967 (Act 84 of 1967) to enable the owner to legalise the existing swimming pool and pump room;

Applicant: VPM Planning on behalf of Sandra Geerdink.

Aansoeker: Delplan

Aard van aansoek: Opheffing van beperkende titelvoorwaardes van toepassing op Erf 215, Wildernis, ten einde die eienaar in staat te stel om 'n aanbouing tot die bestaande wooneenheid op die eiendom te maak.

Afwyking in terme van Artikel 15 van Ordonnansie 15 van 1985 vir die verslapping van die suid-oostelike sygrens boulyn vanaf 4.75m na 2.0m vir 'n speelkamer, sitkamer en studeerkamer op die 1ste vloer bo-op 'n nuwe motorhuis op grondvloer.

CM AFRICA, MUNISIPALE BESTUURDER

Burgersentrum, Yorkstraat, GEORGE 6530. Tel: (044) 801-9473 Fax: (086) 570-1900 Epos: marisa@george.org.za

KNYSNA MUNISIPALITEIT

WET OP OPHEFFING VAN BEPERKINGS, 1967 (WET 84 VAN 1967) ORDONNANSIE OP GRONDGEBRUIKBEPLANNING, 1985 (ORDONNANSIE 15 VAN 1985) WET OP PLAASLIKE REGERING: MUNISIPALE STELSELS, 2000 (WET 32 VAN 2000)

VOORGESTELDE OPHEFFING VAN BEPERKENDE TITEL AKTE VOORWAARDES EN BOULYNVERSLAPPING: ERF 1245 SEDGEFIELD (Johan Str. Nr. 10)

Kennis geskied hiermee dat die onderstaande aansoek ontvang is en by die Munisipale Stadsbeplanning Kantore, Pitt Straat 11, Posbus 21, Knysna, 6570 (Tel: (044) 302-1605; Faks: (044) 302-6338) en by die kantoor van die Direkteur: Geïntegreerde Omgewingsbestuur: Streek A, Provinsiale Regering van die Wes-Kaap, Kamer 201, Dorp Straat 1, Kaapstad vanaf 08:00 tot 12:30 en vanaf 13:00 tot 15:30 (Maandag tot Vrydag) ter insae lê. Telefoniese navrae in hierdie verband kan gerig word by (021) 483-4114 en faksnummer (021) 463-3633. Enige besware, met redes, moet skriftelik voor of op Maandag, 6 Julie 2009 by die kantoor van bogenoemde Direkteur: Geïntegreerde Omgewingsbestuur, Streek A, Privaatsak X9086, Kaapstad 8000, met 'n afskrif aan bogenoemde Plaaslike Owerheid ingedien word met vermelding van bogenoemde Wette en beswaarmaker se ernommer. Enige kommentaar wat na die voorgemelde sluitingsdatum ontvang word, mag moontlik nie in ag geneem word nie.

Ingevolge Artikel 21(4) van die Wet op Plaaslike Regering: Munisipale Stelsels, 2000 (Wet 32 van 2000) word hiermee verder kennis gegee 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.

Aard van aansoek:

- I. Die verslapping van boulyne kragtens Artikel 15 van die Ordonnansie op Grondgebruiksbeplanning (Ord. 15 of 1985) om die bestaande swembad en pompkamer te wettig.
- II. Die opheffing van beperkende Titelvoorwaardes (D.4) kragtens Artikel 3(6) van die Wet op Opheffing van Beperkings (No 84 van 1967) van toepassing op Erf 1245 Sedgefield, ten einde die eienaar in staat te stel om die bestaande swembad en pompkamer te wettig.

Aansoeker: VPM Planning, namens Sandra Geerdink.

SWARTLAND MUNICIPALITY

NOTICE 129/08/09

REMOVAL OF RESTRICTIONS ACT, 1967 (ACT 84 OF 1967) AS WELL AS THE REZONING OF ERF 1581, MALMESBURY

Notice is hereby given in terms of section 3(6) of the above Act that the undermentioned application has been received and is open to inspection at the office of the Municipal Manager, Swartland Municipality, and any enquiries may be directed to the Chief: Planning and Development, Church Street, Private Bag X52, Malmesbury swartland@swartland.org.za, Tel: (022) 487-9400, Fax: (022) 487-9440. The application is also open to inspection at the office of the Director, Integrated Environmental Management: Region B2, Provincial Government of the Western Cape, at Room 604, 1 Dorp 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) 483-5897 and the directorate's fax number is (021) 483-3098. Any objections, with full reasons therefor, should be lodged in writing at the office of the abovementioned Director: Integrated Environmental Management: Region B2 at Private Bag X9086, Cape Town, 8000 with a copy to the abovementioned Municipal Manager on or before 6 July 2009, quoting the above Act and the objector's erf number. Any comments received after the aforementioned closing date may be disregarded.

Applicant: Headland Planners

Nature of application: Removal of restrictive title condition applicable to Erf 1581, 163 Voortrekker Street, Malmesbury to enable the owner to develop 16 apartments and 20 parking bays on the property. Access to the property will be gained from Bergzicht Street.

Notice is also given in terms of Section 17(1) of Ordinance 15 of 1985 that an application has been received for the rezoning of Erf 1581 (2397m² in extent) situated c/o Bergzicht and Voortrekker Street, Malmesbury from single residential zone to general residential zone in order to erect 16 flats (triple storey).

JJ SCHOLTZ, MUNICIPAL MANAGER, MUNICIPAL OFFICE, PRIVATE BAG X52, MALMESBURY

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

BREEDERIVER/WINELANDS MUNICIPALITY
MN NO. 37/2009

PROPOSED REZONING AND SUBDIVISION OF ERF 4024,
ROBERTSON
Ordinance 15 of 1985 Land Use Planning

Notice is hereby given in terms of Sections 17 and 24 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) that Council intends to rezone Erf 4024, Robertson from Single Residential zone to Subdivisional area and to subdivide it into 52 residential erven (±301m² – ±513m² each – Single Residential zone), public streets and one Public Open Space.

The application 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 26 June 2009. 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.

SA MOKWENI MUNICIPAL MANAGER, Municipal Office, Private Bag X2, ASHTON 6715

29 May 2009

4797

SWARTLAND MUNISIPALITEIT

KENNISGEWING 129/08/09

WET OP OPHEFFING VAN BEPERKINGS, 1967 (WET 84 VAN 1967) ASOOK HERSONERING VAN ERF 1581, MALMESBURY

Kragtens artikel 3(6) van bostaande Wet word hiermee kennis gegee dat die onderstaande aansoek ontvang is en ter insae lê by die kantoor van die Munisipale Bestuurder, Swartland Munisipaliteit, en enige navrae kan gerig word aan die Hoof: Beplanning en Ontwikkeling, Kerkstraat, Privaatsak X52, Malmesbury, swartland@swartland.org.za, Tel: (022) 487-9400, Faks: (022) 487-9440. Die aansoek lê ook ter insae by die Kantoor van die Direkteur: Geïntegreerde Omgewingsbestuur: Streek B2, van die Provinsiale Regering van die Wes-Kaap, by Kamer 604, Dorpsstraat 1, Kaapstad, vanaf 8:00-12:30 en 13:00-15:30 (Maandag tot Vrydag). Telefoniese navrae in hierdie verband kan gerig word aan (021) 483-5897 en die Direkoraat se faksnommer is (021) 483-3098. Enige besware, met die volledige redes daarvoor, moet skriftelik by die kantoor van bogenoemde Direkteur: Geïntegreerde Omgewingsbestuur, Streek B2, Privaatsak X9086, Kaapstad, 8000, met 'n afskrif aan die bogenoemde Munisipale Bestuurder, ingedien word op of voor 6 Julie 2009 met vermelding van bogenoemde Wet en beswaarmaker se ernommer. Enige kommentaar wat na die voorgemelde sluitingsdatum ontvang word, mag moontlik nie in ag geneem word nie.

Aansoeker: Headland Stadsbeplanners

Aard van aansoek: Opheffing van beperkende titelvoorwaardes van toepassing op erf 1581, Voortrekkerstraat 163, Malmesbury, ten einde die eienaar in staat te stel om 16 wooneenhede (drieverdieping) en 20 parkeervlakke op die eiendom op te rig. Toegang tot die eiendom sal verkry word vanaf Bergzichtstraat.

Kennis geskied ook ingevolge Artikel 17(1) van Ordonnansie 15 van 1985 dat 'n aansoek ontvang is vir die hersonering van Erf 1581 (groot 2397m²), geleë h/v Bergzicht- en Voortrekkerstraat, Malmesbury vanaf enkelwoningone na algemene woonsone ten einde 16 woonstelle (drie verdiepings) op te rig.

JJ SCHOLTZ, MUNISIPALE BESTURDER, MUNISIPALE KANTOOR, PRIVAATSAK X52, MALMESBURY

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

BREËRIVIER/WYNLAND MUNISIPALITEIT
MK NR. 37/2009

VOORGESTELDE HERSONERING EN ONDERVERDELING VAN
ERF 4024, ROBERTSON
Ordonnansie 15 van 1985 Grondgebruikbeplanning

Kennis geskied hiermee ingevolge Artikels 17 en 24 van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie 15 van 1985) dat die Raad van voorneme is om erf 4024, Robertson te hersoneer vanaf Enkelwoning sone na Onderverdelingsgebied en dit te onderverdeel in 52 woonerwe (±301m² – ±513m² elk – Enkel Residensiële sone), publieke strate en een Publieke Oopruimte.

Die aansoek lê ter insae gedurende kantoorure in die Robertson Kantoor en skriftelike regsgeldige en goed gemotiveerde besware/kommentaar, indien enige, moet nie later as 26 Junie 2009 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 personeelid van die Munisipaliteit daardie persoon sal help om sy/haar kommentaar of vertoë af te skryf.

SA MOKWENI, MUNISIPALE BESTURDER, Breërivier/Wynland Munisipaliteit, Privaatsak X2, ASHTON 6715

29 Mei 2009

4797

BREEDE RIVER/WINELANDS MUNICIPALITY

Montagu Office

MN NO. 38/2009

PROPOSED CONSENT USE ON ERF 968, 4 THOMSON STREET,
MONTAGU

(Ordinance 15 of 1985, Land use planning)

Notice is hereby given in terms of the Montagu Zoning Scheme Regulations, that the Council has received an application from D Andrew and M Montgomery for a consent use to operate a Bed & Breakfast on erf 968, Montagu, zoned Single Residential.

The application will be open for inspection at the Montagu Office during normal office hours. Written legal and fully motivated objections/comments, if any, must be lodged with the Municipal Manager, Private Bag X2, Ashton, 6715, before or on 26 June 2009. 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.

SA MOKWENI, MUNICIPAL MANAGER, Municipal Office, Private Bag, X2 ASHTON 6715

29 May 2009

4794

BREEDE RIVER/WINELANDS MUNICIPALITY

PROPOSED CONSENT USE REMAINDER OF PORTION 9 OF
THE FARM RIET RIVIER NO 181,
MONTAGU

In terms of the Scheme Regulations in terms of Section 8 of the Land Use Planning Ordinance, 15 of 1985 (PN 1048 of 1988) as well as Section 15 of Ordinance 15 of 1985, notice is hereby given that an application has been received for the proposed consent use as set out below. This application is to be submitted to Council and will be available for scrutiny at Council's Section: Town Planning (Montagu) at 3 Piet Retief Street, Montagu. Further details are obtainable from Andre Vancoillie (023) 614-8000 during office hours.

Applicant: Umsiza Planning

Property: Remainder of Portion 9 of the Farm Riet Rivier No 181, Montagu

Owner: P Burger

Locality: ±22km south east of Montagu

Size: 294.7653ha

Proposal: Additional dwelling

Existing zoning: Agricultural zone I

Written, legal and fully motivated objections/comments, if any, against the application must be lodged in writing with the undersigned or at any Breede River/Winelands municipal office on or before 26 June 2009. Any person who cannot write may come to the Montagu office during office hours where a staff member of the municipality, will assist that person to transcribe that person's comments or representations. Late objections will not be considered.

SA MOKWENI, MUNICIPAL MANAGER, Breede River/Winelands Municipality, Private Bag X2, ASHTON 6715

[Notice no MK 40/2009] 29 May 2009

4795

MUNISIPALITEIT BREËRIVIER/WYNLAND

Montagu Kantoor

MK NR. 38/2009

VOORGESTELDE VERGUNNINGSGEBRUIK VAN ERF 968,
THOMSONSTRAAT 4, MONTAGU

(Ordonnansie 15 van 1985, Grondgebruikbeplanning)

Kennis geskied hiermee ingevolge die Montagu Sonerings-kemaregulasies dat 'n aansoek ontvang is van P Andrew en M Montgomery, om 'n vergunningsgebruik ten einde 'n Bed en Ontbyt te bedryf op erf 968, Montagu, gesoneer as Enkel residensiële sone.

Die aansoek lê ter insae gedurende kantoorure in die Montagu Kantoor en skriftelike regsgeldige en goed gemotiveerde besware/kommentaar, indien enige moet nie later as 26 Junie 2009 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 versoë af te skryf.

SA MOKWENI, MUNISIPALE BESTUURDER, Munisipale Kantoor, Privaatsak X2, ASHTON 6715

29 Mei 2009

4794

BREËRIVIER/WYNLAND MUNISIPALITEIT

VOORGESTELDE VERGUNNINGSGEBRUIK RESTANT VAN
GEDEELTE 9 VAN DIE PLAAS RIET RIVIER NR 181,
MONTAGU

Kennis geskied hiermee ingevolge die Skemaregulasies uitgevaardig ingevolge Artikel 8 van die Ordonnansie op Grondgebruikbeplanning, 15 van 1985 (PK 1048 van 1988) sowel as ingevolge Artikel 15 van Ordonnansie 15 van 1985 dat 'n aansoek om voorgestelde vergunningsgebruik soos hieronder uiteengesit by die Raad voorgelê gaan word en dat dit gedurende kantoorure ter insae lê by die Raad se Afdeling: Stadsbeplanning (Montagu) te Piet Retiefstraat 3, Montagu. Nadere besonderhede is gedurende kantoorure by Andre Vancoillie (023) 614-8000 beskikbaar.

Aansoeker: Umsiza Planning

Eiendom: Restant van Gedeelte 9 van die Plaas Riet Rivier Nr 181, Montagu

Eienaar: P Burger

Ligging: ±22km suid-oos van Montagu

Grootte: 294.7653ha

Voorstel: Addisionele wooneenheid

Huidige sonering: Landbousone I

Skriftelike, regsgeldige en goed gemotiveerde besware/kommentaar, indien enige, kan by die ondergemelde adres of enige van die Breërivier/Wynland munisipale kantore ingedien word voor of op 26 Junie 2009. 'n Persoon wat nie kan skryf nie kan gedurende kantoorure na bogenoemde Montagu kantoor kom waar 'n personeellid van die Munisipaliteit, daardie persoon sal help om die persoon se kommentaar of versoë af te skryf. Geen laat besware sal oorweeg word nie.

SA MOKWENI, MUNISIPALE BESTUURDER, Breërivier/Wynland Munisipaliteit, Privaatsak X2, ASHTON 6715

[Kennisgewing nommer MK 40/2009] 29 Mei 2009

4795

BREEDE RIVER/WINELANDS MUNICIPALITY
MN NO. 36/2009

PROPOSED APPLICATION FOR TOWNSHIP ESTABLISHMENT –
REMAINDER OF ERF 136, NKQUBELA, ROBERTSON

Please take notice that the Council of the Breederivier/Winlands Municipality intends to lodge an application in terms of regulation 17 of the regulations relating to Township Establishment and Land Use (R. 1897) dated 12 September 1986 for the establishment of a township (27 Residential zone I erven and streets) on remainder erf 136 as stipulated on the attached plan.

Notice is hereby also given that Council intends to rezone portion of the remainder erf 136 from Undetermined zone to Residential zone I and Street zone in terms of Regulation 5(4) of the regulations promulgated under (P.N. 733/89) Provincial Notice dated 22 September 1989.

The application 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 26 June 2009. 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.

SA MOKWENI, MUNICIPAL MANAGER, Municipal Office, Private Bag X2, ASHTON 6715

29 Mei 2009

4796

CITY OF CAPE TOWN (CAPE FLATS DISTRICT)

REZONING

- Erven 163981 and 163982 Cape Town at Athlone, Belgravia Road

Notice is hereby given in terms Section 17(2) of the Land Use Planning Ordinance No 15 of 1985 that the undermentioned application has been received and is open to inspection at the office of the District Manager at Ledger House, Corner of Aden Avenue and Georges Street, Athlone. Enquiries may be directed to Ms Q Savahl, PO Box 283, Athlone, 7760 or email Quanita.Savahl@capetown.gov.za or fax (021) 684-4410 or tel (021) 684-4348 week days during 08:00-14:30. Any objections, with full reasons therefor, may be lodged in writing at the office of the abovementioned District Manager on or before 30 June 2009 quoting the above relevant legislation, the application number and the objector's erf and phone numbers and address. Any objections received after aforementioned closing date may be considered invalid.

Applicant: ACG Architects & Development Planners

Owner: A & R Mohamed

Application number: 121208

Address: Between Belgravia Road and Arlington Road, Athlone

Nature of Application: To permit the Rezoning of Erven 163981 & 163982 from Public Open Space and Street Purposes to General Business, sub-zoned B1 and Grouped Dwelling Residential respectively.

ACHMAT EBRAHIM, CITY MANAGER

29 May 2009

4798

MUNISIPALITEIT BREËRIVIER/WYNLAND
MK NR. 36/2009

VOORGESTELDE AANSOEK OM DORPSTIGTING – RESTANT
VAN ERF 136, NKQUBELA, ROBERTSON

Neem asseblief kennis dat die Raad van die Breërivier/Wynland Munisipaliteit van voorneme is om aansoek ingevolge Regulasie 17 van die Regulasies betreffende Dorpstigting en Grondgebruik (R. 1897) gedateer 12 September 1986 in te dien vir die stigting van 'n dorp (27 Residensiële sone I erwe en strate) op restant erf 136 soos aangedui op die aangehegte plan.

Kennis word ook hiermee gegee dat die Raad van voorneme is om gedeelte van die restant erf 136 te hersoneer vanaf Onbepaalde sone na Residensiële sone I en Straatsone kragtens regulasie 5(4) van die regulasies afgekondig by Provinsiale Kennisgewing 733/89 (P.K. 733/89) gedateer 22 September 1989.

Die aansoek lê ter insae gedurende kantoorure in die Robertson Kantoor en skriftelike regsgeldige en goed gemotiveerde besware/kommentaar, indien enige, moet nie later as 26 Junie 2009 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 personeelid van die Munisipaliteit daardie persoon sal help om sy/haar kommentaar of vertoë af te skryf.

SA MOKWENI, MUNISIPALE BESTUURDER, Breërivier/Wynland Munisipaliteit, Privaatsak X2, ASHTON 6715

29 Mei 2009

4796

STAD KAAPSTAD (KAAPSE VLAKTE DISTRIK)

HERSONERING

- Erwe 163981 en 163982 Kaapstad te Athlone, Belgraviaweg

Kennisgewing geskied hiermee ingevolge artikel 17(2) van die Ordonnansie op Grondgebruikbeplanning, nr. 15 van 1985, dat onderstaande aansoek ontvang is en ter insae beskikbaar is by die kantoor van die distriksbestuurder, Ledger House, h/v Adenlaan en Georgesstraat, Athlone, en dat enige navrae gerig kan word aan me. Q Savahl, Posbus 283, Athlone 7760, tel (021) 684-4348 of faksnr. (021) 684-4410, e-posadres Quanita.Savahl@capetown.gov.za, weekdae gedurende 08:30-14:30. Enige besware, met volledige redes, moet voor of op 30 Junie 2009 skriftelik aan die kantoor van bogenoemde distriksbestuurder gerig word, met vermelding van bogenoemde toepaslike wetgewing, die aansoeknommer en die beswaarmaker se erf- en telefoonnommer/s en adres. Enige besware wat na voormelde sluitingsdatum ontvang word, kan dalk ongeldig geag word.

Aansoeker: ACG Architects & Development Planners

Eienaar: A & R Mohamed

Aansoeknr: 121208

Adres: Tussen Belgravia- en Arlingtonweg, Athlone

Aard van aansoek: Die hersonerings van Erwe 163981 & 163982 van openbare oop ruimte en straatdoeleindes na algemeensakesone, subsone B1, en groepsbehuisingresidensiële onderskeidelik.

ACHMAT EBRAHIM, STADSBESTUURDER

29 Mei 2009

4798

CITY OF CAPE TOWN (CAPE FLATS DISTRICT)

REZONING, CONSENT USE AND AMENDMENT TO SCHEDULE CONDITION

- Erven 171553 & 171554 (Portion of Erf 35046), Johnston Road, Cape Town at Athlone

Notice is hereby given in terms of Sections 9(2) and 17 of the Land Use Planning Ordinance, No. 15 of 1985 as well as Section 9 of the Cape Town Zoning Scheme Regulations, that the undermentioned application has been received and is open to inspection at the office of the District Manager at Ledger House, Cnr. Aden Avenue & Georges Street, Athlone. Enquiries may be directed to Karen Patten at PO Box 283, Athlone, 7760; Karen.Patten@capetown.gov.za, tel (021) 684-4345 and fax (021) 684-4410 week days during 08:30-13:30. Any objections, with full reasons therefor, may be lodged in writing at the office of the abovementioned District Manager on or before 29 June 2009, quoting the above relevant legislation, the application number and the objector's erf and phone numbers and address. Any objections received after aforementioned closing date may be considered invalid.

Location address: Johnston Road, Athlone

Applicant: Urban Vision Town & Regional Planners

Application number: 178056

File number: LUM/00/171553

Nature of application:

- Rezoning of Erven 171553 & 171554, Athlone from Street and Public Open Space to Community Facility.
- Council's Consent to permit erven 171553 & 171554 to be utilized for burial purposes.
- Amendment of Schedule Condition S2/907 (reserved for sportsfields) to permit erf 171554 to be utilized for burial purposes.

ACHMAT EBRAHIM, CITY MANAGER

29 May 2009

4799

HESSEQUA MUNICIPALITY

CLOSURE AND ALIENATION OF PORTIONS OF ANDERSON STREET STILBAAI WEST

Notice is hereby given in terms of the provision of Section 137(2)(a) of the Municipal Ordinance 20 of 1974, that the Hessequa Municipality proposes to close a portion of Anderson Street adjacent to Erf 2663 ($\pm 322\text{m}^2$) Stilbaai West.

Notice is further given in terms of the provision of Section 124 of the Municipal Ordinance 20 of 1974 that the Municipality intends to alienate the aforementioned closed portion of the street as well as a portion of the Remainder of Erf 657 Stilbaai West, approximately 322m^2 in extent to the owner of the adjacent Erf 2663 Stilbaai West at market value.

Further particulars are obtainable from the Riversdal Municipal Offices Head: Planning (028) 713 8000. Any objections to the proposed alienation must be submitted in writing to reach the office of the undersigned not later than 24 April 2009.

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, HESSEQUA MUNICIPALITY, VAN DEN BERG STREET, PO BOX 29, RIVERSDAL 6670

29 May 2009

5308

STAD KAAPSTAD (KAAPSE VLAKTE-DISTRIK)

HERSONERING, GEBRUIKSTOESTEMMING EN WYSIGING VAN SKEDULEVOORWAARDE

- Erwe 171553 & 171554 (Gedeelte van Erf 35046), Johnstonweg, Kaapstad te Athlone

Kennisgewing geskied hiermee ingevolge artikel 9(2) en 17 van die Ordonnansie op Grondgebruikbeplanning, nr. 15 van 1985, dat onderstaande aansoek ontvang is en ter insae beskikbaar is by die kantoor van die distriksbestuurder, Ledger House, h/v Adenlaan en Georgesstraat, Athlone, en dat enige navrae gerig kan word aan Karen Patten, Posbus 283, Athlone 7760, tel (021) 684-4345 of faksnr. (021) 684-4410, e-posadres Karen.Patten@capetown.gov.za, weksdae gedurende 08:30-13:30. Enige besware, met volledige redes, moet voor of op 29 Junie 2009 skriftelik aan die kantoor van bogenoemde distriksbestuurder gerig word, met vermelding van bogenoemde toepaslike wetgewing, die aansoeknommer en die beswaarmaker se erf- en telefoonnommer/s en adres. Enige besware wat na voormelde sluitingsdatum ontvang word, kan dalk ongeldig geag word.

Liggingsadres: Johnstonweg, Athlone

Aansoeker: Urban Vision Stads- en Streeksbeplanners

Aansoeknr: 178056

Lêerverw.: LUM/00/171553

Aard van aansoek:

- Hersonering van Erwe 171553 & 171554, Athlone, van straat en openbare oop ruimte na gemeenskapsfasiliteite.
- Raadstoestemming om toe te laat dat Erwe 171553 & 171554 vir begrawingsdoeleindes gebruik word.
- Wysiging van skedulevoorwaarde S2/907 (gereserveer vir sportvelde) om toe te laat dat Erf 171554 vir begrawingsdoeleindes gebruik word.

ACHMAT EBRAHIM, STADSBESTUURDER

29 Mei 2009

4799

HESSEQUA MUNISIPALITEIT

SLUITING EN VERVREEMDING: GEDEELTE ANDERSONSTRAAT STILBAAI WES

Kennis word hiermee gegee ingevolge die bepalinge van Artikel 137(2)(a) van die Munisipale Ordonnansie 20 van 1974, dat die Hessequa Munisipaliteit van voorneme is om twee gedeeltes van Andersonstraat, aangrensend tot Erwe 2926 ($\pm 357\text{m}^2$) Stilbaai Wes, te sluit.

Kennis word verder gegee dat ingevolge die bepalinge van Artikel 124 van die Munisipale Ordonnansie 20 van 1974 die Munisipaliteit ook van voorneme is om die voorgenoemde geslote straatgedeelte plus ongeveer 83m^2 van die Restant van Erf 657 Stilbaai Wes ook aangrensend Erf 2926 Stilbaai Wes te vervreem aan die eenaar van die aangrensende erf teen markwaarde.

Besonderhede van voorgenoemde vervreemding is beskikbaar by die Hoof: Beplanning Stilbaai (028) 713 8000. Enige kommentaar of beswaar teen die voorgenoemde vervreemding moet skriftelik ingedien word om die ondergetekende te bereik nie later nie as 26 Junie 2009.

Persone wat nie kan skryf nie, kan die onderstaande kantoor nader tydens normale kantoorure waar die betrokke amptenaar u sal help.

MUNISIPALE BESTUURDER, HESSEQUA MUNISIPALITEIT, VAN DEN BERGSTRAAT, POSBUS 29, RIVERSDAL 6670

29 Mei 2009

5308

CITY OF CAPE TOWN (HELDERBERG DISTRICT)

REZONING, DEPARTURE & APPROVAL OF SITE DEVELOPMENT PLAN

- Erf 2420, 57 Lourensford Road, Somerset West

Notice is hereby given in terms of Sections 15(2)(a) & 17(2)(a) of Ordinance 15 of 1985 that the undermentioned application has been received and is open to inspection at the office of the District Manager, First Floor, Municipal Offices, cnr Victoria & Andries Pretorius Streets, Somerset West. Enquiries may be directed to Ms Gabby Wagner, PO Box 19, Somerset West, 7129, e-mail to ciska.smit@capetown.gov.za, tel (021) 850-4346 or fax (021) 850-4487 during 08:00-13:00. Any objections, with full reasons therefor, must be lodged in writing at the office of the District Manager at the First Floor, Municipal Offices, cnr Victoria & Andries Pretorius Streets, Somerset West on or before 29 June 2009, quoting the above relevant legislation and the objector's erf and phone numbers and address. Any objections received after the abovementioned closing date may be considered to be invalid.

Applicant: Messrs TV3 Architects & Planners

Owner: T R Wiggill & P L Wessels

Application Number: 178170

Notice Number: 19/2009

Erf/Erven Number: Erf 2420, Somerset West

Address: 57 Lourensford Road, Somerset West

Nature of Application:

- The rezoning of Erf 2420, 57 Lourensford Road, Somerset West from Single Residential to Special Business for a coffee shop and farm stall;
- The departure from the Somerset West Zoning Scheme Regulations to permit the relaxation of the 4.5m street building line to 2.75m to accommodate the existing caretaker's cottage; and
- The approval of the Site Development Plan.

ACHMAT EBRAHIM, CITY MANAGER

29 May 2009

4800

THEEWATERSKLOOF MUNICIPALITY

APPLICATION FOR DEPARTURE: ERF 709, RIVIERSONDEREND

Notice is hereby given in terms of Section 15(1)(a)(i) the Land Use Planning Ordinance, 1985 (Ordinance No 15 of 1985) that the Council has received an application for departure concerning erf 709, Riviersonderend from Smith Oerson in order to enable the owner to conduct a game shop ($\pm 22m^2$) from the mentioned site.

Further particulars regarding the proposal are available for inspection at the Municipal Offices at Riviersonderend during office hours from 29 May 2009 to 10 July 2009. Objections to the proposal, if any, must reach the under mentioned on or before 10 July 2009. Persons who are unable to write will be assisted during office hours, at the Municipal Offices, Caledon, to write down their objections.

S. WALLACE, MUNICIPAL MANAGER, Municipal Office, PO Box 24, CALEDON 7230

Reference number: R/709

Notice number: KOR 38/2009 29 May 2009

5317

STAD KAAPSTAD (HELDERBERG-DISTRIK)

HERSONERING, AFWYKING & GOEDKEURING VAN DIE TERREINONTWIKKELINGSPLAN

- Erf 2420, Lourensfordweg 57, Somerset-Wes

Kennisgewing geskied hiermee ingevolge artikel 15(2)(a) en 17(2)(a) van Ordonnansie 15 van 1985 dat onderstaande aansoek ontvang is en ter insae beskikbaar is by die kantoor van die distriksbestuurder, Eerste Verdieping, h/v Victoria- en Andries Pretoriusstraat, Somerset-Wes, en enige navrae kan gerig word aan me. Gabby Wagner, Posbus 19, Somerset-Wes 7129, of per e-pos aan ciska.smit@capetown.gov.za, gestuur word, telefoonnommer (021) 850-4346 of faksnommer (021) 850-4487 gedurende 08:00-13:00. Besware, met volledige redes daarvoor, moet voor of op 29 Junie 2009 skriftelik ingedien word by die kantoor van die distriksbestuurder, Eerste Verdieping, Munisipale Kantore, h/v Victoria- en Andries Pretoriusstraat, Somerset-Wes, met vermelding van bogenoemde toepaslike wetgewing en die beswaarmaker se erf- en telefoonnummers en adres. Enige besware wat na voormelde sluitingsdatum ontvang word, kan dalk ongeldig geag word.

Aansoeker: mnre. TV3 Architects & Planners

Eienaar: T R Wiggill & P L Wessels

Aansoeknr: 178170

Kennisgewingnr.: 19/2009

Erfno.: Erf 2420, Somerset-Wes

Adres: Lourensfordweg 57, Somerset-Wes

Aard van aansoek:

- Die hersonering van Erf 2420, Lourensfordweg 57, Somerset-Wes, van enkelresidensieel na spesiale sakesone vir 'n koffiekroeg en plaasstal.
- Afwyking van Somerset-Wes se soneringskema regulasies om die verslapping van die 4.5m-straatboulyn tot 2.75m toe te laat, ten einde die bestaande opsigterskothuis te akkommodeer.
- Die goedkeuring van die terreinontwikkelingsplan.

ACHMAT EBRAHIM, STADSBESTUURDER

29 Mei 2009

4800

THEEWATERSKLOOF MUNISIPALITEIT

AANSOEK OM AFWYKING: ERF 709, RIVIERSONDEREND

Kennis geskied hiermee ingevolge Artikel 15(1)(a)(i) van die Ordonnansie op Grondgebruikbeplanning 1985 (Ordonnansie Nr. 15 van 1985) dat die Raad aansoek om afwyking vir erf 709, Riviersonderend van Smith Oerson ontvang het ten einde die eienaar in staat te stel om 'n speletjies winkel ($\pm 22m^2$) op te rig op genoemde perseel.

Verdere besonderhede van die voorstel lê gedurende kantoorure by die Munisipale kantoor, Riviersonderend, ter insae vanaf 29 Mei 2009 tot 10 Julie 2009. Skriftelike besware teen die voorstel, indien enige, moet die ondergetekende voor of op 10 Julie 2009 bereik. Persone wat nie kan skryf nie, sal gedurende kantoorure by die Munisipale kantoor, Caledon gehelp word om hulle besware neer te skryf.

S. WALLACE, MUNISIPALE BESTUURDER, Munisipale Kantoor, Posbus 24, CALEDON 7230

Verwysingsnommer: R/709

Kennisgewingnommer: KOR 38/2009 29 Mei 2009

5317

CITY OF CAPE TOWN (SOUTHERN DISTRICT)

REZONING AND DEPARTURES

- Erf 44356 Cape Town at Rondebosch, 85 & 87 Klipfontein Road

Notice is hereby given in terms of Sections 15 and 17 of the Land Use Planning Ordinance 15 of 1985 and Sections of the Cape Town Zoning Scheme Regulations that the undermentioned application has been received and is open to inspection at the office of the District Manager, Department: Planning & Building Development Management, City of Cape Town, Customer Interface, Ground Floor, 3 Victoria Rd, Plumstead, and any enquiries may be directed to D Samaai, from 08:30-13:00 Monday to Friday. Any objections and/or comments, with full reasons therefor, must be submitted in writing at the office of the District Manager, Department: Planning & Building Development Management, City of Cape Town, Private Bag X5, Plumstead, 7801 or fax (021) 710-8283 or e-mailed to dhilshaad.samaai@capetown.gov.za on or before the closing date, quoting, the above Ordinance, the belowmentioned reference number, and the objector's erf and phone numbers and address. Objections and comments may also be hand-delivered to the abovementioned street address by no later than the closing date. If your response is not sent to this address and/or fax number, and if, as a consequence it arrives late, it will be deemed to be invalid. For any further information, contact K McGilton, tel (021) 710-8278. The closing date for objections and comments is 29 June 2009.

File ref: LUM/00/44356 (Vol 1)(16999)

Applicant: Willem Bührmann & Associates

Address: 85 & 87 Klipfontein Road

Nature of Application: To Rezone the property from General Business B1 to General Commercial C3 to regularize the unauthorized hospital/clinic building.

The following departures from the Cape Town Scheme Regulations have been applied for:

1. Section 60(1) To permit a street boundary setback of 0m in lieu of 4.5m for the 3rd and 4th floors from Klipfontein Road.
2. Section 60(1) To permit a street boundary setback of 1.499m in lieu of 4.5m for the 3rd and 4th floors from Harris Road.
3. Section 60(1) To permit a setback of 0m in lieu of 4.5m for the portions of the 2nd floor of the building greater than 16m from the streets, from both the northern and eastern common boundaries.
4. Section 60(1) To permit a setback of 0.968m and 0m in lieu of 4.5m for the portions of the 3rd and 4th floors of the building less than 16m from the streets, for the northern and eastern common boundaries respectively.
5. Section 60(1) To permit a setback of 0.968m and 0m in lieu of 6.363m for the portions of the 3rd floor of the building greater than 16m from the streets, from both the northern and eastern common boundaries.
6. Section 60(1) To permit a setback of 0.968m and 0m in lieu of 8.646m for the portions of the 4th floor of the building greater than 16m from the streets, from both the northern and eastern common boundaries.
7. Section 60(1) To permit a setback of 0.968m in lieu of 16.878m for the portions of the 5th floor of the building greater than 16m from the streets, from the northern common boundary.
8. Section 77(1) To permit 73 parking bays in lieu of 141.

Please note: Vehicular access to the basement parking is unresolved at this point.

ACHMAT EBRAHIM, CITY MANAGER

29 May 2009

5301

STAD KAAPSTAD (SUIDELIKE DISTRIK)

HERSONERING EN AFWYKINGS

- Erf 44356 Kaapstad te Rondebosch, Klipfonteinweg 85 & 87

Kennisgewing geskied hiermee ingevolge artikels 15 en 17 van die Ordonnansie op Grondgebruikbeplanning, nr. 15 van 1985, en artikels van die Kaapstadse soneringskema-regulasies dat onderstaande aansoek ontvang is en ter insae beskikbaar is by die kantoor van die distriksbestuurder, departement: beplanning en bou-ontwikkelingsbestuur, Victoriaweg 3, Plumstead 7801, van 8:30 tot 13:00, Maandag tot Vrydag. Navrae kan gerig word aan mev. D Samaai by bogenoemde kantoor of posadres. Die Distriksbestuurder, Departement: Beplanning en Bou-ontwikkelingsbestuur, Privaat Sak X5, Plumstead 7801, faksnr. (021) 710-8283 of e-posadres dhilshaad.samaai@capetown.gov.za. Enige besware, met volledige redes daarvoor, moet voor of op die sluitingsdatum skriftelik by bogenoemde kantoor ingedien word, met vermelding van bogenoemde Ordonnansie, onderstaande verwysingsnommer en die beswaarmaker se erf- en telefoonnommer en adres. Besware en kommentaar kan ook voor of op die sluitingsdatum per hand by bogenoemde straatadres afgelewer word. As u reaksie nie na die adresse en/of faksnr. gestuur word nie en gevolglik laat ontvang word, sal dit ongeldig geag word. Om nadere inligting, tree asseblief met K McGilton, tel (021) 710-8278, in verbinding. Die sluitingsdatum vir besware en kommentaar is 29 Junie 2009.

Lêerverw.: LUM/00/44356 (Vol 1)(16999)

Aansoeker: Willem Bührmann & Associates

Adres: Klipfonteinweg 85 & 87

Aard van aansoek: Die hersonering van die eiendom van algemeenskakesone, B1, na algemeenkommerseel, C3, om die ongemagtigde hospitaal-/kliniekgebou te regulariseer.

Daar is om die volgende afwykings van die Kaapstadse skema-regulasies aansoek gedoen:

1. Artikel 60(1): Om 'n straatgrensinspringing van 0m in plaas van 4,5m vir die 3e en 4e verdiepings van Klipfonteinweg toe te laat.
2. Artikel 60(1): Om 'n straatgrensinspringing van 1.499m in plaas van 4.5m vir die 3e en 4e verdiepings van Harrisweg toe te laat.
3. Artikel 60(1): om 'n inspringing van 0m in plaas van 4.5m toe te laat vir die gedeeltes van die 2e verdieping van die gebou, meer as 16m van die strate, van die noordelike sowel as die oostelike gemeenskaplike grense.
4. Artikel 60(1): om 'n inspringing van 0.968m en 0m in plaas van 4.5m toe te laat vir die gedeeltes van die 3e en 4e verdiepings van die gebou, minder as 16m van die strate, van die noordelike sowel as die oostelike gemeenskaplike grense.
5. Artikel 60(1): om 'n inspringing van 0.868m en 0m in plaas van 6.363m toe te laat vir die gedeeltes van die 3e verdieping van die gebou, meer as 16m van die strate, van die noordelike sowel as die oostelike gemeenskaplike grense.
6. Artikel 60(1): om 'n inspringing van 0.968m en 0m in plaas van 8.646m toe te laat vir die gedeeltes van die 4e verdieping van die gebou, meer as 16m van die strate, van die noordelike sowel as die oostelike gemeenskaplike grense.
7. Artikel 60(1): Om 'n inspringing van 0.968m in plaas van 16.878m toe te laat vir die gedeeltes van die 5e verdieping van die gebou, meer as 16m van die strate, van die noordelike gemeenskaplike grens.
8. Artikel 77(1): Om 73 parkeerplekke in plaas van 141 toe te laat.

Let wel: Voertuigtoegang tot die kelderparkeering is in die stadium nog nie opgelos nie.

ACHMAT EBRAHIM, STADSBESTUURDER

29 Mei 2009

5301

CITY OF CAPE TOWN
ISIXEKO SASEKAPA
STAD KAAPSTAD

SOUTH PENINSULA REGION

CLOSING OF A PORTION OF ERF 36915 MITCHELLS PLAIN
ADJOINING ERF 44002

Notice is hereby given, in terms of Section 6(1) of the By-Law relating to the Management and Administration of the City of Cape Town's Immovable Property, that the City of Cape Town has closed a portion of Erf 36915 Mitchells Plain adjoining Erf 44002, as shown lettered ABCDEFGH on Sketch DRA17/08.

Such closure is effective from the date of publication of this notice. (S.G Ref S/22/39/126 vi p66)

City of Cape Town: South Peninsula Region 3
Victoria Road
Plumstead

ACHMAT EBRAHIM, CITY MANAGER

(S14/3/4/3/682/22/36915) 29 May 2009 5302

CITY OF CAPE TOWN (TYGERBERG REGION)

REZONING AND VARIOUS REGULATION DEPARTURES

- Erf 11237, Parow

Notice is hereby given in terms of the Land Use Planning Ordinance, 1985 (No 15 of 1985) that the undermentioned application has been received and is open to inspection at the office of the District Manager at 3rd Floor, Municipal Offices, Voortrekker Road, Parow. Enquiries may be directed to Ms B Abay, Private Bag X4, Parow, 7499, bisrat.abay@capetown.gov.za, tel (021) 938-8435 and fax (021) 938-8509 week days during 08:00-14:30. Any objections, with full reasons therefor, may be lodged in writing at the office of the abovementioned District manager on or before 30 June 2009, quoting the above relevant legislation, the application number and the objector's erf and phone numbers and address. Any objections received after aforementioned closing date may be considered invalid.

Applicant: J H Van Heerden

Application number: 178272

Address: Clarendon Street, Parow

Nature of Application:

The application entails:

- Rezoning from Local Business to General Residential to permit the construction of a 3 and 4 storey block of flats; 41 flats are proposed.
- Various Regulation Departures
- Increase in the permissible Coverage from 33.3% to 39.45%
- Increase of the allowable Bulk from 0.75 to 1.0
- Relaxation of the lateral building line from 5.9m to 4.5m
- To reduce the parking requirement from 51 to 46 parking bays
- Relaxation of the street building line from 7.5m to 6.2m (Clarendon Street)
- Relaxation of the street building line from 7.5m to 6.2m (Koegelenberg Street)

ACHMAT EBRAHIM, CITY MANAGER

29 May 2009 5303

CITY OF CAPE TOWN
ISIXEKO SASEKAPA
STAD KAAPSTAD

SUIDSKIEREILAND STREEK

SLUITING VAN 'N GEDEELTE VAN ERF 36915 MITCHELLS
PLAIN AANGRENSENDE ERF 44002

Kennis geskied hiermee kragtens Artikel 6(1) van die Verordening met Betrekking tot die Bestuur en Administrasie van die Stad Kaapstad se Onroerende Eiendom dat die Stad Kaapstad 'n gedeelte van Erf 36915 Mitchells Plain aangrensende Erf 44002, wat op Skets DRA17/08 met die letters ABCDEFGH aangetoon word, gesluit het.

Die sluiting is van krag van die datum van publikasie van hierdie kennisgewing (LG. verw. S/22/39/126 vi p66).

Stad Kaapstad: Suidskiereiland Streek
Victoriaweg 3
Plumstead

ACHMAT EBRAHIM, STADSBESTUURDER

(514/3/4/3/682/22/36915) 29 Mei 2009 5302

STAD KAAPSTAD (TYGERBERG-STREEK)

HERSONERING EN VERSKILLENDE REGULASIEAFWYKINGS

- Erf 11237, Parow

Kennisgewing geskied hiermee ingevolge die Ordonnansie op Grondgebruikbeplanning, nr. 15 van 1985, dat onderstaande aansoek ontvang is en ter insae beskikbaar is by die kantoor van die distriksbestuurder, beplanning en bou-ontwikkelingsbestuur, 3e Verdieping, Munisipale Kantore, Voortrekkerweg, Parow. Navrae kan gerig word aan me. B Abay, Privaat Sak X4, Parow 7499, e-posadres: Bisrat.Abay@capetown.gov.za, tel (021) 938-8435 en faksnr. (021) 938-8509, weksdae gedurende 08:00-14:30. Enige besware, met volledige redes daarvoor, moet voor of op 30 Junie 2009 skriftelik aan die kantoor van die bogenoemde distriksbestuurder, gerig word, met vermelding van bogenoemde toepaslike wetgewing, die aansoeknommer en die beswaarmaker se erf- en telefoonnommer/s en adres. Enige besware wat na voormelde sluitingsdatum ontvang word, kan dalk ongeldig geag word.

Aansoeker: J H Van Heerden

Aansoeknr: 178272

Adres: Clarendonstraat, Parow

Aard van aansoek:

Die aansoek behels.

- Hersonering van plaaslike sakesone na algemeenresidensieel om die konstruksie van 'n 3- en 4-verdiepingblok woonstelle toe te laat; 41 woonstelle word in die vooruitsig gestel
- Verskillende regulasieafwykings
- Verhoging van die toelaatbare dekking van 33.3% tot 39.45%
- Verhoging van die toelaatbare massafaktor van 0.75 tot 1.0
- Verslapping van die syboulyn van 5.9m tot 4.5m
- Vermindering van die parkeeringsvereiste van 51 parkeerplekke tot 46
- Verslapping van die straatboulyn van 7.5m tot 6.2m (Clarendonstraat)
- Verslapping van die straatboulyn van 7.5m tot 6.2m (Koegelenbergstraat)

ACHMAT EBRAHIM, STADSBESTUURDER

29 Mei 2009 5303

CITY OF CAPE TOWN (TYGERBERG REGION)

REZONING, SUBDIVISION AND STREET NAMING

- Erven: 14102, 10114, 14116, 14118, 14120, 14121, Bellville South

Notice is hereby given in terms of Sections 17 and 24 of the Land Use Planning Ordinance 1985 (No 15 of 1985) that the undermentioned application has been received and is open to inspection at the office of the District Manager at 3rd Floor, Municipal Offices, Voortrekker Road, Parow. Enquiries may be directed to Ms S van Gend, Private Bag X4, Parow, 7499, suna.vangend@capetown.gov.za, tel (021) 938-8265 and fax (021) 938-8509 week days during 08:00-14:30. Any objections, with full reasons therefor, may be lodged in writing at the office of the above-mentioned District Manager on or before 29 June 2009, quoting the above relevant legislation, the application number and the objector's erf and phone numbers and address. Any objections received after aforementioned closing date may be considered invalid.

Applicant: Emile Van Der Merwe – EvdM Town Planning.

Application number: 174238

Address: Athlone School for the Blind, Peter Barlow, Bellville-South.

Nature of Application: Rezoning from Educational and Single Residential to Subdivisional Area. A simultaneous application is made for the subdivision of the property into sixty nine (69) Light Industrial erven, one (1) service station, 3 Public Open Spaces and the remainder private road.

The proposed development will take place in 3 phases. Only phase 1 will currently be developed and comprises of 26 Light Industrial erven, one Service Station site, 1 public Open Space, a Substation (portion of erf 17) and the remainder private road.

Application is also made in terms of Council's Policy for Street naming and numbering, for approval of the street name of Techno Drive.

ACHMAT EBRAHIM, CITY MANAGER

29 May 2009

5304

CITY OF CAPE TOWN (TYGERBERG REGION)

REZONING, REGULATION DEPARTURE AND SITE DEVELOPMENT PLAN

- Erven 13522 and 13540, 118 Dingle Street and 18 Van Riebeeck Street, Goodwood

Notice is hereby given in terms of the Land Use Planning Ordinance, 1985 (No 15 of 1985) that the undermentioned application has been received and is open to inspection at the office of the District Manager, City of Cape Town 3rd Floor, Municipal Offices, Voortrekker Road, Parow. Enquiries may be directed to Mr D Stevens, tel (021) 938-8207 and fax (021) 938-8509 during 08:00-14:30. Objections, with full reasons therefor, must be lodged in writing at the office of the above-mentioned District Manager on or before 29 June 2009, quoting the above relevant legislation and the objector's erf and phone numbers and address. Any objections received after the above-mentioned closing date may be considered to be invalid.

Applicant: Gary Tomlinson – Level 7 Planning Services

Application no: 174896

Ref No: T/W 18/61/270

Address: 118 Dingle Street and 18 Van Riebeeck Street, Goodwood

STAD KAAPSTAD (TYGERBERG-STREEK)

HERSONERING, ONDERVERDELING EN STRAATNAME

- Erwe: 14102, 10114, 14116, 14118, 14120, 14121, Bellville-Suid

Kennisgewing geskied hiermee ingevolge artikels 17 and 24 van die Ordonnansie op Grondgebruikbeplanning, nr. 15 van 1985, dat onderstaande aansoek ontvang is en ter insae beskikbaar is by die kantoor van die distriksbestuurder, 3e Verdieping, Munisipale Kantore, Voortrekkerweg, Parow. Navrae kan gerig word aan me. Suna van Gend, Privaat Sak X4, Parow 7499, tel (021) 938-8265 en faksnr. (021) 938-8509, e-posadres suna.vangend@capetown.gov.za, weksdae gedurende 08:00 tot 14:30. Enige besware, met volledige redes daarvoor, moet voor of op 29 Junie 2009 skriftelik aan die kantoor van bogenoemde distriksbestuurder gerig word, met vermelding van bogenoemde toepaslike wetgewing, die aansoeknommer en die beswaarmaker se erf- en telefoonnommer en adres. Enige besware wat na voormelde sluitingsdatum ontvang word, kan dalk ongeldig geag word.

Aansoeker: Emile Van Der Merwe – EvdM Stadsbeplanning

Aansoeknr: 174238

Adres: Athlone Skool vir Blindes, Peter Barlow, Bellville-Suid

Aard van aansoek: Hersonering van opvoedkundig en enkel-residensiële na onderverdelingsgebied. Daar word tegelykertyd aansoek gedoen om die onderverdeling van die eiendom in nege-en-sestig (69) lig-industriële erwe, een (1) diensstasie, 3 openbare oop ruimtes en die Restant 'n privaat pad.

Die voorgestelde ontwikkeling sal in 3 fases plaasvind. Slegs fase 1 gaan tans ontwikkel word en bestaan uit 26 lig-industriële erwe, een diensstasieperseel, 1 openbare oop ruimte, 'n substasie (gedeelte van erf 17) en die Restant 'n privaat pad.

Daar word ook ingevolge die raad se beleid oor straatname en -nommers aansoek gedoen om goedkeuring van die straatnaam Technorylaan.

ACHMAT EBRAHIM, STADSBESTUURDER

29 Mei 2009

5304

STAD KAAPSTAD (TYGERBERG-STREEK)

HERSONERING, REGULASIEAFWYKING EN TERREINONTWIKKELINGSPLAN

- Erwe 13522 en 13540, Dinglestraat 118 en Van Riebeeckstraat 18, Goodwood

Kennisgewing geskied hiermee ingevolge die Ordonnansie op Grondgebruikbeplanning, nr. 15 van 1985, dat onderstaande aansoek ontvang is en ter insae beskikbaar is by die kantoor van die distriksbestuurder, Stad Kaapstad, 3e Verdieping, Munisipale Kantore, Voortrekkerweg, Parow. Navrae kan gerig word aan mnr. D Stevens, tel (021) 938-8207 en faksnr. (021) 938-8509, weksdae gedurende 08:00 tot 14:30. Enige besware, met volledige redes daarvoor, moet voor of op 29 Junie 2009 skriftelik aan die kantoor van bogenoemde distriksbestuurder gerig word, met vermelding van bogenoemde toepaslike wetgewing, die aansoeknommer en die beswaarmaker se erf- en telefoonnommer en adres. Enige besware wat na voormelde sluitingsdatum ontvang word, kan dalk ongeldig geag word.

Aansoeker: Gary Tomlinson – Level 7 Planning Services

Aansoeknr: 174896

Verwysingsnr.: T/W 18/61/270

Adres: Dinglestraat 118 en Van Riebeeckstraat 18, Goodwood

Nature of Application:

The application entails the rezoning and consolidation from Single- to General Residential, bulk zone 1 and the relaxation of the following building lines:

- street 7.5m to 5.0m (van Riebeeck) – block of flats;
- street 7.5m to 4.5m (Dingle) – block of flats;
- street 7.5m to 2.59m (van Riebeeck) – refuse room;
- lateral 4.5m to 2.15m – block of flats;
- lateral 4.5m to 0m – refuse room;

to permit the construction of a 3 storey block of flats.

ACHMAT EBRAHIM, CITY MANAGER

29 May 2009

5305

DRAKENSTEIN MUNICIPALITY

APPLICATION FOR REZONING: FARM 1482/5, PAARL DIVISION

Notice is hereby given in terms of Section 17(2)(a) of the Land Use Planning Ordinance, 1985 (Ord 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 Services, Administrative Offices, Berg River Boulevard, Paarl Tel: (021) 807-6226:

Property: Farm 1482/5, Paarl Division

Applicant: Louis Hugo Town and Regional Planners

Owners: J Van Jaarsveld and M Van Jaarsveld

Locality: Located ±5km east of Paarl. The farm is divided into two portions by the N1 road reserve.

Extent: ±10.9ha

Zonings: Agricultural Zone I

Existing Use: Fruit orchard and Agricultural buildings

Proposal: Rezoning of a Portion (±500m²) of the south eastern portion of Farm 1482/5, Paarl Division from Agricultural Zone I to Agricultural Zone II for the purpose of a mineral water bottling building.

Motivated objection to the above can be lodged in writing to the Municipal Manager, Drakenstein Municipality, PO Box 1, Paarl, 7622 by not later than Monday, 29 June 2009. 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.

DR S T KABANYANE, MUNICIPAL MANAGER

29 May 2009

5306

OVERSTRAND MUNICIPALITY

HERMANUS ADMINISTRATION

CLOSING OF PORTION OF STEMMET STREET AND ROAD ADJOINING ERF 857 HERMANUS

Notice is hereby given in terms of section 137(1) of Ordinance 20 of 1974 that portions of Public Street adjoining Erf 857, Hermanus has been closed. (S.G. Reference S/2479/69 v1 p141).

Enquiries: Mr R Kuchar, 028 313 8087.

W ZYBRANDS, MUNICIPAL MANAGER, Municipal Offices, HERMANUS

Notice no. 31/2009 29 May 2009

5312

Aard van aansoek:

Die aansoek behels die hersonering en konsolidasie van enkel- na algemeenresidensieel, massasone 1, en die verslapping van die volgende boulyne:

- straatboulyn 7.5m tot 5.0m (Van Riebeeck) – blok woonstelle;
- straatboulyn 7.5m tot 5.0m (Dingle) – blok woonstelle;
- straatboulyn 7.5m tot 2.59m (van Riebeeck) – vulliskamer;
- syboulyn 4.5m tot 2.15m – blok woonstelle;
- syboulyn 4.5m tot 0m – vulliskamer;

om die konstruksie van 'n 3-verdiepingblok woonstelle toe te laat.

ACHMAT EBRAHIM, STADSBESTUURDER

29 Mei 2009

5305

DRAKENSTEIN MUNISIPALITEIT

AANSOEK OM HERSONERING: PLAAS 1482/5, PAARL AFDELING:

Kennis geskied hiermee ingevolge Artikel 17(2)(a) van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ord 15 van 1985) dat 'n aansoek soos hieronder uiteengesit ontvang is en gedurende normale kantoorure ter insae is by die Hoof: Beplanningsdienste, Administratiewe Kantore, Bergrivier Boulevard, Paarl Tel: (021) 807-6226)

Eiendom: Plaas 1482/5, Paarl Afdeling

Aansoeker: Louis Hugo Stads- en Streekbeplanner

Eienaars: J Van Jaarsveld en M Van Jaarsveld

Ligging: Geleë ±5km oos van Paarl. Die Plaas word deur die N1 padreserwe geskei in twee gedeeltes.

Grootte: ±10.9ha

Sonering: Landbousone I

Voorstel: Hersonering van Gedeelte (±500m²) van die suid-oostelike gedeelte van Plaas 1482/5, Paarl Afdeling vanaf Landbousone I na Landbousone II vir the doeleindes van 'n minerale waterbottelingsgebou.

Gemotiveerde besware teen bogemelde kan skriftelik gerig word aan die Munisipale Bestuurder, Drakenstein Munisipaliteit, Posbus 1, Paarl, 7622, teen nie later nie as Maandag, 29 Junie 2009.

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

DR S T KABANYANE, MUNISIPALE BESTUURDER

29 May 2009

5306

OVERSTRAND MUNISIPALITEIT

HERMANUS ADMINISTRASIE

SLUITING VAN GEDEELTES VAN STEMMETSTRAAT EN PAD AANGRENSEND ERF 857 HERMANUS

Kennis geskied hiermee ingevolge artikel 137(1) van Ordonnansie 20 van 1974 dat gedeeltes Publieke Straat aangrensend Erf 857, Hermanus gesluit is. (L.G. Verwysing S/2479/69 v1 p141).

Navrae: Mnr. R Kuchar (028) 313 8087.

W ZYBRANDS, MUNISIPALE BESTUURDER, Munisipale Kantore, Hermanus

Kennisgewing nr. 31/2009 29 Mei 2009

5312

GEORGE MUNICIPALITY

NOTICE NO: 069/2009

PROPOSED SUBDIVISION AND REZONING: ERF 24845, BLUE MOUNTAIN, GEORGE

Notice is hereby given that Council has received the following application on the abovementioned property:

1. Subdivision in terms of Section 24(2) of Ordinance 15 of 1985 into a Portion A (3075m²) and Remainder;
2. Rezoning of Portion A in terms of Section 17(2)a of Ordinance 15 of 1985 from SPECIAL ZONE (utility use) to BUSINESS ZONE III (limited to a height of 3 storeys).
3. Rezoning of the existing 13m service access servitude, access control point and security building in terms of Section 17(2)a of Ordinance 15 of 1985 from SPECIAL ZONE (utility use) to TRANSPORT ZONE II (private road and related uses).

Details of the proposal are available for inspection at the Council's office, Civic Centre, 5th Floor, York Street, George, during normal office hours, Monday to Friday. Enquiries: Keith Meyer, Reference: Kraaibosch 195/2 & 71.

Motivated objections, if any, must be lodged in writing with the Deputy Senior Manager: Planning, by not later than Monday, 29 June 2009. Please take note that no objections by e-mail will be accepted.

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

CM Africa, Municipal Manager, Civic Centre, York Street, GEORGE 6530

Tel: (044) 801-9435, Fax: 086 529 9985

29 May 2009

5307

OVERSTRAND MUNICIPALITY
(Hangklip-Kleinmond Administration)APPLICATION FOR A DEPARTURE OF LAND USE
RESTRICTION AND CONSENT USE: ERF 434,
PRINGLE BAY

Notice is hereby given in terms of section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985), read with paragraph 4.7 of the Scheme Regulations made in terms of Section 8 of the above-mentioned Ordinance that the following applications have been received in respect of Erf 434, c/o Peak Road and Crescent, Pringle Bay:

1. An application for a Departure in order to blend honey and alcohol to produce liqueur; and
2. an application for a Consent Use in order to permit the sale of honey liqueur on the premises.

Provision will also be made for the tasting of the product.

Further details are available for inspection during office hours at the Municipal offices, 37 Fifth Avenue, Kleinmond. (Enquiries: P Bezuidenhout, tel (028) 271-8407, fax (028) 271-8428, e-mail fbezuidenhout@overstrand.gov.za). Any objections, with full reasons therefor, should be lodged in writing with the Municipal Manager, Private Bag X3, Kleinmond, 7195, before or on 29 June 2009.

In addition, notice is also hereby given in terms of section 21(4) of the Local Government Act: Municipal Systems, 2000 (Act 32 of 2000) that persons who cannot write may approach the above-mentioned offices, during office hours, where they will be assisted to put their comments or objections in writing.

W Zybrands, Municipal Manager

Notice no 027-2009 29 May 2009

5311

MUNISIPALITEIT GEORGE

KENNISGEWING NR: 069/2009

VOORGESTELDE ONDERVERDELING EN HERSONERING: ERF 24845, BLUE MOUNTAIN, GEORGE

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

1. Onderverdeling in terme van Artikel 24(2) van Ordonnansie 15 van 1985 in 'n Gedeelte A (3075m²) en Restant;
2. Hersonerig van Gedeelte A in terme van Artikel 17(2)(a) van Ordonnansie 15 van 1985 vanaf SPESIALE SONE (utiliteitsgebruik) na SAKESONE III (beperk tot 'n hoogte van 3 verdiepinge).
3. Hersonerig van die bestaande 13m dienstoegangsgerwuit, ingangsbeheerpunt en sekuriteitsgebou in terme van Artikel 17(2)(a) van Ordonnansie 15 van 1985 vanaf SPESIALE SONE (utiliteitsgebruik) na VERVOERSONE II (privaatstraat en verwante gebruik).

Volledige besonderhede van die voorstel sal gedurende gewone kantoorure, Maandag tot Vrydag, ter insae beskikbaar wees by die Raad se kantoor, Burgersentrum, 5de Vloer, Yorkstraat, George. Navrae: Keith Meyer, Verwysing: Kraaibosch 195/2 & 71.

Gemotiveerde besware, indien enige, moet skriftelik by die Adjunk Senior Bestuurder: Beplanning ingedien word nie later nie as Maandag, 29 Junie 2009. Let asseblief daarop dat geen e-pos besware aanvaar word nie.

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

CM Africa, Munisipale Bestuurder, Burgersentrum Yorkstraat, GEORGE 6530

Tel: (044) 801-9435, Faks: 086 529 9985

29 Mei 2009

5307

OVERSTRAND MUNISIPALITEIT
(Hangklip-Kleinmond Administrasie)AANSOEK OM AFWYKING VAN GROND
GEBRUIKBEPERKING EN VERGUNNINGSGEBRUIK: ERF 434,
PRINGLEBAAI

Kennis geskied hiermee, ingevolge artikel 15 van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie 15 van 1985), saamgelees met paragraaf 4.7 van die Skemaregulasies wat ingevolge Artikel 8 van genoemde Ordonnansie gemaak is dat die volgende aansoek ten opsigte van Erf 434, h/v Peakweg en Singel, Pringlebaai ontvang is:

1. 'n aansoek om Afwyking ten einde heuning met alkohol te vermeng om 'n likeur daar te stel; en
2. 'n aansoek om vergunningsgebruik ten einde heuninglikeur op die perseel te verkoop.

Voorsiening word ook gemaak dat die produk geproe kan word.

Nadere besonderhede lê ter insae by die Munisipale kantore, Vyfdelaan 37, Kleinmond, gedurende kantoorure. (Navrae: P Bezuidenhout, tel (028) 271-8407, faks (028) 271-8428, e-pos fbezuidenhout@overstrand.gov.za). Enige besware met volledige redes daarvoor, moet skriftelik by die Munisipale Bestuurder voor of op 29 Junie 2009 ingedien word.

Kennis geskied verder ingevolge artikel 21(4) van die Wet op Plaaslike Regering: Munisipale Stelsels, 2000 (Wet 32 van 2000) dat persone wat nie kan skryf nie bogenoemde kantore, tydens kantoorure, kan nader waar hulle gehelp sal word om hul kommentaar of vertoë op skrif te stel.

W Zybrands, Munisipale Bestuurder

Kennisgewing nr 027-2009 29 Mei 2009

5311

KNYSNA MUNICIPALITY

LAND USE PLANNING ORDINANCE, 1985 (ORDINANCE NO. 15 OF 1985)

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

PROPOSED SUBDIVISION AND DEPARTURE: ERF 735 & 4649 KNYSNA (KNYSNA PUBLIC LIBRARY, MEMORIAL SQUARE)

Notice is hereby given in terms of the Land Use Planning Ordinance 1985 (Ordinance No. 15 of 1985) that the under-mentioned application has been received by the Municipal Manager and is open for inspection at the Municipal Town Planning Offices, 11 Pitt Street, Knysna Tel (044) 302-1605; Fax (044) 302-6338. Any objections, with full reasons therefor, should be lodged in writing to the Municipal Manager, PO Box 21, Knysna, 6570 on or before Monday, 22 June 2009 quoting the above Ordinance and the 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 who will assist you in putting your comments or objections in writing.

Objections will not be accepted via e-mail.

Nature of Application:

- The rezoning of Erven 4649 Knysna in terms of Section 17 of the said Ordinance, from "Institutional Zone" to "Educational Zone" to allow the existing Public Library and planned extensions;
- Departure from the Knysna Zoning Scheme in terms of Section 15 of the said Ordinance to allow the relaxation of the building lines applicable to Erven 735 and 4649 from 8m to 0m to accommodate the current building and proposed additions;
- Departure from the Knysna Zoning Scheme in terms of Section 15 of the said Ordinance, 1985 to allow the relaxation of the floor factor applicable to Erven 735 and 4649 from 1 to 1.08 to accommodate current buildings and proposed additions;
- Departure from the Knysna Zoning Scheme in terms of Section 15 of the said Ordinance to allow a height relaxation from 8m to 12m to accommodate two additional storeys.

Applicant: VPM Planning CC, Knysna Municipality

29 May 2009

5309

OVERSTRAND MUNICIPALITY
(Hangklip-Kleinmond Administration)

CONFIRMATION OF ZONING: PORTION 134 OF THE FARM HANGKLIP NO 559

Notice is hereby given in terms of section 14 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) that Council intends to confirm the zoning of Portion 134 of the Farm Hangklip No 559 as Open Space Zone III (nature reserve).

Further details are available for inspection during office hours at the Municipal offices, 37 Fifth Avenue, Kleinmond. (Enquiries: P Bezuidenhout, tel (028) 271-8407, fax (028) 271-8428, e-mail fbezuidenhout@overstrand.gov.za). Any comments should be lodged in writing with the Municipal Manager, Private Bag X3, Kleinmond, 7195, before or on 29 June 2009.

In addition, notice is also hereby given in terms of section 21(4) of the Local Government Act: Municipal Systems, 2000 (Act 32 of 2000) that persons who cannot write may approach the above-mentioned offices, during office hours, where they will be assisted to put their comments or objections in writing.

W Zybrands, Municipal Manager

Notice no 028-2009 29 May 2009

5310

KNYSNA MUNISIPALITEIT

ORDONNANSIE OP GRONDGEBRUIKBEPLANNING, 1985 (ORDONNANSIE NR. 15 VAN 1985)

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

VOORGESTELDE ONDERVERDELING EN AFWYKING: ERF 735 en 4649 KNYSNA (KNYSNA BIBLIOTEEK, MEMORIAL SQUARE)

Kennis geskied hiermee ingevolge die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie Nr. 15 van 1985) dat die onderstaande aansoek deur die Munisipale Bestuurder ontvang is en ter insae lê by die Munisipale Stadsbeplanning Kantore, Pittstraat 11, Knysna Tel: (044) 302-1605; Faks: (044) 302-6338). Enige besware met volledige redes daarvoor, moet skriftelik by die Munisipale Bestuurder, Posbus 21, Knysna, 6570 ingedien word op of voor Vrydag 12 Junie 2009 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 hiermee verder kennis gegee 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.

Besware word nie per e-pos aanvaar nie.

Aard van Aansoek:

- Hersonerings van Erf 4649 Knysna van "Institusionele Sone" na "Onderrig Sone" ingevolge Artikel 17 van die bogenoemde Ordonnansie;
- Afwyking van die Knysna Sonering Skema ingevolge Artikel 15 van die bogenoemde Ordonnansie, met betrekking tot die verslapping van boulyne van toepassing op Erwe 735 en 4649, van 8m na 0m om die bestaande gebou en voorgestelde verbeterings te akkomodeer.

Aansoeker: VPM Planning CC, Knysna Munisipaliteit

29 Mei 2009

5309

OVERSTRAND MUNISIPALITEIT
(Hangklip-Kleinmond Administrasie)

BEVESTIGING VAN SONERING: GEDEELTE 134 VAN DIE PLAASHANGKLIP NR 559

Kennis geskied hiermee ingevolge artikel 14 van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie 15 van 1985), dat die Raad van voorneme is om die sonering van Gedeelte 134 van die Plaas Hangklip Nr 559, as Oopruimtesone III (natuureservaat) te bevestig.

Nadere besonderhede lê ter insae by die Munisipale kantoor, Vyfdelaan 37, Kleinmond, gedurende kantoorure. (Navrae: P Bezuidenhout, tel (028) 271-8407, faks (028) 271-8428, e-pos fbezuidenhout@overstrand.gov.za). Enige kommentaar moet skriftelik by die Munisipale Bestuurder, Privaatsak X3, Kleinmond, 7195, voor of op 29 Junie 2009 ingedien word.

Kennis geskied verder ingevolge artikel 21(4) van die Wet op Plaaslike Regering: Munisipale Stelsels, 2000 (Wet 32 van 2000) dat persone wat nie kan skryf nie bogenoemde kantore, tydens kantoorure, kan nader waar hulle gehelp sal word om hul kommentaar of vertoë op skrif te stel.

W Zybrands, Munisipale Bestuurder

Kennisgewing nr 028-2009 29 Mei 2009

5310

SWARTLAND MUNICIPALITY

NOTICE 128/08/09

PROPOSED REZONING AND CONSENT USE OF THE FARM
WELTEVREDEN NO 869, DIVISION
MALMESBURY

Notice is hereby given in terms of Section 17(1) of Ordinance 15 of 1985 that an application has been received for the rezoning of the Farm Weltevreden No. 869 (in extent 317, 5332ha) situated south-east of Malmesbury from Agricultural zone I to Residential zone V in order to conduct a guesthouse ($\pm 520\text{m}^2$ with 6 rooms and two self-catering unit cottages ($\pm 200\text{m}^2$).

Application is also made for a consent use in terms of Section 4.7 of the Section 8 Zoning Scheme Regulations of Ordinance 15 of 1985 for tourist facility ($\pm 684\text{m}^2$) consisting of an amphitheatre for small conferences and wedding receptions.

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

Any comments whether an objection or support, may be lodged in writing with the undersigned not later than 29 June 2009 at 17:00.

JJ SCHOLTZ, Municipal Manager, Municipal Office, Private Bag X52, MALMESBURY 7299

29 May 2009

5313

SWARTLAND MUNICIPALITY

NOTICE 131/08/09

1. PROPOSED REZONING OF ERF 1754, MALMESBURY
2. PROPOSED LEASE OF MUNICIPAL PROPERTY (ERF 1754) MALMESBURY

Notice is hereby given in terms of Section 17(1) of Ordinance 15 of 1985 that it is the intention of Council to rezone a portion ($\pm 2772\text{m}^2$) of Erf 1754 (5958m^2 in extent) situated c/o Jakaranda, Heide Street and Eike Avenue, Malmesbury from public place to general residential zone for educational rights.

Application is also made for special consent from Council in terms of paragraph 6.1 of the Malmesbury Zoning Scheme Regulations for an insitution limited to charity purposes.

It is further the intention in terms of Clause 4(3)(a) of Council's by-law relating to the Management and Administration of Immovable Property (PK 6067 of 19 September 2003) to lease Erf 1754, Malmesbury to Elkana Child Care Centre to carry out their child care activities as well as for purposes to operate a vegetable garden.

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

Any comments whether an objection or support, may be lodged in writing with the undersigned not later than 29 June at 17:00.

JJ SCHOLTZ, Municipal Manager, Municipal Office, Private Bag X52, MALMESBURY 7299

29 May 2009

5314

SWARTLAND MUNISIPALITEIT

KENNISGEWING 128/08/09

VOORGESTELDE HERSONERING EN VERGUNNINGSGEBRUIK
VAN DIE PLAAS WELTEVREDEN NO. 869, AFDELING
MALMESBURY

Kennis geskied hiermee ingevolge Artikel 17(1) van Ordonnansie 15 van 1985 dat 'n aansoek ontvang is vir die hersonering van die Plaas Weltevreden nr. 869 (groot 317.533ha), geleë suid-oos van Malmesbury vanaf Landbousone I na Residensiële sone V ten einde 'n gastehuis ($\pm 520\text{m}^2$ met 6 kamers en twee selfsorgeenheid-kothuisse ($\pm 200\text{m}^2$) te kan bedryf.

Aansoek word ook gedoen vir 'n vergunningsgebruik ingevolge Artikel 4.7 van die Artikel 8 Soneringskema-regulasies van Ordonnansie 15 van 1985 vir 'n toeristefasiliteit ($\pm 684\text{m}^2$) bestaande uit 'n amfiteater ten einde klein konferensies en onthale vir troues te kan aanbied.

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

Enige kommentaar, hetsy beswaar of ondersteuning, kan skriftelik by die ondergetekende ingedien word nie later nie as 29 Junie 2009 om 17:00.

JJ SCHOLTZ, Munisipale Bestuurder, Munisipale Kantore, Privaatsak X52, MALMESBURY 7299

29 Mei 2009

5313

SWARTLAND MUNISIPALITEIT

KENNISGEWING 131/08/09

1. VOORGESTELDE HERSONERING VAN ERF 1754, MALMESBURY
2. VOORGESTELDE VERHURING VAN MUNISIPALE EIENDOM (ERF 1754) MALMESBURY

Kennis geskied hiermee ingevolge Artikel 17(1) van Ordonnansie 15 van 1985 dat die Raad van voorneme is om 'n gedeelte ($\pm 2772\text{m}^2$) van erf 1754 (groot 5958m^2) geleë h/v Jakaranda, Heidestraat en Eikelaan, Malmesbury te hersoneer vanaf openbare plek na algemene woonsone vir beperkte onderwysregte.

Aansoek word ook gedoen vir spesiale toestemming van die Raad ingevolge paragraaf 6.1 van die Malmesbury Soneringskema regulasies vir 'n inrigting beperk tot liefdadigheidsdoeleindes.

Dit is verder die voorneme in terme van Klousule 4(3)(a) van die Raad se verordening insake die Bestuur en Administrasie van Onroerende Eiendom (PK 6067 van 19 September 2003) om erf 1754, Malmesbury aan Elkana Kindersorg Sentrum te verhuur vir die uitvoering van hul kindersorg aktiwiteite asook vir doeleindes vir die bedryf van 'n groentetuin.

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

Enige kommentaar, hetsy beswaar of ondersteuning, kan skriftelik by die ondergetekende ingedien word nie later nie as 29 Junie 2009 om 17:00.

JJ SCHOLTZ, Munisipale Bestuurder, Munisipale Kantore, Privaatsak X52, MALMESBURY 7299

29 Mei 2009

5314

SWARTLAND MUNICIPALITY

NOTICE 130/08/09

PROPOSED CONSENT USE ON FARM DASDRIF NO. 945,
DIVISION MALMESBURY

Notice is hereby given in terms of paragraph 4.7 of the Section 8 Zoning Scheme Regulations of Ordinance 15 of 1985 that an application has been received for a consent use of farm Dasdrif no. 945 (in extent 214.9671ha) situated ±15km east of Moorreesburg for an intensive feed farming in order to erect 24 chicken sheds (±850m² per shed) with a total development area of ±14ha.

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

Any comments whether an objection or support, may be lodged in writing with the undersigned not later than 29 June at 17:00.

JJ SCHOLTZ, Municipal Manager, Municipal Office, Private Bag X52, MALMESBURY 7299

29 May 2009

5315

SWELLENDAM MUNICIPALITY

APPLICATION FOR DEPARTURE: ERF 748 BARRYDALE

Notice is hereby given in terms of Section 15 of the Land Use Planning Ordinance of 1985 (Ordinance 15 of 1985) that the Council has received an application from Mr Christoffel Jacobus Koppies for a departure in order to conduct a house (spaza) shop from Erf 748, Barrydale.

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 under mentioned on or before 29 June 2009. Persons who are unable to read and write will be assisted during office hours, at the Municipal Offices, Swellendam, to write down their objections.

WF Hendricks, MUNICIPAL MANAGER, Municipal Office, SWELLENDAM

Notice: 91/2009 29 May 2009

5316

THEEWATERSKLOOF MUNICIPALITY

APPLICATION FOR DEPARTURE: ERF 2356, CALEDON

Notice is hereby given in terms of Section 15(1)(a)(i) of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) that Council has received an application from Jean De Villiers for departure on Erf 2356, Caledon in order to enable the owner to encroach the building line for the extension of a garage.

Further particulars regarding the proposal are available for inspection at the Municipal Offices at Caledon during office hours from 29 May 2009 to 10 July 2009. Objections to the proposal, if any, must reach the undermentioned on or before 10 July 2009. Persons who are unable to write will be assisted during office hours, at the Municipal Offices, Caledon, to write down their objections.

S. WALLACE, MUNICIPAL MANAGER, Municipal Office, PO Box 24, CALEDON 7230

Reference number: C/2356

Notice number: KOR 45/2009 29 May 2009

5318

SWARTLAND MUNISIPALITEIT

KENNISGEWING 130/08/09

VOORGESTELDE VERGUNNINGSGEBRUIK OP RESTANT VAN
PLAAS DASDRIF NR. 945, AFDELING MALMESBURY

Kennis geskied hiermee ingevolge paragraaf 4.7 van die Artikel 8 Soneringskema-regulasies van Ordonnansie 15 van 1985 dat 'n aansoek ontvang is vir 'n vergunningsgebruik op restant van die Plaas Dasdrif nr. 945 (groot 214.9671ha) geleë ±15km oos van Moorreesburg vir 'n intensiewe voerboerdery ten einde 24 hoenderhokke (±850m² per hok) op te rig met 'n totale ontwikkelingsoppervlakte van ±14ha.

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

Enige kommentaar, hetsy beswaar of ondersteuning, kan skriftelik by die ondergetekende ingedien word nie later as 29 Junie 2009 om 17.00.

JJ SCHOLTZ, Munisipale Bestuurder, Munisipale Kantore, Privaatsak X52, MALMESBURY 7299

29 Mei 2009

5315

SWELLENDAM MUNISIPALITEIT

AANSOEK OM AFWYKING: ERF 748 BARRYDALE

Kennisgewing geskied hiermee ingevolge Artikel 15 van die Ordonnansie op Grondgebruikbeplanning 1985 (Nr 15 van 1985) dat die Raad 'n aansoek van Mnr Christoffel Jacobus Koppies ontvang het vir 'n afwyking ten einde 'n huiswinkel vanaf Erf 748, Barrydale te bedryf.

Verdere besonderhede van die voorstel lê gedurende kantoorure by die Munisipale kantoor, Swellendam, ter insae. Skriftelike besware teen die voorstel, indien enige, moet die ondergemelde bereik voor of op 29 Junie 2009. Persone wat nie kan lees en skryf nie, sal gedurende kantoorure by die Munisipale kantoor, Swellendam gehelp word om hulle besware neer te skryf.

WF Hendricks, MUNISIPALE BESTUURDER, Munisipale Kantoor, SWELLENDAM

Kennisgewing: 91/2009 29 Mei 2009

5316

THEEWATERSKLOOF MUNISIPALITEIT

AANSOEK OM AFWYKING: ERF 2356, CALEDON

Kennisgewing geskied hiermee ingevolge die bepalings van Artikel 15 (1)(a)(i) van die Ordonnansie op Grondgebruikbeplanning 1985 (Ordonnansie 15 van 1985) dat die Raad 'n aansoek van Jean De Villiers ontvang het vir afwyking van Erf 2356, Caledon ten einde die eienaar in staat te stel om die boulyn te oorskry vir die aanbouing van 'n motorhuis.

Verdere besonderhede van die voorstel lê gedurende kantoorure by die Munisipale kantoor, Caledon, ter insae vanaf 29 Mei 2009 tot 10 Julie 2009. Skriftelike besware teen die voorstel, indien enige, moet die ondergetekende voor of op 10 Julie 2009 bereik. Persone wat nie kan skryf nie, sal gedurende kantoorure by die Munisipale kantoor, Caledon gehelp word om hulle besware neer te skryf.

S. WALLACE, MUNISIPALE BESTUURDER, Munisipale Kantoor, Posbus 24, CALEDON 7230

Verwysingsnommer: C/2356

Kennisgewingsnommer: KOR 45/2009 29 Mei 2009

5318

THEEWATERSKLOOF MUNICIPALITY

APPLICATION FOR REZONING AND DEPARTURE ERF 3346,
CALEDON

Notice is hereby given in terms of Section 17 & 15(1)(a)(i) of the Land Use Planning Ordinance, 1985 (Ordinance no. 15 of 1985) that Council has received an application from Church of God for:

1. The rezoning of erf 3346, Caledon from Residential Zone I to Institutional Zone II in order to enable the owner to construct a house of worship.
2. The departure of the coverage, street building line and side building line.

Further particulars regarding the proposal are available for inspection at the Municipal office, Caledon during office hours from 29 May 2009 to 10 July 2009. Objections to the proposal, if any, must reach the undermentioned on or before 10 July 2009. Persons who are unable to write will be assisted during office hours, at the Municipal office, Caledon, to write down their objections.

S. Wallace, MUNICIPAL MANAGER, Municipal Office, PO Box 24, CALEDON 7230

Reference number: C/3346

Notice number: KOR 47/2009 29 May 2009 5319

THEEWATERSKLOOF MUNICIPALITY

APPLICATION FOR REZONING AND SUBDIVISION:
REMAINDER OF FARM JAGERS VLAKTE NO. 291 AND
PORTION 1 OF THE FARM JAGERS VLAKTE NO. 291,
CALEDON DISTRICT

Notice is hereby given in terms of the Ordinance, 1985 (Ordinance no. 15 of 1985) that Council has received an application from Town & Country Creative Land Solutions on behalf of Theewaterskloof Municipality (Grabouw) for:

1. The Rezoning of the Remainder and Portion 1 of the Farm Jagers Vlakke No. 291, Caledon District from Agricultural Zone to General Residential Zone in terms of section 17 of the Land Use Planning Ordinance, 1985 (Ordinance no 15 of 1985) in order to enable the owner to construct a place of instruction;
2. The Subdivision of Remainder and Portion 1 of the Farm Jagers Vlakke No. 291, Caledon District in terms of Section 24 of the Land Use Planning Ordinance, 1985 (Ordinance no. 15 of 1985) in order to enable the owner to subdivide the Remainder of Farm Jagers Vlakke No. 291, Caledon into two portions namely Portion A ± 1.035 ha and the Remainder ± 16.36 ha and Portion 1 of the Farm Jagers Vlakke No. 291 into two portions namely Portion B ± 6.37 ha and Remainder ± 16.73 ha.
3. The consolidation of Portion A & B to form one erf of ± 7.4 ha.

Further particulars regarding the proposal are available for inspection at the Municipal office, Caledon during office hours from 29 May 2009 to 10 July 2009. Objections to the proposal, if any, must reach the under mentioned on or before 10 July 2009. Persons who are unable to write will be assisted during office hours, at the Municipal office, Caledon, to write down their objections.

S. Wallace, MUNICIPAL MANAGER, Municipal Office, PO Box 24, CALEDON 7230

Reference number: L/357

Notice number: KOR 50/2009 29 May 2009 5320

THEEWATERSKLOOF MUNISIPALITEIT

AANSOEK OM HERSONERING EN AFWYKING ERF 3346,
CALEDON

Kennis geskied hiermee ingevolge Artikel 17 & 15(1)(a)(i) van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie nr. 15 van 1985) dat die Raad 'n aansoek van Kerk van God ontvang het vir:

1. Die hersonering van erf 3346, Caledon vanaf Residensiële Sone I na Institusionele Sone II ten einde die eienaar in staat te stel om 'n bedehuis op te rig.
2. Die afwyking van die dekking, straatboulyn en kantboulyn.

Verdere besonderhede van die voorstel lê gedurende kantoorure by die Caledon Munisipale kantoor, ter insae vanaf 29 Mei 2009 tot 10 Julie 2009. Skriftelike besware teen die voorstel, indien enige, moet die ondergemelde bereik voor of op 10 Julie 2009. Persone wat nie kan skryf nie, sal gedurende kantoorure by die Munisipale kantoor, Caledon gehelp word om hul besware neer te skryf.

S. Wallace, MUNISIPALE BESTUURDER, Munisipale Kantoor, Posbus 24, CALEDON 7230

Verwysingsnommer: C/3346

Kennisgewingsnommer: KOR 47/2009 29 Mei 2009 5319

THEEWATERSKLOOF MUNISIPALITEIT

AANSOEK OM HERSONERING EN ONDERVERDELING:
REstant VAN PLAAS JAGERS VLAKTE NR. 291 EN
GEDEELTE 1 VAN DIE PLAAS JAGERS VLAKTE NR. 291,
CALEDON DISTRIK

Kennis geskied hiermee in terme van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie nr. 15 van 1985) dat die Raad 'n aansoek ontvang het van Town & Country Creative Land Solutions namens Theewaterskloof Munisipaliteit (Grabouw) vir:

1. Die Hersonering van Restant en Gedeelte 1 van die Plaas Jagers Vlakke Nr. 291, Caledon Distrik van Landbou Sone na Algemene Residensiële Sone ingevolge Artikel 17 van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie nr. 15 van 1985) ten einde die eienaar in staat te stel om 'n onderrig plek op te rig;
2. Die Onderverdeling van Restant en Gedeelte 1 van die Plaas Jagers Vlakke Nr. 291, Caledon Distrik ingevolge Artikel 24 van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie nr. 15 van 1985) ten einde die eienaar in staat te stel om die Restant van Plaas Jagers Vlakke Nr. 291, Caledon in twee te deel naamlik Gedeelte A ± 1.035 ha en die Restant ± 16.36 ha en Gedeelte 1 van die Plaas Jagers Vlakke Nr. 291 in twee te deel naamlik Gedeelte B ± 6.37 ha en Restant ± 16.73 ha.
3. Die Konsolidasie van Gedeelte A & B om een erf te vorm van ± 7.4 ha.

Verdere besonderhede van die voorstel lê gedurende kantoorure by die Caledon Munisipale kantoor, ter insae vanaf 29 Mei 2009 tot 10 Julie 2009. Skriftelike besware teen die voorstel, indien enige, moet die ondergemelde bereik voor of op 10 Julie 2009. Persone wat nie kan skryf nie, sal gedurende kantoorure by die Munisipale kantoor, Caledon gehelp word om hul besware neer te skryf.

S. Wallace, MUNISIPALE BESTUURDER, Munisipale Kantoor, Posbus 24, CALEDON 7230

Verwysingsnommer: L/357

Kennisgewingsnommer: KOR 50/2009 29 Mei 2009 5320

**CENTRAL KAROO DISTRICT MUNICIPALITY
MUNICIPAL HEALTH BY-LAW**

Under the provisions of Section 156 of the Constitution of the Republic of South Africa, 1996 the Central Karoo District Municipality, enacts as follows:-

TABLE OF CONTENTS

1. Definitions
2. Principles and objectives

**CHAPTER 1
HEALTH NUISANCES**

3. Health nuisance
4. Prohibition on creation, existence or occurrence of Health nuisance
5. Duty to eliminate or reduce Health nuisance

**CHAPTER 2
KEEPING OF ANIMALS**

6. Application of Chapter
7. Keeping and slaughtering of animals
8. Carcasses
9. Distances

**CHAPTER 3
ANIMAL ESTABLISHMENTS
*Part 1 Dog kennels and Catteries***

10. Requirements relating to premises

Part 2: Pet shops and parlours

11. Requirements relating to premises

**CHAPTER 4
ACCOMMODATION ESTABLISHMENTS**

12. Application of Chapter
13. Preparation and serving of food
14. Premises

**CHAPTER 5
CHILD CARE FACILITIES**

15. Certificate of acceptability
16. Structural and other requirements

**CHAPTER 6
SWIMMING POOLS AND WATER RELATED RECREATIONAL
FACILITIES**

17. Duties of swimming pool- and water related recreational facility managers
18. Water supply
19. Safety of water

**CHAPTER 7
BARBERS, HAIRDRESSERS, BEAUTICIANS, BODY PIERCERS OR TATOOISTS**

20. Certificate of Acceptability
21. Health requirements
22. Requirements for premises

CHAPTER 8
WASTE MANAGEMENT

Part 1: General provisions regarding storage, recovery and disposal of waste

23. Storage, recovery and disposal of waste

Part 2: Hazardous Waste

24. Applicable legislation
25. Storage of hazardous waste

Part 3: Health care waste

26. Scope of application
27. Duties of generators transporters and disposers of health care waste
28. Storage of health care waste
29. Transport of health care waste
30. Disposal facility and incineration

CHAPTER 9
WATER AND SANITATION

31. Applicable legislation and enforcement
32. Duties and prohibitions

CHAPTER 10
DISPOSAL OF CORPSES AND DISTURBANCE OF MORTAL REMAINS

33. Disposal of corpses
34. Disturbance of mortal remains

CHAPTER 11
ENFORCEMENT

35. Environmental health practitioner
36. Notice of compliance and representations
37. Prohibition notice
38. Withdrawal of prohibition notice
39. Municipal remedial work
40. Costs
41. Norms, Standards and Guidelines

CHAPTER 12
MISCELLANEOUS PROVISIONS

42. Presumptions
43. Authentication and service of notices and other documents
44. Appeal
45. Penalties
46. Co-operation between municipalities and application
47. Liaison forums in community
48. Exemptions
49. Repeal of by-laws
50. Short title and commencement

1. Definitions

In this by-law unless the context otherwise indicates:-

“accommodation establishment” means a place in which accommodation is provided for gain, with or without meals;

“animal” means any equine, bovine, sheep, goat, pig, poultry, camel, dog, cat, or other domestic animal or any wild animal or reptile which is in captivity or under the control of a person;

“animal disease” means an impairment or disturbance of the normal function of any organ or the body of any animal that is caused by an organism or substance;

“animal waste” means the faeces, manure, droppings, shed hair, feathers, bones, horns, blood, skins and entrails or any other waste of an animal, reptile, bird or poultry and any marine or aquatic organism.

“approved” means approved by the municipality, with regard to the environmental health requirements of the particular case;

“aquatic fauna” means any aquatic living organism from aquatic resources, including any aquatic plant, whether piscine or not, and any mollusc, crustacean, reptile, aquatic mammal and bird and include their eggs, larvae and all juvenile stages;

“barber, hairdresser, beautician, body piercer or tattooist” means a person who carries on the business of barber, hairdresser, beautician, body piercer or tattooist in a salon or any other place, which business comprises any one or more of the following or similar services or activities, or a combination thereof, which are applied to the male or female human body:

- (a) cutting, shaving, singeing, shaping, shampooing, cleansing, conditioning, treating, chemical reformation (such as but not limited to permanent waving) relaxing, straightening and colouring (such as but not limited to tinting, dyeing, colouring, whether by permanent or temporary or semi-permanent means, and including the use of colour rinses, shampoos, gels or mousses, and lightening by means of tints, bleaches, highlights or high lifting tints or toners) of the hair on the human head;
- (b) other than by a process contemplated in paragraph (a), removing hair by means of, but not limited to, waxing, chemical compounds (such as but not limited to depilatories), electrical or mechanical means, whether or not heat or an appliance or apparatus is used in any of these activities;
- (c) treating hair by means of a trichological process or method;
- (d) adding to hair of natural or artificial hair by means of, but not limited to an extension, board work, or a wig;
- (e) shaping, shaving, plucking, treating or tinting an eyebrow or eyelashes or applying an artificial eyebrow or eyelashes;
- (f) skin care of the face, including but not limited to the application of cosmetics;
- (g) applying nail technology, such as but not limited to manicuring, pedicuring, or applying false nails or extensions;
- (h) piercing of the skin (**“body piercing”**) or tattooing;
- (i) massaging;
- (j) bronzing such as by means of, but not limited to, ultraviolet radiation; and
- (k) contouring, such as but not limited to, slimming.

“biodegradable industrial wastewater” means wastewater that contains predominantly organic waste arising from industrial activities and premises including–

- (a) milk processing;
- (b) manufacture of fruit and vegetable products;
- (c) sugar mills;
- (d) manufacture and bottling of soft drinks;
- (e) water bottling;
- (f) production of alcohol and alcoholic beverages in breweries, wineries or malt houses;
- (g) manufacture of animal feed from plant or animal products;
- (h) manufacture of gelatine and glue from hides, skin and bones;
- (i) abattoirs;
- (j) fish processing; and
- (k) feedlots;

“bird” means a pigeon, peafowl, pheasant, partridge, canary, budgerigar, parrot, ostrich and any other domesticated bird or wild bird kept in captivity;

“building, structure or enclosure” means a building, structure or enclosure such as, but not limited to, a stable, shed, dove-cote, kennel, pen, sty, camp, kraal, cow-shed, lean-to, room, tent, vehicle, stream, dam, pool, pan, drain, or ditch (open, covered, or enclosed) erected or constructed in or upon land or premises and which is used in connection with the keeping of an animal by an owner of an animal or owner or user of land;

“category B municipality” means a municipality as contemplated in section 155(1)(b) of the Constitution;

“cattery” means an accommodation establishment which, for gain, caters for the boarding of cats;

“cemetery” means a land or part of a land within the municipal area set aside as a cemetery;

“child care facility or institution” means any undertaking or institution, whether for profit or otherwise, involving the custody, care or tuition or any combination of these functions, during the whole or part of the day on all or any of the days of the week of children, or the building or the premises maintained or used for the purpose of conducting such undertaking or institution thereon as the case may be;

“communicable disease” means a disease resulting from an infection due to pathogenic or toxic agents generated by the infection, following the direct or indirect transmission of the agents from the source to the host;

“Council” means the Central Karoo District Municipal Council;

“crematorium” means a crematorium as defined in section 1 of the Crematorium Ordinance, 1965 (Ordinance No 18 of 1965) and includes the buildings in which a ceremony is conducted and the cremation carried out;

“dog kennel” means an accommodation establishment which, for gain, caters for the accommodation of dogs;

“domestic wastewater” means wastewater arising from domestic and commercial activities and premises, and may contain any form of sewage;

“environment” means the surroundings within which humans exist made up of –

- (a) the land, water and atmosphere of the earth;
- (b) micro-organisms, plant and animal life;
- (c) any part or combination of (a) and (b) and the interrelationships among and between them; and
- (d) the physical, chemical, aesthetic and cultural properties and conditions of the foregoing that influence human health and well-being;

“environmental health practitioner” means a person appointed under section 35;

“hazardous waste” means waste that has the potential, even in low concentrations, to have an adverse effect on the environment and environmental health because of its inherent toxicological, chemical or physical characteristics;

“health care waste” means waste generated by a hospital, clinic, nursing home, doctor’s offices, medical laboratory, research facility, dental practitioner, medical practitioner, traditional healer, traditional surgeon and veterinarian or any other place where health care waste are generated and which are infectious or potentially infectious, and includes –

- (a) microbial wastes including wastes including cultures and stocks of infectious wastes and associated biologicals that can cause disease in humans;
- (b) human blood and blood products, including serum, plasma and other blood components;
- (c) pathological wastes of human origin, including tissues, organs and body parts removed during surgery or autopsy;
- (d) contaminated animal wastes including animal carcasses, body parts and bedding which have been exposed to infectious agents during medical research, pharmaceutical testing or production of biologicals;
- (e) isolation wastes associated with animals or human beings known to be infected with highly communicable diseases; and
- (f) contaminated and uncontaminated sharps, including clinical items which can cause a cut or puncture or injection, such as needles, syringes, blades and microscope slides;
- (g) used medical equipment and other medical material which is capable or is reasonably likely to be capable of causing or spreading disease or causing or spreading infection, such as used surgical dressings, swabs, blood bags, laboratory waste, blood collection tubes, colostomy- and other catheter-bags, gloves, drip bags, administration dines and tongue depressors.
- (h) pharmaceutical products which has become outdated or contaminated or have been stored improperly or are no longer required such as human and animal vaccines, medicine and drugs;
- (i) genotoxic chemical waste and radio isotopes from experimental or diagnostic work or any other source.

“Health nuisance” means an occurrence specified in section 3(1)&(2);

“irrigation” means the application of wastewater to recreational grounds and for the purpose of crop production and the cultivation of pasture ;

“municipality” means the Central Karoo District Municipality established in terms of Section 12 of the Municipal Structures Act, 117 of 1998, Provincial Notice 492 dated 22 September 2000 and includes any political structure, political office bearer, councillor, duly authorised agent thereof or any employee thereof acting in connection with this by-law by virtue of a power vested in the municipality and delegated or sub-delegated to such political structure, political office bearer, councillor, agent or employee;

“occupier” means any person who occupies any premises or part thereof without regard to the title under which he or she occupies, and includes –

- (a) any person in actual occupation of those premises;
- (b) any person legally entitled to occupy those premises;
- (c) in the case of those premises being subdivided and let to lodgers or various tenants, the person receiving the rent payable by such lodgers or tenants whether on the person’s own account or as agent for any person entitled thereto or interested therein;
- (d) any person having the charge or management of those premises, and includes the agent of any such person when the person is absent from the Republic of South Africa or his or her whereabouts are unknown; and
- (e) the owner of those premises;

“owner”, in relation to–

- (a) animals or things, conveyances and other movable property, means the person in whom ownership is vested and includes a person who is responsible for the control or management thereof or a person who has such animal or thing, conveyance or movable property in his or her possession, but in the case of game or animals that are not branded in terms of the Animal Identification Act, 2002 (Act No 6 of 2002), or of which the ownership cannot readily be established, the user of the land on which such game or animals are present is deemed to be the owner; and
- (b) land –
 - (i) means the person in whose name that land is registered;
 - (ii) that has been purchased by a person but has not yet been registered in his or her name, means such purchaser;
 - (iii) that is subject to a usufruct, means the usufructuary;
 - (iv) of which the owner or purchaser is a minor, mentally disabled person, insolvent or is otherwise incompetent in law to administer his or her estate, or is deceased, or is a body corporate under judicial management or liquidation, means the agent or legal representative of such owner or purchaser or another person authorised by law to administer his or her affairs or, in the case of a body corporate, the judicial manager or liquidator concerned; and

(v) a category B municipality which is in control of land by virtue of the powers and functions allocated to it in terms of Schedules 4B and 5B of the Constitution;

“**person**” means a natural and legal person, including but not limited to an association of persons, a partnership, and a company;

“**pet parlour**” means an establishment where pets are groomed;

“**pet shop**” means an establishment where pets are kept for trading purposes;

“**poultry**” means a fowl such as a chicken, turkey, goose, duck, muscovy-duck, bantam-fowl and guinea fowl, whether domesticated or not, including the young of such poultry;

“**premises**” means –

- (a) land or a portion of land, whether or not a building or structure has been constructed or erected on the land or portion of land; or
- (b) a building or structure and the land on which it is situated;

“**proprietor**” means the person who owns or operates an accommodation establishment;

“**publish**” in respect of the provisions of section 45 means –

- (a) to publish a notice in the Provincial Gazette and a local newspaper; and
- (b) to display the notice so published on the notice boards of the municipality;

“**responsible authority**” means the authority or municipality responsible for the execution of waste disposal functions within the area of jurisdiction of Central Karoo District Municipality;

“**salon**” means a place where any one or more of the services or activities contemplated in the definition of “barber, hairdresser, beautician, body piercer or tatoist” are normally carried on;

“**swimming pool**” means a swimming pool that is accessible to the public and includes swimming pools at schools or other tertiary institutions and other water related recreational facilities accessible to the public;

“**user**”, in relation to land, means –

- (a) any person who has a personal or real right in respect of land in his or her capacity as fiduciary, fideicommissary, servitude holder, possessor, lessee or occupier, irrespective of whether or not he or she resides thereon; and
- (b) any other person who is generally recognised as having a right of tenure on the land concerned;

“**waste**” means any matter or waste material arising from the use of any land or premises, excluding hazardous waste and health care waste.

“**wastewater**” means water containing waste, or water that has been in contact with waste material and may include biodegradable industrial wastewater and domestic wastewater.

“**water resource**” means a source as defined in section 1 of the National Water Act, Act No. 36 of 1998;

2. Principles and objectives

The municipality, aware of the constitutional right of every person to an environment that is not harmful to his or her health or well-being, and the principles that underlie the National Health Act, 2003 (Act 61 of 2003) and the National Environmental Management Act, 1998 (Act 107 of 1998), adopts this by-law with the aim of protecting and promoting the health and well-being of all people in the Central Karoo District area by providing, in conjunction with applicable laws, a legal and administrative framework within which the municipality can develop and manage its municipal health obligations.

CHAPTER 1

HEALTH NUISANCE

3. Health nuisance

(1) A Health nuisance exists or occurs if any of the following occurs on any land or premises:

- (a) a water pool, ditch, gutter, dung pit or heap is so foul or in such a state or so situated or constructed to be injurious or dangerous to health;
- (b) an accumulation of waste or other matter which is injurious or dangerous to health occurs;
- (c) where waste water used for the purposes of irrigation does not comply to relevant legislation, standards and guidelines;
- (d) wastewater which is discharged onto land and into a water source, through a pipe, canal, sewer or other conduit or any other means that does not comply to relevant legislation, standards and guidelines;
- (e) a building, structure or enclosure is –
 - (i) so constructed, situated, used or kept as to be injurious or dangerous to health;
 - (ii) kept or permitted to remain in a state as to be injurious or dangerous to health; or
 - (iii) infested with pests or vermin or in a state that is conducive to the breeding of pests or vermin;
- (f) conditions exist that are conducive and contributively to the spread of a contagious and communicable disease;
- (g) organic matter or animal waste are being used or kept in a manner that attracts vermin or pests such as, but not limited to rats, mice, flies and mosquitoes;
- (h) unhygienic conditions that may be injurious or dangerous to health are present on any part of the land or premises;
- (i) a building, structure or enclosure is erected without first removing or decontaminating in an approved manner, any faecal, animal or vegetable waste disposed of on the land or premises; or

- (j) a building or structure is demolished without first eradicating all vermin;
 - (k) a dwelling or any other premises is occupied for which no proper and sufficient supply of pure water is available as prescribed in terms of the Water Services Act;
 - (l) a dwelling or building is occupied for which no proper toilet facilities as required in terms of the National Building Regulations and Building Standards Act 1977 (Act 103 of 1977) are available; or
 - (m) a dwelling or building is occupied which is not properly ventilated in accordance with the National Building Regulations and Building Standards Act 1977 (Act 103 of 1977).
 - (n) a carcass or the remains of an animal, poultry, bird or marine- or aquatic fauna, or any animal waste remains unburied or is not suitably disposed of after a period of more than 24 hours after death.
 - (o) that is not ventilated so as to destroy or render harmless as far as practicable any gases, vapours, dust or other impurities generated which may be dangerous to human health;
 - (p) that is so overcrowded, badly lighted or ventilated as to be injurious or dangerous to the health of those employed therein or thereon; or cause or give rise to effluvia which are injurious or dangerous to health.
- (2) A health nuisance exists if-
- (a) an obnoxious smell, pests, vermin, vector, from whatever source emanate from land or premises;
 - (b) any other activity, condition or thing declared to be a health nuisance under any law exists or occurs on or emanates from land or premises.

4. Prohibition on creation, existence or occurrence of a health nuisance

- (1) No person may, in any area under the jurisdiction of the municipality –
- (a) create a health nuisance;
 - (b) perform any act which may cause a health nuisance;
 - (c) organise, allow or permit an activity, event or function in or on land or premises, or use, cause, allow or permit to be used land or premises for a purpose which by its nature or otherwise or by reason of its consequences creates or is likely to create a municipal health nuisance;
 - (d) unless he or she is authorised or permitted by law to do so or does so with the written permission of the municipality and in accordance with any conditions imposed by the municipality –
 - (i) in a public place activate, handle or use any material, object or thing which is likely to cause a Health nuisance;
 - (ii) introduce into or handle in a public place any material, object or thing or any liquid or solid substance which by its nature or by reason of the manner of its introduction or handling creates a Health nuisance;
 - (e) carry, convey, or cause or permit to be carried or conveyed through or in any street or public place, any objectionable material or thing, liquid or solid, which is or may become dangerous or injurious to health, unless such objectionable material or thing is covered with a suitable material to prevent the creation of any health nuisance;
 - (f) by an action directly or indirectly or by negligence allow that a health nuisance be created or continued;
- (2) A person who contravenes a provision of subsections (1) commits an offence.

5. Duty to eliminate or reduce a Health Nuisance

- (1) (a) The owner, occupier or user of land or premises must –
- (i) ensure that a Health nuisance does not exist or occur on his or her land or premises; and
 - (ii) within 24 hours of becoming aware of the existence of a health nuisance on the land or premises, eliminate the Health nuisance, or if he or she is unable to eliminate the health nuisance –
 - (aa) take steps to the satisfaction of the municipality to reduce the risk to municipal health; and
 - (bb) report the existence of the health nuisance to the municipality.
- (b) For the purposes of subsection (1)(a), the owner, occupier or user of land or premises must, for the purpose of eliminating or reducing the quantity of –
- (i) flies, use fly-traps or any other approved method;
 - (ii) mosquitoes –
 - (aa) drain accumulated water at least once every seven days; or
 - (bb) cover accumulated water with oil;
 - (cc) in the case of wells, provide a mosquito-proof cover and a pump;
 - (dd) fit tanks, barrels and similar containers in which mosquitoes may breed with mosquito-proof covers or mosquito wire gauze screens in a manner that prevents mosquitoes gaining access to water contained in them; and
 - (ee) regularly clean blocked or sagging gutters and down pipes so that stagnant water cannot accumulate in them; and
 - (iii) vermin, use mouse traps or vermin poison.
- (2) The owner, occupier or user of land or premises must ensure that every well, hole, pit, reservoir, pond or excavation thereon is not filled in a way, or with any material, that may cause an adjacent well, borehole or underground water source to be polluted or contaminated to an extent that may create a Health nuisance.
- (3) The owner, occupier or user of land or premises must cause all waste to be placed in refuse receptacles provided by the owner or by the responsible authority to be disposed of in a manner contemplated in section 23.

- (4) The owner, occupier or user of land or premises who contravenes a provision of subsection (1) or (2) or the occupier who contravenes a provision of subsection (3) commits an offence.

CHAPTER 2

KEEPING OF ANIMALS

6. Application of Chapter

- (1) This Chapter applies to any owner or person in charge of an animal, bird, poultry, fish or crustaceans or who keeps an animal, bird, poultry, fish or crustaceans for whatever purpose, on land or premises of which he or she is the owner, occupier or user within the jurisdiction of the municipality.
- (2) A person who keeps an animal, bird, poultry, fish or crustaceans in terms of an approved land use, or on premises or land zoned for agricultural purposes, is not exempt from the provisions of this by-law or other legislation with regard to the inception or bringing about of a health nuisance.

7. Keeping and slaughtering of animals

- (1) The owner of an animal, bird, poultry, fish or crustaceans or the owner, occupier or user of land or premises may not keep or slaughter such animal, bird, poultry, fish or crustaceans in or on a building, structure or enclosure or any premises in a manner that constitutes a health nuisance.
- (2) A person who contravenes sub-sections (1) commits an offence.

8. Carcasses

- (1) The owner of an animal, bird, poultry fish or crustaceans or the owner, occupier or user of land or premises must within 24 hours, in accordance with subsection (4), dispose of the carcass of an animal, bird, poultry, fish or crustaceans that has died on such premises or land.
- (2) The owner, occupier or user of land or premises must within 24 hours, in accordance with subsection (4), dispose of the carcass or remains of aquatic or marine fauna that has died or washed up on such premises or land.
- (3) Should an owner of an animal or owner, occupier or user of land or premises fail to dispose of a carcass, the environmental health practitioner may arrange for the disposal of the carcass and may recover the cost involved from the owner of the animal, bird, poultry, fish or crustaceans or the owner or user of the land or premises.
- (4) A person contemplated in subsection (1 & 2) must dispose of a carcass in one of the following manners:
- He or she must take steps to have the carcass removed by a registered animal organization or by a person authorized to do so in terms of the responsible authority's waste regulations;
 - if the premises are suitable, he or she must bury the carcass at a depth which completely covers the whole carcass so that it cannot be dug up by an animal or cause a Health nuisance;
 - if the animal died of a disease, he or she must deal with the carcass in accordance with paragraph (a).
- (5) No person may carry or convey through or along a street the carcass of an animal, bird, poultry, fish, crustaceans or animal waste or offal in such a manner that it creates or may create a Health nuisance.
- (6) This section does not apply in the instance where an animal, bird, poultry, fish or crustaceans is slaughtered for the purpose of human or animal consumption.
- (7) A person who contravenes a provision of subsections (1) to (5) commits an offence.

9. Distances

- (1) No animal, bird or poultry or fish may be kept on any land or premises under such conditions and in such close proximity to any building or facility that in the opinion of the municipality the conditions may be injurious or dangerous to the health of the occupants of neighbouring buildings or facilities.
- (2) A person who contravenes a provision of sub section (1) commits an offence.

CHAPTER 3

ANIMAL ESTABLISHMENTS

Part 1

Dog kennels and Catteries

10. Requirements relating to premises

- (1) The person who owns or operates a dog kennel or cattery must ensure that the premises comply with the following requirements:
- all waste- and storm water must be discharged into a sewerage- or other approved system;
 - all loose foods must be stored in rodent free receptacles with close fitting lids in a store room;
 - isolation facilities must be provided for sick dogs and cats and the facilities must be of durable material and constructed so as to be easily cleaned and disinfected;
 - all animal waste must be stored in solid containers with tight fitting lids and must be removed on a daily basis from the premises and disposed of in an approved manner; and
 - all animal cages or holding enclosures must be cleaned on a daily basis and be kept in a hygienic and odour free condition.
 - all catteries and kennels must be operated in such a manner as not to constitute a health risk.

- (2) No person may conduct the business of a dog kennel or cattery in any building, structure or enclosure which has direct access to, or has a door, window or other opening within 4 meters of any door, window or other opening to any existing habitable room or any existing room in which food for human consumption is stored, processed or sold.
- (3) A person who contravenes a provision of subsections (1) and (2) commits an offence.

Part 2

Pet shops and parlours

11. Requirements relating to premises

- (1) A person who owns or operates a pet shop or pet parlour must ensure that the premises comply with the following requirements:
 - (a) All cages must be –
 - (i) made entirely of a non-corrosive material fitted with duplicate impervious movable trays and all tubular fittings *must be* closed at the ends; and
 - (ii) so arranged that the bottoms thereof are not less than 450mm above the level of the floor or yard, as the case may be;
 - (b) storage space which is rodent-proofed, must be provided for animal bedding on the premises;
 - (c) meat, fish or perishable foodstuffs used in the feeding of an animal and stored in a pet shop, must be stored in a refrigerator which can maintain a temperature not exceeding 7°C;
 - (d) toilet facilities and a wash basin which is supplied with running water must be provided for those employed on the premises;
 - (e) no more than 70% of the floor area of the premises may be covered by cages or goods incidental to the business; and
 - (f) all animal- and bird waste must be stored in solid containers with tight fitting lids and must be removed on a daily basis from the premises and disposed of in an approved manner
 - (g) all animal- and bird cages or holding enclosures must be cleaned on a daily basis and be kept in a hygienic and odour free condition.
- (2) No person may conduct the business of a pet shop or pet parlour in any building, structure or enclosure which has direct access to, or has a door, window or other opening within 4 meters of any door, window or other opening to any existing habitable room or any existing room in which food for human consumption is stored, processed or sold.
- (3) A person who contravenes a provision of subsections (1) and (2) commits an offence.

CHAPTER 4

ACCOMMODATION ESTABLISHMENTS

12. Application of Chapter

This Chapter applies to a person who owns or carries on the business of providing accommodation for gain in an accommodation establishment on premises within the municipal area, but does not apply to a private home.

13. Preparation and serving of food, Certificate of Acceptability

A proprietor who prepares or serves food on the premises for consumption by a guest, irrespective if the guest pays separately for the food or if a charge for the food is included in the accommodation costs, must comply with the provisions of the Regulations Governing General Hygiene Requirements for Food Premises and the Transport of Food, published under Government Notice No. R918 of 30 July 1999.

14. Premises

A proprietor must ensure that his premises, has access to safe water, sanitation and refuse removal and that household facilities, eating utensils, linen and bedding be kept in a clean and hygienic condition.

CHAPTER 5

CHILD CARE FACILITIES

15. Certificate of Acceptability

- (1) No child care facility may be operated without a certificate of acceptability issued by the Environmental Health Practitioner. The issuing of such certificate will be subject to the conditions laid down in section 16.
- (2) Written approval in terms of subsection (1) will not exempt any person or premises from the requirements of any legislation relating to the care of children and/or the land use of the premises concerned.

16. Structural and other requirements

- (1) A Childcare facility must comply with the following requirements.
 - (a) Sandpits must be regularly treated with salt and must be covered after hours in order to make it inaccessible to animals.
 - (b) The walls and floors of classrooms must be of an easily washable material.
 - (c) Classrooms must have enough windows to ensure adequate ventilation and lighting.
 - (d) There must be at least 2m² of indoor space available per baby (1 to 24 months) and 1.5m² indoor space available per toddler (2 to 7 years). If no outdoor space is available, the indoor space must be 2.5m² per toddler. There must also be at least 1m² of outdoor space available for the first 30 toddlers.
 - (e) There must be at least one toilet available for every twenty toddlers. Toilet bowls and seats must be disinfected daily.
 - (f) If babies up to twenty four months are accommodated, a separate facility for the washing of potties and the daily washing of nappies must be provided.

- (g) At least one hand wash basin for every twenty toddlers or one bucket for every ten toddlers must be available. Clean water shall be available for the washing of children's hands. Soiled water must be disposed of in an approved manner. Soap and a drying cloth must be available at every hand wash basin.
 - (h) A kitchen or a food handling/preparation facility must comply with the provisions of the Regulation Governing General Hygiene Requirements for Food Premises and the Transport of Food, published under Government Notice Nr R918 of 30 July 1999.
 - (i) All medicines, cleaning agents, liquid fuels, gas containers or any other poisonous or potentially harmful material must be stored safely and out of reach of children.
- (2) Should an owner or person in charge of a day care facility fail to comply with the provisions of subsection (1) the municipality may act in terms of Sections 36 or 37.

CHAPTER 6

SWIMMING POOL AND WATER RELATED RECREATIONAL FACILITIES

17. Duties of a swimming pool- and other water related recreational facility manager

- (1) A swimming pool- and other water related recreational facility manager must
 - (a) at all times keep the premises in a safe, clean and sanitary condition; and
 - (b) ensure that the water is at all times purified, treated and maintained to the standards mentioned in section 19(1).
- (2) A person who operates a swimming pool or other water related recreational facilities and who contravenes a provision of subsection (1) commits an offence.

18. Water supply

- (1) A swimming pool- or other water related recreational facility manager may, for the purpose of cleaning, filling or maintaining the water level in a swimming pool or other water related recreational facility, only use water from an approved source.
- (2) The environmental health practitioner may take samples of the water for the purpose of chemical or bacteriological analysis at times that he or she considers appropriate.
- (3) A person who operates a swimming pool or other water related recreational facilities and who contravenes subsection (1) commits an offence.

19. Safety of water

- (1) A swimming pool- or other water related recreational facility manager must ensure that the water in the swimming pool or any other water related recreational facility complies with the following requirements:
 - (a) The water must be free from floating, suspended or settled debris or swimming organisms;
 - (b) the walls, floor, access ladders or steps and gutters must be free from slime or algae;
 - (c) Escherichia coli bacteria may not be present in any 100ml of water.
- (2) A person who operates a swimming pool or other water related recreational facilities and who contravenes a provision of subsection (1) commits an offence.

CHAPTER 7

BARBERS, HAIRDRESSERS, BEAUTICIANS, BODY PIERCERS or TATTOOISTS

20. Certificate of Acceptability

- (1) No person may operate as a barber, hairdresser, beautician, body piercer or tattooist, and no barber, hairdresser, beautician, body piercing or tattooing salon may be operated without a certificate of acceptability issued by the Environmental Health Practitioner. The issuing of such certificate will be subject to the conditions laid down in section 21(2)(a) – (q).
- (2) Written approval in terms of section 20(1) will not exempt any person or premises from the requirements of any other legislation relating to a barber, hairdresser, beautician, body piercer or tattooist.

21. Health requirements

- (1) No person may use the premises of a salon for a purpose other than for the carrying on of the business of barber, hairdresser, beautician, body piercer or tattooist.
- (2) A person who carries on the business of barber, hairdresser, beautician, body piercer or tattooist in a salon or any other place, must –
 - (a) at all times keep a first aid kit on the premises, and treat an injury or wound which may occur on the premises;
 - (b) install or have available in the salon an appliance or other means whereby an instrument that have come into contact with human skin, hair or bodily fluid, such as, but not limited to, blood, may be sterilized or disinfected;
 - (c) ensure that only professional tattooing and body piercing machines designed and assembled in a manner which prevents contamination of sterilized needle sets may be used for applying permanent tattoos or body piercing, and all tubes and needles must be stored in single service, sterile, sealed autoclaved bags which must be opened in the presence of the client;
 - (d) ensure that all clip cords and spray bottles have triggers and grasp areas, which grasp areas must be protected by plastic covering which must be disposed of after use on each client;
 - (e) after each use of a blade, razor, pair of scissors, comb, brush, roller, nail file, clippers, or other instrument which was applied to the human hair, nail or skin, disinfect the instrument by applying a suitable disinfectant.
 - (f) wear new disposable latex or nitrile examination gloves for the duration of a procedure where he or she implants hair, pierces or tattoos skin, or uses a chemical or chemical compound in an activity;

- (g) disinfect his or her hands before and after rendering any service to a client;
 - (h) directly after treatment of the client, clean and disinfect a surface that has been contaminated by body fluid; and
 - (i) dispose of any disposable glove or other disposable material after each use;
 - (j) at least once a day wash, with a disinfectant, all clothing such as aprons and caps, all surfaces such as, but not limited to, walls, floors, counters and chairs;
 - (k) dispose of all waste water, sharp instruments, bloodied and otherwise contaminated disposable towels and paper in an approved manner;
 - (l) store sharp instruments such as, but not limited to, a razor, blade or needle in a separate container;
 - (m) after each use, wash and clean all plastic and cloth towels;
 - (n) generally keep the premises, tools, equipment and clothing in a hygienic condition at all times;
 - (o) after every service, collect waste such as, but not limited to, hair clippings and towelling paper, and store or dispose of such waste in accordance with section 23;
 - (p) ensure that no animal, excluding a guide dog accompanying a blind person, enters the premises; and
 - (q) provide his or her employees with protective clothing, train any person working on the premises, and ensure that the employee complies with the provisions of this by-law.
- (3) A person who contravenes a provision of subsection (1) or (2) commits an offence.

22. Requirements for premises

- (1) A person who carries on the business of barber, hairdresser, beautician, body piercer or tattooist in a salon or any other place, must ensure that the premises comply with the following:
- (a) basins, with a supply of running hot and cold potable water, must be available for the washing of hair and hands;
 - (b) lighting, ventilation, water and toilet facilities as prescribed in the National Building Regulations and Buildings Standards Act, 1977 (Act 103 of 1977) must be provided;
 - (c) shelves, counters, table tops or other fixtures on which instruments are placed must be constructed of impervious material that is easy to clean;
 - (d) adequate facilities for the storage of clothes, instruments and appliances must be provided;
 - (e) facilities for the disposal of waste water must be provided;
 - (f) the walls and floors must be constructed of materials that are easy to clean; and
 - (g) unless separated by a wall, the premises may not be used for the storage and preparation of food, or for sleeping.
- (2) Should the owner, occupier or person in charge of the premises upon which the business is carried on fail to comply with a provision in subsection (1), the municipality may act in terms of section 36 and 37.

CHAPTER 8

WASTE MANAGEMENT

Part 1

General provisions regarding storage, recovery and disposal of waste

23. Storage, recovery and disposal of waste

- (1) Waste must be stored, recovered, transported and disposed of –
- (a) without endangering human health;
 - (b) without the use of processes or methods which may be harmful to human health; and
 - (c) in a manner that does not create a health nuisance;
- (2) A person who contravenes subsection (1) commits an offence.

Part 2

Hazardous Waste

24. Applicable legislation

The municipality, taking cognizance of the provisions of the Environment Conservation Act, 1989 (Act No. 73 of 1989) and the Hazardous Substances Act, 1973 (Act 15 of 1973), and the regulations made under these Acts, adopts the provisions in this Part.

25. Storage of hazardous waste

- (1) An empty container in which hazardous waste such as, but not limited to, pesticides was stored is to be treated as hazardous waste, and –
- (a) must be stored in such a manner that –
 - (i) no pollution of the environment which may be harmful to human health occurs at any time;
 - (ii) no health nuisance is created at any time;
 - (b) the date on which the container is stored must be clearly marked and visible for inspection on the container;

- (c) while being stored on site, must be clearly marked or labelled with the words "Hazardous Waste";
 - (d) the owner or occupier of the land must fence off the storage area to prevent unauthorised access; and
 - (e) shall be dealt with as Class 6 waste as described in the Minimum Requirements for the Handling, Classification and Disposal of Hazardous Waste (Second Edition, 1998) as published by the Department of Water Affairs and Forestry and as amended from time to time.
- (2) A person who contravenes a provision of subsection (1)(a) to (d) commits an offence.

Part 3

Health Care Waste

26. Scope of application

Compliance with the provisions of this Part is mandatory for all generators of health care waste and, where applicable, for all transporters and disposers of health care waste, and is mandatory at especially –

- (a) all health care facilities such as places or sites where professional health services are dispensed to human patients, including hospitals, mobile and stationary clinics, sick bays such as, but not limited to old-age homes, day units, hospices, rehabilitation centres, consulting rooms of medical doctors, oral health practitioners, traditional healers, traditional surgeons, professional nurses, facilities for rendering midwifery services, free-standing operating theatres, pharmacies and all similar sites;
- (b) all pathological and microbiological laboratories or places where biological research is carried out, and the premises of blood transfusion services;
- (c) the facilities of all manufacturers and distributors of pharmaceutical products or vaccines;
- (d) all mortuaries and undertaker premises;
- (e) all veterinary consulting rooms, animal hospitals, treatment-stations, dog kennels and catteries; and
- (f) any private dwelling or household or any other premises where the environmental health risk constituted by the quantity and nature of health care waste generated is such that such health care waste should be handled in accordance with these regulations.

27. Duties of generators, transporters and disposers of health care waste

- (1) Subject to the provisions of the Environment Conservation Act, 1989 (Act No. 73 of 1989), and any other applicable legislation, every generator of health care waste and, where applicable, every transporter and disposer of health care waste must cause all such health care waste to be sorted, packed, contained, handled, stored, transported and disposed of in accordance with this Part.
- (2) The activities referred to in subsection (1) must be carried out in such way that the health care waste generated does not cause a Health nuisance or safety hazard for any handler thereof or any other person or the environment in general.
- (3) The responsible authority may, subject to the provisions of any provincial or national law, allow any person to dispose of health care waste in any other acceptable manner that ensures that such health care waste and method of disposal does not constitute a Health nuisance or a safety hazard for any handler thereof or any other person or the environment in general.
- (4) A person who intends to engage, on any plot or premises, in an activity which may cause health care waste to be generated must, prior to the generation of the health care waste inform the municipality by written notice of his or her intention, and the notice must contain:
 - (a) The composition, chemical or otherwise and nature of the health care waste;
 - (b) a description of the industrial process or trade giving rise to the health care waste;
 - (c) the estimated quantity of health care waste to be generated;
 - (d) the method of storage of the health care waste;
 - (e) the proposed duration of storage of the health care waste;
 - (f) the manner in which the health care waste will be collected;
 - (g) the manner in which and the disposal site at which the health care waste will be disposed of;
 - (h) the identity of the licensee removing the health care waste; and
 - (i) the number of persons employed on the premises.
- (5) If so required by the municipality, the notice must be substantiated by an analysis certified by an appropriately qualified industrial chemist of the composition of the health care waste, and must contain any other information required by the municipality.
- (6) Upon receipt and evaluation of the notice the municipality shall by written notice to person require him or her to execute at his or her expense any of the following:
 - (a) To dispose of the health care waste in the same manner as other solid waste;
 - (b) to store and dispose of the health care waste in refuse receptacles, using special containers or labelling as directed by the municipality;
 - (c) to transport the health care waste to a processing facility as prescribed by the municipality, employing special containers and handling, and placing the health care waste in a specific area of the facility as directed by the facility operating plan;
 - (d) to cause the health care waste to be processed on the plot or premises of generation, thus rendering it non-hazardous;
 - (e) to take any other measures relative to transportation and disposal of the health care waste as determined by the municipality to be required to protect human health and the environment; or
 - (f) to pay an additional tariff for collection and disposal of the health care waste.
- (7) The person must notify the municipality in writing of any changes occurring with respect to any of the matters stipulated in subsection (4).

- (8) Where the health care waste is being generated as a result of activities which commenced prior to the commencement of this by-law, the person must notify the municipality within 6 months of the commencement of this by-law.
- (9) An owner or occupier of a plot or premises where health care waste is generated must provide periodic training, on proper health care waste handling procedures, to all employees who may come into contact with health care waste.
- (10) A person who contravenes subsection (1), (2), (4), (6), (7), (8) or (9) commits an offence.

28. Storage of health care waste

- (1) Any person engaging in an activity which may generate health care waste must ensure that the health care waste generated on the premises is kept and stored thereon until it is collected from the premises.
- (2)
 - (a) Perishable health care waste must be stored at a temperature not exceeding 4°C, and should preferably be frozen.
 - (b) A health care waste storage area must –
 - (i) be vermin-proof, insect-proof, and rodent-proof;
 - (ii) have an easily cleanable floor and wall finishing and general construction;
 - (iii) be totally enclosed;
 - (iv) adequately ventilated and lighted; and
 - (v) be lockable.
 - (c) All health care waste must be stored in a health care waste storage area until it is loaded or removed for final disposal.
 - (d) On-site spills must be cleaned up immediately.
 - (e) All interior surfaces of storage areas must be meticulously disinfected and cleaned on a daily basis.
- (3) Provision must be made for unrefrigerated health care waste to be removed on weekends and public holidays.
- (4) Subject to the provisions of sub-section (6), health care waste must, prior to final disposal at a registered or processing facility, be sterilized by a service provider using one of the following methods:
 - (a) autoclave;
 - (b) microwave;
 - (c) chemical treatment; or
 - (d) Incineration.
- (5) Sterilization of health care waste may be performed on the premises where the health care waste was generated or at an off-site location.
- (6) Health care waste must, prior to disposal, be placed in a colour coded heavy duty plastic bag or other suitable colour coded container as follows:
 - (a) Health care waste which has not been sterilized and rendered non-infectious must be placed in a red heavy duty plastic bag at the point of generation or disposed of at a municipal disposal or processing facility in an unsterilized condition;
 - (b) health care waste which has been sterilized by autoclave, microwave, chemical or other non-burning method, must be placed in a yellow heavy duty plastic bag;
 - (c) cytotoxic or genotoxic pharmaceutical health care waste and associated contaminated materials such as, but not limited to syringes, tubing, containers, preparation materials, vials and ampoules, must be discarded into a container which is labelled cytotoxic waste or genotoxic waste; and
 - (d) sharp objects such as, but not limited to needles and broken glass, contaminated with cytotoxins must be placed into a rigid, sealed, plastic container which is labelled cytotoxic sharps, and provision must be made in this regard for the safe discarding of the longest Trocar needle.
- (7) The above requirements for colour coded containers must be strictly adhered to for all movement and transportation of health care waste either on the premises of generation or in transit to an off-site sterilization or disposal facility.
- (8) A person who contravenes a provision of this section commits an offence.

29. Transport of health care waste

- (1) Only approved transporters may transport health care waste and must do so in accordance with the requirements and provisions of the relevant legislation.
- (2)
 - (a) The loading compartments of transport vehicles for health care waste must be lockable and must comply with the following requirements:
 - (i) The compartment must be thermally insulated and capable of maintaining a refrigerated transport temperature not exceeding 4°C;
 - (ii) the interior panel construction must be so tightly joined as to ensure a removable liquid seal and airtight seal;
 - (iii) the interior surfaces must be painted white with a durable duco or enamel paint or have a finish approved by the municipality;
 - (iv) there must be a threshold of at least 100mm at the doors to prevent leakages spilling outside; and
 - (v) the compartment must be equipped with approved Spilikits that are regularly checked and replenished.
 - (b) The transport vehicle must be manned by a team adequately trained in the effective use of the Spilikits and clean-up procedures.
 - (c) Every loading compartment must be meticulously disinfected and chemically cleaned on a daily basis.
- (3) A licensee licensed to collect and dispose of health care waste, must inform the municipality at those intervals the municipality may stipulate in the licence or elsewhere, about
 - (a) the removal of health care waste;

- (b) the date of such removal, the quantity;
 - (c) the composition of the health care waste removed; and
 - (d) the facility at which the health care waste has been disposed.
- (4) A person who contravenes a provision of this section commits an offence.

30. Disposal facility and incineration

- (1) An approved transporter must dispose of the health care waste at an approved waste disposal facility for that purpose.
- (2) The incinerator and incineration process must comply with the prescriptions of all relevant legislation, such as the National Environmental Management: Air Quality Act, 2004 (Act No. 39 of 2004), the Hazardous Substances Act, 1973 (Act No. 15 of 1973), and the Environmental Conservation Act, 1989 (Act No. 73 of 1989), in order to deal with health care waste having a wide variation in burning characteristics, ranging from highly volatile and high calorific-value plastics to high water-content material such as placentae.
- (3) Ashes from the incineration of health care waste may be disposed of without special containers or markings.
- (4) A person who contravenes subsection (1) or operates an incinerator or undertakes an incineration process in contravention of subsection (2) commits an offence.

CHAPTER 9 WATER AND SANITATION

31. Applicable legislation and enforcement

- (1) The municipality, taking cognisance of the provisions of the National Water Act, 1998 (Act 36 of 1998), adopts the provisions in this Chapter.
- (2) The municipality, taking cognisance of the provisions of the Water Services Act, 108 of 1997 and of the Regulations relating to Compulsory National Standards and Measures to Conserve Water published under GN R509 dated 8 June 2001, adopts the provisions in this Chapter.
- (3) Within the powers conferred upon the municipality by the National Health Act, 2003 (Act No. 61 of 2003), the municipality may act in terms of section 36 and 37 where the non-compliance with any of the provisions of the Act and Regulations contemplated in sub-sections (1) and (2) constitutes a Health nuisance.

32. Duties and prohibitions

- (1) An owner, occupier or user of land or premises must –
- (a) keep every water passage open and free of obstruction from matter which may impede the flow of water or effluent so as to prevent the creation of a health nuisance.
 - (b) construct a bund wall around a tank, or group of tanks, that contain a substance that can create a health nuisance, of a size that contains the volume of the largest tank in the event of any unlawful or accidental discharge from the tank or group of tanks;
 - (c) clean any industrial surface area so as to prevent the pollution of storm water which may result in adverse impacts on the quality of any surface and ground water; and
- (2) An owner or occupier of land or premises may not –
- (a) locate any dump within the one hundred year flood line of any water resource; or
 - (b) use coal, coal discard, carbonaceous material or any other material for the construction of any slurry, evaporation or catchments dam, or any embankment, road or railway in a way likely to create a health nuisance.
- (3) A person who contravenes a provision of subsection (1) or (2) commits an offence.

CHAPTER 10 DISPOSAL OF CORPSES AND DISTURBANCE OF MORTAL REMAINS

33. Disposal of corpses

- (1) No person may inter a corpse in such a manner that it constitutes a health nuisance, and for this purposes the following apply:
- (a) the lid of the coffin, or where one coffin has been buried on top of another coffin, the lid of the top coffin, may not be less than 1500mm in depth.
- (2) A person who contravenes the provision of subsection (1) commits an offence.

34. Disturbance of mortal remains

- (1) Subject to the provisions of an exhumation order given in terms of section 3(4) of the Inquests Act, 1959 (Act 58 of 1959), Section 3 of Ordinance No 12 of 1980 and any other provision of any Act relating to the exhumation of corpses, no person may, without the environmental health practitioner being present
- (a) disturb a corpse or mortal remains or the ground surrounding it in a cemetery;
 - (b) open a grave;
 - (c) remove a corpse from a grave; or
 - (d) exhume or cause a corpse to be ex-humed during such time as the cemetery is open to the public.

- (2) No person may re-open a grave for the purpose of interring a second corpse in the same grave unless –
 - (a) the grave was initially made deeper for this purpose, and if not made deeper, then only 30 days after a period of 5 years since the interment of the first corpse;
 - (b) for purposes of burial of a receptacle containing ashes, the depth does not exceed 300mm; and
 - (c) the consent of the local municipality has been obtained.
- (3) A person who contravenes a provision of subsection (1) or (2) commits an offence.

CHAPTER 11 ENFORCEMENT

35. Environmental health practitioner

Sections 80 to 89 of the National Health Act, 2003 (Act 61 of 2003) apply, with the necessary changes, to the appointment, responsibilities and powers of the environmental health practitioner, and offences relating to such practitioner.

36. Notice of compliance and representations

- (1) Where an environmental health practitioner has reasonable grounds to believe that a person fails to comply with a requirement relating to premises, he or she may serve a notice of compliance on the person, which notice must state –
 - (a) the name and residential or postal address of the person;
 - (b) the requirement which has not been complied with;
 - (c) that the person must within a specified period take measures to comply with the notice and to complete the measures before a specified date; and
 - (d) that the person may within 14 days make written representations in the form of a sworn statement or affirmation to the municipality at a specified place.
- (2) The municipality, when considering any measure or period envisaged in subsection (1)(c) or (d), must have regard to the principles and objectives of this by-law, the nature of the non-compliance, and other relevant factors.
- (3) Where a person does not make representations in terms of subsection (1)(d), and the person fails to take the measures before the date contemplated in subsection (1)(c), he or she commits an offence, and the municipality may, irrespective of any fines which may be imposed under section 45, act in terms of subsection (5).
- (4)
 - (a) Representations not lodged within the time contemplated in subsection (1)(d) will not be considered, except where the person has shown good cause and the municipality condones the late lodging of the representations.
 - (b) The municipality must consider the timely representations and any response thereto by the environmental health practitioner.
 - (c) The municipality may, on its own volition, conduct any further investigations to verify the facts if necessary, and the results of the investigation must be made available to the permit holder, who must be given an opportunity of making a further response if he or she so wishes, and the municipality must also consider the further response.
 - (d) The municipality must, after consideration of the representations and any response and further response make an order in writing and serve a copy of it on the person, which order must confirm, in whole or in part, alter, or set aside the notice of compliance, and where the notice of compliance is confirmed, in whole or in part, or altered, the municipality must inform the person that he or she must, within the period specified in the order, discharge the obligations set out in the order and that failure to do so constitutes an offence.
 - (e) Where a person fails to discharge the obligations contemplated in paragraph (d), he or she commits an offence and the municipality may, irrespective of any fines which may be imposed under section 45, act in terms of subsection (5).
- (5) The municipality may take such measures as it deems necessary to remedy the situation, and the cost thereof must be paid to the municipality in accordance with section 40.

37. Prohibition notice

- (1) An environmental health practitioner may, after inspecting premises, serve a prohibition notice prohibiting the premises from being used for specified purposes and require measures to be taken to ensure that this occurs, on one or more of the following persons:
 - (a) The owner or occupier of the premises if the municipality reasonably believes that the premises are being used for a purpose or in a manner that is causing a health nuisance;
 - (b) any person who is carrying on an activity or using a premises for a purpose or in a manner that the municipality reasonably believes is causing a health nuisance; or
 - (c) a person on whom a compliance notice was served if the municipality reasonably believes that that person has not complied with the compliance notice.
- (2) The municipality must give the person on whom he or she intends serving a prohibition notice a reasonable opportunity to make representations before serving the notice unless the municipality reasonably believes that the delay in doing so would significantly compromise municipal health, in which case the person on whom a prohibition notice is served must be given reasonable opportunity to make representations why it should be withdrawn.
- (3) A prohibition notice must state –
 - (a) the reasons for serving the notice;
 - (b) whether or not the municipality will withdraw the notice if certain measures are taken, and if so, the measures that must be taken;
 - (c) the possible consequences of failing to comply with the notice; and
 - (d) how to appeal against the notice.

- (4) Unless a prohibition notice provides otherwise, it comes into effect when it is served under subsection (1) and remains in force until it is withdrawn.
- (5) The environmental health practitioner must as soon as possible affix a copy of the notice in a conspicuous position on the premises.
- (6) It is a defence for anyone charged with failing to comply with a prohibition notice if he or she can prove that –
 - (a) he or she did not know of the existence of the prohibition order and could not reasonably be expected to have known of its existence; and
 - (b) he or she had complied with the prohibition notice within 48 hours of the time that the notice was affixed to the premises in terms of subsection (5).

38. Withdrawal of prohibition notice

- (1) The municipality must, within 48 hours of receiving a written request for the withdrawal of a prohibition contained in a prohibition notice, carry out an investigation of the land or premises.
- (2) After completing the investigation, the municipality must inform, in writing, the owner whether or not the prohibition has been removed or the prohibition order withdrawn.
- (3) The municipality may charge the owner or occupier of the land or premises where an investigation is carried out in terms of subsection (1), a prescribed fee for undertaking the investigation.

39. Municipal remedial work

- (1) The municipality may enter and conduct inspections at any premises and do anything on the premises that it reasonably considers necessary –
 - (a) to ensure compliance with this by-law or with a compliance notice or prohibition notice;
 - (b) to eliminate or reduce a health nuisance.
- (2) Before inspecting any premises or commencing any work in terms of this section, persons undertaking the inspection or commencing the work must identify themselves and explain their authority to the person apparently in control of the premises or the person who gave them permission to enter.
- (3) Any inspection undertaken or work commenced in terms of this section must be carried out at a reasonable time, taking into account the circumstances of the specific situation.
- (4) Any inspection conducted or work undertaken in terms of this section must be conducted with strict regard to decency and order, including –
 - (a) a person's right to, respect for and protection of his or her dignity;
 - (b) the right of a person to freedom and security; and
 - (c) the right of a person to his or her personal privacy.

40. Costs

- (1) Should a person fail to take the measures required of him or her by a notice of compliance contemplated in section 36, the municipality may, subject to subsection (3) recover, as a debt, and in accordance with municipality's debt collection policy, all costs incurred as a result of it acting in terms of section 39(1) from that person and any or all of the following persons:
 - (a) the owner of the land, building or premises; or
 - (b) the person or occupier in control of the land, building or premises or any person who has or had a right to use the land at the time when the situation came about.
- (2) The costs recovered must be reasonable and may include, without being limited to, costs relating to labour, water, equipment, administrative and overhead costs incurred by the municipality.
- (3) If more than one person is liable for costs incurred, the liability must be apportioned as agreed among the persons concerned according to the degree to which each was responsible for the emergency resulting from their respective failures to take the required measures.

41. Norms, standards and guidelines

- (1) The municipality may determine and publish norms, standards and guidelines which describe appropriate measures that can be taken to eliminate the risk of any Health nuisance occurring, continuing or recurring, or to reduce that risk to an acceptable level.
- (2) The norms, standards and guidelines contemplated in sub-section (1) may differentiate between communities, geographical areas and different kinds of premises.

CHAPTER 12

MISCELLANEOUS PROVISIONS

42. Presumptions

- (1) When an employee of a person in the course of his or her employment performs any act or is guilty of an omission which constitutes an offence under this by-law, the employer is deemed also to have performed the act or to be guilty of the omission and the employer is liable on conviction to the penalties referred to in section 45, unless the employer proves to the satisfaction of the Court that –
 - (a) in performing the act or being guilty of the omission, the employee was acting without the employer's knowledge or permission;
 - (b) all reasonable steps were taken by the employer to prevent the act or omission in question; and
 - (c) it was not within the scope of the authority or the course of the employment of the employee to perform an act of the kind in question.
- (2) The fact that an employer issued instructions forbidding any act or omission of the kind referred to in subsection (1) is not in itself sufficient proof that he or she took all steps referred to in paragraph (1)(b).

- (3) When an employer is by virtue of the provisions of subsection (1) liable for any act or omission of his or her employee, that employee shall also be liable to prosecution for the offence.
- (4) In any prosecution for an offence under this by-law an allegation in the charge concerned that any place was situated in a street or public place or within a particular area or was a place of a specified kind, shall be presumed to be correct unless the contrary is proved.
- (5) In any prosecution for an offence under this by-law the accused is deemed to know the provisions of this by-law and to know that the offence with which he or she is charged is a contravention thereof unless he or she proves to the satisfaction of the Court that he or she did not have and could not reasonably be expected to have that knowledge.

43. Authentication and service of notices and other documents

- (1) A notice issued by the municipality in terms of this by-law is deemed to be duly issued if it is signed by the Municipal Manager or his or her proxy.
- (2) Any notice or other document that is served on a person in terms of this by-law is regarded as having been duly served –
 - (a) when it has been delivered to that person personally;
 - (b) when it has been left at that person's place of residence or business in the Republic with a person apparently over the age of 16 years;
 - (c) when it has been posted by registered or certified mail to that person's last known residential or business address in the Republic, and an acknowledgment of the posting thereof from the postal service is obtained;
 - (d) if that person's address in the Republic is unknown, when it has been served on that person's agent or representative in the Republic in the manner provided by paragraphs (a), (b) or (c);
 - (e) if that person's address and agent or representative in the Republic is unknown, when it has been posted in a conspicuous place on the land or business premises to which it relates;
 - (f) in the event of a body corporate, when it has been delivered at the registered office of the business premises of the body corporate; or
 - (g) when it has been delivered, at the request of that person, to his or her e-mail address.
- (3) Service of a copy is deemed to be service of the original.
- (4) When any notice or other document is served on the owner, occupier, or holder of any property, or right in any property, it is sufficient if that person is described in the notice or other document as the owner, occupier, or holder of the property or right in question, and it is not necessary to name that person.

44. Appeal

- (1) A person whose rights are affected by a decision of the municipality in terms of this by-law may appeal against that decision by giving written notice of the appeal and reasons to the Municipal Manager within 21 days of the date of the notification of the decision.
- (2) The appeal authority contemplated in subsection (3) must consider the appeal, and confirm, vary or revoke the decision, but no such variation or revocation of a decision may detract from any rights that may have accrued as a result of the decision.
- (3) When the appeal is against a decision taken by –
 - (a) a staff member other than the Municipal Manager, the Municipal Manager is the appeal authority;
 - (b) the Municipal Manager, the Executive Mayor is the appeal authority; or
 - (c) a political structure or political office bearer, or a councillor the Council is the appeal authority.
- (4) The appeal authority must commence with an appeal within six weeks of receipt of the notice of appeal and decide the appeal within a reasonable time.

45. Penalties

A person who has committed an offence in terms of this by-law is, on conviction, and subject to penalties prescribed in any other law, liable to a fine, or in default of payment, to imprisonment, or to such imprisonment without the option of a fine, or to both such fine and such imprisonment, and in the case of a successive or continuing offence, to a fine for every day such offence continues, or in default of payment thereof, to imprisonment.

46. Co-operation between municipalities and application

- (1) In an effort to achieve optimal service delivery, the municipality may enter into agreements with the local municipalities within its area of jurisdiction in respect of the following:
 - (a) Practical arrangements with regard to the execution of the provisions of this by-law;
 - (b) recovery of costs and expenses;
 - (c) mechanisms for the settlement of disputes with regard to the execution of powers or the matters on which there have been agreements;
 - (d) any other matter regarded necessary by the district and local municipalities to achieve optimal service delivery.

47. Liaison forums in community

- (1) The municipality may establish liaison forums in a community for the purposes of -
 - (a) encouraging a local community to participate in the implementation, development and enforcement of this by-law; and
 - (b) promoting the achievement of a safe and healthy environment.
- (2) The forums contemplated in sub-section (1) may consist of—
 - (a) a member or members of an interest group or an affected person in the spirit of section 2(4)(f) to (h) of the National Environmental Management Act, 1998 (Act 107 of 1998).
 - (b) a member or members of a community in whose immediate area a Health nuisance occurs or may occur;

- (c) a designated official or officials of the municipality; and
 - (d) the councillor responsible for municipal health.
- (3) The municipality may, in the implementation and enforcement of this by-law,—
- (a) request the input of a forum;
 - (b) employ any skills or capacity that may exist in such a forum.
- (4) A forum, or a person or persons contemplated in sub-section 2, may, on own initiative, having regard to the provisions of section 31 of the National Environmental Management Act, 1998 (Act 107 of 1998), submit an input to the municipality for consideration.

48. Exemptions

- (1) Any person may by means of a written application, in which the reasons are given in full, apply to the municipality for exemption from any provision of this by-law.
- (2) The municipality may –
- (a) grant an exemption in writing and the conditions in terms of which, if any, and the period for which such exemption is granted must be stipulated therein;
 - (b) alter or cancel any exemption or condition in an exemption; or
 - (c) refuse to grant an exemption.
- (3) In order to consider an application in terms of subsection (1), the municipality may obtain the input or comments of the owners or occupants of surrounding premises.
- (4) An exemption does not take effect before the applicant has undertaken in writing to comply with all conditions imposed by the municipality under subsection (2), however, if an activity is commenced before such undertaking has been submitted to the municipality, the exemption lapses.
- (5) If any condition of an exemption is not complied with, the exemption lapses immediately.

49. Repeal of by-laws

- (a) The following by-laws are hereby repealed: Any by-law previously promulgated by the municipality or any of the disestablished municipalities now incorporated into municipality, in so far as it relates to any matter provided for in this by-law; and
- (b) Any by-law previously promulgated by the local municipalities within the jurisdictional area of Central Karoo District Municipality, or any of the disestablished municipalities now incorporated into the said municipalities, in so far as it has been made applicable to Central Karoo District Municipality by the authorisation for the execution of powers and functions in terms of section 84(3) of the Municipal Structures Act, 117 of 1998.

50. Short title and commencement

This by-law is called the Central Karoo District Municipality: Municipal Health By-law and shall come into operation on the date of publication thereof in the Provincial Gazette.

29 May 2009

5321

SENTRAAAL KAROO DISTRIKSMUNISIPALITEIT

MUNISIPALE GESONDHEIDSVERORDENING

Ingevolge die bepalings van Artikel 156 van die Grondwet van die Republiek van Suid-Afrika, 1996 (Wet 108 van 1996) bepaal die Sentraal Karoo Distriksmunisipaliteit soos volg:

INHOUDSOPGAWE

1. Definisies.
2. Beginsels en doelwitte.

HOOFSTUK 1

GESONDHEIDSOORLAS

3. Gesondheidsoorlas.
4. Verbod op skep, bestaan of plaasvind van gesondheidsoorlas.
5. Plig om gesondheidsoorlas uit te skakel of te verminder.

HOOFSTUK 2

AANHOU VAN DIERE

6. Toepassing van Hoofstuk.
7. Aanhou en slag van diere.
8. Karkasse.
9. Afstande.

HOOFSTUK 3**DIERE-INRIGTINGS***Deel 1: Honde- en Katherberge*

10. Vereistes ten opsigte van persele.

Deel 2: Troeteldierwinkels en –salonne

11. Vereistes ten opsigte van persele.

HOOFSTUK 4**AKKOMMODASIE-INRIGTINGS**

12. Toepassing van Hoofstuk.

13. Voorbereiding en bediening van voedsel.

14. Persele.

HOOFSTUK 5**KINDERSORG-FASILITEITE**

15. Geskikheidsertifikaat.

16. Strukturele en ander vereistes.

HOOFSTUK 6**SWEMBAD- EN WATERVERWANTE ONTSPANNINGSFASILITEITE**

17. Pligte van bestuurders van swembad- en waterverwante ontspannings-fasiliteite.

18. Watervoorsiening.

19. Veiligheid van water.

HOOFSTUK 7**BARBIERS, HAARKAPPERS, SKOONHEIDSKUNDIGES, LIGGAAMSDEURPRIEMERS OF TATOEËERDERS**

20. Geskikheidsertifikaat.

21. Gesondheidsvereistes.

22. Vereistes vir persele.

HOOFSTUK 8**AFVALBESTUUR***Deel 1: Algemene bepalings rakende opberging, herwinning en verwydering van afval*

23. Opberging, herwinning en verwydering van afval.

Deel 2: Gevaarlike afval

24. Toepaslike wetgewing.

25. Berging van gevaarlike afval.

Deel 3: Gesondheidsorg-afval

26. Omvang van toepassing.

27. Pligte van genereerders, vervoerders en wegdoeners van gesondheidsorg-afval.

28. Berging van Gesondheidsorg-afval.

29. Vervoer van Gesondheidsorg-afval.

30. Wegdoeningsfasiliteit en verbranding.

HOOFSTUK 9**WATER EN SANITASIE**

31. Toepaslike wetgewing en afdwinging.

32. Verpligtinge en verbodsbepalings.

HOOFSTUK 10**VERWYDERING VAN LYKE EN VERSTEURING VAN STOFLIKE OORSKOTTE**

33. Verwydering van lyke.
34. Versteuring van stoflike oorskotte.

HOOFSTUK 11**TOEPASSING**

35. Omgewingsgesondheidspraktisyn.
36. Nakomingskennisgewing en vertoë.
37. Verbod-kennisgewing.
38. Terugtrekking van verbod-kennisgewing.
39. Munisipale remediërende werk.
40. Kostas.
41. Norme, Standaard en Riglyne.

HOOFSTUK 12**ALLERLEI BEPALINGS**

42. Veronderstellings.
43. Bekragtiging en betekening van kennisgewings en ander dokumente.
44. Appèl.
45. Strawwe.
46. Samewerking tussen munisipaliteite en toepassing.
47. Skakelforums in die gemeenskap.
48. Vrystellings.
49. Herroeping van verordeninge.
50. Kort titel en aanvang.

1. Definisies

In hierdie verordening, tensy die samehang anders aandui, beteken:

“**afval**” enige stof of afvalmateriaal voortkomend uit die gebruik van enige grond of perseel, maar sluit dit nie gevaarlike afval in nie;

“**afvalwater**” water wat afval bevat, of water wat in kontak was met afvalwater en wat ook vergaanbare industriële afvalwater en huishoudelike afvalwater mag insluit;

“**akkommodasie-instelling**” ’n plek waar akkommodasie voorsien word met ’n winsmotief, met of sonder maaltye;

“**barbier, haarkapper, skoonheidskundige, liggaamsdeurpriemer of tatoëerder**” ’n persoon wat die besigheid van barbier, haarkapper, skoonheidskundige, liggaamsdeurpriemer of tatoëerder bedryf in ’n salon of enige ander plek, welke besigheid enige of meer van die volgende of soortgelyke dienste of aktiwiteite, of ’n kombinasie daarvan, wat op die manlike of vroulike menslike liggaam toegepas word, behels:

- (a) sny, skeer, skroei, vorming, aanwending van sjampoe, skoonmaak, kondisionering, behandeling, chemiese omskepping (soos, maar nie beperk nie tot permanente golwing) haarversagtingsbehandeling of kleuring (soos, maar nie beperk nie tot permanente kleuring, hetsy deur middel van permanente of tydelike of semi-permanente metodes, insluitende die gebruik van kleurspoelmiddels, sjampoes, haarstileringsmiddels, en sonstreping deur middel van kleuring, bleikmiddels, ligte of donker sonsstreping of kleursjampoe) van die hare op die mens se hoof;
- (b) anders as ’n proses bedoel in paragraaf (a), die verwydering van hare deur middel van, maar nie beperk nie tot, wasbehandeling, chemiese mengsels (soos, maar nie beperk nie tot onthaarmiddels), elektriese of meganiese metodes, ongeag of hitte of ’n toestel of apparaat in enige van hierdie aktiwiteite gebruik word;
- (c) behandeling van hare deur middel van ’n haarkundige proses of metode;
- (d) byvoeging van natuurlike of kunshare tot hare deur middel van, maar nie beperk nie tot, ’n verlengstuk, deelstuk of ’n pruik;
- (e) vorming, skeer, behandeling of kleuring van ’n wenkbrou of ooghare of aanwending van kunswenkbroue of -ooghare;
- (f) velbehandeling van die gesig, insluitende maar nie beperk nie tot, die aanwending van skoonheidsmiddels;
- (g) aanwending van naeltegnologie, soos maar nie beperk nie tot, hande- en naelversorging, voetversorging of aanwending van vals naels of verlengstukke;
- (h) deurpriming van die vel of tatoëering;
- (i) massering;
- (j) verbronsing, byvoorbeeld deur middel van maar nie beperk nie tot, ultraviolet-bestraling;
- (k) liggaamsbelyning, soos maar nie beperk nie tot, verslanking.

“begraafplaas” grond of ’n gedeelte van grond wat die munisipaliteit afgesonder het as ’n begraafplaas;

“besitter” die persoon wat ’n akkommodasie-instelling besit of bedryf;

“besproeiing” die aanwending van afvalwater op ontspanningsterreine en vir die doeleindes van gewasproduksie en bewerking van weiveld;

“bewoner” enige persoon wat enige perseel of deel daarvan okkupeer sonder inagneming van die titel waaronder hy of sy dit bewoon, insluitende:

- (a) enige persoon wat werklik die perseel okkupeer;
- (b) enige persoon wat wettig geregtig is om die perseel te okkupeer;
- (c) in die geval waar die perseel onderverdeel is en verhuur word aan loseerders of verskeie huurders, die persoon wat die huurgeld betaalbaar deur sulke loseerders of huurders ontvang, hetsy op die persoon se eie rekening of as ’n agent vir enige persoon geregtig daarop of wat belang het daarby;
- (d) enige persoon belas met die beheer of bestuur van die perseel, insluitende die agent van enige sodanige persoon wanneer die persoon afwesig is uit die Republiek van Suid-Afrika of wanneer sy of haar doen en late onbekend is; en
- (e) die eienaar van die perseel;

“dier” enige soort perd, bees, skaap, bok, vark, pluimvee, hond, kat of enige ander huisdier, of enige wilde dier of reptiel wat in aanhouding of onder die beheer van ’n persoon is.

“diere-afval” die ontlasting, mis, afgegooid hare, vere, bene, horings, bloed, velle en ingewande of enige ander afval van enige dier, reptiel, voël of pluimvee en die oorblyfsels van enige varswater organisme;

“diersiekte” ’n aantasting of versteuring van die normale funksie van enige orgaan of die liggaam van enige dier wat veroorsaak word deur ’n organisme of stof;

“eienaar”, ten opsigte van

- (a) diere of goed, vervoermiddels of ander roerende eiendom, die persoon in wie eienaarskap gesetel is en sluit in ’n persoon wat verantwoordelik is vir die beheer en bestuur daarvan of ’n persoon wat sodanige dier of goed, vervoermiddel of roerende eiendom in sy of haar besit het, maar in die geval van wild of diere wat nie geklassifiseer is ingevolge die Wet op Identifisering van Diere, 2002 (Wet Nr. 6 van 2002), of waarvan die eienaarskap nie redelikerwys vasgestel kan word nie, word die gebruiker van die grond waarop sodanige wild of diere teenwoordig is, geag die eienaar te wees; en
- (b) grond
 - (i) die persoon in wie se naam die grond geregistreer is;
 - (ii) wat gekoop is deur ’n persoon maar wat nog nie in sy of haar naam geregistreer is nie, beteken sodanige koper;
 - (iii) wat onderhewig is aan vruggebruik, beteken die vruggebruiker;
 - (iv) waarvan die eienaar of koper ’n minderjarige, verstandelik gestremde, of insolvente persoon is of andersins wetlik onbevoeg is om sy of haar boedel te administreer, of wat oorlede is, of wat ’n regs persoon onder geregtelike bestuur of likwidasie is, beteken die agent of wetlike verteenwoordiger van sodanige eienaar of koper of ’n ander persoon wat wetlik gemagtig is om sy of haar sake te administreer, of in die geval van ’n regs persoon, die betrokke geregtelike bestuurder of likwidateur;
 - (v) ’n kategorie B-munisipaliteit wat in beheer is van grond uit hoofde van die magte en funksies daaraan verleen ingevolge Skedules 4B en 5B van die Grondwet;

“gebou, struktuur of omheining” ’n gebou, struktuur of omheining soos, maar nie beperk nie tot, ’n stal, skuur, duiwehok, hondehok, kraal, hok, kamp, koeistal, afdak, kamer, tent, voertuig, stroom, dam, poel, pan, drein of sloot (oop, bedek of omhein) wat opgerig of gebou is binne of op grond of ’n perseel en wat gebruik word in verband met die aanhouding van ’n dier, deur ’n eienaar van ’n dier, of ’n eienaar of gebruiker van grond;

“gebruiker”, ten opsigte van grond,

- (a) enige persoon wat ’n persoonlike of saaklike reg het ten opsigte van grond in sy of haar hoedanigheid as beswaarde, fideicommissarius, servituuthouer, besitter, huurder of bewoner, ongeag of hy of sy daarop woon of nie; en
- (b) enige ander persoon wat algemeen geag word besitreg op die betrokke grond te hê;

“gesondheidsoorlas” ’n voorval gespesifiseer in artikel 3(1) en (2);

“Gesondheidsorg-afval” afval voortgebring deur ’n hospitaal, kliniek, verpleeginrigting, dokterskwartiere, mediese laboratorium, navorsingsfasiliteit, tandarts, mediese praktisyn, tradisionele geneser, tradisionele chirurg en veearts of enige ander plek waar Gesondheidsorg-afval voortgebring word en wat aansteeklik of potensieel aansteeklik is, insluitende:

- (a) mikrobiële afvalstowwe wat insluit afvalstowwe wat kwekings en voorrade van aansteeklike afvalstowwe en verwante biologiese elemente bevat wat siekte by die mens kan veroorsaak;
- (b) menslike bloed en bloedprodukte, insluitende serum, plasma en ander bloedbestanddele;
- (c) patologiese afvalstowwe van menslike oorsprong, insluitende weefsels, organe en liggaamsdele verwyder deur middel van chirurgie of outopsie;
- (d) besoedelde diere-afvalstowwe insluitende dierkarkasse, liggaamsdele en beddegoed wat blootgestel was aan aansteeklike stowwe gedurende mediese navorsing, farmaseutiese toetsing of produksie van biologiese elemente;
- (e) geïsoleerde afvalstowwe geassosieer met diere of mense wat met hoogs aansteeklike siektes besmet is;
- (f) besmette en onbesmette skerp voorwerpe, insluitende kliniese items wat ’n sny of prik of deurboring kan veroorsaak, soos naalde, spuitnaalde, lemme en mikroskoopskyfies;

- (g) gebruikte mediese toerusting en ander mediese materiaal wat in staat is of redelikerwys in staat kan wees om siekte te veroorsaak of te versprei of infeksie te veroorsaak of versprei, soos gebruikte chirurgiese verbande, watte, bloedsakke, laboratoriumafval, bloedversamelingsbuise, kolostomie- en katetersakke, handskoene, drupsakke, toedieningsapparaat en tongspatels;
- (h) farmaseutiese produkte wat verouderd of besmet geraak het of onbehoorlik geberg is of nie langer benodig word nie, soos mens- en dierentstowwe, medisyne en verdowingsmiddels
- (i) genotoksiese chemiese afval en radio-isotope van eksperimentele en diagnostiese werk of enige ander bron.

“gevaarlike afval” afval wat die potensiaal het, selfs in lae konsentrasies, om ’n negatiewe effek op die omgewing en omgewingsgesondheid te hê as gevolg van die inherente giftige, chemiese of fisiese eienskappe daarvan;

“goedgekeur” goedkeuring deur die munisipaliteit ten opsigte van die omgewings-gesondheidsvereistes van die betrokke geval;

“hondeherberg” ’n akkommodasie-instelling wat met ’n winsmotief bedryf word vir die akkommodasie van honde;

“huishoudelike afvalwater” afvalwater afkomstig van huishoudelike en besigheids-aktiwiteite en -persele wat enige vorm van riool mag bevat;

“kategorie B-munisipaliteit” ’n munisipaliteit soos bedoel in artikel 155(1)(b) van die Grondwet;

“katherberg” ’n akkommodasie-instelling wat met ’n winsmotief bedryf word vir die akkommodasie van katte;

“kindersorgfasiliteit of -inrigting” enige onderneming of inrigting, hetsy met ’n winsmotief of andersins, wat gemeoid is met die bewaring, versorging of onderrig of enige kombinasie van hierdie funksies van kinders gedurende die hele of gedeelte van die dag, of die gebou of perseel wat in stand gehou of gebruik word met die doel om so ’n onderneming of inrigting daarop te bedryf, wat die geval ookal mag wees;

“krematorium” ’n krematorium soos gedefinieer in artikel 1 van die Krematorium-ordonnansie, 1965 (Ordonnansie Nr. 18 van 1965), en sluit in die geboue waarin ’n seremonie plaasvind en die kremasie uitgevoer word;

“munisipaliteit” die Sentraal Karoo Distrikmunisipaliteit, ingestel ingevolge Artikel 12 van die Wet op Munisipale Strukture, 117 van 1998, Provinsiale Kennisgewing 492 gedateer 22 September 2000, insluitende enige politieke struktuur, politieke ampsdraer, raadslid, behoorlik gemagtigde agent daarvan wat optree in verband met hierdie verordening uit hoofde van ’n gesag gesetel in die munisipaliteit en gedelegeer of gesubdelegeer aan so ’n politieke struktuur, politieke ampsdraer, raadslid, agent of werknemer;

“omgewing” die omgewing waarbinne mense bestaan, bestaande uit:

- (a) die land, water en atmosfeer van die aarde;
- (b) mikro-organismes, plant- en dierelewe;
- (c) enige deel of kombinasie van (a) en (b) en die wedersydse verwantskappe tussen hulle; en
- (d) die fisiese, chemiese, estetiese en kulturele eienskappe van die voorgaande wat die mens se gesondheid en welsyn beïnvloed;

“omgewingsgesondheidspraktisyn” ’n persoon aangestel ingevolge artikel 35;

“oordraagbare siekte” ’n siekte voortspruitend uit ’n infeksie as gevolg van patogeniese of giftige stowwe wat deur die infeksie voortgebring word ná direkte of indirekte oordrag van die stowwe vanaf die bron na die draer;

“persoon” ’n natuurlike of regs persoon, insluitende maar nie beperk nie tot, ’n vereniging van persone, ’n vennootskap en ’n maatskappy;

“perseel”:

- (a) grond of ’n gedeelte van grond, ongeag of ’n gebou of struktuur op die grond of gedeelte van die grond gebou of opgerig is; of
- (b) ’n gebou of struktuur en die grond waarop dit geleë is;

“pluimvee” pluimvee soos ’n hoender, kalkoen, gans, eend, makou, bantamhoender en tarentaal, hetsy makgemaak of nie, insluitende die kleintjies van sodanige pluimvee;

“publiseer” ten opsigte van die bepalings van artikel 41,

- (a) om ’n kennisgewing in die Provinsiale Staatskoerant en ’n plaaslike koerant te publiseer; en
- (b) om die kennisgewing wat so gepubliseer is op die kennisgewingborde van die munisipaliteit te vertoon;

“Raad” die Raad van die Sentraal Karoo Distrikmunisipaliteit;

“salon” ’n plek waar enige een of meer van die dienste of aktiwiteite bedoel in die definisie van “barbier, haarkapper, skoonheidskundige, liggaamsdeurpriemer of tatoeëerder” normaalweg bedryf word;

“swembad” ’n swembad wat toeganklik is vir die publiek, insluitende swembaddens by skole of ander tersiêre inrigtings en ander waterverwante ontspanningsfasiliteite wat toeganklik vir die publiek is;

“troeteldiersalon” ’n inrigting waar troeteldiere versorg word;

“troeteldierwinkel” ’n inrigting waar diere gehou word vir handelsdoeleindes;

“varswater fauna” enige lewendige varswater organisme insluitend enige varswaterplant, hetsy visagtig of nie en enige weekdier, skaaldier, reptiel, watersoogdier en watervoël insluitend eiers, larwes en alle jeugstadiums.

“verantwoordelike owerheid” die owerheid of munisipaliteit verantwoordelik vir die uitvoering van afvalverwyderingsfunksies binne die regsgebied van die Sentraal Karoo Distrikmunisipaliteit;

“vergaanbare industriële afvalwater” afvalwater wat hoofsaaklik organiese afval bevat voortkomend uit industriële aktiwiteite en persele, insluitende:

- (a) melkprosessering;
- (b) verbouing van groente- en vrugteprodukte;
- (c) suikermeulens;

- (d) vervaardiging en bottelary van alkoholvrye drank;
- (e) waterbottelary;
- (f) produksie van alkohol en alkoholiese drank in brouerye, wynmakerye of mouterye;
- (g) vervaardiging van dierevoedsel uit plant- en dierprodukte;
- (h) vervaardiging van gelatien en gom uit velle en bene
- (i) abattoirs;
- (j) visprosessering; en
- (k) voerkrale;

“voël” ’n duif, pou, fisant, patrys, kanarie, parkiet, papegaaï, volstruis of enige ander makgemaakte voël of wilde voël wat in aanhouding is;

“waterbron” ’n bron soos gedefinieer in artikel 1 van die Nasionale Waterwet, 1998, (Wet 36 van 1998)

2. Beginsels en doelwitte

Die munisipaliteit, bewus van elke persoon se grondwetlike reg op ’n omgewing wat nie skadelik vir sy of haar gesondheid of welsyn is nie, en die beginsels onderliggend aan die Wet op Nasionale Gesondheid, 2003 (Wet 61 van 2003) en die Wet op Nasionale Omgewingsbestuur, 1998 (Wet 107 van 1998), aanvaar hierdie verordening met die doel om die gesondheid en welsyn van alle mense in die Sentraal Karoo Distrikgebied te beskerm en te bevorder deur, tesame met toepaslike wette, ’n wetlike en administratiewe raamwerk daar te stel waarbinne die munisipaliteit sy munisipale gesondheidsverpligtinge kan ontwikkel en bestuur.

HOOFSTUK 1

GESONDHEIDSOORLAS

3. Gesondheidsoorlas

- (1) ’n Gesondheidsoorlas bestaan of kom voor wanneer enige van die volgende op enige grond of perseel voorkom:
- (a) ’n waterpoel, sloot, geut, misput of -hoop wat so vuil is of in so ’n toestand is of so geleë of opgerig is dat dit skadelik of gevaarlik vir gesondheid is;
 - (b) wanneer opeenhoping van afval of ander stof, wat skadelik of gevaarlik is vir gesondheid, voorkom;
 - (c) waar afvalwater wat vir besproeiingsdoeleindes gebruik word nie voldoen aan toepaslike wetgewing, standaarde en riglyne nie;
 - (d) afvalwater op grond en in ’n waterbron vrygelaat word deur ’n pyp, kanaal, rioolstelsel of ’n ander leikanaal of op enige ander wyse en nie voldoen aan toepaslike wetgewing, standaarde en riglyne nie;
 - (e) wanneer ’n gebou, struktuur of omheining
 - (i) so opgerig is, geleë is, gebruik of gehou word dat dit skadelik of gevaarlik vir gesondheid is;
 - (ii) gehou word of toegelaat word om in ’n toestand te bly wat skadelik of gevaarlik vir gesondheid is; of
 - (iii) vervuil is van peste of ongediertes of in ’n toestand verkeer wat bevorderlik is vir die uitbroei van peste of ongediertes;
 - (f) toestande bestaan wat bevorderlik is, vir en bydra tot die verspreiding van ’n oordraagbare en aansteeklike siekte;
 - (g) organiese materiaal of diere-afval word gebruik of gehou op ’n wyse wat ongediertes of peste soos, maar nie beperk nie tot, rotte, muise, vlieë en muskiete lok;
 - (h) onhygiëniese toestande wat skadelik of gevaarlik vir gesondheid mag wees, teenwoordig is op enige deel van die grond of perseel;
 - (i) ’n gebou, struktuur of omheining word opgerig sonder om eers enige ontlasting, diere- of groente-afval wat op die land of perseel gestort is, te verwyder;
 - (j) ’n gebou of struktuur word afgebreek sonder om eers alle ongediertes uit te roei;
 - (k) die besetting van ’n woonplek of enige ander perseel waarvoor geen behoorlike watervoorsiening beskikbaar is, soos voorgeskryf in die Watervoorsieningswet nie;
 - (l) die besetting van ’n woonplek ’n woonplek of gebou waarvoor daar geen behoorlike toilet-fasiliteite beskikbaar is nie, soos vereis ingevolge die Wet op Nasionale Bouregulasies en Boustandaarde, 1977 (Wet 103 van 1977);
 - (m) die besetting van ’n woonplek of gebou wat nie behoorlik geventileer is ooreenkomstig die Wet op Nasionale Bouregulasies en Boustandaarde, 1977 (Wet 103 van 1977) nie; of
 - (n) ’n karkas of die oorblyfsels van ’n dier, pluimvee, voël of enige diere-afval bly onbegrawe of word nie op ’n geskikte wyse verwyder vir ’n periode langer as 24 uur na dood nie.
 - (o) nie sodanig geventileer is dat dit sover as wat prakties moontlik is enige gasse, dampe, stof of ander onsuiverhede wat voortgebring en gevaarlik vir die mens se gesondheid is, vernietig of onskadelik stel nie;
 - (p) so oorbevolk, swak belig of geventileer is dat dit skadelik of gevaarlik vir die gesondheid van diegene wat daarin of daarop in diens is; of uitvloeiels veroorsaak of daartoe aanleiding gee wat skadelik of gevaarlik vir die gesondheid is.
- (2) ’n Gesondheidsoorlas bestaan as:
- (a) ’n Aanstootlike reuk, peste, ongediertes, vektore van watter oorsprong ookal voortkom vanaf enige grond of perseel.
 - (b) Enige ander aktiwiteit, toestand of ding wat as ’n gesondheidsoorlas verklaar is in terme van enige wetgewing, bestaan of plaasvind of voortkom vanaf enige grond of perseel.

4. Verbod op die skep, bestaan of plaasvind van 'n gesondheidsoorlas

- (1) Geen persoon mag in enige gebied onder die jurisdiksie van die munisipaliteit:
 - (a) 'n gesondheidsoorlas skep nie;
 - (b) enige daad uitvoer wat 'n gesondheidsoorlas mag veroorsaak nie;
 - (c) 'n aktiwiteit, geleentheid of funksie in of op grond of 'n perseel organiseer of toelaat, of grond of 'n perseel gebruik of veroorsaak of toelaat dat dit gebruik word vir 'n doel wat uit die aard daarvan of andersins of vanweë die gevolge daarvan 'n gesondheidsoorlas skep of moontlik kan skep nie;
 - (d) tensy hy of sy wetlik gemagtig is of toegelaat word of met die skriftelike toestemming van die munisipaliteit en in ooreenstemming met enige voorwaardes deur die munisipaliteit,
 - (i) enige materiaal, voorwerp of ding wat waarskynlik 'n gesondheidsoorlas sal veroorsaak, in 'n openbare plek aktiveer, hanteer of gebruik nie;
 - (ii) enige materiaal, voorwerp of ding of enige vloeistof of vaste stof wat vanweë die aard daarvan of die wyse waarop dit in omloop gebring of hanteer word 'n gesondheidsoorlas skep, in 'n openbare plek inbring of hanteer nie;
 - (e) enige aanstootlike materiaal of ding, vloeistof of vaste stof, wat gevaarlik of skadelik vir gesondheid is of mag word, deur of in enige straat of openbare plek dra, vervoer of toelaat dat dit daardeur of daarin gedra of vervoer word nie, tensy sodanige voorwerp of ding bedek is met 'n geskikte materiaal om die skep van enige gesondheidsoorlas te voorkom;
 - (f) deur 'n direkte of indirekte handeling of deur nalatigheid toelaat dat 'n gesondheidsoorlas geskep of voortgesit word nie;
- (2) 'n Persoon wat strydig met 'n bepaling van subartikel (1) optree, begaan 'n oortreding.

5. Plig om 'n gesondheidsoorlas uit te skakel of te verminder

- (1) (a) Die eienaar, bewoner of gebruiker van grond of 'n perseel moet:
 - (i) verseker dat 'n gesondheidsoorlas nie bestaan of plaasvind op sy of haar grond of perseel nie, en
 - (ii) binne 24 uur nadat hy of sy bewus geword het van 'n gesondheidsoorlas op die grond of perseel, die gesondheidsoorlas uitskakel, of indien hy of sy nie in staat is om die gesondheidsoorlas uit te skakel nie,
 - (aa) stappe tot bevrediging van die munisipaliteit neem om die risiko vir munisipale gesondheid te verminder; en
 - (bb) die bestaan van die gesondheidsoorlas aan die munisipaliteit rapporteer.
- (b) Vir die doeleindes van subartikel (1)(a), moet die eienaar, bewoner of gebruiker van grond of 'n perseel, vir doeleindes van eliminerings of vermindering van die hoeveelheid
 - (i) vlieë, vlieëvangere of enige ander goedgekeurde metode gebruik;
 - (ii) muskiete,
 - (aa) opgegaarde water ten minste eenkeer elke sewe dae dreineer; of
 - (bb) opgegaarde water met olie bedek;
 - (cc) in die geval van putte, 'n muskietbestande bedekking en 'n pomp voorsien;
 - (dd) tenks, vate en soortgelyke houers waarin muskiete mag broei, bedek met muskietbestande bedekkings of muskietgas op 'n wyse wat verhoed dat muskiete toegang verkry tot die water wat dit bevat; en
 - (ee) gereeld verstopte of ingesakte geute en afvoerpype skoonmaak sodat stagnante water nie daarin kan opgaan nie; en
 - (iii) ongediertes, muisvalle of muisgif gebruik.
- (2) Die eienaar, bewoner of gebruiker van grond of persele moet verseker dat elke put, gat, kuil, reservoir, dammetjie of uitgraving daarop nie gevul word op 'n wyse of met enige materiaal wat mag veroorsaak dat 'n naasliggende put, boorgat of ondergrondse waterbron besoedel of besmet word tot so 'n mate dat 'n gesondheidsoorlas geskep word nie.
- (3) Die eienaar, bewoner of gebruiker van grond of persele moet alle afval plaas in afvalhouers verskaf deur die eienaar of die verantwoordelike owerheid vir verwydering op 'n wyse bedoel in artikel 23.
- (4) Die eienaar, bewoner of gebruiker van grond wat strydig met 'n bepaling van subartikels (1) of (2) optree, of die bewoner wat strydig met 'n bepaling van subartikel (3) optree, begaan 'n oortreding.

HOOFSTUK 2

AANHOUDING VAN DIERE

6. Toepassing van hoofstuk

- (1) Hierdie hoofstuk is van toepassing op enige eienaar of persoon in beheer van 'n dier, voël, pluimvee, vis of skaaldiere of wat 'n dier, voël, pluimvee, vis of skaaldiere vir watter doeleindes ook aanhou op grond of 'n perseel waarvan hy of sy die eienaar, bewoner of gebruiker binne die jurisdiksie van die munisipaliteit is.
- (2) 'n persoon wat 'n dier, voël, pluimvee, vis of skaaldiere aanhou ingevolge goedgekeurde grondgebruik of op 'n perseel of grond gesoneer vir landbou doeleindes, is nie vrygestel van die bepalings van hierdie verordening of ander wetgewing ten opsigte van die begin of veroorsaking van 'n gesondheidsoorlas nie.

7. Aanhouding en slag van diere

- (1) Die eienaar van 'n dier, voël, pluimvee, vis of skaaldiere, of die eienaar, bewoner of gebruiker van grond of 'n perseel, mag nie sodanige dier, voël, pluimvee, vis of skaaldiere in of op 'n gebou, struktuur of omheining of enige perseel aanhou of slag op 'n wyse wat neerkom op 'n gesondheidsoorlas nie.

(2) 'n Persoon wat strydig met subartikel (1) optree, begaan 'n oortreding.

8. Karkasse

- (1) Die eienaar van 'n dier, voël, pluimvee, vis of skaaldiere, of die eienaar, bewoner of gebruiker van grond of 'n perseel moet binne 24 uur, in ooreenstemming met subartikel (4), ontslae raak van die karkas van 'n dier, voël, pluimvee, vis of skaaldiere wat op sodanige perseel of grond gevrek het.
- (2) In ooreenstemming met subartikel (4), moet die eienaar, bewoner of gebruiker van grond of 'n perseel binne 24 uur ontslae raak van die karkas of oorblyfsels van varswater-fauna wat op sodanige grond of perseel gevrek of uitgespoel het.
- (3) Indien die eienaar van 'n dier of die eienaar, bewoner of gebruiker van grond of 'n perseel versuim om van 'n karkas ontslae te raak, mag die omgewings-gesondheidspraktisyn reël vir die verwydering van die karkas, en mag hy of sy die betrokke koste van die eienaar van die dier, voël, pluimvee, vis of skaaldiere of die eienaar, bewoner of gebruiker van die grond of perseel verhaal.
- (4) 'n Persoon bedoel in subartikels (1) en (2) moet op een van die volgende wyses van 'n karkas ontslae raak:
 - (a) Hy of sy moet stappe neem om die karkas te laat verwyder deur 'n geregistreerde diere-organisasie of deur 'n persoon wat gemagtig is om dit te doen ingevolge die verantwoordelike owerheid se afvalregulasies.
 - (b) Indien die perseel geskik is, moet hy of sy die karkas diep genoeg begrawe sodat die hele karkas bedek is en dit nie deur 'n dier opgegrawe kan word of 'n gesondheidsoorlas kan veroorsaak nie.
 - (c) Indien die dier van 'n siekte gevrek het, moet hy of sy die karkas ooreenkomstig paragraaf (a) hanteer.
- (5) Geen persoon mag die karkas van 'n dier, voël, pluimvee, vis, skaaldier of diere-afval of -oorblyfsels deur of in 'n straat dra of vervoer op so 'n wyse dat dit 'n gesondheidsoorlas veroorsaak of mag veroorsaak nie.
- (6) Hierdie artikel is nie van toepassing in die geval waar 'n dier, voël, pluimvee, vis of skaaldier geslag word vir doeleindes van menslike gebruik nie.
- (7) 'n Persoon wat strydig met 'n bepaling van subartikels (1) tot (5) optree, begaan 'n oortreding.

9. Afstande

- (1) Geen dier, voël of pluimvee mag op enige grond of perseel aangehou word onder omstandighede of in sodanige nabyheid aan enige gebou of fasiliteit dat die omstandighede na die mening van die munisipaliteit skadelik of gevaarlik vir die gesondheid van die okkuperders van naasliggende geboue of fasiliteite is nie.
- (2) 'n Persoon wat strydig met die bepaling van sub-artikel (1) optree, begaan 'n oortreding.

HOOFSTUK 3

DIERE-INRIGTINGS

Deel 1

Hondeherberge en Katherberge

10. Vereistes ten opsigte van persele

- (1) Die persoon wat 'n honde- of katherberg besit of bedryf moet verseker dat die perseel aan die volgende vereistes voldoen:
 - (a) Alle afval- en stormwater moet in 'n riool- of ander goedgekeurde stelsel afgevoer word.
 - (b) Alle los voedselsoorte moet in knaagdiervrye houers met digsluitende deksels in 'n stoorkamer geberg word.
 - (c) Afsonderingsfasiliteite moet voorsien word vir siek honde en katte, en die fasiliteite moet van 'n duursame materiaal wees en sodanig gebou wees dat hulle maklik skoongemaak en ontsmet kan word.
 - (d) Alle diere-afval moet geberg word in soliede houers met digsluitende deksels en moet op 'n daaglikse basis van die perseel verwyder word en op 'n goedgekeurde wyse van ontslae geraak word.
 - (e) Alle dierhokke of aanhoudingsomheininge moet op 'n daaglikse basis skoongemaak word en in 'n higiëniese en reukvrye toestand gehou word.
 - (f) Alle honde- en katherberge moet op so 'n wyse bedryf word dat dit nie 'n gesondheidsoorlas sal uitmaak nie.
- (2) Geen persoon mag 'n honde- of katherbergbesigheid bedryf in enige gebou, struktuur of omheining wat direk toegang het tot of wat 'n deur, venster of opening het binne 4meter vanaf enige deur, venster of ander opening na 'n bestaande bewoonbare vertrek of enige bestaande vertrek waarin kos vir menslike gebruik gestoor, verwerk of verkoop word nie.
- (3) 'n Persoon wat strydig met 'n bepaling van subartikels (1) en (2) optree, begaan 'n oortreding.

Deel 2

Troeteldierwinkels en -salonne

11. Vereistes ten opsigte van persele

- (1) 'n Persoon wat 'n troeteldierwinkel of troeteldiersalon besit of bedryf moet verseker dat die perseel aan die volgende vereistes voldoen:
 - (a) Alle hokke moet
 - (i) in geheel van roesvrye materiaal gemaak wees en toegerus wees met ondeurdringbare, verwyderbare duplikaatbakke, en alle buisagtige vaste toebehore moet op die punte geseël wees; en
 - (ii) so ingerig wees dat die onderkante daarvan nie minder as 450mm bokant die vloer- of werksoppervlakte is nie, wat ookal die geval mag wees.
 - (b) Knaagdierbestande stoorruimte vir diere-beddegoed moet op die perseel voorsien word.

- (c) Vleis, vis of bederfbare voedsel vir gebruik om 'n dier te voed en geberg in 'n troeteldierwinkel moet geberg word in 'n yskas wat 'n temperatuur kan handhaaf wat nie 7°C oorskry nie.
 - (d) Toiletfasiliteite en 'n wasbak wat van lopende water voorsien is moet vir werknemers op die perseel voorsien word.
 - (e) Nie meer as 70% van die vloeroppervlak van die perseel mag bedek wees deur hokke of goedere wat tot die besigheid behoort nie.
 - (f) Alle diere- en voëlafval moet geberg word in soliede houers met digsluitende deksels en moet op 'n daaglikse basis van die perseel verwyder word en op 'n goedgekeurde wyse van ontslae geraak word.
 - (g) Alle diere- en voëlhokke moet op 'n daaglikse basis skoongemaak word en in 'n higiëniese en reukvrye toestand gehou word.
- (2) Geen persoon mag 'n troeteldierwinkel of -salon bedryf in enige gebou, struktuur of omheining wat direk toegang het tot of wat 'n deur, venster of opening het binne 4meter vanaf enige deur, venster of ander opening na 'n bestaande bewoonbare vertrek of enige bestaande vertrek waarin kos vir menslike gebruik gestoor, verwerk of verkoop word nie.
- (3) 'n Persoon wat strydig met 'n bepaling van subartikels (1) en (2) optree, begaan 'n oortreding.

HOOFSTUK 4

AKKOMMODASIE-INSTELLINGS

12. Toepassing van hoofstuk

Hierdie hoofstuk is van toepassing op 'n persoon wat met 'n winsoogmerk 'n akkommodasievoorsieningsbesigheid besit of bedryf in 'n akkommodasie-instelling op 'n perseel binne die munisipale gebied, maar is nie van toepassing op 'n privaatwoning nie.

13. Voorbereiding en bediening van kos

'n Eienaar wat voedsel voorberei of bedien op die perseel vir gebruik deur 'n gas, ongeag of die gas afsonderlik vir die voedsel betaal of 'n bedrag vir die voedsel by die akkommodasiekoste ingesluit is, moet voldoen aan die bepalings van die Regulasies met betrekking tot die Algemene Higiënevereistes vir Voedselpersele en die Vervoer van Voedsel, 1999 (R918 van 30 Julie 1999)

14. Persele

'n Eienaar moet verseker dat sy perseel toegang het tot veilige drinkwater, sanitasie en vullisverwydering en dat huishoudelike fasiliteite, eetgerei, linne en beddegoed in 'n skoon en higiëniese toestand gehou word.

HOOFSTUK 5

KINDERSORG-FASILITEITE

15. Geskiktheidsertifikaat

- (1) Geen kindersorg-fasiliteit mag bedryf word sonder 'n Geskiktheidsertifikaat wat deur die Omgewingsgesondheidspraktisyn uitgereik is nie. Die uitreiking van so 'n sertifikaat sal onderhewig wees aan die bepalings neergelê in artikel 16.
- (2) Skriftelike goedkeuring ingevolge subartikel (1) sal nie enige persoon of perseel vrystel van die vereistes van enige wetgewing ten opsigte van die versorging van kinders en/of die grondgebruik van die betrokke perseel nie.

16. Strukturele en ander vereistes

- (1) 'n Kindersorg-fasiliteit moet aan die volgende vereistes voldoen:
 - (a) Sandputte moet gereeld met sout behandel word en moet na-ure bedek word om dit ontoeganklik vir diere te maak.
 - (b) Die mure en vloere van klaskamers moet van 'n maklik wasbare materiaal wees.
 - (c) Klaskamers moet genoeg vensters hê om voldoende ventilasie en beligting te verseker.
 - (d) Daar moet minstens 2m² binnemuurse ruimte per baba (1 tot 24maande) en 1.5m² binnemuurse ruimte per kleuter (2 tot 7 jaar) wees. Indien geen buitemuurse ruimte beskikbaar is nie, moet die binnemuurse ruimte 2.5m² per kleuter wees. Daar moet ook minstens 1m² buitenshuise speelruimte beskikbaar wees vir die eerste 30 kleuters.
 - (e) Ten minste een toilet moet vir elke 20 kleuters beskikbaar wees. Toiletbakke en -sitplekke moet daaglik ontsmet word.
 - (f) Indien babas tot en met vier-en-twintig maande geakkommodeer word, moet 'n afsonderlike fasiliteit vir die daaglikse was van potjies en doeke voorsien word.
 - (g) Ten minste een handwasbak moet vir elke twintig kleuters of een emmer vir elke tien kleuters beskikbaar wees. Skoon water moet beskikbaar wees vir die was van kinders se hande. Vuil water moet op 'n goedgekeurde wyse mee weggedoen word. Seep en 'n handdoek moet by elke handwasbak beskikbaar wees.
 - (h) 'n Kombuis of 'n voedselhanterings-/voorbereidingsfasiliteit moet voldoen aan die vereistes van die Regulasies met betrekking tot die Algemene Higiënevereistes vir Voedselpersele en die Vervoer van Voedsel, 1999 (R918 van 30 Julie 1999)
 - (i) Alle medisynes, skoonmaakmiddels, vloeibare brandstowwe, gashouers of enige ander giftige of potensieel skadelike materiaal moet veilig en buite bereik van kinders geberg word.
- (2) Indien 'n eienaar of persoon in beheer van 'n kindersorg-fasiliteit versuim om te voldoen aan die vereistes van subartikel (1), mag die munisipaliteit ingevolge Artikels 36 of 37 optree.

HOOFSTUK 6**SWEMBAD- EN WATERVERWANTE ONTSPANNINGSFASILITEITE****17. Pligte van bestuurders van swembad- en waterverwante ontspannings-fasiliteite**

- (1) Die bestuurder van 'n swembad of ander waterverwante ontspanningsfasiliteit moet: te alle tye die perseel in 'n veilige, skoon en higiëniese toestand hou; en verseker dat die water te alle tye volgens die standaard genoem in artikel 19(1) gesuiwer, behandel en onderhou word.
- (2) 'n Persoon wie 'n swembad of ander waterverwante ontspanningsfasiliteit bestuur en wat strydig met 'n bepaling van subartikel (1) optree, begaan 'n oortreding.

18. Watervoorsiening

- (1) Die bestuurder van 'n swembad of ander waterverwante ontspanningsfasiliteit mag slegs water uit 'n goedgekeurde bron gebruik met die doel om 'n swembad of ander waterverwante ontspanningsfasiliteit skoon te maak, op te vul of die watervlak te onderhou.
- (2) Die Omgewingsgesondheidspraktisyn mag, op tye wat hy of sy as geskik ag, monsters van die water neem vir doeleindes van chemiese of bakteriologiese ontleding.
- (3) 'n Persoon wie 'n swembad of ander waterverwante ontspanningsfasiliteit bestuur en wat strydig met 'n bepaling van subartikel (1) optree, begaan 'n oortreding.

19. Veiligheid van water

- (1) Die bestuurder van 'n swembad of ander waterverwante ontspanningsfasiliteit moet verseker dat die water in die swembad of ander waterverwante ontspanningsfasiliteit aan die volgende vereistes voldoen:
 - (a) Die water moet vry wees van drywende, swewende of afgesakte opdrifsels of swemmende organismes.
 - (b) Die mure, vloer, toegangslere of -trappies en geute moet vry wees van slym of alge.
 - (c) *Escherichia coli*-bakterieë mag nie in enige 100ml water teenwoordig wees nie.
- (2) 'n Persoon wie 'n swembad of ander waterverwante ontspanningsfasiliteit bestuur en wat strydig met 'n bepaling van subartikel (1) optree, begaan 'n oortreding.

HOOFSTUK 7**BARBIERS, HAARKAPPERS, SKOONHEIDSKUNDIGES, LIGGAAMSDEURPRIEMER OF TATOEËRDERS****20. Geskikheidsertifikaat**

- (1) Geen persoon mag as 'n barbier, haarkapper, skoonheidskundige, liggaamsdeurpriemer of tatoeëerder opereer, en geen barbier-, haarkapper-, skoonheid-, liggaamsdeurprimings- of tatoeëersalon mag bedryf word sonder 'n geskikheidsertifikaat uitgereik deur die Omgewingsgesondheidspraktisyn nie. Die uitreiking van so 'n sertifikaat sal onderhewig wees aan die voorwaardes neergelê in artikel 21(2)(a) – (q).
- (2) Skriftelike goedkeuring ingevolge artikel 20(1) sal nie enige persoon of perseel vrystel van enige ander wetgewing ten opsigte van 'n barbier, haarkapper, skoonheidskundige, liggaamsdeurpriemer of tatoeëerder nie.

21. Gesondheidsvereistes

- (1) Geen persoon mag die perseel of salon vir enige ander doel as vir die bedryf van die besigheid van 'n barbier, haarkapper, skoonheidskundige, liggaamsdeurpriemer of tatoeëerder gebruik nie.
- (2) 'n Persoon wat die besigheid van 'n barbier, haarkapper, skoonheidskundige, liggaamsdeurpriemer of tatoeëerder in 'n salon of enige ander plek bedryf, moet:
 - (a) te alle tye 'n noodhulpkissie op die perseel hou en enige besering of wond wat op die perseel mag ontstaan, behandel;
 - (b) 'n toestel of ander metode waardeur 'n instrument wat in kontak gekom het met die menslike vel, hare of liggaamsvloeistof, soos maar nie beperk nie tot, bloed, gesteriliseer of ontsmet kan word, in die salon installeer of beskikbaar hê;
 - (c) verseker dat slegs professionele tatoeëer- en liggaamsdeurprimings-toestelle wat ontwerp en gemonteer is op 'n wyse wat besmetting van gesteriliseerde naaldstelsel voorkom, gebruik mag word om permanente tatoeëring of liggaamsdeurpriming aan te bring, en alle buise en naalde moet in enkeldiens-, geseëde, stoomgesteriliseerde sakke wat in die teenwoordigheid van die kliënt oopgemaak moet word, geberg word;
 - (d) verseker dat alle **“clip cords”** en sproeibottels snellers vashouplekke het, welke vashouplekke beskerm moet word met plastiekbedekking wat weggegooi moet word ná gebruik op elke kliënt;
 - (e) ná gebruik van 'n lem, skeermes, skêr, kam, borsel, krulpen, naelvyl, knippers of ander instrument wat op menslike hare, naels of vel gebruik is, die instrument ontsmet deur middel van 'n geskikte ontsmettings-middel;
 - (f) nuwe weggoibare latex- of nitril ondersoekhandskoene dra vir die duur van 'n prosedure waartydens hy of sy hare implant, vel deurpriem of tatoeëer, of 'n chemiese middel of mengsel in 'n aktiwiteit gebruik;
 - (g) sy of haar hande ontsmet voor en nadat enige diens aan 'n kliënt gelewer word;
 - (h) direk na behandeling van die kliënt 'n oppervlak wat met liggaamsvloeistof besmet is, skoonmaak en ontsmet;
 - (i) enige weggoibare handskoen of enige ander weggoibare materiaal weggooi na elke gebruik;
 - (j) ten minste een keer per dag alle kledingstukke soos voorskote en hoofbedekkings en alle oppervlaktes soos, maar nie beperk nie tot, mure, vloere, toonbanke en stoele met 'n ontsmettingsmiddel was;
 - (k) op 'n goedgekeurde wyse alle afvalwater, skerp instrumente, bebloede en andersins besmette weggoibare handdoeke en papier verwyder;
 - (l) skerp instrumente soos, maar nie beperk nie tot, 'n skeermes, lem of naald in afsonderlike houers bêre;

- (m) alle plastiese en weefstofhanddoeke was en skoonmaak ná elke gebruik;
 - (n) oor die algemeen die perseel, instrumente, toerusting en kledingstukke te alle tye in 'n higiëniese toestand hou;
 - (o) na elke diens afval soos, maar nie beperk nie tot, haarknipsels en handdoekpapier bymeekaarmaak en sodanige afval berg of verwyder in ooreenstemming met artikel 23;
 - (p) verseker dat geen dier, uitsluitende 'n gidshond wat 'n blinde persoon vergesel, die perseel binnekom; en
 - (q) sy of haar werknemers van beskermende klere voorsien, enige persoon wat op perseel werk, oplei en verseker dat die werknemer die bepalings van hierdie verordening nakom.
- (3) 'n Persoon wat strydig met 'n bepaling van subartikels (1) of (2) optree, begaan 'n oortreding.

22. Vereistes vir persele

- (1) 'n Persoon wat die besigheid van 'n barbier, haarkapper, skoonheidskundige, liggaamsdeurpriemer of tatoeëerder in 'n salon of enige ander plek bedryf, moet verseker dat die perseel aan die volgende voldoen:
- (a) Wasbakke voorsien van lopende warm en koue drinkbare water, moet beskikbaar wees vir die was van hare en hande.
 - (b) Beligting, ventilasie, water- en toiletfasiliteite, soos voorgeskryf in die Wet op Nasionale Bouregulasies en Boustandaarde, 1977 (Wet 103 van 1977), moet voorsien word.
 - (c) Rakke, toonbanke, tafelblaaie en ander vaste strukture waarop instrumente geplaas word, moet gemaak wees van ondeurdringbare materiaal wat maklik skoongemaak kan word.
 - (d) Geskikte fasiliteite vir die berg van klere, instrumente en toestelle moet voorsien word;
 - (e) Fasiliteite vir die verwydering van afvalwater moet voorsien word.
 - (f) Die mure en vloere moet van materiaal wees wat maklik skoongemaak kan word.
 - (g) Tensy dit deur 'n muur afgeskort word, mag die perseel nie gebruik word vir die berging van voedsel of as slaapplek nie.
- (2) Indien 'n eienaar, bewoner of persoon in beheer van die perseel waarop die besigheid bedryf word versuim om te voldoen aan die vereistes van subartikel (1), mag die munisipaliteit ingevolge Artikels 36 of 37 optree.

HOOFSTUK 8

AFVALBESTUUR

Deel 1

Algemene bepalings rakende die opberging, herwinning en verwydering van afval

23. Berging, herwinning en verwydering van afval

- (1) Afval moet geberg, herwin, vervoer en verwyder word:
- (a) sonder om die mens se gesondheid in gevaar te stel;
 - (b) sonder die gebruik van prosesse of metodes wat waarskynlik skadelik vir die mens se gesondheid sal wees; en
 - (c) op 'n wyse wat nie 'n gesondheidsoorlas veroorsaak nie.
- (2) 'n Persoon wat strydig met 'n bepaling van subartikel (1) optree, begaan 'n oortreding.

Deel 2

Gevaarlike Afval

24. Toepaslike Wetgewing

Die munisipaliteit neem kennis van die bepalings van die Omgewingsbewaringswet, 1989 (Wet Nr. 73 van 1989), die Wet op Gevaarlike Stowwe, 1973 (Wet Nr. 15 van 1973) en die regulasies uitgevaardig onder hierdie wette, en neem die bepalings in hierdie Deel aan.

25. Berging van gevaarlike afval

- (1) 'n Leë houer waarin 'n gevaarlike stof soos, maar nie beperk nie tot, insekdoders geberg was, moet as gevaarlike afval hanteer word en
- (a) moet op so 'n wyse geberg word dat:
 - (i) geen besoedeling van die omgewing, wat skadelik vir die mens se gesondheid kan wees, te enige tyd plaasvind nie;
 - (ii) geen gesondheidsoorlas te enige tyd geskep word nie;
 - (b) die datum waarop die houer geberg is moet duidelik op die houer gemerk en sigbaar vir inspeksie wees;
 - (c) terwyl dit op die terrein geberg word, moet dit duidelik met die woorde "Gevaarlike Afval" gemerk of geëtiketteer wees;
 - (d) moet die eienaar of bewoner van die grond die bergplek omhein om ongemagtigde toegang te voorkom; en
 - (e) sal as Klas 6-afval hanteer word soos omskryf in die Minimum Vereistes vir die Hantering, Klassifisering en Verwydering van Gevaarlike Afval (Tweede Uitgawe, 1998) soos gepubliseer deur die Departement van Watersake en Bosbou en soos van tyd tot tyd gewysig.
- (2) 'n Persoon wat strydig met 'n bepaling van subartikels (1)(a) tot (d) optree, begaan 'n oortreding.

*Deel 3**Gesondheidsorg-afval***26. Omvang van toepassing**

Nakoming van die bepalings van hierdie Deel is verpligtend vir alle genereerders van Gesondheidsorg-afval en, waar van toepassing, vir alle vervoerders en verwyderaars van Gesondheidsorg-afval, en is verpligtend veral by:

- (a) alle gesondheidsorg-fasiliteite soos plekke of persele waar professionele gesondheidsdienste gelewer word aan menslike pasiënte, insluitende hospitale, mobiele en stilstaande klinieke, siekeboeë soos, maar nie beperk nie tot, ouetehuse, dagsorgeenhede, tehuise, rehabilitasiesentrums, spreek-kamers van mediese dokters, mondgesondheidspraktisyns, tradisionele genesers, tradisionele chirurgie, professionele verpleegsters, fasiliteite vir die lewering van kraamverloskundige dienste, vrystaande operasieteatres, apteke en alle soortgelyke persele;
- (b) alle patologiese en mikrobiologiese laboratoriums of plekke waar biologiese navorsing gedoen word, en persele van bloedoortappingsdienste;
- (c) die fasiliteite van alle vervaardigers en verspreiders van farmaseutiese produkte of entstowwe;
- (d) alle lykshuise en persele van begrafnisondernemers;
- (e) alle spreekkamers van veeartse, dierehospitale, behandelingsentrums, honde- en katherberge; en
- (f) enige private woning of huishouding of enige ander perseel waar die omgewingsgesondheidsrisiko gevorm deur die omvang en aard van Gesondheidsorg-afval wat gegeneer word sodanig is dat sulke Gesondheidsorg-afval in ooreenstemming met hierdie verordening hanteer behoort te word.

27. Pligte van genereerders, vervoerders en wegdoeners van Gesondheidsorg-afval

- (1) Onderhewig aan die bepalings van die Omgewingsbewaringswet, 1989 (Wet 73 van 1989, en enige ander toepaslike wetgewing, moet elke genereerder van Gesondheidsorg-afval en, waar van toepassing, elke vervoerder en verwyderaar van Gesondheidsorg-afval sorg dat al sodanige gesondheidsorg-afval gesorteer, verpak, behouer, hanteer, geberg, vervoer en verwyder word in ooreenstemming met hierdie Deel.
- (2) Die aktiwiteit waarna in subartikel (1) verwys word, moet uitgevoer word op so 'n wyse dat die Gesondheidsorg-afval wat gegeneer word nie 'n gesondheidsoorlas vir enige hanteerder daarvan of enige ander persoon of die omgewing oor die algemeen veroorsaak nie.
- (3) Onderhewig aan die bepalings van enige provinsiale of nasionale wet, mag die verantwoordelike owerheid enige persoon toelaat om Gesondheidsorg-afval op enige ander aanvaarbare wyse te verwyder wat verseker dat sodanige Gesondheidsorg-afval en metode van verwydering nie neerkom op 'n gesondheidsoorlas of 'n veiligheidsgevaar vir enige hanteerder of enige ander persoon of die omgewing oor die algemeen nie.
- (4) 'n Persoon wat beplan om op enige erf of perseel 'n aktiwiteit te begin wat Gesondheidsorg-afval mag genereer, moet, voordat die Gesondheidsorg-afval gegeneer word, die munisipaliteit deur 'n skriftelike kennisgewing inlig van sy of haar voorneme en die kennisgewing moet die volgende bevat:
 - (a) Die samestelling, chemies of andersins, en die aard van die Gesondheidsorg-afval.
 - (b) 'n Beskrywing van die industriële proses of bedryf wat aanleiding gee tot die Gesondheidsorg-afval.
 - (c) Die verwagte hoeveelheid Gesondheidsorg-afval wat gegeneer sal word.
 - (d) Die metode van berging van die Gesondheidsorg-afval.
 - (e) Die beoogde duur van berging van die Gesondheidsorg-afval.
 - (f) Die wyse waarop die Gesondheidsorg-afval bymekaargemaak sal word.
 - (g) Die wyse waarop en die stortingsterrein waar van die gesondheidsorg-afval ontslae geraak sal word.
 - (h) Die identiteit van die lisensiehouer wat die Gesondheidsorg-afval verwyder.
 - (i) Die aantal persone in diens op die perseel.
- (5) Indien die munisipaliteit dit vereis, moet die kennisgewing bevestig word deur 'n analise, gesertifiseer deur 'n toepaslik gekwalifiseerde apteker, van die samestelling van die Gesondheidsorg-afval, en moet enige ander inligting wat deur die munisipaliteit benodig word, bevat.
- (6) Na ontvangs en evaluasie van die kennisgewing, sal die munisipaliteit deur skriftelike kennisgewing aan die persoon, van hom of haar verwag om op sy of haar koste:
 - (a) die Gesondheidsorg-afval te verwyder op dieselfde wyse as enige ander vaste afval; of
 - (b) die Gesondheidsorg-afval in rommelhouers te stoor en te verwyder deur gebruik te maak van spesiale houers of etikette soos deur die munisipaliteit gereël; of
 - (c) die Gesondheidsorg-afval na 'n verwerkingsfasiliteit te vervoer, soos deur die munisipaliteit voorgeskryf, deur gebruik te maak van spesiale houers en hantering, en die Gesondheidsorg-afval in 'n spesifieke area van die fasiliteit te plaas soos deur die operasionele plan van die fasiliteit gereël; of
 - (d) die Gesondheidsorg-afval op die erf of perseel waar dit gegeneer word, te verwerk en dit sodoende skadeloos te maak; of
 - (e) enige ander maatreëls te tref ten opsigte van die vervoer en verwydering van die Gesondheidsorg-afval, soos bepaal en vereis deur die munisipaliteit om menslike gesondheid en die omgewing te beskerm; of
 - (f) 'n addisionele tarief te betaal vir die opruiming en verwydering van die Gesondheidsorg-afval.
- (7) Die persoon moet die munisipaliteit skriftelik in kennis stel van enige veranderinge wat plaasvind ten opsigte van die sake gestipuleer onder subartikel (4).
- (8) Waar die Gesondheidsorg-afval gegeneer word as gevolg van aktiwiteite wat begin het voor die aanvang van hierdie verordening, moet die persoon die munisipaliteit binne 6maande na die aanvang van hierdie verordening in kennis stel.

- (9) 'n Eienaar of bewoner van 'n erf of perseel waar Gesondheidsorg-afval gegeneer word, moet periodiek aan alle werknemers wat met Gesondheidsorg-afval in kontak kom, opleiding verskaf oor Gesondheidsorg-afval-hanteringsprosedures.
- (10) 'n persoon wat strydig met subartikels (1), (2), (4), (6), (7), (8) of (9) optree, begaan 'n oortreding.

28. Berging van Gesondheidsorg-afval

- (1) Enige persoon wat 'n aktiwiteit bedryf wat Gesondheidsorg-afval mag genereer moet verseker dat die Gesondheidsorg-afval wat gegeneer word op die perseel gehou en daarop geberg word totdat dit van die perseel verwyder word.
- (2) (a) Bederfbare Gesondheidsorg-afval moet geberg word teen 'n temperatuur wat nie 4°C oorskry nie, en moet verkieslik gevries word.
- (b) 'n Gesondheidsorg-afval-bergingsplek moet
- (i) ondier-, insek- en knaagdierbestand wees;
 - (ii) 'n maklik skoonmaakbare vloer, muurafwerking en algemene konstruksie hê;
 - (iii) heeltemal omhul wees;
 - (iv) genoegsaam geventileer en belig wees; en
 - (v) sluitbaar wees.
- (c) Alle Gesondheidsorg-afval moet in 'n Gesondheidsorg-afval-bergingsplek geberg word totdat dit gelaai of verwyder word vir finale verwydering.
- (d) Stortings op die perseel moet onmiddellik skoongemaak word.
- (e) Alle binnenshuise oppervlakte van bergingsplekke moet nougeset op 'n daaglikse basis ontsmet en skoongemaak word.
- (3) Voorsiening moet gemaak word dat ongevroesde Gesondheidsorg-afval oor naweke en op openbare vakansiedae verwyder word.
- (4) Onderhewig aan die bepalings van subartikel (6) moet Gesondheidsorg-afval, voordat finaal daarvan by 'n geregistreerde beskikkings- of prosesseringsfasiliteit ontslae geraak word, gesteriliseer word deur 'n diensverskaffer deur een van die volgende metodes te gebruik:
- (a) Stoomsterilisasië.
 - (b) Mikrogolwing.
 - (c) Chemiese behandeling.
 - (d) Verbranding.
- (5) Sterilisasië van Gesondheidsorg-afval mag gedoen word op die perseel waar die Gesondheidsorg-afval gegeneer is, of by 'n ander plek.
- (6) Voordat Gesondheidsorg-afval verwyder word, moet dit in 'n kleurgekodeerde, swaardiens-plastieksak of in 'n ander geskikte kleurgekodeerde houër geplaas word, soos volg:
- (a) Gesondheidsorg-afval wat nie gesteriliseer en nie-aansteeklik gemaak is nie, moet in 'n rooi swaardiens-plastieksak geplaas word by die punt waar dit gegeneer word, of in 'n ongesteëliseerde toestand by 'n munisipale wegdoen- of prosesseringsfasiliteit weggedoen word.
 - (b) Gesondheidsorg-afval wat deur middel van stoomsterilisasië, mikrogolwing, chemiese of 'n ander nie-verbrandingsmetode gesteriliseer is, moet in 'n geel swaardiens-plastieksak geplaas word.
 - (c) Sitotoksiese of genotoksiese farmaseutiese Gesondheidsorg-afval en verwante besmette materiale soos, maar nie beperk nie tot, spuite, buise, houers, voorbereidingsmateriale, flesse en ampules moet weggegooi word in 'n houër wat geëtiketteer is as sitotoksiese of genotoksiese afval.
 - (d) Skerp voorwerpe soos, maar nie beperk nie tot, naalde en gebreekte glas besmet met sitotoksines moet geplaas word in 'n stewige, geseëde plastiekhouër wat geëtiketteer is as bevattende sitotoksiese skerp voorwerpe, en ten opsigte hiervan moet voorsiening gemaak word vir die veilige wegdening van die langste Trocar-naald.
- (7) Die bogenoemde vereistes vir kleurgekodeerde houers moet streng nagekom word vir alle beweging of vervoer van Gesondheidsorg-afval, hetsy op die perseel waar dit gegeneer word of tydens vervoer na 'n ander sterilisasië- of wegdoenfasiliteit.
- (8) 'n Persoon wat strydig met 'n bepaling van hierdie artikel optree, begaan 'n oortreding.

29. Vervoer van Gesondheidsorg-afval

- (1) Slegs goedgekeurde vervoerders mag Gesondheidsorg-afval vervoer en moet dit doen in ooreenstemming met die vereistes en bepalings van toepaslike wetgewing.
- (2) (a) Die vragkompartemente van voertuie wat Gesondheidsorg-afval vervoer moet sluitbaar wees en moet aan die volgende vereistes voldoen:
- (i) Die kompartement moet termies geïsoleer wees en 'n verkoelde vervoertemperatuur wat nie 4°C oorskry nie, kan handhaaf.
 - (ii) Die binneste paneelkonstruksie moet so dig saamgevoeg wees dat dit 'n verwyderbare vloeistofseël en lugdigte seël verseker.
 - (iii) Die binneste oppervlakte moet wit geverf wees met 'n duursame “duco”- of emaljeverf, of moet 'n afwerking hê wat deur die munisipaliteit goedgekeur is.
 - (iv) Daar moet 'n drumpel van minstens 100mm by die deure wees om te voorkom dat lekkasies buitentoe stort.
 - (v) Die kompartement moet toegerus wees met goedgekeurde “Spilikits” wat gereeld nagegaan en vervang word.
- (b) Die voertuig moet beman wees deur 'n span wat voldoende opgelei is in die effektiewe gebruik van die “Spilikits” en opruimingsmetodes.
- (c) Elke vragkompartement moet daaglik nougeset ontsmet en chemies skoongemaak word.
- (3) 'n Lisensiehouer gelisensieer om Gesondheidsorg-afval bymekaar te maak en te verwyder, moet die munisipaliteit met tussenposes, soos deur die munisipaliteit gestipuleer in die lisensie, inlig oor:
- (a) die verwydering van Gesondheidsorg-afval;

- (b) die datum van sodanige verwydering en die hoeveelheid;
 - (c) die samestelling van die Gesondheidsorg-afval wat verwyder is; en
 - (d) die fasiliteit waar die Gesondheidsorg-afval weggedoen is.
- (4) 'n Persoon wat strydig met 'n bepaling van hierdie artikel optree, begaan 'n oortreding.

30. Wegdoeningsfasiliteit en verbranding

- (1) 'n Goedgekeurde vervoerder moet die Gesondheidsorg-afval wegdoen by 'n goedgekeurde afvalwegdoeningsfasiliteit vir daardie doel.
- (2) Die verbrandingsoond en verbrandingsproses moet voldoen aan die voorskrifte van alle toepaslike wetgewing, soos die Wet op Nasionale Omgewingsbestuur: Lugkwaliteit, 2004 (Wet Nr. 39 van 2004), die Wet op Gevaarlike Stowwe, 1973 (Wet Nr. 15 van 1973) en die Omgewingsbewaringswet, 1989 (Wet Nr. 73 van 1989) om Gesondheidsorg-afval met 'n wye verskeidenheid brandeienskappe, wat wissel van hoogs vlugtige en plastiese stowwe met hoë hittewaarde tot materiaal met hoë waterinhoud soos plasentas, te hanteer.
- (3) As van die verbranding van Gesondheidsorg-afval mag weggedoen word sonder spesiale houers of merke.
- (4) 'n Persoon wat strydig met subartikel (1) optree of met 'n verbrandingsoond werk of 'n verbrandingsproses onderneem wat strydig met subartikel (2) is, begaan 'n oortreding.

HOOFSTUK 9

WATER EN SANITASIE

31. Toepaslike wetgewing en afdwinging

- (1) Die munisipaliteit neem kennis van die bepalings van die Nasionale Waterwet, 1998 (Wet 36 van 1998) en neem die bepalings van hierdie hoofstuk aan.
- (2) Die munisipaliteit neem kennis van die bepalings van die Wet op Waterdienste, 1997 (Wet 108 van 1997) en van die Regulasies van toepassing op Verpligte Nasionale Standaarde en Maatreëls om Water te Bespaar, gepubliseer onder SK R509 gedateer 8 Junie 2001, en neem die bepalings in hierdie hoofstuk aan.
- (3) Binne die magte aan die munisipaliteit verleen deur die Wet op Nasionale Gesondheid, 2003 (Wet Nr. 61 van 2003), mag die munisipaliteit optree ingevolge artikels 36 en 37 waar die nie-nakoming van enige van die bepalings van die Wet en Regulasies, bedoel in subartikels (1) en (2), neerkom op 'n gesondheidsoorlas.

32. Verpligtinge en verbodsbepalings

- (1) 'n Eienaar, bewoner of gebruiker van grond of 'n perseel moet:
 - (a) elke waterweg oop en vry hou van obstruksie deur materie wat die vloei of afvoer van water mag belemmer, ten einde die skep van 'n gesondheidsoorlas te voorkom;
 - (b) rondom 'n tenk of groep tenks, wat 'n stof bevat wat 'n gesondheidsrisiko kan veroorsaak, 'n keerwal bou wat groot genoeg is om die volume van die grootste tenk te bevat in die geval van enige onwettige of toevallige storting uit die tenk of groep tenks;
 - (c) enige industriële oppervlakte skoonmaak om die besoedeling van stormwater, wat 'n nadelige impak op enige oppervlak- of grondwater mag veroorsaak, te voorkom; en
- (2) 'n Eienaar of bewoner van grond of 'n perseel mag nie:
 - (a) enige stortingsplek binne die honderdjaar-vloedlyn vanaf enige waterbron plaas nie; of
 - (b) steenkool, steenkoolafval, koolstofhoudende materiaal of enige ander materiaal gebruik vir die konstruksie van enige slyk-, verdampings- of opgaardam, of enige wal, pad of spoorweg op 'n wyse wat waarskynlik 'n gesondheidsoorlas kan veroorsaak nie.
- (3) 'n Persoon wat strydig met 'n bepaling van subartikel (1) of (2) optree, begaan 'n oortreding.

HOOFSTUK 10

VERWYDERING VAN LYKE EN VERSTEURING VAN STOFFLIKE OORSKOTTE

33. Verwydering van lyke

- (1) Geen persoon mag 'n lyk op so 'n wyse begrawe dat dit neerkom op 'n gesondheidsoorlas nie, en vir hierdie doeleindes is die volgende van toepassing:
 - (a) Die deksel van die doodskis, of waar 'n doodskis bo-op 'n ander doodskis begrawe is, mag die deksel van die boonste kis nie minder as 1500mm. diep wees nie.
- (2) 'n Persoon wat strydig met die bepaling van subartikel (1) optree, begaan 'n oortreding.

34. Versteuring van stofflike oorskotte

- (1) Onderhewig aan die bepalings van 'n opgrawingsbevel ingevolge artikel 3(4) van die Wet op Geregte Doodsondersoeke, 1959 (Wet 58 van 1959), Artikel 3 van Ordonnansie Nr. 12 van 1980 en enige ander bepaling van enige Wet ten opsigte van die opgraving van lyke, mag geen persoon sonder die teenwoordigheid van die omgewingsgesondheidspraktisyn:
 - (a) 'n lyk of stofflike oorskot of die grond wat dit omring in 'n begraafplaas versteur nie;
 - (b) 'n graf oopmaak nie;
 - (c) 'n lyk uit 'n graf verwyder nie; of
 - (d) 'n lyk opgrawe of laat opgrawe op 'n tyd wanneer die begraafplaas vir die publiek oop is nie.

- (2) Geen persoon mag 'n graf oopmaak met die doel om 'n tweede lyk in dieselfde graf te begrawe nie, tensy
 - (a) die graf aanvanklik dieper gemaak is vir hierdie doel, en indien dit nie dieper gemaak is nie, dan slegs 30 dae ná 'n periode van 5 jaar nadat die eerste lyk begrawe is;
 - (b) vir doeleindes om 'n houër wat as bevat, te begrawe, die diepte nie 300mm. oorskry nie; en
 - (c) die toestemming van die plaaslike munisipaliteit verkry is.
- (3) 'n Persoon wat strydig met 'n bepaling van subartikel (1) of (2) optree, begaan 'n oortreding.

HOOFSTUK 11

TOEPASSING

35. Omgewingsgesondheidspraktisyn

Artikels 80 tot 89 van die Wet op Nasionale Gesondheid, 2003 (Wet 61 van 2003), met die nodige wysigings, is van toepassing op die aanstelling, verantwoordelikhede en magte van die omgewingsgesondheidspraktisyn en oortredings rakende só 'n praktisyn.

36. Nakomingskennisgewing en vertoë

- (1) Waar 'n omgewingsgesondheidspraktisyn redelike gronde het om te glo dat 'n persoon versuim om 'n vereiste ten opsigte van 'n perseel na te kom, mag hy of sy 'n nakomingskennisgewing aan die persoon beteken, welke kennisgewing moet meld:
 - (a) die naam en woon- of posadres van die persoon;
 - (b) die vereiste wat nie nagekom is nie;
 - (c) dat die persoon binne 'n spesifieke tydperk stappe moet neem om die kennisgewing na te kom en om die maatreëls voor 'n bepaalde datum af te handel; en
 - (d) dat die persoon binne 14 dae by 'n spesifieke plek skriftelike vertoë in die vorm van 'n beëdigde verklaring of bevestiging aan die munisipaliteit mag voorlê.
- (2) Wanneer die munisipaliteit enige maatreël of periode bedoel in subartikel (1)(c) of (d) oorweeg, moet hy die beginsels en doelwitte van hierdie verordening, die aard van die nie-nakoming en ander relevante faktore in ag neem.
- (3) Wanneer 'n persoon nie vertoë rig ingevolge subartikel (1)(d) nie en die persoon versuim om die stappe te neem voor die datum genoem in subartikel (1)(c), begaan hy of sy 'n oortreding, en die munisipaliteit mag, ongeag enige boetes wat onder artikel 45 opgelê mag word, optree ingevolge subartikel (5).
- (4)
 - (a) Vertoë wat nie gerig word binne die tyd genoem in subartikel (1)(d) nie, sal nie oorweeg word nie, tensy die persoon 'n goeie rede aanvoer en die munisipaliteit die laat voorlegging van die vertoë kondoneer.
 - (b) Die munisipaliteit moet die tydigse vertoë en enige reaksie daarop deur die omgewingsgesondheidspraktisyn oorweeg.
 - (c) Die munisipaliteit mag, indien nodig, uit eie beweging enige verdere ondersoek doen om die feite te bevestig en die resultate van die ondersoek moet beskikbaar gestel word aan die persoon, aan wie 'n verdere geleentheid gegee moet word om te reageer indien hy of sy wil, en die munisipaliteit moet ook hierdie verdere reaksie oorweeg.
 - (d) Na oorweging van die vertoë en enige reaksie en verdere reaksie, moet die munisipaliteit 'n bevel op skrif stel en dit aan die persoon beteken, welke bevel die nakomingskennisgewing in geheel of gedeeltelik moet bevestig, wysig of tersyde stel, en waar die nakomingskennisgewing in geheel of gedeeltelik bevestig of gewysig word, moet die munisipaliteit die persoon inlig dat hy of sy binne die tydperk gespesifiseer in die bevel die verpligtinge gestel in die bevel moet uitvoer en dat versuim om dit te doen neerkom op 'n oortreding.
 - (e) Wanneer 'n persoon versuim om die verpligtinge bedoel in paragraaf (d) na te kom, begaan hy of sy 'n oortreding, en mag die munisipaliteit, ongeag enige boetes wat onder artikel 45 opgelê mag word, optree ingevolge subartikel (5).
- (5) Die munisipaliteit mag sodanige stappe neem as wat nodig geag word om die situasie te besleg, en die koste daarvan moet ooreenkomstig artikel 40 aan die munisipaliteit betaal word.

37. Verbod-kennisgewing

- (1) 'n Omgewingsgesondheidspraktisyn mag, nadat 'n perseel geïnspekteer is, 'n verbod-kennisgewing, wat die gebruik van die perseel vir spesifieke doeleindes verbied en vereis dat maatreëls geneem word om te verseker dat dit gebeur, aan een of meer van die volgende persone beteken:
 - (a) die eienaar of bewoner van die perseel as die munisipaliteit redelikerwys glo dat die perseel gebruik word vir 'n doel of op 'n wyse wat 'n gesondheidsoorlas veroorsaak;
 - (b) enige persoon wat 'n aktiwiteit bedryf of 'n perseel gebruik vir 'n doel of op 'n wyse sodat die munisipaliteit redelikerwys glo dat dit 'n gesondheidsoorlas veroorsaak; of
 - (c) 'n persoon aan wie 'n nakomingskennisgewing beteken is as die munisipaliteit redelikerwys glo dat die persoon nie die nakomingskennisgewing nagekom het nie.
- (2) Die munisipaliteit moet aan die persoon, aan wie hy beoog om 'n verbod-kennisgewing te beteken, 'n redelike geleentheid bied om vertoë te rig voordat die kennisgewing beteken word, tensy die munisipaliteit redelikerwys glo dat die vertraging daardeur veroorsaak, munisipale gesondheid wesenlik in gevaar sou stel, in welke geval die persoon aan wie 'n verbod-kennisgewing bedien word 'n redelike geleentheid gebied moet word om vertoë te rig waarom dit teruggetrek moet word.
- (3) 'n Verbod-kennisgewing moet die volgende meld:
 - (a) Die redes vir die betekening van die kennisgewing.
 - (b) Of die munisipaliteit die kennisgewing sal terugtrek indien sekere stappe geneem word, en indien wel, die stappe wat geneem moet word.
 - (c) Die moontlike gevolge van versuim om die kennisgewing na te kom.

- (d) Hoe om teen die kennisgewing te appelleer.
- (4) Tensy 'n verbod anders bepaal, word dit van krag wanneer dit onder subartikel (1) beteken word en bly van krag totdat dit teruggetrek word.
- (5) Die omgewingsgesondheidspraktisyn moet so gou as moontlik 'n afskrif van die kennisgewing in 'n opvallende plek op die perseel aanbring.
- (6) Dit is 'n verweer vir enigiemand wat aangekla is van versuim om 'n verbod-kennisgewing na te kom indien hy of sy kan bewys dat:
- (a) hy of sy nie geweet het van die bestaan van die verbod-kennisgewing nie en daar nie redelikerwys van hom of haar verwag kon word om bewys te wees van die bestaan daarvan nie; en
- (b) hy of sy die verbod-kennisgewing nagekom het binne 48 uur nadat die kennisgewing ingevolge subartikel (5) op die perseel aangebring is.

38. Terugtrekking van verbod-kennisgewing

- (1) Die munisipaliteit moet binne 48 uur nadat 'n skriftelike versoek vir die terugtrekking van 'n verbod vervat in 'n verbod-kennisgewing ontvang is, 'n inspeksie van die grond of perseel uitvoer.
- (2) Na afhandeling van die inspeksie moet die munisipaliteit die persoon aan wie die verbod-kennisgewing beteken is of daardie persoon se agent skriftelik inlig of die verbod verwyder of die verbod-kennisgewing teruggetrek is of nie.
- (3) Die munisipaliteit mag van die eienaar of bewoner van die grond of perseel waar 'n inspeksie ingevolge subartikel (1) uitgevoer word, 'n voorgeskrewe fooi hef vir die uitvoering van die inspeksie.

39. Munisipale remediërende werk

- (1) Die munisipaliteit mag enige perseel binnegaan en enigiets op die perseel doen wat hy redelikerwys nodig ag:
- (a) om die nakoming van hierdie verordening of 'n nakomingskennisgewing of verbod-kennisgewing te verseker;
- (b) om 'n gesondheidsoorlas uit te skakel of te verminder.
- (2) Voor enige perseel geïnspekteer word, of enige werk ingevolge hierdie artikel 'n aanvang neem, moet die persone wat die inspeksie doen of die werk uitvoer hulself eers identifiseer en hul magtiging verduidelik aan die persoon wat oënskynlik in beheer van die perseel is of die persoon wat hul toestemming gegee het om binne te kom.
- (3) Enige inspeksie uitgevoer of werk begin ingevolge hierdie artikel moet op 'n redelike tyd uitgevoer word, met inagneming van die omstandighede van die spesifieke situasie.
- (4) Enige inspeksie uitgevoer of werk onderneem ingevolge hierdie artikel moet uitgevoer word met streng ontsag vir betaamlikheid en orde, insluitende:
- (a) 'n persoon se reg tot, respek vir en beskerming van sy of haar waardigheid;
- (b) die persoon se reg tot vryheid en sekuriteit; en
- (c) 'n persoon se reg tot sy of haar persoonlike privaatheid.

40. Koste

- (1) Sou 'n persoon versuim om die nodige maatreëls te tref wat deur 'n nakomingskennisgewing, bedoel in artikel 36, van hom of haar verwag word, mag die munisipaliteit, onderhewig aan subartikel (3) en in ooreenstemming met die munisipaliteit se skuldinvorderingsbeleid, alle kostes aangegaan vanweë sy optrede ingevolge artikel 39(1) as skuld verhaal van daardie persoon en enige van of al die volgende persone:
- (a) Die eienaar van die grond, gebou of perseel.
- (b) Die persoon of bewoner in beheer van die grond, gebou of perseel of enige persoon wat die reg het of gehad het om die grond te gebruik ten tye van die ontstaan van die situasie.
- (2) Die kostes verhaal moet redelik wees en mag, sonder om daartoe beperk te wees, kostes ten opsigte van arbeid, water, toerusting, administratiewe en oorhoofse kostes deur die munisipaliteit aangegaan, insluit.
- (3) Indien meer as een persoon aanspreeklik is vir die kostes wat aangegaan is, moet die aanspreeklikheid soos afgespreek verdeel word onder die betrokke persone volgens die mate waartoe elkeen verantwoordelik was vir die noodgeval voortspruitend uit hul onderskeie nalatighede om die vereiste stappe te neem.

41. Norme, Standaarde en Riglyne

- (1) Die munisipaliteit mag norme, standarde en riglyne bepaal en publiseer wat die toepaslike maatreëls beskryf wat getref kan word om die risiko van die plaasvind, voortsetting of herhaling van enige gesondheidsoorlas uit te skakel, of om die risiko tot 'n aanvaarbare vlak te verminder.
- (2) Die norme, standarde en riglyne bedoel in subartikel (1) mag verskil tussen gemeenskappe, geografiese gebiede en verskillende soorte persele.

HOOFSTUK 12

VERSKEIE BEPALINGS

42. Veronderstellings

- (1) Wanneer 'n werknemer van 'n persoon in die loop van sy of haar indiensneming enige daad pleeg of skuldig is aan 'n versuim wat neerkom op 'n oortreding onder hierdie verordening, word die werkgewer ook geag die daad te gepleeg het of skuldig te wees aan die versuim, en is die werkgewer onderhewig aan die strawwe waarna in artikel 45 verwys word, tensy die werkgewer tot bevrediging van die Hof bewys dat:
- (a) die werknemer met die pleeg van die daad of skuld aan die versuim, sonder die werkgewer se wete of toestemming opgetree het;
- (b) alle redelike stappe deur die werkgewer geneem is om die daad of versuim onder bespreking te voorkom; en
- (c) dit nie binne die bestek van die gesag of die werkverband van die werknemer was om 'n daad soos dié onder bespreking te pleeg nie.

- (2) Die feit dat 'n werkgewer instruksies uitgereik het wat enige daad of versuim soortgelyk aan dié waarna in subartikel (1) verwys word, verbied, is nie op sigself voldoende bewys dat hy of sy al die stappe geneem het waarna in paragraaf (1)(b) verwys word nie.
- (3) Wanneer 'n werkgewer kragtens die bepalings van subartikel (1) aanspreeklik is vir enige daad of versuim van sy of haar werknemer, sal die werknemer ook onderhewig wees aan vervolging vir die oortreding.
- (4) In enige vervolging vir 'n oortreding onder hierdie verordening, sal enige bewering in die betrokke aanklag dat enige plek in 'n straat of openbare plek of binne 'n bepaalde omgewing geleë was, of 'n spesifieke soort plek was, as korrek aanvaar word, tensy die teendeel bewys word.
- (5) In enige vervolging vir 'n oortreding onder hierdie verordening, word geag dat die aangeklagte die bepalings van hierdie verordening ken en weet dat die oortreding waarvan hy of sy aangekla is, 'n oortreding daarvan is, tensy hy of sy tot die bevrediging van die Hof kan bewys dat hy of sy nie daardie kennis gehad het en nie redelikerwys van verwag kon word om daardie kennis te hê nie.

43. Bekragtiging en betekening van kennisgewings en ander dokumente

- (1) 'n Kennisgewing wat ingevolge hierdie verordening deur die munisipaliteit uitgereik is, word as behoorlik uitgereik beskou indien dit deur die Munisipale Bestuurder, óf sy of haar gevolmagtigde, onderteken is.
- (2) Enige kennisgewing of ander dokument wat ingevolge hierdie verordening aan 'n persoon beteken is, word as behoorlik beteken beskou:
 - (a) wanneer dit persoonlik aan die persoon besorg is;
 - (b) wanneer dit by die persoon se woon- of werkplek in die Republiek gelaat is by 'n persoon wat oënskynlik bo die ouderdom van 16 jaar is;
 - (c) wanneer dit per geregistreerde of versekerde pos na daardie persoon se laaste bekende woon- of werkadres in die Republiek gestuur is, en 'n bewys van die pos daarvan van die posdiens verkry is;
 - (d) indien daardie persoon se adres in die Republiek onbekend is, en dit aan die persoon se agent of verteenwoordiger in die Republiek beteken is op die wyse voorsien in paragraaf (a), (b) of (c);
 - (e) wanneer daardie persoon se adres en agent of verteenwoordiger in die Republiek onbekend is, dit op 'n opvallende plek op die grond of besigheidsperseel waarmee dit verband hou, aangebring is;
 - (f) in die geval van 'n regsliggaam, wanneer dit by die geregistreerde kantoor van die besigheidsperseel van die regsliggaam afgelewer is; of
 - (g) wanneer dit op die versoek van daardie persoon aan sy of haar e-posadres gestuur is.
- (3) Betekening van 'n afskrif word as betekening van die oorspronklike geag.
- (4) Wanneer enige kennisgewing of ander dokument aan die eienaar, bewoner of houër van enige eiendom of reg op enige eiendom beteken is, is dit voldoende indien daardie persoon in die kennisgewing of ander dokument beskryf word as die eienaar, bewoner, houër van die onderhawige eiendom of reg, en is dit nie nodig om die persoon te benoem nie.

44. Appèl

- (1) 'n Persoon wie se regte aangetas is deur 'n besluit van die munisipaliteit ingevolge hierdie verordening, mag appèl teen daardie besluit aanteken deur binne 21 dae na die datum van die kennisgewing van die besluit skriftelike kennis van die appèl en die redes daarvoor aan die Munisipale Bestuurder te gee.
- (2) Die appèlowerheid bedoel in subartikel (3), moet die appèl oorweeg en die besluit bevestig, verander of herroep, maar geen sodanige verandering of herroeping van 'n besluit mag afbreuk doen aan enige regte wat as gevolg van die besluit opgeloop het nie.
- (3) Wanneer appèl aangeteken word teen 'n besluit geneem deur:
 - (a) 'n personeellid behalwe die Munisipale Bestuurder, is die Munisipale Bestuurder die appèlowerheid;
 - (b) die Munisipale Bestuurder, is die Uitvoerende Burgemeester die appèlowerheid; of
 - (c) 'n politieke struktuur of politieke ampsdraer of 'n raadslid, is die Raad die appèlowerheid.
- (4) Die appèlowerheid moet met 'n appèl begin binne ses weke na ontvangs van die kennisgewing van appèl, en binne 'n redelike tyd uitspraak lewer oor die appèl.

45. Strawwe

'n Persoon wat ingevolge hierdie verordening 'n oortreding begaan het, is by skuldigebevinding, en onderworpe aan strawwe voorgeskryf in enige ander wet, onderhewig aan 'n boete, of by gebreke aan betaling, aan gevangenisstraf, of aan sodanige gevangenisstraf sonder die opsie van 'n boete, of aan beide sodanige boete en gevangenisstraf, en in die geval van 'n herhaalde of voortdurende oortreding, aan 'n boete vir elke dag wat sodanige oortreding voortduur, of by gebreke aan betaling daarvan, aan gevangenisstraf.

46. Samewerking tussen munisipaliteite en toepassing

- (1) In 'n poging om optimale dienslewering te bereik, mag die munisipaliteit met die plaaslike munisipaliteite binne sy regsgebied ooreenkomste ten opsigte van die volgende aangaan:
 - (a) Praktiese reëlings in verband met die uitvoering van die bepalings van hierdie verordening.
 - (b) Verhaling van kostes en uitgawes.
 - (c) Meganismes vir die beslegting van geskille in verband met die uitoefening van magte oor die sake waarvoor daar ooreenkomste was.
 - (d) Enige ander sake wat die distriks- en plaaslike munisipaliteite as nodig beskou om optimale dienslewering te bereik.

47. Skakelforums in die gemeenskap

- (1) Die munisipaliteit mag skakelforums in 'n gemeenskap stig met die doel om:
 - (a) 'n plaaslike gemeenskap aan te moedig om deel te neem aan die implementering, ontwikkeling en uitvoering van hierdie verordening; en

- (b) die bereiking van 'n veilige en gesonde omgewing te bevorder.
- (2) Die forums bedoel in subartikel (1) mag bestaan uit
 - (a) 'n lid of lede van 'n belangegroep of 'n geaffekteerde persoon in die gees van artikel 2(4)(f) tot (h) van die Wet op Nasionale Omgewings-bestuur, 1998 (Wet 107 van 1998);
 - (b) 'n lid of lede van 'n gemeenskap in wie se onmiddellike omgewing 'n gesondheidsoorlas voorkom, of mag voorkom;
 - (c) 'n aangewese beampte of beamptes van die munisipaliteit; en
 - (d) die raadslid verantwoordelik vir munisipale gesondheid.
- (3) Die munisipaliteit mag, in die implementering en uitvoering van hierdie verordening,
 - (a) die inset van 'n forum versoek;
 - (b) enige vaardighede of bekwaamheid aanwend wat in so 'n forum mag bestaan.
- (4) 'n Forum, of 'n persoon of persone bedoel in subartikel 2, mag op eie inisiatief, met inagneming van die bepalings van artikel 31 van die Wet op Nasionale Omgewingsbestuur, 1998 (Wet 107 van 1998), 'n inset aan die munisipaliteit voorlê vir oorweging.

48. Vrystellings

- (1) Enige persoon mag by wyse van 'n geskrewe aansoek, waarin volledige redes verskaf word, by die munisipaliteit aansoek doen om vrystelling van enige bepalings van hierdie verordening.
- (2) Die munisipaliteit mag:
 - (a) vrystelling skriftelik verleen, en die voorwaardes ingevolge waarvan, indien enige, en die tydperk waarvoor die vrystelling toegestaan word moet daarin gestipuleer word;
 - (b) enige vrystelling of voorwaarde in 'n vrystelling wysig; of
 - (c) weier om vrystelling te verleen.
- (3) Om 'n aansoek ingevolge subartikel (1) te kan oorweeg, mag die munisipaliteit die insette of kommentaar van die eienaars of bewoners van omliggende persele verkry.
- (4) 'n Vrystelling tree nie in werking voor die aansoeker skriftelik onderneem het om al die voorwaardes wat die munisipaliteit onder subartikel (2) oplê, na te kom nie. Indien 'n aktiwiteit egter begin voor so 'n onderneming by die munisipaliteit ingedien is, verval die vrystelling.
- (5) Indien enige voorwaarde van 'n vrystelling nie nagekom word nie, verval die vrystelling onmiddellik.

49. Herroeping van verordeninge

Die volgende verordeninge word hierdeur herroep:

- (a) Enige verordening voorheen uitgevaardig deur die munisipaliteit of enige van die ontbinde munisipaliteite wat nou in die munisipaliteit ingesluit is, in soverre dit verband hou met enige aangeleentheid waarvoor in hierdie verordening voorsiening gemaak word.
- (b) Enige verordening voorheen uitgevaardig deur die plaaslike munisipaliteite binne die regsgebied van die Sentraal Karoo Distriksmunisipaliteit, of enige van die ontbinde munisipaliteite wat nou ingesluit is in die genoemde munisipaliteit, in soverre dit van toepassing gemaak is op die Sentraal Karoo Distriksmunisipaliteit deur die magtiging vir die uitoefening van magte en funksies ingevolge artikel 84(3) van die Wet op Munisipale Strukture, 117 van 1998.

50. Kort titel en aanvang

Hierdie verordening heet die Sentraal Karoo Distriksmunisipaliteit: Munisipale Gesondheidsverordening en tree in werking op die datum van publikasie daarvan in die Provinsiale Staatskoerant.

CONTENTS—(Continued)**INHOUD—(Vervolg)**

	Page		Bladsy
City of Cape Town: (Helderberg Region): Rezoning, departure and approval of site development plan	808	Stad Kaapstad: (Helderberg Distrik): Hersonerling, afwyking en goedkeuring van terreinontwikkelingsplan	808
City of Cape Town: (Southern District): Rezoning and departures	809	Stad Kaapstad: (Suidelike Distrik): Hersonerling en afwyking	809
City of Cape Town: (South Peninsula Region): Closure	810	Stad Kaapstad: (Suidskiereiland Streek): Sluiting	810
City of Cape Town: (Tygerberg Region): Rezoning and various regulation departures	810	Stad Kaapstad: (Tygerberg Streek): Hersonerling en verskillende regulasieafwykings	810
City of Cape Town: (Tygerberg Region): Rezoning, subdivision and street naming	811	Stad Kaapstad: (Tygerberg Streek): Hersonerling, onderverdeling en straatname	811
City of Cape Town: (Tygerberg Region): Rezoning, regulation departure and site development plan	811	Stad Kaapstad: (Tygerberg Streek): Hersonerling, regulasieafwyking en terreinontwikkelingsplan	811
Drakenstein Municipality: Rezoning	812	Drakenstein Munisipaliteit: Hersonerling	812
George Municipality: Subdivision and rezoning	813	George Munisipaliteit: Onderverdeling en hersonerling	813
Hessequa Municipality: Closure and alienation	807	Hessequa Munisipaliteit: Sluiting en vervreemding	807
Knysna Municipality: Subdivision and departure	814	Knysna Munisipaliteit: Onderverdeling en afwyking	814
Overstrand Municipality (Hangklip-Kleinmond Administration): Confirmation of zoning	814	Overstrand Munisipaliteit (Hanklip-Kleinmond Administrasie): Bevestiging van sonering	814
Overstrand Municipality (Hangklip-Kleinmond Administration): Departure and consent use	813	Overstrand Munisipaliteit (Hanklip-Kleinmond Administrasie): Afwyking en vergunningsgebruik	813
Overstrand Municipality (Hermanus Administration): Closure....	812	Overstrand Munisipaliteit (Hermanus Administrasie): Sluiting....	812
Swartland Municipality: Rezoning and consent use	815	Swartland Munisipaliteit: Hersonerling en vergunningsgebruik....	815
Swartland Municipality: Rezoning and lease of municipal property	815	Swartland Munisipaliteit: Hersonerling en verhuring van munisipale eiendom	815
Swartland Municipality: Consent use	816	Swartland Munisipaliteit: Vergunningsgebruik	816
Swellendam Municipality: Departure	816	Swellendam Munisipaliteit: Afwyking	816
Theewaterskloof Municipality: Departure	808	Theewaterskloof Munisipaliteit: Afwyking	808
Theewaterskloof Municipality: Departure	816	Theewaterskloof Munisipaliteit: Afwyking	816
Theewaterskloof Municipality: Rezoning and departure	817	Theewaterskloof Munisipaliteit: Hersonerling en afwyking	817
Theewaterskloof Municipality: Rezoning and subdivision	817	Theewaterskloof Munisipaliteit: Hersonerling en onderverdeling	817
Central Karoo District Municipality: Municipal Health By-law	818	Sentraal Karoo Distriksmunisipaliteit: Munisipale Gesondheidsverordening	834