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PROCLAMATION

PROVINCE OF WESTERN CAPE
ROADS ORDINANCE, 1976 (ORDINANCE No 19 OF 1976)

NO 7/2010

OVERBERG DISTRICT MUNICIPALITY: CLOSURE OF A PORTION OF MINOR ROAD 4423: BREDASDORP

Under section 3 of the Roads Ordinance, 1976 (Ordinance No 19 of 1976), I hereby declare that the portion of the existing public road (Minor Road 4423) as described in the Schedule and situated within the Overberg District Municipality area, the location and route of which are indicated by means of an unbroken blue line marked B-D on plan RL.56/14, which is filed in the offices of the Executive Manager: Roads and Transport Management, 9 Dorp Street, Cape Town and the Municipal Manager, Overberg District Municipality, 26 Long Street, Bredasdorp, shall be closed.

Dated at Cape Town this 27th day of June 2010.

R CARLISLE, WESTERN CAPE PROVINCIAL, MINISTER OF TRANSPORT AND PUBLIC WORKS

SCHEDULE

The portion of Minor Road 4423, from Minor Road 4422 on the property 52/6 Veruil to Minor Road 4449 on the property 52/1: a distance of about 3,3km.

PROKLAMASIE

PROVINSIE WES-KAAP

ORDONNANSIE OP PAAIE, 1976 (ORDONNANSIE NR 19 VAN 1976)

NO 7/2010

OVERBERG DISTRIKSMUNISIPALITEIT: SLUITING VAN 'N GEDEELTE VAN ONDERGESKIKTE PAD 4423; BREDASDORP

Kragtens artikel 3 van die Ordonnansie op Paaie, 1976 (Ordonnansie nr 19 van 1976), verklaar ek hierby dat die gedeelte van die bestaande openbare pad (Ondergeskikte Pad 4423) in die bylae beskrywe en binne die gebied van die Overberg Distriksmunisipaliteit geleë waarvan die ligging en roete is soos aangedui deur middel van 'n ongebroke blou lyn gemerk B-D op plan RL. 56/14, wat geliasseer is in die kantore van die Uitvoerende Bestuurder: Paaie- en Vervoerbestuur, Dorpstraat 9, Kaapstad en die Munisipale Bestuurder, Overberg Distriksmunisipaliteit, Langstraat 26, Bredasdorp, gesluit is.

Gedateer to Kaapstad op hede die 26ste dag van Junie 2010

R CARLISLE, WES-KAAPSE PROVINSIALE, MINISTER VAN VERVOER EN OPENBARE WERKE

BYLAE

Die gedeelte van Ondergeskikte Pad 4423, vanaf Ondergeskikte Pad 4422 op die eiendom 52/6 Veruil na Ondergeskikte Pad 4449 op die eiendom 52/1: 'n afstand van ongeveer 3,3km.

ISAZISO

IPHONDO LENTSHONA KOLONI

UMTHETHO WEENDLELA, 1976 (UMTHETHO Nombolo 19 KA-1976)

NOMBOLO 7/2010

UMASIPALA WESITHILI SASE-OVERBERG: UKUVALWA KWESIQINGATHA SE- MINOR ROAD 4423: BREDASDORP

NgokweCandelo 3 loMthetho weeNdlela, 1976 (uMthetho 19 ka-1976), Ndazisa ngokuvalwa kwenxalenye yendlela kawonke-wonke (i-Minor Road 4423) njengoko kuchaziwe kwiShedyuli kaMasipala wesiThili sase-Overberg, indawo nendlela ziboniswe ngomgca odibeneyo oluhlaza ophawulwe B-D kwisicwangciso RL.56/14, esigcinwe kwi-ofisi yomLawuli oPhetheyo kuLawulo IweeNdlela noThutho, 9 Dorp Street, eKapa, noMlawuli kaMasipala, uMasipala wesiThili sase-Overberg, 26 Long Street, Bredasdorp.

Isayinwe eKapa 26 ngomhla Julayi 2010.

R CARLISLE, UMPHATHISWA WEZOTHUTHO NEMISEBENZI YOLUNTU, WEPHONDO LENTSHONA KOLONI

ISHEDYULI

Inxalenye yeMinor Road 4423, ukusuka kwiNdlela eMinor Road 4422 kumhlaba 52/6 Veruil ukuya eMinor Road 4449 kumhlaba 52/1: umgama omalunga ne-km 3,3.

PROVINCIAL NOTICES

The following Provincial Notices are published for general information.

ADV. B. GERBER,
DIRECTOR-GENERAL

Provincial Building,
Wale Street
Cape Town.

P.N. 273/2010

9 July 2010

CITY OF CAPE TOWN**AMENDMENT OF SCHEME REGULATIONS**

Notice is given that the Competent Authority in terms of section 9(2) of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) and on application by the owner of Erf 117459, Lansdowne, hereby amended the Scheme Regulations of the City of Cape Town by the deletion of the Schedule condition referred to in Appendix A hereafter:

| Ref No on Map | Property concerned | Special provision applicable |
|---------------|---|--|
| S8/263 | Erf 117459 Cape Town at Lansdowne, 11 Rosedon Road. | 2.) The property concerned shall be developed and used only for an Institution (Hostel) and ancillary accommodation and/or for dwelling houses as permitted in terms of the Single Dwelling Residential and Grouped Dwellings Residential Use Zones, with minimum erf sizes of 300m ² and 200m ² for each Use Zone respectively. 3.) No building or buildings erected on the property concerned shall exceed a height of two storeys. 4.) Deleted. |

P.N. 274/2010

9 July 2010

RECTIFICATION**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 1755, Sea Point East, remove conditions 2.A.1. and 2.A.2. contained in Deed of Transfer No. T. 53297 of 2006.

Provincial Notice 178 of 7 May 2010 is hereby cancelled.

PROVINSIALE KENNISGEWINGS

Die volgende Provinsiale Kennisgewings word vir algemene inligting gepubliseer.

ADV. B. GERBER,
DIREKTEUR-GENERAAL

Provinsiale-gebou,
Waalstraat
Kaapstad.

P.K. 273/2010

9 Julie 2010

STAD KAAPSTAD**WYSIGING VAN SKEMAREGULASIES**

Kennis geskied hiermee dat die Bevoegde Gesag vir die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie 15 van 1985), ingevolge artikel 9(2), en op aansoek van die eienaar van Erf 117459, Lansdowne, die Skemaregulasies van die Stad Kaapstad deur die verwydering van die Skedule voorwaarde waarna verwys word in Aanhangsel A as volg gewysig het:

| Verw Nr op Kaart | Eiendom betrokke | Spesiale bepaling van toepassing |
|------------------|---|---|
| S8/263 | Erf 117459 Kaapstad te Lansdowne, Rosedonstraat 11. | 2.) Die betrokke eiendom sal ontwikkel en aangewend word slegs as 'n Institusie (Hostel) en bykomende akkommodasie en/of vir wonings soos toegelaat in terme van die Enkelwoning Residensiële en Gegroepeerde Woningen Residensiële gebruiksones, met minimum erfgroottes van 300m ² en 200m ² vir elke gebruiksone respektiewelik. 3.) Geen gebou of geboue opgerig op die betrokke eiendom sal 'n hoogte van twee verdiepings oorskry nie 4.) Verwyder. |

P.K. 274/2010

9 Julie 2010

REGSTELLING**STAD KAAPSTAD****KAAPSTAD 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 1755, Sea Point East, hef voorwaardes 2.A.1. en 2.A.2. soos vervat in Transportakte Nr. T. 53297 van 2006 op.

Provinsiale kennisgewing 178 van 7 Mei 2010 word hiermee gekanselleer.

P.N. 275/2010

9 July 2010

NOTICE

CITY OF CAPE TOWN: EASTERN (HELDERBERG) DISTRICT:
ZONING SCHEME: AMENDMENT OF SCHEME REGULATIONS

The Competent Authority for the administration of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985), hereby amends, in terms of section 9(2) of the Ordinance, the Section 8 Zoning Scheme Regulations applicable to the Eastern (Helderberg) District of the City of Cape Town, by the inclusion of the following property under Special Zone 2: Mixed Use, in terms of the provisions of section 3.28.2 of the Section 8 Zoning Scheme Regulations: Unregistered Portion 293 of the Farm Firland No. 959, Division of Stellenbosch (comprising Portion 97, Portion 117 (±21m² in extent), Portion 140 and Portion 198 of the Farm Firland No. 959, Division of Stellenbosch).

Ref.: E17/2/1/AG6/Portion 293 of Farm 959, Gordon's Bay.

P.K. 275/2010

9 Julie 2010

KENNISGEWING

STAD KAAPSTAD: OOSTELIKE (HELDERBERG) DISTRIK:
SONERINGSKEMA: WYSIGING VAN SKEMAREGULASIES

Die Bevoegde Gesag vir die administrasie van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie 15 van 1985), wysig hiermee, ingevolge artikel 9(2) van die Ordonnansie, die Artikel 8 Soneringskemaregulasies van toepassing op die Oostelike (Helderberg) Distrik van die Stad Kaapstad, deur die insluiting van die volgende eiendom onder Spesiale Sone 2: Gemengde Gebruik, ingevolge artikel 3.28.2 van die Artikel 8 Soneringskemaregulasies: Ongeregistreerde Gedeelte 293 van die Plaas Firland Nr. 959, Afdeling Stellenbosch (bestaande uit Gedeelte 97, Gedeelte 117 (±21m² groot), Gedeelte 140 en Gedeelte 198 van die Plaas Firland Nr. 959, Afdeling Stellenbosch).

Verw.: E17/2/1/AG6/Gedeelte 293 van Plaas 959, Gordonsbaai.

P.N. 277/2010

9 July 2010

WESTERN CAPE GAMBLING AND RACING BOARD**GENERAL EXPLANATORY NOTES**

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

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

AMENDMENTS TO THE RACING AND BETTING RULES

To amend the Western Cape Racing and Betting Rules of the Board, in terms of Section 82 of the Western Cape Gambling and Racing Act 1996 (Act 4 of 1996), as amended, so as to amend Rules 9 and 44, regarding betting taxes and offences and penalties, respectively.

The Western Cape Gambling and Racing Board hereby amend the Racing and Betting Rules, as follows:—

1. Rule 9 is hereby amended by inserting subparagraph (3), which reads as follows:

9 (3) Where betting taxes are calculated in relation to Gross Gaming Revenue as contemplated in Regulation 70 as regards to sports betting other than horseracing and where the Gross Gaming Revenue results in a loss for a particular tax period, the Gross Gaming Revenue loss may be carried forward to the next tax period for a maximum of four tax periods and set-off against any gross profits realised during the subsequent tax periods or as prescribed by the Chief Executive Officer from time to time.

2. Rule 44 is amended by:

— **substituted and replaced Rule 44(1), (2), and (3) by the following:**

44. (1) Failure to comply with any of the requirements of Rules 2 (1), 7, 19(6), 24(5) and 43 shall be punishable with a maximum fine of R5 000 or such penalty as the Board may impose, or both such fine and penalty.

[Failure to comply with any of the requirements of Rules 2, 4, 6(1), 7, 8(1), 8(2), 10, 11(2), 12, 13, 14, 16(1), 16(3), 19(3), 19(6), 20, 21, 22, 24(2), 24(5), 25, 26, 28(1), 28(2), 28(3), 29, 34, 35, 36(1), 36(2), 36(4), 36(5), 36(6), 37(1), 37(3), 37(4), 37(5), 38(1)(b)(c), 38(2)(a-f), 39, 40(1), 40(2) or 43 shall be punishable with a maximum fine of R3 000 or such penalty as the Board may impose, or both such fine and penalty.]

(2) Failure to comply with any of the requirements of Rules 2(2), 2 (3), 6, 8, 10, 11(2), 12(1), 12(2), 13, 15, 16 (3), 19(3), 20, 21, 24(2), 25, 27(1) and 29, shall be punishable with a maximum fine of R10 000 or such penalty as the Board may impose, or both such fine and penalty.

[Failure to comply with any of the requirements of Rules 15, 16(2), 17(1), 19(2)(4), 24(3), 27(1), 28(6), 33(1), 36(3), 37(2), 38(1)(a), 38(2)(g-f), 40(3), or 41 shall be punishable with a maximum fine of R10 000 or such penalty as the Board may impose, or both such fine and penalty.]

(3) Failure to comply with any of the requirements of Rules 12(3), 12(4), 14(3), 14(4), 16(1), 16(2), 26(1), 26(3), 26(4), 28(1), 28(3), 28(4), 28(6), 33(1) and 40(1), shall be punishable with a maximum fine of R20 000 or such penalty as the Board may impose, or both such fine and penalty.

[Failure to comply with any of the requirements of Rules 3(1), 18, 19(1), 19(5), 23, 24(1), 24(5), 30(1), 32 (3) or 32 (4) shall be punishable with a maximum fine of R20 000 or such penalty as the Board may impose, or both such fine and penalty.]

— **inserting subparagraphs (4), (5) and (6):**

(4) Failure to comply with any of the requirements of Rules 3(2), 4, 14(1), 14(2), 17(1), 19(1), 19(2), 22(1), 24(1), 28(2), 32(4), 34, 35, 36, 37, 38, 39 and 40(3), shall be punishable with a maximum fine of R50 000 or such penalty as the Board may impose, or both such fine and penalty.

(5) Failure to comply with any of the requirements of Rules 19(4), 24(3), 40(2) and 41(2), shall be punishable with a maximum fine of R75 000 or such penalty as the Board may impose, or both such fine and penalty.

(6) Failure to comply with any of the requirements of Rules 3(1), 18, 19 (5), 23, 24(4) and 30(1), shall be punishable with a maximum fine of R100 000 or such penalty as the Board may impose, or both such fine and penalty.

— **renumbering the previous subparagraph (4) as subparagraph 7:**

(7)[4] Where these Rules make provision for the imposition of fines, the amount of such fines may be doubled in the event of a second or subsequent contravention by any licence holder.

P.N. 276/2010

9 July 2010

NOTICE

AMENDMENT OF THE URBAN STRUCTURE PLAN FOR THE CAPE METROPOLITAN AREA: HOTTENTOTS-HOLLAND BASIN

By virtue of section 29(3) of the Development Facilitation Act, 1995 (Act 67 of 1995), read together with sections 27 and 37 of the Physical Planning Act, 1991 (Act 125 of 1991), the Competent Authority for the administration of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985), has in terms of section 4(7) of the Ordinance amended the Urban Structure Plan for the Cape Metropolitan Area: Volume 3: Hottentots-Holland Basin (made known as Guide Plan in Government Notice No. 2467 of 9 December 1988 and declared as Urban Structure Plan in Government Notice No. 158 of 9 February 1996), by changing the designation of Unregistered Portion 293 of the Farm Firland No. 959, Division of Stellenbosch (comprising Portion 97, Portion 117 (±21m² in extent), Portion 140 and Portion 198 of the Farm Firland No. 959, Division of Stellenbosch), as indicated on the locality plan below, from "Smallholdings" to "Urban Development".

E17/2/2/1/AG6/Portion 293 of Farm 959, Gordon's Bay.

P.K. 276/2010

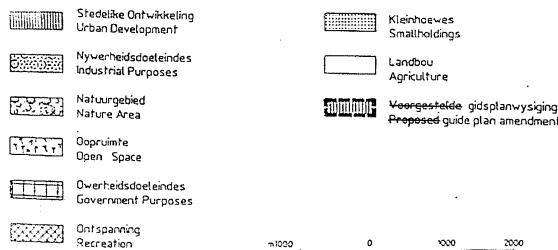
9 Julie 2010

KENNISGEWING

WYSIGING VAN DIE KAAPSE METROPOOL: HOTTENTOTS-HOLLANDKOM STEDELIKE STRUKTUURPLAN

Kragtens artikel 29(3) van die Wet op Ontwikkelingsfasilitering, 1995 (Wet 67 van 1995), saamgelees met artikels 27 en 37 van die Wet op Fisiese Beplanning, 1991 (Wet 125 van 1991), het die Bevoegde Gesag vir die administrasie van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie 15 van 1985), ingevolge artikel 4(7) van die Ordonnansie die Kaapse Metropol: Volume 3: Hottentots-Hollandkom Stedelike Struktuurplan (bekend gemaak as 'n Gidsplan in Goewermentskennisgewing Nr. 2467 van 9 Desember 1988 en verklaar as Stedelike Struktuurplan in Goewermentskennisgewing Nr. 158 van 9 Februarie 1996), gewysig deur die gebruiksaanwysing van Ongeregistreerde Gedeelte 293 van die Plaas Firland Nr. 959, Afdeling Stellenbosch (bestaande uit Gedeelte 97, Gedeelte 117 (±21m² groot), Gedeelte 140 en Gedeelte 198 van die Plaas Firland Nr. 959, Afdeling Stellenbosch), soos op die liggingsplan hieronder aangedui, vanaf "Kleinhoues" na "Stedelike Ontwikkeling" te verander.

E17/2/2/1/AG6/Gedeelte 293 van Plaas 959, Gordonsbaai.



P.N. 278/2010

9 July 2010

CITY OF CAPE TOWN
BLAAUWBERG DISTRICT

REMOVAL OF RESTRICTIONS ACT, 1967

I, Farzana Parker, 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 owners of Erf 4120, Milnerton, removes conditions B. 1. (b) and B.1. (d) contained in Deed of Transfer No. T. 82438 of 1996.

P.N. 279/2010

9 July 2010

CITY OF CAPE TOWN
CAPE FLATS DISTRICT

REMOVAL OF RESTRICTIONS ACT, 1967

I, Farzana Parker, 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 37407, Cape Town at Crawford, removes conditions B.(b), B. (c) and B.(d) contained in Deed of Transfer No. T. 35783 of 2006.

P.N. 280/2010

9 July 2010

BEAUFORT WEST MUNICIPALITY

Notice Nr. 57/2010

2010/2011 FINANCIAL YEAR: FINAL CAPITAL AND OPERATING BUDGET AND FIXING OF PROPERTY RATES, TARIFFS AND FEES

For general information notice is hereby given in terms of the stipulations of Section 22(a) (i) of the Local Government: Municipal Finance Management Act, 2003 (Act 56/2003) and Section 21A of the Local Government: Municipal Systems Act, 2000 (Act 32/2000) that the Local Council has approved the Final Capital and Operating Budget for the 2010/2011 financial year on 27 May 2010 and that the undermentioned tariffs will increase as follows with effect from 1 July 2010:—

1. Property rates based on the valuation roll which commenced on 1 July 2009 will be levied as follows:—

| | |
|-------------|-------------|
| Residential | R0.011715 |
| Commercial | R0.01704 |
| Rural Area | R0.00292875 |

Discount on certain qualifying properties will be considered in terms of the Council's rates policy

2. Tariffs regarding the following will increase as follows:—

| | |
|---|-------|
| Sewerage | 8.5% |
| Refuse | 8.5% |
| Water | 10% |
| Electricity: Residential and Commercial | 24.8% |
| Indigent Households | 15% |
| Sundries | 8.5% |

J Booyesen, Municipal Manager, Municipal Office, 112 Donkin Street, Beaufort West 6970

[5/1/2/1 & 5/6/1]

P.K. 278/2010

9 Julie 2010

STAD KAAPSTAD
BLAAUWBERG DISTRIK

WET OP OPHEFFING VAN BEPERKINGS, 1967

Ek, Farzana Parker, 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 eienaars van Erf 4120, Milnerton, hef voorwaardes B.1. (b) en B.1. (d) vervat in Transportakte Nr. T. 82438 van 1996 op.

P.K. 279/2010

9 Julie 2010

STAD KAAPSTAD
KAAPSE VLAKTE DISTRIK

WET OP OPHEFFING VAN BEPERKINGS, 1967

Ek, Farzana Parker, 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 eienaars van Erf 37407, Cape Town at Crawford, hef voorwaardes B.(b), B. (c) en B.(d) vervat in Transportakte Nr. T. 35783 van 2006 op.

P.K. 280/2010

9 Julie 2010

MUNISIPALITEIT BEAUFORT-WES

Kenningsgewing No. 57/2010

2010/2011 BOEKJAAR: FINALE KAPITAAL- EN BEDRYFSBEGROTING EN DIE VASSTELLING VAN EIENDOMSBELASTING, TARIWE EN FOOIE

Ter algemene inligting geskied kennisgewing hiermee kragtens die bepaling van Artikel 22(a) (i) van die Wet op Plaaslike Regering: Munisipale Finansiële Bestuur, 2003 (Wet 56/2003) en Artikel 21A van die Wet op Plaaslike Regering: Munisipale Stelsels, 2000 (Wet 32/2000) dat die Kapitaal- en Bedryfsbegroting vir die 2010/2011 boekjaar op 27 Mei 2010 finaal deur die Plaaslike Raad aanvaar is en dat tariewe soos volg opwaarts aangepas sal word vanaf 1 Julie 2010:—

1. Eiendomsbelasting gebaseer op die waardasierol wat op 1 Julie 2009 in werking getree het, sal soos volg gehief word:—

| | |
|------------------|-------------|
| Residensieël | R0.011715 |
| Kommersieël | R0.01704 |
| Landelike gebied | R0.00292875 |

Korting op sekere kwalifiserende eiendomme sal in terme van die Raad se belastingbeleid toegestaan word.

2. Tariewe ten opsigte van die volgende sal soos volg verhoog word:—

| | |
|--|-------|
| Riool | 8.5% |
| Vullis | 8.5% |
| Water | 10% |
| Elektrisiteit: Residensieël en Kommersieël | 24.8% |
| Deernishuishoudings | 15% |
| Diverse | 8.5% |

J Booyesen, Munisipale Bestuurder, Munisipale Kantore, Donkinstraat 112, Beaufort-Wes 6970

[5/1/2/1 & 5/6/1]

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.

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.

PROVINCIAL GOVERNMENT WESTERN CAPE

DEPARTMENT OF TRANSPORT AND PUBLIC WORKS

BRANCH: PUBLIC WORKS

CHIEF DIRECTORATE: PROPERTY MANAGEMENT

NOTICE FOR THE PROPOSED LEASE OF PROVINCIAL PROPERTIES

Notice is hereby given in terms of the provisions of the Western Cape Land Administration Act, No. 6 of 1998) ("the Act") and its Regulations that it is the intention of the Province of the Western Cape to let the following properties:

- (a) A premises known as Erf 83380 (vacant land) in extent of approximately 2 132m², situated on the corner of Station and Main Road, Retreat, zoned for community facilities, in the Administrative District Cape Town, to Indlungi Trading CC for a period of five (5) years ending 31 August 2014, for the purpose of retail and wholesale of building and landscaping materials.
- (b) A portion of Erf 1742 (vacant land) in extent of approximately 1 934m², as well as a parking servitude area in extent of approximately 1 673m², situated at 60 Old Kendal Road, Constantia, zoned for educational purposes, in the Administrative District of Cape Town, to Honeycomb Montessori Pre-School for a period of three (3) years from 1 January 2010 to 31 December 2012, for educational purposes.
- (c) Former Radio Building, situated on Erf 7640, 39 Rhine Street, Delft, in extent of approximately 4 040m², to the Home of Compassion Ministries, for a period of 5 (five) years, for the purpose of the establishment of a skills development, training and community centre.

Interested parties are hereby invited to submit written representations in terms of Section 3(2) of the Act to the Acting Assistant Executive Manager: Property Management, by mail to Private Bag X9160, Cape Town 8000, within twenty-one (21) days of the date upon which this notice last appears.

Full details of the property and the proposed letting are available for inspection during office hours (7:30 to 16:00 Monday to Friday) in the office of Ms J Tantaal at tel. 021-483-5315 or Mr K Brand at tel. 021-483-8543, Chief Directorate Property Management, Room 4-41, 9 Dorp Street, Cape Town.

WES-KAAPSE PROVINSIALE REGERING

DEPARTEMENT VAN VERVOER EN OPENBARE WERKE

TAK: OPENBARE WERKE

HOOFDIREKTORAAT: EIENDOMSBESTUUR

KENNISGEWING VIR DIE VOORGESTELDE VERHURING VAN PROVINSIALE EIENDOMME

Kennis geskied hiermee ingevolge die bepalings van die Wes-Kaapse Wet op Grondadministrasie, (Wet 6 van 1998) ("die Wet") en die Regulasies daarvan, dat die Wes-Kaapprovinsie van voorneme is om die volgende persele te verhuur:

- (a) 'n Perseel, bekend as Erf 83380 (vakante grond) met 'n grootte van ongeveer 2 132m², geleë op die hoek van Stasie- en Hoofweg, Retreat, gesoneer vir gemeenskapsfasiliteite, in die Administratiewe Distrik van Kaapstad, aan Indlungi Trading BK vir 'n periode van vyf (5) jaar, tot einde 31 Augustus 2014, vir die doel van kleinhandel en verkoop van bou en tuinaanlegte materiaal.
- (b) 'n Gedeelte van Erf 1742 (vakante grond) met 'n grootte van ongeveer 1 673m², geleë te Ou Kendalweg 60, Constantia, gesoneer vir opvoedkundige doeleindes, in die Administratiewe Distrik van Kaapstad, aan Honeycomb Montessori Voorbereidingskool vir 'n periode van drie (3) jaar vanaf 1 Januarie 2010 tot 31 Desember 2012, vir opvoedkundige doeleindes.
- (c) Voormalige Radio Gebou, geleë op Erf 7640, Rhinestraat 39, Delft, met 'n grootte van ongeveer 4 040m², aan die House of Compassion Ministries, vir 'n tydperk van 5 (vyf) jaar, vir die doel van die daarstelling van 'n vaardigheidsontwikkeling-, opleiding- en gemeenskapsentrum.

Belanghebbendes word hiermee gevra om binne een-en-twintig (21) dae vanaf die datum van die laaste verskyning van hierdie kennisgewing, ingevolge Artikel (3)(2) van die Wet, aan die Waarnemende Assistent-Uitvoerende Bestuurder: Eiendomsbestuur, by Privaatsak X9160, Kaapstad, 8000, skriftelike vertoë in te dien.

Volle besonderhede van die eiendom en die voorgestelde verhuring is beskikbaar vir inspeksie gedurende kantoorure (7:30 tot 16:00, Maandag tot Vrydag) in die kantoor van me J Tantaal by tel. 021-483-5315 of mnr K Brand by tel. 021-483-8543, Hoofdirektoraat: Eiendomsbestuur, Kamer 4-41, 9 Dorpstraat, Kaapstad.

URHULUMENTE WEPHONDO LENTSHONA KOLONI

ISEBE LEZOTHUTHO NEMISEBENZI YOLUNTU
ICANDELO: IMISEBENZI YOLUNTU
UMLAWULI OYINTLOKO: ULAWULO LWEZAKHIWO

ISAZISO NGESINDULULO SOKUQESHISA NGEZAKHIWO ZEPHONDO

Kukhutshwa isaziso ngokoThetho weNtshona Koloni woLawulo loMhlaba, uNombolo 6 ka-1998) (“umThetho”) kunye nemiMiselo yawo, sokuba iPhondo leNtshona Koloni lineenjongo zokuqeshisa ngezi zakhiwo zilandelayo:

- (a) Umhlaba owaziwa njengeSiza 83380 (umhlaba ongenanto), obukhulu bumalunga nama-2 132m², kwikona yeStation neMain Road, eRetreat, wamaziko oluntu phantsi koLawulo lwesiThili saseKapa, uza kuqeshiswa kwi-Indlungi Trading CC isithuba seminyaka emihlanu (5) neya kuphela ngowama-31 kweyeThupha 2014, ngenjongo yokuwusebenzisela ukuthengisa nokuthengiswa kwezixhobo zokwakha.
- (b) Inxalenye yeSiza 1742 (umhlaba ongenanto) obukhulu bumalunga ne-1 934m², kwakunye nendawo yokupaka ebukhulu bumalunga ne-1 673m², kwa-60 Old Kendal Road, eConstantia, osikelwe ezemfundo, phantsi koLawulo lwesiThili saseKapa, uza kuqeshiselwa isiKolo seeNtsana iHoneycomb Montessori isithuba seminyaka emithathu (3) ukususela ngowoku-1 kweyoMqungu 2010 ukuya kowama-31 kweyoMnga 2012, ngenjongo zokuwusebenzisela ezemfundo.
- (c) I-Former Radio Building kwiSiza 7640, 39 Rhine Street, eDelft, kumhlaba omalunga nama-4 040m² ubukhulu, ukuya kwiHome of Compassion Ministries, isithuba seminyaka emi-5, ngenjongo yophuhliso Iwezakhono, uqeqesho neziko loluntu.

Imibutho enomdla kule nkqubo iyaminywa ukuba ifake iziphakamiso zayo zibhaliwe ngokweCandelo 3(2) loMthetho kwiBambela Mncedisi-Mphathi oLawulayo: uLawulo lweZakhiwo, kule dilesi ilandelayo, Private Bag X9160, 8000, kwisithuba seentsuku ezingamashumi amabini ananye (21) sipapashiwe esi saziso.

Iinkcukacha ezipheleleyo ngezakhiwo okanye ngemihlaba ekuthethwa ngayo neenkukacha zokuqeshisa ziyafumaneka, kwabo bafuna ukuzihlola, ngamaxesha omsebenzi (7:30 ukuya kweye-16:00) ngemiVulo ukuya ngoolweziHlanu) kwi-ofisi kaNksz J Tantaal kule nombolo yomnxeba 021-483-5315 okanye mr K Brand kule nombolo yomnxeba 021-483-8543, umLawuli oyiNtloko woLawulo lweZakhiwo nemiHlaba, kwiGumbi 4-41, 9 Dorp Street, eKapa.

REMOVAL OF RESTRICTIONS IN TOWNS

OPHEFFING VAN BEPERKINGS IN DORPE

OVERSTRAND MUNICIPALITY

ERF 5511, 31 MAIN ROAD, HERMANUS, OVERSTRAND MUNICIPAL AREA: REMOVAL OF RESTRICTIONS ACT, 1967
(ACT 84 OF 1967) AND PROPOSED DEPARTURE

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, Overstrand Municipality, and any enquiries may be directed to the Town Planner, Mrs. H van der Stoep, PO Box 20, Hermanus, 7200, Tel No. (028) 313-8900 and Fax No. (028) 313-2093.

Notice is hereby further given in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) that an application has been received for a departure from the relevant Scheme Regulations in order to establish an occupational practice (medical practice) within the existing dwelling.

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) 483-4634 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 at Private Bag X9086, Cape Town, 8000, on or before Friday, 20 August 2010, quoting the above Act and the objector’s erf number. Any comments received after the aforementioned closing date may be disregarded.

Applicant: WRAP (on behalf of CC Frick)

Nature of application: Removal of restrictive title conditions applicable to Erf 5511, 31 Main Road, Hermanus, to enable the owner to utilize the property for a medical practice.

Overstrand Municipality, PO Box 20, HERMANUS, 7200, 5 July 2010. Municipal Notice No. 47/2010

OVERSTRAND MUNISIPALITEIT

ERF 5511, HOOFWEG 31, HERMANUS, OVERSTRAND MUNISIPALE AREA: WET OP OPHEFFING VAN BEPERKINGS, 1967
(WET 84 VAN 1967) EN VOORGESTELDE AFWYKING

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, Overstrand Munisipaliteit en enige navrae kan gerig word aan die Senior Stadsbeplanner, Mev. H. van der Stoep, Posbus 20, Hermanus, 7200 (028) 313-8900 en by die faksnommer (028) 313-2093.

Kennis geskied hiermee verder ingevolge Artikel 15 van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie 15 van 1985) dat 'n aansoek ontvang is vir 'n afwyking van die relevante Skemaregulasies ten einde 'n beroepsbeoefening (mediesepraktik) in die bestaande woonhuis te vestig.

Die aansoek lê ook ter insae by die Kantoor van die Direkteur, Geïntegreerde Omgewingsbestuur: Streek B1, Provinsiale Regering van die Wes-Kaap, by Kamer 601, Dorpsstraat 1, Kaapstad, vanaf 08:00-12:30 en 13:00-15:30 (Maandag tot Vrydag). Telefoniese navrae in hierdie verband kan gerig word aan (021) 483-4634 en die Direkoraat se faksnommer is (021) 483-3098. Enige besware, met die volledige redes daarvoor, moet skriftelik by die kantoor van die bogenoemde Direkteur: Geïntegreerde Omgewingsbestuur, Privaatsak X9086, Kaapstad, 8000, ingedien word op of voor Vrydag, 20 Augustus 2010 met vermelding van bogenoemde Wet en die beswaarmaker se ernommer. Enige kommentaar wat na die voorgemelde sluitingsdatum ontvang word, mag moontlik nie in ag geneem word nie.

Aansoeker: WRAP (namens CC Frick)

Aard van aansoek: Opheffing van beperkende titelvoorwaardes van toepassing op Erf 5511, Hoofweg 31, Hermanus, ten einde die eienaar in staat te stel om die eiendom vir 'n mediesepraktik aan te wend.

Overstrand Munisipaliteit, Posbus 20, HERMANUS, 7200, 5 Julie 2010. Munisipale Kennisgewing Nr. 47/2010

UMASIPALA WASE-OVERSTRAND

YESIZA 5511, 31 MAIN ROAD, EHERMANUS, UMMANDLA KAMASIPALA WASE-OVERSTRAND: UMTHETHO WOKUSUSA
IZETHINTELO, 1967 (UMTHETHO 84 KA-1967) KUNYE NOKUHAMBA KWESINDULULO

Kunikezwa isaziso, malunga neCandelo 3(6) lab Mthetho ukhankanywe ngentla, ukuba kuye kwafunyanwa esi Sicelo singezantsi, nokuba kuvulelekile ukuba singeza kuhlolwa kwiOfisi yeManejala kaMasipala wase Overstrand, kwaye nayiphi na imibuzo ingathunyelwa kuMyili weDolophu, Nkosikazi H van der Stoep, PO Box 20, Hermanus, 7200 (Kwinombolo Yemfonomfono Engu: (028) 313-8900) (Inombolo Yefeksi (028) 313-2093).

Kukwaziswa kwakhona malunga neCandelo 15 lo Mthetho wokusetyenziswa komhlaba. 1985 (umthetho 15 ka 1985) wokuba isicelo sifunyenwe sokuhamba ngokunxulumene noyilomthetho ukuze kumiswe umsebenzi ojongene nengozi kwindawo ekuhlalwa kuzo.

ISicelo sikwavulelekile ukuba sihlolwe kwiOfisi yoMlawuli: kuLawulo Olumanyanisiweyo lokusiNgqongileyo: Isixeko B1, kaRhulumente wePhondo leNtshona Koloni, kwiGumbi elingu-601, 1 Dorp Street, eKapa, ukususela ngentsimbi ye-08:00 ukuya kweye-12:30 nango-13:00 ukuya-15:30 (ngoMvulo ukuya kutsho ngoLwesihlanu). Imibuzo eyenziwa ngomnxeba ephathelele kulo M.B.A. ingenziwa ngokutsalela kwa-(021) 483-4634, kwaye ke inombolo yefakisi yeti Candelo loLawulo ngu-(021) 483-3098. Naziphi na iinkcaso, ekufuneka zihambe nezizathu ezipheleleyo, kufuneka zingeniswe ngokubhaliweyo kule ofisi ikhankanywe ngentla yoMlawuli kuLawulo Olumanyanisiweyo lokusingqongileyo kwaPrivate Bag X9086, Cape Town, 8000, ngomhla okanye phambi kwango Lwesihlanu umhla, 20 August 2010, kuxelwe lo Mthetho ungentla kunye nenombolo yesiza salowo ukhalazayo. Naziphi na izimvo ezithe zafika emva kwalo mhla wokuvala ukhankanyiweyo zisenokungahoywa.

Umfaki Sicelo: WRAP (egameni lika CC Frick)

Uhlobo lwesicelo: Ukususwa kwemiqathango yezithintelo kwitayitile yesiza 5511, 31 Main Road, eHermanus, ukuze umniniso aqhube ezonyango kule ndawo.

Kwiofisi zikaMasipala, PO Box 20, HERMANUS, 7200. 5 July 2010. Inombolo Yesaziso Ka-masipala 47/2010

BREEDE VALLEY MUNICIPALITY

APPLICATION FOR REMOVAL OF RESTRICTIVE TITLE CONDITIONS (ACT 84 OF 1967) AND SUBDIVISION: ERF 2800, WORCESTER

NOTICE IS HEREBY GIVEN in terms of Section 3(6) of the Removal of Restrictions Act 1967 (Act 84 of 1967) that the under-mentioned application has been received and is open to inspection at the office of the Municipal Manager/Director: Corporate Services, Breede Valley Municipality. Any enquiries may be directed to Ms N Gayiya, Tel No. (023) 348-2631, Directorate: Operational Services, Section: Planning, Development & Building Control, Third Floor, Civic Centre, Baring Street, Worcester. NOTICE IS HEREBY GIVEN in terms of Section 24(2)(a) of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) that an application has been received for the subdivision of erf 2800, Worcester into two portions namely Portion A ($\pm 627\text{m}^2$) and remainder ($\pm 692\text{m}^2$).

The application is also open to inspection at the office of the Director Integrated Environmental Management, Region A, Provincial Government of the Western Cape, at Room 201, 1 Dorp Street, Cape Town from 8:00-12:30 and 13:00-15:30 (Monday to Friday).

Telephonic enquiries in this regard may be made at (021) 483-4225. The Director's fax number is (021) 483-3633.

Any objections, with full reasons therefor, should be lodged in writing at the office of the Director: Integrated Environmental Management, Region A, Private Bag X9086, Cape Town, 8000 with a copy to the Municipal Manager Private Bag X3046, Worcester, 6849 on or before 10 August 2010 quoting the above Act and the objector's erf number.

Applicant: Mrs. Melanie Du Toit

Nature of application: Removal of restrictive title conditions applicable to erf 2800, Worcester to enable the owner to subdivide the property into (2) two portions namely portion A ($\pm 627\text{m}^2$) and remainder ($\pm 692\text{m}^2$).

AA PAULSE, MUNICIPAL MANAGER (Notice No. 12/2010)

KNYSNA MUNICIPALITY

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

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

REMOVAL OF RESTRICTIVE TITLE CONDITIONS: ERF 111, BUFFALO BAY (111 WALKER DRIVE)

Notice is hereby given in terms of Section 3(6) of the Removal of Restrictions Act that the undermentioned application has been received and is open for inspection during office hours at the, Municipal Town Planning Offices, 3 Church Street, Knysna, and at the Municipal Offices, Flamingo Avenue, Sedgefield and at the office of the Director: Integrated Environmental Management Region A, Provincial Government of the Western Cape, Room 201, 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) 483-8779 and the Directorate's fax number is (021) 483-3633. Any objections, with full reasons therefor, should be lodged in writing addressed to the Director: Land Development Management, Private Bag X9086, Cape Town, 8000, with a copy to the abovementioned Local Authority on or before Tuesday, 10 August 2010 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: Municipal Systems Act (Act 32 of 2000) that people who cannot write may approach the Municipal Town Planning Office at 3 Church Street, Knysna during normal office hours where the Secretary will refer you to the responsible official who will assist you in putting your comments or objections in writing.

Applicant: Rocky Phillipson

Nature of application: Removal of a restrictive title conditions applicable to Erf 111, Buffalo Bay, to enable the owner to extend the existing timber deck on the property.

File reference: 111 BB

JB DOUGLAS, MUNICIPAL MANAGER

BREEDEVALLEI MUNISIPALITEIT

AANSOEK OM OPHEFFING VAN BEPERKENDE VOORWAARDES EN ONDERVERDELING VAN ERF 2800, WORCESTER

Kragtens Artikel 3(6) van die Wet op Opheffing van Beperkings, 1967 (Wet 84 van 1967) word hiermee kennis gegee dat die onderstaande aansoek ontvang is en ter insae lê by die kantoor van die Munisipale Bestuurder/Direkteur: Korporatiewe Dienste, Breede Vallei Munisipaliteit. Enige navrae kan gerig word aan Mej. N. Gayiya Tel Nr. (023) 348-2631, kantoor van die Direkteur: Operasionele Dienste, Afdeling: Beplanning, Ontwikkeling en Boubeheer, Derde Vloer, Burgersentrum, Baringstraat, Worcester. Die aansoek lê ook ter insae by die Kantoor van die Direkteur, Geïntegreerde Omgewingsbestuur: Streek A, Provinsiale Regering van die Wes-Kaap, by Kamer 201, Dorpstraat 1, Kaapstad, vanaf 8:00-12:30 en vanaf 13:00-15:30 (Maandag tot Vrydag). Telefoniese navrae in hierdie verband kan gerig word aan (021) 483-4225 en die Direkteur se faksnommer is (021) 483-3633.

KENNIS GESKIED HIERMEE ingevolge die bepalings van Artikel 24(2)(a) van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie 15 van 1985) dat 'n aansoek om onderverdeling van erf 2800, Worcester ten einde die eienaar in staat te stel om die erf te onderverdeel in naamlik gedeelte A ($\pm 627\text{m}^2$) en 'n restant van ($\pm 692\text{m}^2$).

Enige besware, met die volledige redes daarvoor, moet skriftelik by die kantoor van die Direkteur: Geïntegreerde Omgewingsbestuur, Streek A, Privaatsak X9086, Kaapstad 8000 met 'n afskrif aan die Munisipale Bestuurder, Privaatsak X3046, Worcester, 6849 ingedien word voor of op 10 Augustus 2010 met vermelding van bogenoemde Wet en die beswaarmaker se ernommer.

Aansoeker: Mev Melanie Du Toit

Aard van aansoek: Opheffing van beperkende titelvoorwaarde van toepassing op erf 2800, Worcester, ten einde die eienaar in staat te stel om sy eiendom te onderverdeel in (2) twee gedeeltes naamlik gedeelte A ($\pm 627\text{m}^2$) en die restant ($\pm 692\text{m}^2$).

AA PAULSE, MUNISIPALE BESTUURDER (Kennisgewing Nr. 12/2010)

KNYSNA MUNISIPALITEIT

ORDONNANSIE OP GRONDGEBRUIKBEPLANNING, 1985 (ORDONNANSIE 15 VAN 1985)

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

OPHEFFING VAN BEPERKENDE TITELVOORWAARDES: ERF 111, BUFFELSBAAI (111 WALKERWEG)

Kennis geskied hiermee ingevolge Artikel 3(6) van bogenoemde Wet, dat die onderstaande aansoek ontvang is en gedurende kantoorure by die Munisipale Stadsbeplanningskantore, Kerkstraat 3, Knysna en by die Munisipale kantore, Flamingolaan, Sedgefield en by die kantoor van die Direkteur: Grondontwikkelingsbestuur, Streek A, Provinsiale Regering van die Wes-Kaap, Kamer 201, Dorpstraat 1, Kaapstad, ter insae lê vanaf 08:00-12:30 en 13:00-15:30 (Maandag tot Vrydag). Telefoniese navrae in hierdie verband kan gerig word aan (021) 483-8779 en die Direkoraat se faksnommer is (021) 483-3633. Enige besware, met redes, moet skriftelik voor of op Dinsdag, 10 Augustus 2010 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 Wet 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 verder kennis gegee dat persone wat nie kan skryf nie die Stadsbeplanningsafdeling (Kerkstraat 3) kan nader tydens normale kantoorure waar die Sekretaresses u sal verwys na die betrokke amptenaar wat u sal help om u kommentaar of besware op skrif te stel.

Aansoeker: Rocky Phillipson

Aard van aansoek: Opheffing van beperkende titelvoorwaardes van toepassing op Erf 111, Buffalo Bay, ten einde die eienaar in staat te stel om die bestaande houtdek op die eiendom te verleng.

Lêerverwysing: 111 BB.

JB DOUGLAS, MUNISIPALE BESTUURDER

KNYSNA MUNICIPALITY

LAND USE PLANNING ORDINANCE, 1985 (ORDINANCE 15 OF 1985)
REMOVAL OF RESTRICTIONS ACT, 1967
(ACT 84 OF 1967)

REMOVAL OF RESTRICTIVE TITLE CONDITIONS: ERF 3054, KNYSNA (13 FORMOSA STREET, HORNLEE)

Notice is hereby given in terms of Section 3(6) of the Removal of Restrictions Act that the undermentioned application has been received and is open for inspection during office hours at the Municipal Town Planning Offices, 3 Church Street, Knysna, and at the Municipal Offices, Flamingo Avenue, Sedgefield and at the office of the Director: Integrated Environmental Management Region A, Provincial Government of the Western Cape, Room 201, 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) 483-8779 and the Directorate's fax number is (021) 483-3633. Any objections, with full reasons therefor, should be lodged in writing addressed to the Director: Land Development Management, Private Bag X9086, Cape Town, 8000, with a copy to the abovementioned Local Authority on or before Tuesday, 10 August 2010 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: Municipal Systems Act (Act 32 of 2000) that people who cannot write may approach the Municipal Town Planning Office at 3 Church Street, Knysna during normal office hours where the Secretary will refer you to the responsible official who will assist you in putting your comments or objections in writing.

Applicant: Louise Jenneker

Nature of application: Removal of a restrictive title condition applicable to Erf 3054, Knysna, to enable the owner to erect a second dwelling unit on the property.

File reference: 3054 KNY

JB DOUGLAS, MUNICIPAL MANAGER

KNYSNA MUNICIPALITY

LAND USE PLANNING ORDINANCE, 1985 (ORDINANCE 15 OF 1985)
REMOVAL OF RESTRICTIONS ACT, 1967
(ACT 84 OF 1967)

REMOVAL OF RESTRICTIVE TITLE CONDITIONS: ERF 7816, KNYSNA (21 KURTZENHOF ESTATE, WELBEDACHT ROAD)

Notice is hereby given in terms of Section 3(6) of the Removal of Restrictions Act that the undermentioned application has been received and is open for inspection during office hours at the Municipal Town Planning Offices, 3 Church Street, Knysna, and at the Municipal Offices, Flamingo Avenue, Sedgefield and at the office of the Director: Integrated Environmental Management Region A, Provincial Government of the Western Cape, Room 201, 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) 483-8779 and the Directorate's fax number is (021) 483-3633. Any objections, with full reasons therefor, should be lodged in writing addressed to the Director: Land Development Management, Private Bag X908 6, Cape Town, 8000, with a copy to the abovementioned Local Authority on or before Tuesday, 10 August 2010 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: Municipal Systems Act (Act 32 of 2000) that people who cannot write may approach the Municipal Town Planning Office at 3 Church Street, Knysna during normal office hours where the Secretary will refer you to the responsible official who will assist you in putting your comments or objections in writing.

Applicant: Rocky Phillipson

Nature of application: Removal of a restrictive title condition applicable to Erf 7816, Knysna, to enable the owner to erect a garage on the property. The building lines will be encroached.

File reference : 7816 KNY

JB DOUGLAS, MUNICIPAL MANAGER

KNYSNA MUNISIPALITEIT

ORDONNANSIE OP GRONDGEBRUIKBEPLANNING, 1985
(ORDONNANSIE 15 VAN 1985)
WET OP OPHEFFING VAN BEPERKINGS, 1967 (WET 84 VAN 1967)

OPHEFFING VAN BEPERKENDE TITELVOORWAARDES: ERF 3054, KNYSNA (FORMOSA STRAAT 13, HORNLEE)

Kennis geskied hiermee ingevolge Artikel 3(6) van bogenoemde Wet, dat die onderstaande aansoek ontvang is en gedurende kantoorure by die Munisipale Stadsbeplanningskantore, Kerkstraat 3, Knysna en by die Munisipale kantore, Flamingolaan, Sedgefield en by die kantoor van die Direkteur: Grondontwikkelingsbestuur, Streek A, Provinsiale Regering van die Wes-Kaap, Kamer 201, Dorpstraat 1, Kaapstad, ter insae lê vanaf 08:00-12:30 en 13:00-15:30 (Maandag tot Vrydag). Telefoniese navrae in hierdie verband kan gerig word aan (021) 483-8779 en die Direkoraat se faksnommer is (021) 483-3633. Enige besware, met redes, moet skriftelik voor of op Dinsdag, 10 Augustus 2010 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 Wet 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 verder kennis gegee dat persone wat nie kan skryf nie die Stadsbeplanningsafdeling (Kerkstraat 3) 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.

Aansoeker: Louise Jenneker

Aard van aansoek: Opheffing van beperkende titelvoorwaardes van toepassing op Erf 3054, Knysna, ten einde die eienaar in staat te stel om 'n tweede wooneenheid op die eiendom op te rig.

Lêerverwysing: 3054 KNY

JB DOUGLAS, MUNISIPALE BESTUURDER

KNYSNA MUNISIPALITEIT

ORDONNANSIE OP GRONDGEBRUIKBEPLANNING, 1985
(ORDONNANSIE 15 VAN 1985)
WET OP OPHEFFING VAN BEPERKINGS, 1967 (WET 84 VAN 1967)

OPHEFFING VAN BEPERKENDE TITELVOORWAARDES: ERF 7816, KNYSNA (21 KURTZENHOF ESTATE, WELBEDACHT PAD)

Kennis geskied hiermee ingevolge Artikel 3(6) van bogenoemde Wet, dat die onderstaande aansoek ontvang is en gedurende kantoorure by die Munisipale Stadsbeplanningskantore, Kerkstraat 3, Knysna en by die Munisipale kantore, Flamingolaan, Sedgefield en by die kantoor van die Direkteur: Grondontwikkelingsbestuur, Streek A, Provinsiale Regering van die Wes-Kaap, Kamer 201, Dorpstraat 1, Kaapstad, ter insae lê vanaf 08:00-12:30 en 13:00-15:30 (Maandag tot Vrydag). Telefoniese navrae in hierdie verband kan gerig word aan (021) 483-8779 en die Direkoraat se faksnommer is (021) 483-3633. Enige besware, met redes, moet skriftelik voor of op Dinsdag, 10 Augustus 2010 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 Wet 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 verder kennis gegee dat persone wat nie kan skryf nie die Stadsbeplanningsafdeling (Kerkstraat 3) 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.

Aansoeker: Rocky Phillipson

Aard van aansoek: Opheffing van beperkende titelvoorwaardes van toepassing op Erf 7816, Knysna, ten einde die eienaar in staat te stel om 'n motorhuis op die eiendom op te rig. Die boulyne sal oorskry word.

Lêerverwysing: 7816 KNY

JB DOUGLAS, MUNISIPALE BESTUURDER

BITOU LOCAL MUNICIPALITY

ERF 12529, PLETTENBERG BAY: PROPOSED REMOVAL OF RESTRICTIVE CONDITIONS OF TITLE AND REZONING

Notice is hereby given in terms of Section 3(6) of the Removal of Restrictions Act, 1967 (Act 84 of 1967) as well as Section 17 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) that the undermentioned application has been received and is open to inspection at the office at the Municipal Town Planning Office (Monks View, Church Street, Plettenberg Bay), during normal office hours. 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 2nd Floor, 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 directed to the Senior Town Planner, Bitou Municipality (Tel: (044) 533-6881/Fax: (044) 533-6885), while the fax number of the Directorate: Land Development Management is (021) 483-3633.

Any objections to the proposed removal of restrictive conditions of title, with full reasons therefor, should be lodged in writing at the office of the above-mentioned Director: Integrated Environmental Management at Private Bag X9086, Cape Town, 8000, with a copy to the Municipal Manager on or before Friday, 25 June 2010, quoting the above Act and the objector's erf number. Any objections to or comment on the proposed rezoning should be lodged in writing to reach the Municipal Manager on or before Friday, 25 June 2010. Comments or objections received after the aforementioned closing date may be disregarded.

A person who cannot read or write but wishes to comment on the proposals may visit the Department: Strategic Services (Town Planning section) where a member of staff will assist them to formalize their comment.

Applicant: HDRS Attorneys

Nature of application: Removal of restrictive conditions of title and rezoning from "Single Residential" to "General Residential" of Erf 12529, Plettenberg Bay (Consolidation of Erven 1668, 1675, 1676, 1677 and 8786, Plettenberg Bay), to enable the owner to construct a licensed hotel on the property.

Erf 12529, Plettenberg Bay is bordered by Beachy Head Road, Cordovan Crescent and Tarbetness Road.

LMR Ngoqo, Municipal Manager, Bitou Local Municipality, Private Bag X1002, PLETTENBERG BAY 6600

Municipal Notice No. 97/2010

BITOU PLAASLIKE MUNISIPALITEIT

ERF 12529, PLETTENBERGBAAI: VOORGESTELDE OPHEFFING VAN BEPERKENDE VOORWAARDES VAN TITEL EN HERSONERING

Kennis geskied hiermee ingevolge Artikel 3(6) van die Wet op die Opheffing van Beperkings, 1967 (Wet 84 van 1967) asook Artikel 17 van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ord. 15 van 1985) dat die onderstaande aansoek ontvang is en ter insae lê by die Munisipale Stadsbeplanningskantoor (Monks View, Kerk Straat, Plettenbergbaai) gedurende normale kantoorure. Die aansoek is ook beskikbaar by die Kantoor van die Direkteur, Geïntegreerde Omgewingsbestuur: Streek A1, Provinsiale Regering van die Wes-Kaap, by 2de Vloer, 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 aan die Senior Stadsbeplanner, Bitou Munisipaliteit (Tel: (044) 533-6881/faks: (044) 533-6885). Die Direkoraat: Geïntegreerde Omgewingsbestuur se faksnommer is (021) 483-3098.

Enige besware teen die voorgestelde opheffing van beperkende voorwaardes van titel, met die volledige redes daarvoor, moet skriftelik by die kantoor van bogenoemde Direkteur: Geïntegreerde Omgewingsbestuur, Privaatsak X9086, Kaapstad, 8000, ingedien word op of voor Vrydag, 25 Junie 2010, met 'n afskrif aan die Munisipale Bestuurder, en met vermelding van bogenoemde Wet en die beswaarmaker se erfnummer. Enige besware teen of kommentaar op die voorgestelde hersonering moet skriftelik ingedien word ten einde die Munisipale Bestuurder te bereik op of voor Vrydag, 25 Junie 2010. Kommentaar of besware wat na die voorgemelde sluitingsdatum ontvang word, mag moontlik nie in ag geneem word nie.

Persone wat wil kommentaar lewer maar nie kan lees of skryf nie mag die Departement: Strategiese Dienste (Stadsbeplanningsafdeling) besoek waar hul deur 'n amptenaar bygestaan sal word ten einde hul kommentaar te formaliseer.

Aansoeker: HDRS Prokureurs

Aard van die aansoek: Opheffing van beperkende titelvoorwaardes en hersonering vanaf "Enkel Residensiële" na "Algemene Residensiële" op Erf 12529, Plettenbergbaai (konsolidasie van Erwe 1668, 1675, 1676, 1677 en 8786, Plettenbergbaai), ten einde die eienaar in staat te stel om die perseel te herontwikkel vir 'n hotel.

LMR Ngoqo, Munisipale Bestuurder, Bitou Plaaslike Munisipaliteit, Privaatsak X1002, PLETTENBERGBAAI 6600

Munisipale Kennisgewing No. 97/2010

CITY OF CAPE TOWN (CAPE FLATS DISTRICT)

REZONING, SUBDIVISION, DEPARTURE AND REMOVAL OF RESTRICTIONS

- Erf 130183 (Portion of Erf 32707), and Erf 130182 (Portion of Erf 32706) 2 Kuils Road, Athlone (*second placement*)

Notice is hereby given in terms of Sections 15, 17 and 24 of the Land Use Planning Ordinance 15 of 1985 and in terms of Section 3(6) of the Removal of Restrictions Act, Act 84 of 1967 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 George Street Athlone, and that any enquiries may be directed to Mr M Collison, PO Box 283, Athlone, 7760 or email Mark.Collison@capetown.gov.za tel (021) 684-4343, fax (021) 684-4410 weekdays during 08:00-14:30. 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 weekdays from 08:00-12:30 and 13:00-15:30. Telephonic enquiries in this regard may be made at (021) 483-3638 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 B at Private Bag X9086, Cape Town, 8000 on or before 10 August 2010 quoting the above applicable legislation, the application number, as well as your erf and contact phone number and address. Any comments received after aforementioned closing date may be disregarded.

Applicant: Town and Country Planners

Application Number: 182954

File Reference: LUM/00/32707

Nature of application:

- Removal of restrictive title conditions applicable to unregistered Erven 130183 (portion of Erf 32707) and Erf 130182 (portion of Erf 32706), Athlone 2 Kuils Road, to construct 35 single storey semi-detached houses and row of houses and 21 one and a half storey row houses on the property. The property will also be subdivided. Building lines will be encroached.
- Rezoning of the subject property to subdivisional area to permit Single Dwelling Residential and Road.
- Subdivision of the subject property into 56 residential portions and remainder road.
- Departure to allow for the relaxation of the 4.5m street building line restriction to 1.5m.

ACHMAT EBRAHIM, CITY MANAGER

STAD KAAPSTAD (KAAPSE VLAKTE-DISTRIK)

HERSONERING, ONDERVERDELING, AFWYKING EN OPHEFFING VAN BEPERKINGS

- Erf 130183 (gedeelte van Erf 32707) en Erf 130182 (gedeelte van Erf 32706) Kuilsrivierweg 2, Athlone (*tweede plasing*)

Kennisgewing geskied hiermee ingevolge artikel 3(6) van die Wet op Opheffing van Beperkings, Wet 84 van 1967, en artikels 15, 17 en 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, beplanning en bouontwikkelingsbestuur, Ledger House, h/v Adenlaan en Georganestraat, Athlone, en dat enige navrae gerig kan word aan mnr M Collison, Posbus 283, Athlone 7760, e-posadres Mark.Collison@capetown.gov.za, tel (021) 684-4343 of faksnr. (021) 684-4410, weksdae gedurende 08:30-14:30. Die aansoek is ook ter insae beskikbaar by die kantoor van die direkteur: geïntegreerde omgewingsbestuur, Streek B2, provinsiale regering van die Wes-Kaap, Kamer 604, Utilitas-gebou, Dorpstraat 1, Kaapstad van 08:00-12:30 en 13:00-15:30 (Maandag tot Vrydag). Telefoniese navrae in dié verband kan aan (021) 483-3638 gerig word, en die direktoraat se faksnr. is (021) 483-3098. Enige besware, met volledige redes, moet voor of op 10 Augustus 2010 skriftelik aan die kantoor van bogenoemde direkteur: geïntegreerde omgewingsbestuur, departement van omgewingsake en ontwikkelingsbeplanning, Privaat Sak X9086, Kaapstad 8000, gerig word, met vermelding van bogenoemde toepaslike wetgewing, die aansoeknommer, sowel as u erf- en kontaktelefoonnommer en adres. Enige besware wat na voormelde sluitingsdatum ontvang word, kan dalk buite rekening gelaat word.

Aansoeker: Town and Country Planners

Aansoeknr.: 182954

Lêerverw.: LUM/00/32707

Aard van aansoek:

- Die opheffing van beperkende voorwaardes wat op ongeregistreerde Erf 130183 (gedeelte van Erf 32707) en Erf 130182 (gedeelte van Erf 32706), Kuilsrivierweg 2, Athlone, van toepassing is, ten einde 35 enkelverdieping-skakelhuse en ry huse en 'n ry van 21 een-en-'n-halfverdiepinghuse op die eiendom te bou. Die eiendom sal ook onderverdeel word, en boulyne sal oorskry word.
- Hersonering van die onderhawige eiendom na onderverdelingsgebied ten einde enkelresidensiële erwe en pad toe te laat.
- Onderverdeling van die onderhawige eiendom in 56 residensiële gedeeltes en 'n restant pad.
- Afwyking om vir die verslapping van die 4.5m-straat-boulynbeperking tot 1.5m voorsiening te maak.

ACHMAT EBRAHIM, STADSBESTUURDER

CITY OF CAPE TOWN (HELDERBERG DISTRICT)
REMOVAL OF RESTRICTIONS, SPECIAL CONSENT & DEPARTURE

- Erf 1500, 101 Drommedaris Street, Gordon's Bay (*second placement*)

Notice is hereby given in terms of Sections 3(6) of the Act 84 of 1967, 15(1)(a)(i) of Ordinance 15 of 1985 and the relevant Zoning Scheme Regulations that the undermentioned application has been received and is open to inspection at the office of the District Manager, First Floor, Municipal Offices, c/o Victoria & Andries Pretorius Streets, Somerset West. Enquiries may be directed to Mr Dumza Mfutwana, PO Box 19, Somerset West, 7129, e-mail to ciska.smit@capetown.gov.za, tel (021) 850-4346 or fax (021) 850-4487 during 08:00-14:30. Any objections, with full reasons therefor, must be lodged in writing at the office of the District Manager at the First Floor, Municipal Offices, c/o Victoria & Andries Pretorius Streets, Somerset West on or before 10 August 2010, quoting the above relevant legislation and the objector's erf and phone numbers and address. 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 received after the abovementioned closing date may be considered to be invalid.

Applicant: Mr Sydney Holden (on behalf of JA & CW Parker)

Owner: Mrs CW Parker

Application Number: 191009

Notice Number: 31/2010

Erf/Erven Number: Erf 1500, Gordon's Bay

Address: 101 Drommedaris Street, Gordon's Bay

Nature of application:

- (a) The Removal of Restrictive Title Condition D(iii)(b) applicable to Erf 1500, 101 Drommedaris Street, Gordon's Bay for the establishment of a second dwelling unit ("granny flat");
- (b) The Council's special consent for the relaxation of the permissible height restriction from 4m to 5.52m on Erf 1500, 101 Drommedaris Street, Gordon's Bay;
- (c) The departure from the Gordon's Bay Zoning Scheme Regulations for the:
 - Establishment of the abovementioned second dwelling unit (113m² in extent) on the first floor of the existing dwelling;
 - Relaxation of the 3.5m lateral building line (adjacent to Erf 1532) to 2.352m for the construction of a garage and 3.232m to accommodate the second dwelling unit;
 - Relaxation of the 6m aggregate side space to 5.52m.

ACHMAT EBRAHIM, CITY MANAGER

STAD KAAPSTAD (HELDERBERG-DISTRIK)
OPHEFFING VAN BEPERKINGS, SPESIALE TOESTEMMING & AFWYKING

- Erf 1500, Drommedarisstraat 101, Gordonsbaai (*tweede plasing*)

Kennisgewing geskied hiermee ingevolge artikel 3(6) van Wet 84 van 1967, artikel 15 van Ordonnansie 15 van 1985 en die toepaslike soneringskema-regulasies dat onderstaande aansoek ontvang is en ter insae beskikbaar is by die kantoor van die distriksbestuurder, Eerste Verdieping, Munisipale Kantore, h/v Victoria- & Andries Pretoriusstraat, Somerset-Wes. Navrae kan gerig word aan mnr Dumza Mfutwana, Posbus 19, Somerset-Wes 7129, per e-pos aan ciska.smit@capetown.gov.za, gestuur word, tel (021) 850-4346 of faksnr. (021) 850-4487, weekdae gedurende 08:00-13:00. Besware, met die volledige redes daarvoor, moet voor of op 10 Augustus 2010 skriftelik by die kantoor van bogenoemde distriksbestuurder ingedien word, met vermelding van bogenoemde toepaslike wetgewing, die aansoeknommer en die beswaarmaker se erf- en telefoonnommer en adres. 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 kan aan (021) 483-4033 gerig word, en die direktoraat se faksnr. is (021) 483-3098. Enige besware wat na bogenoemde sluitingsdatum ontvang word, kan dalk ongeldig geag word.

Aansoeker: mnr Sydney Holden (namens JA & CW Parker)

Eienaar: mev. CW Parker

Aansoeknr.: 191009

Kennisgewingno.: 31/2010

Adres: Drommedarisstraat 101, Gordonsbaai

Aard van aansoek:

- (a) Die opheffing van beperkende titelvoorwaarde D(iii)(b) wat op Erf 1500, Drommedarisstraat 101, Gordonsbaai, van toepassing is, ten einde 'n tweede wooneenheid ("oumawoonstel") op te rig.
- (b) Spesiale raadstoestemming vir die verslapping van die toelaatbare-hoogtebeperking van 4m tot 5.52m op Erf 1500, Drommedarisstraat 101, Gordonsbaai.
- (c) Afwyking van die Gordonsbaai se soneringskema-regulasies vir die:
 - Oprigting van bogenoemde tweede wooneenheid (113m² groot) op die eerste verdieping van die bestaande woning;
 - Verslapping van die 3.5m-syboulyn (aanliggend aan Erf 1532) tot 2.352m vir die bou van 'n motorhuis, en tot 3.232m om die tweede wooneenheid te akkommodeer;
 - Verslapping van die 6m-gemiddelde syruimte tot 5.52m.

ACHMAT EBRAHIM, STADSBESTUURDER

CITY OF CAPE TOWN (HELDERBERG DISTRICT)

ISIPHAKAMISO SOKUSUSWA KWEZITHINTELO: ISIZA, IMVUME EYODWA NOKUTYESHELA IMIQATHANGO YOSETYENZISO-MHLABA

- Isiza 1500, 101 Drommedaris Street, Gordon's Bay

Kukhutshwa isaziso ngokweCandelo-3(6) loMthetho ongokuSuswa kweziThintelo onguNomb.84 wangowe-1967, 15(1)(a)(i) oMpoposho 15 ka-1985 kunye neMiqathango efanelekileyo yeNkqubo yokuCandwa koMhlaba sokuba isicelo esikhankanywe ngezantsi apha sifunyenwe kwaye sivulelekile ukuba sihlolwe/siphonongwe kwi-ofisi yoMphathi weSithili, uMgangatho wokuQala, ii-Ofisi zikaMasipala, kwikona ye-Victoria ne-Andries Pretorius Streets, eSomerset West. Imibuzo ngomnxeba ngokwalo mbandela ingenziwa kuMnu. Dumza Mfutwana, PO Box 19, Somerset West, 7129, nge-imeyile ku-ciska.smit@capetown.gov.za, inomb. yomnxeba. (021) 850-4346 okanye inomb. yefeksi (021) 850-4487 ukususela ngentsimbi ye-08:00-14:30. Naziphina izichaso ezinezizathu ezivakalayo, zingangeniswa ngokubhaliweyo kwi-ofisi yoMphathi weSithili kuMgangatho wokuQala, ii-Ofisi zikaMasipala, kwikona ye-Victoria ne-Andries Pretorius Streets, eSomerset West ngomhla okanye phambi kowama-10 August 2010, ucaphula lo mthetho ungasentla, inombolo yesalathisi echazwe ngezantsi apha, kunye nenombolo yesiza yomchasi, iinomboto zomnxeba nedilesi. Kananjalo esi siceto sivulelekile ukuba sihlolwe/siphonongwe kwi-ofisi yoMlawuli: uLawuto otuHlanganisiweyo kokuSingqongileyo: iSithili B1, uRhulumente wePhondo leNtshona Koloni kwiGumbi 601, 1 Dorp Street, eKapa, ukususela ngentsimbi ye-08:00-12:30 nangentsimbi yoku-13:00-15:30 (ngoMvuto ukuya ngoLwesihlanu). Imibuzo ngomnxeba malunga nalo mbandela ingenziwa kule nombolo (021) 483-4033 nakwinombolo yefeksi yoMlawuli (021) 483-3098. Naziphi na izichaso ezifunyenwe emva kwalo mhla wokuvala ukhankanywe ngasentla apha zingathathwa njengezingekho mthethweni.

Umfaki-sicelo: Mnu. Sydney Holden (egameni labe-JA & CW Parker)

Ummuni-propati: Nkskz. CW Parker

INombolo yeSicelo: 191009

INombolo yeSaziso: 31/2010

ISiza/iNombolo yeSiza: Isiza 1500, eGordon's Bay

Idilesi: 101 Drommedaris Street, Gordon's Bay

Ubume beSicelo:

- UkuSuswa koMqathango oThintelayo weNcwadi yeTayitile D(iii)(b) omisetwe kwiSiza 1500, 101 Drommedaris Street, eGordon's Bay kulungiselelwa ukokhiwa kwendawo yokuhlala yesibini ("iflethi engasemva");
- Imvume eyodwa yeBhunga kulungiselelwa ukucuthwa kwesithintelo somphakamo ovumelekileyo ukususela kwi-4m ukuya kwi-5.52m kwiSiza 2486, 22 Drommedaris Street, eGordon's Bay;
- Ukutyeshelela iMiqathango yeNkqubo yokuCandwa koMhlaba eGordon's Bay kutungiselelwa:
 - Ukokhiwa kwaye ndawo yokuhlala yesibini ikhankanywe ngasentla (113m² ngobukhutu) kumgangatho wokugala wendawo yokuhlala;
 - UkuCuthwa komda wesakhiwo osecaleni oyi-3.5m (okufuphi neSiza 1532) ube yi-2.352m kutungiselelwa ukokhiwa kwegaraji kunye ne-3.232m ukutungiselela indawo yokuhlala yesibini;
 - Ukucuthwa kwesithuba esisecaleni xa sidityanisiwe siyi-6m sibe yi-5.52m.

ACHMAT EBRAHIM, CITY MANAGER

CITY OF CAPE TOWN (CAPE FLATS DISTRICT)

REMOVAL OF RESTRICTIONS AND SUBDIVISION

- Erf 573 Ottery at 99 Plantation Road (*second placement*)

Notice is hereby given in terms of Section 3(6) of the Removal of Restrictions Act, Act 84 of 1967 and Section 24(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 George Street, Athlone, and any enquiries may be directed to Karen Patten, PO Box 283 Athlone 7760, email Karen.patten@capetown.gov.za tel (021) 684-4345 and fax (021) 684-4410 weekdays during 08:30-13:30. The application is also open to inspection at the office of the Director: Integrated Environmental Management, Region B, Provincial Government of the Western Cape, at Room 601, at the Utilitas Building, 1 Dorp Street, Cape Town from 08:00-12:30 and 13:00-15:30. (Monday-Friday). Telephonic enquiries in this regard may be made at (021) 483-4634 and the Directorate's fax number is (021) 483-3098. Any objections, with full reasons therefor, may be lodged in writing at the office of the abovementioned Director: Integrated Environmental Management, Department of Environmental Affairs & Development Planning at Private Bag X9086, Cape Town, 8000, and simultaneously at the office of the aforementioned District Manager at PO Box 283, Athlone, 7760, on or before 10 August 2010, quoting the above Act and the Ordinance, and the objector's erf address, erf and telephone numbers. Any objections received after aforementioned closing date may be disregarded.

Applicant: Tommy Brümmer Town Planners (on behalf of The Boom Business CC)

File reference: LUM/14/573

Application number: 190428

Nature of application: Removal of restrictive title condition applicable to Erf 573 at 99 Plantation Road, Ottery, to enable the owner to subdivide the property into four (4) portions (ranging in size from 356m² to 402m²) for residential purposes.

Subdivision into four (4) portions for residential purposes.

ACHMAT EBRAHIM, CITY MANAGER

STAD KAAPSTAD (KAAPSE VLAKTE-DISTRIK)

OPHEFFING VAN BEPERKINGS EN ONDERVERDELING

- Erf 573 Ottery te Plantationweg 99 (*tweede plasing*)

Kennisgewing geskied hiermee ingevolge artikel 3(6) van die Wet op Opheffing van Beperkings, Wet 84 van 1967, en artikel 24(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, beplanning en bou-ontwikkelingsbestuur, Ledger House, h/v Adenlaan en Georgestraat, Athlone, en dat enige navrae gerig kan word aan me. Karen Patten, Posbus 283, Athlone 7760, e-posadres Karen.patten@capetown.gov.za, tel (021) 684-4345 of faksnr. (021) 684-4410, weksdae gedurende 08:30-13:30. Die aansoek is ook ter insae beskikbaar by die kantoor van die direkteur: geïntegreerde omgewingsbestuur, Streek B, provinsiale regering van die Wes-Kaap, Kamer 601, Utilitas-gebou, Dorpsstraat 1, Kaapstad van 08:00-12.30 en 13:00-15:30 (Maandag tot Vrydag). Telefoniese navrae in dié verband kan aan (021) 483-4634 gerig word, en die direktoraat se faksnr. is (021) 483-3098. Enige besware, met volledige redes, moet voor of op 10 Augustus 2010 skriftelik aan die kantoor van bogenoemde direkteur: geïntegreerde omgewingsbestuur, departement van omgewingsake en ontwikkelingsbeplanning, Privaat Sak X9086, Kaapstad 8000, en terselfdertyd aan die kantoor van voormelde distriksbestuurder, Posbus 283, Athlone 7760, gerig word, met vermelding van bogenoemde Wet en Ordonnansie en die beswaarmaker erf- en telefoonnommer/s en adres. Enige besware wat na voormelde sluitingsdatum ontvang word, kan dalk buite rekening gelaat word.

Aansoeker: Tommy Brümmer Stadsbeplanners (namens The Boom Business BK)

Lêerverw.: LUM/14/573

Aansoeknr.: 190428

Aard van aansoek: Die opheffing van beperkende titelvoorwaardes wat op Erf 573 te Plantationweg 99, Ottery, van toepassing is, ten einde die eienaar in staat te stel om die eiendom vir residensiële doeleindes in vier (4) gedeeltes (wat van 356m² tot 402m² in grootte wissel) te onderverdeel.

ACHMAT EBRAHIM, STADSBESTUURDER

CITY OF CAPE TOWN (CAPE FLATS DISTRICT)

UMTHETHO OJONGENE NOKUSUSWA KWEZITHINTELO, 1967 (UMTHETHO 84 KA-1967) NOKWAHLULA-HLULWA

- Isiza 573 Ottery at 99 Plantation Road

Kukhutshwa isaziso ngokwemiqago yeCandelo 3(6) lalo) Mthetho ungasentla neCandelo lama-24(2) loMmiselo woCwanciso noSetyenziso-mhlaba, Nomb. 15 ka-1985 sokuba sifunyenwe esi sicelo sikhankanywe ngezantsi apha yaye sivulelekile ukuba siphengululwe kwi-ofisi yoMphathi weSithili, eLedger House kwikona ye-Aden Avenue ne-George Street, e-Athlone, yaye nayiphi imibuzo ingajoliswa ku-Karen Patten, PO Box 283 Athlone 7760, i-imeyile Karen.patten@capetown.gov.za mun nxebe (021) 684-4345 nefeksi (021) 684-4410 phakathi evekini ukususela nge-08:30 ukuya nge-1:30. Esi sicelo sikwavulelekile ukuba siphengululwe kwi-ofisi yoMlawuli: iSebe loLawulo oluHlanganisiweyo kokuSingqongileyo, Region B, uRhulumente wePhondo leNtshona Koloni, kwiGumbi 601, iSakhiwo i-Utilitas Building, 1 Dorp Street, eKapa ukususela ngentsimbi ye-08:00 ukuya nge-12:30 nangentsimbi yoku-13:00 ukuya nge-15:30. (ngoMvulo — ngoLwesihlanu) Imibuzo ngomnxebe malunga nalo mbandela ingenziwa kwa-(021) 483-4634 nakwinombolo yefeksi yeCandelo loLawulo kwa-(021) 483-3098.

Naziphina izichaso ezinezizathu ezivakalayo, zingangeniswa ngokubhaliweyo kwi-ofisi yoMlawuli, iSebe leMicimbi yokuSingqongileyo, iSebe leMicimbi yokuSingqongileyo noCwanciso kuPhuhliso, Private Bag X9086, Cape Town, 8000, ngaxeshanye zingangeniswa kwi-ofisi yalo Mphathi weSithili ukhankanywe ngasentla kwa-PO Box 283, Athlone, 7760, ngomhla okanye phambi komhla we-10 Agasti 2010, ucaphula lo Mthetho noMpoposho ungasentla, inombolo yesalathisi echazwe ngezantsi apha, kunye nenombolo yesiza yomchasi, iinombolo zomnxebe nedilesi neenombolo zohqagamshelwano. Naziphi na izichaso ezifunyenwe emva kwalo mhla wokuvala ukhankanywe ngasentla zingangaqwalaselwa.

Umfaki-sicelo: Tommy Brümmer Town Planners (egameni labe-The Boom Business CC)

Inombolo yesiza: 573 Ottery

Isalathisi soxwebhu: LUM/14/573

Inombolo yesicelo: 190428

Uhlobo lwesicelo: Ukususwa kwemqathango ethintelayo kwincwadi yetayitile esetyenziswa kwiSiza 573 kwanombolo 99 Plantation Road, Ottery, kulungiselelwa ukuba umnini ayohlula-hlule le propati ibe ziinxalenye ezine (4) (ezohlukana ngobukhulu ukususela kwi-356m² ukuya kwi-402m²) ngeenjongo zendawo yokuhlala.

Ukwahlula-hlulwa komhlaba ube ziinxalenye ezine (4) ngeenjongo zendawo yokuhlala.

ACHMAT EBRAHIM, CITY MANAGER

NOTICES BY LOCAL AUTHORITIES

KENNISGEWINGS DEUR PLAASLIKE OWERHEDE

BASIC ASSESSMENT

PUBLIC PARTICIPATION PROCESS

:

E13/2/10/1 — B3/28-0012/10

Notice PRL-527-01 is hereby given of a public participation process in terms of the National Environmental Management Act, 1998 (Act 109 of 1998) and the Environmental Impact Assessment regulations 2006 in compliance with approval granted by the Provincial Department of Environmental Affairs and Development Planning.

Proposed Development: The development of vacant land zoned for open space and agriculture to make provision for a subsidised housing development consisting of 351 housing plots, community facilities, streets and open spaces.

Location: Farm 19/527 and Erf 26980, Dal Josefat, Paarl.

Applicant: Drakenstein Municipality

Environmental Practitioner: Geostratics

List of Activities to be applied for (as identified in GN No. R.386 and GN No. R.397 of 21 April 2006).

| | |
|--------|---|
| 1 (k) | The construction of facilities or infrastructure, including associated structure sor infrastructure, for the bulk transportation of sewage and water, including storm water, in pipelines and an internal diameter of 0.36 metres or more. The outlets of the retention dams cannot link to the existing stormwater network and therefore 450mm outlets will be constructed onto existing roads and stormwater channels. |
| 1 (n) | The construction of facilities or infrastructure, including associated structures or infrastructure, for the off-stream storage of water, including dams and reservoirs, with a capacity of 50 000 cubic metres or more. Retention dams would be constructed to calm any floods. Four retention dams will be constructed each with a maximum depth of 1.0m. The proposed dam on the southern corner of the property may have a wall of 0.5m. This will only be determined during the final design. |
| 7 | The above ground storage of dangerous goods, including petrol, diesel, liquid petroleum gas or paraffin, in containers with a combined capacity of more than 30 cubic metres but less than 1 000 cubic metres at any one location or site. Diesel will be stored on site during construction with an estimate volume of two 2000 litre tanks which will be refueled by the petrol company. The diesel will be stored in tanks inside a concrete bundwall area with concrete floor. |
| 15 | The construction of a road that is wider than 4 metres or that has a reserve wider than 6 metres, excluding roads that fall within the ambit of another listed activity or which are access roads of less than 30 metres . The project will comprise various urban roads. |
| 16 (a) | The transformation of undeveloped, vacant or derelict land to establish infill development covering an area of 5 hectares or more, but less than 20 hectares. The property is well within an urban area with more than 50% of the surrounding land already developed. The property is 6ha in extent. |
| 20 | The transformation of an area zoned for use as public open space or for a conservation purpose to another use. The property will be rezoned to residential purposes |

The Basic Assessment Report is now available for comment to interested parties at the Housing Office Mbekweni, Paarl. Any person who wish to register as Interested and Affected party or want to comment, is requested to submit their name, contact details, interest and comment to:

Geostratics, PO Box 1082, Strand 7139

Contact person: Sarien Lategan, Fax number: (021) 852-0966, e-mail address: project1@GEOSTRATICS.CO.ZA

Comments need to be submitted by 19 August 2010 at the above address.

OPENBARE DEELNAMEPROSES:

BASIESE BEOORDELING

E13/2/10/1—B3/28-0012/10

In terme van die Nasionale Omgewingsbestuurswet, 1998 (Wet 109 van 1998) en die Omgewing Beoordeling Regulasies van 2006, word kennisgewing PRL-527-01 van 'n publieke deelname proses hiermee gegee na aanleiding van goedkeuring deur die Provinsiale Departement van Omgewingsake en Ontwikkelingsbeplanning.

Voorgestelde Ontwikkeling: Ontwikkeling van onbesette grond gesoneer as oop ruimtes en landbou om voorsiening te maak vir gesubsidieerde behuisings ontwikkeling bestaande uit 351 woonhuis erwe, gemeenskap fasiliteite en strate met oop ruimtes.

Ligging: Plaas 19/527 en Erf 26980, Dal Josef, Paarl.

Applikant: Drakenstein Munisipaliteit

Omgewingskonsultant: Geostratics

Handelings waarvoor aansoek gedoen word (soos geïdentifiseer in GN Nr. R.386 en GN Nr. R.397 van 21 April 2006).

| | |
|--------|--|
| 1 (k) | Die grootmaat vervoer van riool en water, ingesluit stormwater, in pyplyne met: (i) 'n interne deursnee van 0.36m of meer; of (ii) 'n piek vloei van 120 liter per sekonde of meer. |
| 1 (n) | Die berging van buitestroomwater, met inbegrip van damme en reservoirs, met 'n kapasiteit van 50 000 kubieke meter of meer, tensy sodanige berging binne die strekking van die bedrywigheid gelys ingevolge item 6 van Goewermentskennisgewing Nr R387 van 2006 val. |
| 7 | Die bogrondse berging van 'n gevaarlike goederesoort, met inbegrip van petrol, diesel, vloeibare petroleumgas of paraffien in houers met 'n gekombineerde kapasiteit van meer as 30 kubieke meter, maar minder as 1 000 kubieke meter te enige plek of perseel. |
| 15 | Die konstruksie van 'n pad wyer as 4m of met 'n reserwe van meer as 6m, uitgesluit paaie wat onder enige ander gelyste aktiwiteit hanteer word of enige pad korter as 30m. |
| 16 (a) | The transformation of undeveloped, vacant or derelict land to establish in full development covering an area of 5 hectares or more, but less than 20 hectares. The property is well within an urban area with more than 50% of the surrounding land already developed. The property is 6ha in extent. |
| 20 | Die omvorming van 'n gebied gesoneer vir gebruik as openbare oop ruimte of vir 'n bewaringsdoeleinde na 'n ander gebruik. |

Die Basiese Beoordelings Verslag is nou beskikbaar by die Behuising Kantoor, Mbekweni, Paarl vir kommentaar. Enige persoon wie verlang om te registreer as Belangstellende en Geaffekteerde party, of inligting wil bekom, word versoek om hul naam, kontak besonderhede, belangstelling en kommentaar te stuur aan:

Geostratics, Posbus 1082, Strand 7139

Kontakpersoon: Sarien Lategan, Faksnommer (021) 852-0966

e-pos adres: project1@GEOSTRATICS.CO.ZA

Kommentaar moet teen 19 Augustus 2010 die bostaande adres bereik.

9 Julie 2010

22048

BERGRIVIER MUNICIPALITY

APPLICATION FOR REZONING: CONSOLIDATION OF ERVEN
2361, 2371 AND 2372 PORTERVILLE

Notice is hereby given in terms of section 18 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) that the undermentioned application has been received and is open to inspection at the office of the Municipal Manager, Bergrivier Municipality and any enquiries may be directed to Mr W Wagener, Head Planning and Development, PO Box 60 (13 Church Street) Piketberg 7320 at tel. (022) 913-1126 or fax (022) 913-1380. Any objections, with full reasons therefor, must be lodged in writing at the office of the Municipal Manager on or before 16 August 2010, quoting the above Ordinance and the objector's farm/erf number.

Applicant: Bergrivier Municipality

Nature of application: Rezoning of the consolidation of Erven 2361, 2371 and 2372 Porterville from Industrial Zone 1 to Authority Zone in order to construct a transfer station.

JD JOUBERT, ACTING MUNICIPAL MANAGER, MUNICIPAL OFFICE, 13 CHURCH STREET, PIKETBERG 7320

MN 68/2010 9 July 2010

22049

BERGRIVIER MUNISIPALITEIT

AANSOEK OM HERSONERING: KONSOLIDASIE VAN ERWE
2361, 2371 EN 2372 PORTERVILLE

Kragtens artikel 18 van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie 15 van 1985) word hiermee kennis gegee dat die onderstaande aansoek ontvang is en ter insae lê by die kantoor van die Munisipale Bestuurder, Bergrivier Munisipaliteit en enige navrae kan gerig word aan W Wagener: Hoof Beplanning en Ontwikkeling, Posbus 60 (Kerkstraat 13), Piketberg 7320 tel. (022) 913-1126 of faks (022) 913-1380. Enige besware, met die volledige redes daarvoor, moet skriftelik by die kantoor van die Munisipale Bestuurder, ingedien word op of voor 16 Augustus 2010 met vermelding van bogenoemde Ordonnansie en die beswaarmaker se plaas/erf nommer.

Aansoeker: Bergrivier Munisipaliteit

Aard van aansoek: Hersonerings van die konsolidasie van Erwe 2361, 2371 en 2372 Porterville vanaf Nywerheidsone 1 na Owerheidsone ten einde 'n oorlaastasie op te rig.

JD JOUBERT, WND MUNISIPALE BESTUURDER, MUNISIPALE KANTORE, KERKSTRAAT 13, PIKETBERG 7320

MK 68/2010 9 Julie 2010

22049

BREEDE VALLEY MUNICIPALITY

APPLICATION FOR SUBDIVISION & CONSOLIDATION: THE
FARM PLATDRIFT NO 870, WORCESTER
RURAL AREA

NOTICE IS HEREBY GIVEN in terms of Section 24(1)(a) of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) that an application has been received for the subdivision of the mentioned property into two portions namely Portion A (16.17ha) and the Remainder (105.4262ha). Portion A will be consolidated with Farm Hervil 430/2, Worcester. No additional land units will be formed.

Particulars regarding the application are available at the Director: Operational Services, Department Planning, Development and Building control (3rd floor), Civic Centre, Baring Street, Worcester (Mrs K Fouché), tel no. (023) 348-2600.

Comment, if any, may be lodged in writing with the Municipal Manager, Private Bag X3046, Worcester, 6849 to reach the undersigned before or on 6th August 2010.

AA PAULSE, MUNICIPAL MANAGER

Reference: 10/3/2/318

9 July 2010

22050

CAPE AGULHAS MUNICIPALITY

CORRECTION: APPLICATION FOR CLOSURE AND USE OF
ERF 120, WAENHUISKRANS/ARNISTON FOR INFORMAL
TRADE

THIS IS A CORRECTION OF THE WRONG ERF NUMBER, ERF 260, WAENHUISKRANS ADVERTISED ON 20 NOVEMBER 2009. ALL OBJECTIONS RECEIVED ARE STILL RELEVANT.

Notice is hereby given in terms of the Land Use Planning Ordinance, 1985 (Ordinance no. 15 of 1985) and the Municipal Ordinance, 1974 (Ordinance 20 of 1974) that Council intends to act as follows:

1. Closure of 'n portion of erf 120, Waenhuiskrans/Arniston (Street and Public Open Space) with built walls (on the eastern side of erven 2, 3 and 4, Waenhuiskrans).
2. Confirmation of the existing use of a portion of erf 120, Waenhuiskrans/Arniston for informal trade.

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

Further particulars are available for inspection in the office of the undersigned during office hours and written objections, if any, must reach him not later than 10 August 2010.

R STEVENS, MUNICIPAL MANAGER, PO BOX 51, BREDASDORP, 7280

9 July 2010

22051

BREEDE VALLEI MUNISIPALITEIT

AANSOEK OM ONDERVERDELING & KONSOLIDASIE: DIE
PLAAS PLATDRIFT NR. 870, WORCESTER LANDELIKE
AFDELING

KENNIS GESKIED HIERMEE in terme van Artikel 24(1)(a) van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie 15 van 1985) dat 'n aansoek ontvang is waarin goedkeuring verlang word vir die onderverdeling van genoemde eiendom (Landbousone I) in twee gedeeltes naamlik Gedeelte A (16.17 ha) en die Restant (105.4262 ha). Gedeelte A word gekonsolideer met Plaas Hervil 430/2, Worcester. Geen addisionele grondeenhede word gevorm nie.

Volledige besonderhede van die aansoek is beskikbaar in die kantoor van die Direkteur: Operasionele Dienste, Afdeling: Beplanning, Ontwikkeling en Boubeheer (3de vloer), Burgersentrum, Baringstraat, Worcester (Mev K Fouché), Tel nr. (023) 348-2622.

Kommentare, indien enige, moet skriftelik gerig word aan die Munisipale Bestuurder, Privaatsak X3046, Worcester, 6849 om die ondergetekende te bereik voor of op 6 Augustus 2010.

AA PAULSE, MUNISIPALE BESTUURDER

Verwysing: 10/3/2/318

9 Julie 2010

22050

KAAP AGULHAS MUNISIPALITEIT

REGSTELLING: AANSOEK OM SLUITING EN GEBRUIK VAN
ERF 120, WAENHUISKRANS/ARNISTON VIR INFORMELE
HANDEL

HIERDIE IS 'N REGSTELLING VAN DIE ERFNOMMER WAT VERKEERDELIK AS ERF 260, WAENHUISKRANS GEAADVERTEER IS OP 20 NOVEMBER 2009. ALLE BESWARE ONTVANG IS NOG STEEDS RELEVANT.

Kennis geskied hiermee ingevolge die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie nr. 15 van 1985) en die Munisipale Ordonnansie, 1974 (Ordonnansie 20 van 1974) dat die Raad van voorneme is om as volg te handel:

1. Sluiting van 'n gedeelte van erf 120, Waenhuiskrans/Arniston (Straat en Publieke Oopruimte) met beboude muurtjies (aan die oostekant van Erwe 2, 3 en 4 Waenhuiskrans).
2. Bevestiging van die bestaande gebruik van 'n gedeelte van erf 120, Waenhuiskrans/Arniston vir informele handel.

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

Verdere besonderhede van bogenoemde lê ter insae in die kantoor van die ondergetekende en skriftelike besware, indien enige, moet hom nie later as 10 Augustus 2010 bereik nie.

R STEVENS, MUNISIPALE BESTUURDER, POSBUS 51, BREDASDORP, 7280

9 Julie 2010

22051

CITY OF CAPE TOWN

First Supplementary Valuation to the 2009 General Valuation Roll (SV01) for the financial year 2010/2011

Notice is hereby given in terms of section 49(1)(a)(i) of the Local Government: Municipal Property Rates Act, 2004 (Act no. 6 of 2004), hereinafter referred to as the "Act," that the First Supplementary Valuation Roll to the 2009 General Valuation Roll (SV01) for the financial year 2010/2011 is open for public inspection at the venues as stated below as from 21 July 2010 until 31 August 2010. The forms for the lodging of objections are obtainable at these venues. In addition the valuation roll is available on the Council website as from 21 July 2010, the address is provided below.

Properties are selected to appear on the First Supplementary Valuation Roll to the 2009 General Valuation Roll (SV01) Roll in terms of section 78(1) of Act if the property a) was incorrectly omitted from the Valuation Roll; b) has been included in the municipality after the last general valuation; c) has been subdivided or consolidated after the last general valuation; d) has undergone a substantial increase or decrease in market value since the last general valuation; e) was substantially incorrectly valued in the last general valuation; f) must be revalued for any other exceptional reason; g) of which the category has changed.

In terms of Section 49(1)(a)(ii) of the Act, any property owner or person who so desires may lodge an objection with the municipal manager in respect of any matter reflected in, or omitted from, the SV01 within the abovementioned period.

Approximately 8000 properties have been valued in the SV01 and objections may be lodged in respect of these properties only. The owners of these properties will be notified of their SV01 valuations in writing at the postal address currently held on the City's database.

Attention is specifically drawn to the fact that in terms of section 50(2) of the Act an objection must be in relation to a specific individual property and not against the supplementary valuation roll as a whole. The forms for lodging an objection can be obtained from one of the venues listed below, and can be downloaded from the website. A separate objection form must be completed per property.

Completed objection forms can be submitted as follows:

- Email: valuationsobjection@capetown.gov.za
- Fax: 0865886042
- Post to: The City of Cape Town, For Attention: The Objection Co-ordinator, PO Box 4522, Cape Town 8000
- By Hand: At one of our public inspection venues

For more information: Sharecall: 086 010 3089, Web: www.capetown.gov.za

DATE: 21 July 2010 — 31 August 2010

| NO. | NAMES OF VENUE | ADDRESS OF VENUE | OPERATING HOURS OF VENUE |
|-----|---|--|--------------------------|
| 1. | 14th FLOOR, CAPE TOWN CIVIC CENTRE | HERTZOG BOULEVARD, CAPE TOWN | 08:30 -15:45 |
| 2. | BELLVILLE CIVIC CENTRE | VOORTREKKER ROAD, BELLVILLE (CNR OF VOORTREKKER ROAD AND QUARRY STREET NEXT TO SANLAM HEAD OFFICE) | 08:30 -16:00 |
| 3. | MILNERTON CIVIC CENTRE | PIENAAR ROAD, MILNERTON (NEXT TO MILNERTON LIBRARY) | 08:30 -16:00 |
| 4. | PLUMSTEAD ADMINISTRATION | CNR OF VICTORIA ROAD AND MAIN ROAD, PLUMSTEAD (NEXT TO CHECKERS) | 08:00 -15:30 |
| 5. | BRACKENFELL CIVIC CENTRE BRACKENFELL- BURGERSENTRUM | CNR OF OLD PAARL ROAD AND PARADYS STREET (OPPOSITE HYPERMARKET) | 08:30 -15:45 |
| 6. | STRAND MUNICIPAL BUILDING | CNR OF MAIN ROAD AND FAGAN STREET, STRAND | 08:30 -16:00 |

ACHMAT EBRAHIM, CITY MANAGER

STAD KAAPSTAD

Eerste Aanvullende Waardasielys tot die 2009-Algemene Waardasielys (SV01), vir die 2010/2011-boekjaar

Ingevolge artikel 49(1)(a)(i) van die Wet op Plaaslike Regering: Munisipale Eiendomsbelasting (Wet 6 of 2004), hierna die “Wet” genoem, word daar hiermee kennis gegee dat die eerste aanvullende waardasielys van die 2009- algemene waardasielys (SV01) vir die 2010/2011-boekjaar vir die publiek ter insae lê by die lokale hieronder genoem vanaf 21 Julie 2010 tot 31 Augustus 2010. Die vorms vir die indiening van besware is by hierdie lokale beskikbaar. Die waardasielys is ook vanaf 21 Julie 2010 op die Raad se webwerf beskikbaar (adres hieronder).

Eiendomme word ingevolge artikel 78(1) van die Wet op die eerste aanvullende waardasielys van die 2009-algemene waardasielys (SV01) geplaas indien dit: a) foutiewelik uit die waardasielys gelaat is; b) na die laaste algemene waardasie by die munisipaliteit ingesluit is; c) na die laaste algemene waardasie onderverdeel of gekonsolideer is; d) ’n wesenlike toename of vermindering in markwaarde ondergaan het sedert die laaste algemene waardasie; e) in die laaste algemene waardasie aansienlik verkeerd gewaardeer is; f) om enige ander buitengewone rede herwaardeer moet word; g) waarvan die kategorie verander het.

Ingevolge artikel 49(1)(a)(ii) van die Wet kan enige eiendomsbesitter of ander persoon wat wil, binne die vermelde tydperk ’n beswaar by die munisipale bestuurder indien oor enige saak wat op die SV01 verskyn of daaruit weggelaat is.

Ongeveer 8 000 eiendomme is op die SV01 gewaardeer en besware kan slegs ten opsigte van hierdie eiendomme ingedien word. Die eenaars van hierdie eiendomme sal skriftelik van hul SV01-waardasies in kennis gestel word via die posadres wat tans op die Stad se databasis is.

Aandag word spesifiek gevestig op die feit dat ’n beswaar ingevolge artikel 50(2) van die Wet met ’n spesifieke, individuele eiendom verband moet hou en nie teen die aanvullende waardasielys as ’n geheel ingedien kan word nie. Die vorms vir die indiening van besware is by die lokale hieronder genoem beskikbaar en kan van die webwerf afgelaai word. ’n Afsonderlike beswaarvorm moet vir elke eiendom ingevul word.

Ingevalde beswaarvorms kan soos volg ingedien word:

- E-pos: valuationsobjection@capetown.gov.za
- Faks: 0865886042
- Pos aan: Die Stad Kaapstad, vir aandag: Die Beswaarkoördineerder, Posbus 4522, Kaapstad 8000
- Per hand: By een van ons openbare inspeksielokale

Vir meer inligting: Deeloproep: 086 010 3089, Web: www.capetown.gov.za

DATUM: 21 Julie 2010 — 31 Augustus 2010

| NR. | NAAM VAN LOKAAL | ADRES VAN LOKAAL | BEDRYFSURE VAN LOKAAL |
|-----|---------------------------|---|-----------------------|
| 1. | KAAPSTAD-BURGERSENTRUM | HERTZOG-BOULEVARD, KAAPSTAD | 08:30–15:45 |
| 2. | BELLVILLE-BURGERSENTRUM | VOORTREKKERWEG, BELLVILLE (H.V. VOORTREKKERWEG EN QUARRYSTRAAT-LANGS SANLAM-HOOFKANTOOR) | 08:30–16:00 |
| 3. | MILNERTON-BURGERSENTRUM | PIENAARWEG, MILNERTON (LANGS MILNERTON-BIBLIOTEEK) | 08:30–16:00 |
| 4. | PLUMSTEAD-ADMINISTRASIE | H.V. VICTORIAWEG EN HOOFWEG, PLUMSTEAD (LANGS CHECKERS) | 08:00–15:30 |
| 5. | BRACKENFELL-BURGERSENTRUM | H.V. Ou PAARLWEG EN PARADYSSTRAAT (OORKANT HIPERMARK) | 08:30–15:45 |
| 6. | STRAND MUNISIPALE GEBOU | H.V. HOOFWEG EN FAGANSTRAAT, STRAND | 08:30–16:00 |

ACHMAT EBRAHIM, STADSBESTUURDER

CITY OF CAPE TOWN

ULuhlu lokuQala loQingqo-maxabiso oloNgezelelwa kuLuhlu loQingqo-maxabiso Jikelele Iwango 2009 (SV01) lonyaka-mali ka-2010/2011

Kukhutshwa isaziso ngokwemigaqo yecandelo lama-49 (1)(a)(i) loMthetho weeRhafu zeePropati: kubuRhulumente beNgingqi, 2004 (uMthetho ongunomb. 6 ka-2004), apha ochazwa ngokuba “nguMthetho,” sokuba uLuhlu lokuQala loQingqo-maxabiso oloNgezelelwe kuLuhlu loQingqomaxabiso Jikelele Iwango-2009 (SV01) lonyaka-mali ka-2010/2011 kuvumelekile ukuba lungaphengululwa luluntu kwezi ndawo zikhankanywe ngezantsi apha ukususela ngomhla wama-21 Julayi 2010 ukuya kowama-31 Agasti 2010. Amaxwebhu okungenisa inkcaso ayafumaneka kwezi ndawo. Ngaphezulu, uluhlu loqingqo-maxabiso luya kufumaneka kwiwebhusayithi yeBhunga ukususela ngomhla wama-21 Julayi 2010, kule dilesi yewebhusayithi ingezantsi.

Kukhethwe iipropati eziza kuvela kuLuhlu lokuQala loQingqo-maxabiso oloNgezelelwe kuLuhlu loQingqo-maxabiso Jikelele Iwango-2009 (SV01) ngokwemigaqo yecandelo lama-78(1) loMthetho ukuba lo propati) yayishiywe ngempazamo kuLuhlu loQingqo-maxabiso; b) ukuba lo propati ibandakanywe kuvima weenkukacha zikamasipala emva koqingqo-maxabiso jikelele lokugqibela; c) ithe yohlula-hlulwa okanye yadityaniswa emva koqingqo-maxabiso jikelele lokugqibela; d) ithe yonyuka okanye yehla kakhulu ngokwexabiso lemarike ukususela kuqingqo-maxabiso jikelele lokugqibela; e) ipropati yayibekelwe ixabiso ngendlela engeyiyo kakhulu kuqingqo-maxabiso jikelele lokuqala; f) kufuneka ibekelwe ixabiso kwakhona ngaso nasiphi na esinye isizathu esingaqhelekanga; g) nalapho udidi olo ekulo luthle lwaguquka.

Ngokwemigaqo yeCandelo 49(1)(a)(ii) loMthetho, nabani na ongumnini wepropati okanye umntu onqwenela ukungenisa inkcaso kumphathi kamasipala ngokuphathelene nawo nawuphi na umcimbi oboniswe, okanye oshiywe kuLuhlu loQingqo-maxabiso Jikelele SV01 ngeli xesha likhankanywe ngasentla.

Ziipropati ezimalunga nama-8000 ezabekelwa amaxabiso kuLuhlu loQingqo-maxabiso Jikelele (SV01) yaye kwangeniswa izicelo zenkcaso eziphathelene nezi propati kuphela. Abanini bezi propati baya kwaziswa ngoQingqo-maxabiso Jikelele (SV01) Iweepropati zabo ngokuthi babhalelwe kwiidilesi zeposi ezigcinwe kuvimba weenkukacha wesiXeko.

Bakhunjuzwa ngokukodwa ukuba ngokwemigaqo yecandelo lama-50(2) loMthetho, inkcaso mayenziwe ngokuphathelene nepropati eyodwa ethile ingekuko ngokuchasene noluhlu loqingqo-maxabiso olongezelelweyo ngokubanzi. Amaxwebhu okungenisa inkcaso ayafumaneka kwenye yezi ndawo zidweliswe ngezantsi apha, kananjalo zingafunyanwa nakwiwebhusayithi. Makugcwaliswe uxwebhu olulodwa lwenkcaso ngokubhekiselele kwipropati nganye.

Amaxwebhu agcwalisiweyo enkcaso angangeniswa ngolu hlobo:

- Nge-imeyile—valuationsobjection@capetown.gov.za
- Ngefeksi — 0865886042
- Ngeposi — The City of Cape Town, For Attention: The Objection Co-ordinator, PO Box 4522, Cape Town, 8000
- Buqu — Kwenye yeendawo zokuphengulula uluhlu loqingqo-maxabiso zoluntu

Ngolwazi oluthle vetshe: Inombolo yomnxeba ekwabelwana ngeendleko zayo: 086 010 3089 lwebhusayithi: www.capetown.gov.za

UMHLA: 21 Julayi 2010 — 31 Agasti 2010

| INOMB. | AMAGAMA EENDAWO | IDILESI YENDAWO | AMAXESHA OKUVULA KWEZI NDAWO |
|--------|------------------------------------|--|------------------------------|
| 1. | 14th FLOOR, CAPE TOWN CIVIC CENTRE | HERTZOG BOULEVARD, CAPE TOWN | 08:30-15:45 |
| 2. | BELLVILLE CIVIC CENTRE | VOORTREKKER ROAD, BELLVILLE (CNR OF VOORTREKKER ROAD AND QUARRY STREET NEXT TO SANLAM HEAD OFFICE) | 08:30-16:00 |
| 3. | MILNERTON CIVIC CENTRE | PIENAAR ROAD, MILNERTON (NEXT TO MILNERTON LIBRARY) | 08:30-16:00 |
| 4. | PLUMSTEAD ADMINISTRATION | CNR OF VICTORIA ROAD AND MAIN ROAD, PLUMSTEAD (NEXT TO CHECKERS) | 08:00-15:30 |
| 5. | BRACKENFELL CIVIC CENTRE | CNR OF OLD PAARL ROAD AND PARADYS STREET (OPPOSITE HYPERMARKET) | 08:30-15:45 |
| 6. | STRAND MUNICIPAL BUILDING | CNR OF MAIN ROAD AND FAGAN STREET, STRAND | 08:30-16:00 |

ACHMAT EBRAHIM UMPHATHI WESIXEKO

CITY OF CAPE TOWN (BLAAUWBERG DISTRICT)

REZONING, SUBDIVISION & CONDITIONAL USE

- Remainder Cape Farm 88, Melkbosstrand (Melkbos Private School)

Notice is hereby given in terms of Sections 17 and 24(1) of the Land Use Planning Ordinance (No. 15 of 1985) and the Provisions of the Melkbosstrand Zoning Scheme Regulations that the undermentioned application has been received and is open to inspection at the office of the District Manager at Milpark Centre Cnr Koeberg & Ixia Streets, Milnerton. Enquiries may be directed to PO Box 35, Milnerton 7435, J Gelb, tel (021) 550-1090, jack.gelb@capetown.gov.za and fax number (021) 550-7517 weekdays 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 July 2010 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: CK Rumboll & Partners on behalf of West Dunes Properties 312 (Pty) Ltd

Application number: 179731

Farm number: Cape Farm 88

Address: M19 Road – approximately 2km East of Melkbosstrand

Nature of application:

1. The Subdivision of remainder Cape Farm 88, Melkbosstrand into two portions namely:
Portion A – ±19.9ha
Remainder farm 88 – ±765.1496ha
in terms of Section 24 of the Land Use Planning Ordinance (No 15 of 1985). It is proposed to consolidate Portion A (above) with Farm 88/5, the existing School site.
2. The Rezoning of Portion A (the Subdivided portion) of remainder Cape Farm 88, Melkbosstrand from Rural to Agricultural Zone 1 with a special consent for an educational institution facility (Place of Instruction) in terms of Section 17 of the Land Use Planning Ordinance (No. 15 of 1985).
3. Conditional Use to allow for the extension of the existing consent use rights to allow for a maximum of 500 students. (Council previously approved a School on this site subject to a maximum of 200 students.)

ACHMAT EBRAHIM, CITY MANAGER

9 July 2010

22053

STAD KAAPSTAD (BLAAUWBERG-DISTRIK)

HERSONERING, ONDERVERDELING & VOORWAARDELIKE GEBRUIK

- Restant van Kaapse Plaas 88, Melkbosstrand (Melkbos Private School)

Kennisgewing geskied hiermee ingevolge artikels 17 en 24(1) van die Ordonnansie op Grondgebruikbeplanning, nr. 15 van 1985, en die bepalinge van die Kaapstadse soneringskema-regulasies dat onderstaande aansoek ontvang is en ter insae beskikbaar is by die kantoor van die distriksbestuurder, Milpark-gebou, h/v Koebergweg en Ixiastraat, Milnerton. Navrae kan gerig word aan J Gelb, Posbus 35, Milnerton 7435, jack.gelb@capetown.gov.za, tel (021) 550-1090 en faksnr. (021) 550-7517, weksdae van 08:00 tot 14:30. Enige besware, met volledige redes daarvoor, kan voor of op 30 Julie 2010 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: CK Rumboll & Partners namens West Dunes Properties 312 (Edms.) Bpk.

Aansoeknr.: 179731

Plaasnr.: Kaapse Plaas 88

Adres: M19-pad – sowat 2km oos van Melkbosstrand

Aard van aansoek:

1. Die onderverdeling van die Restant van Kaapse Plaas 88, Melkbosstrand, in twee gedeeltes, naamlik:
Gedeelte A—± 19.9 ha;
Restant van Plaas 88—± 765.1496ha;
ingevolge artikel 24 van die Ordonnansie op Grondgebruikbeplanning, nr. 15 van 1985. Daar word beoog om Gedeelte A (hierbo) met Plaas 88/5, die bestaande skoolperseel, te konsolideer.
2. Die hersonering van Gedeelte A (die onderverdeelde gedeelte) van die Restant van Kaapse Plaas 88, Melkbosstrand, van landelik na landbousone 1, met spesiale toestemming vir 'n opvoedkundige instelling (plek van onderrig) ingevolge artikel 17 van die Ordonnansie op Grondgebruikbeplanning, nr. 15 van 1985.
3. Voorwaardelike gebruik om voorsiening te maak vir die uitbreiding van die bestaande gebruikstoestemmingsregte ten einde 'n maksimum van 500 studente toe te laat. (Die raad het voorheen 'n skool op die perseel goedgekeur, onderhewig aan 'n maksimum van 200 studente.)

ACHMAT EBRAHIM, STADSBESTUURDER

9 Julie 2010

22053

CITY OF CAPE TOWN (HELDERBERG DISTRICT)

SPECIAL CONSENT & DEPARTURE

- Erf 6111, 85 Helderberg College Road, Somerset West

Notice is hereby given in terms of the relevant Zoning Scheme Regulations & Ordinance 15 of 1985 that the undermentioned application has been received and is open to inspection at the office of the District Manager at the First Floor, Municipal Offices, cnr Victoria & Andries Pretorius Streets, Somerset West. Enquiries may be directed to Riana du Plessis, PO Box 19, Somerset West, e-mail to ciska.smit@capetown.gov.za, tel (021) 850-4346 or fax (021) 850-4487 weekdays 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 16 August 2010, 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: Mrs I Leeb

Owner: Mr GAR & Mrs MC Leeb

Application number: 194123

Notice number: 33/2010

Address: 85 Helderberg College Road, Somerset West

Nature of application:

- The Council's consent use to permit a Place of Instruction (crèche/daycare centre with a maximum of 90 children) to operate from the existing dwelling on Erf 6111, 85 Helderberg College Road, Somerset West;
- The departure from the relevant Zoning Scheme Regulations to permit the relaxation of the 9m building lines applicable to a Place of Instruction to 6m (street), 4.33m (adjacent to Erf 6110) to 2m (adjacent to Erf 6112) to accommodate the crèche/daycare centre.

ACHMAT EBRAHIM, CITY MANAGER

9 July 2010

22054

HESSEQUA MUNICIPALITY

CLOSURE OF PORTION OF DWERG STREET ADJOINING ERVEN 3105 AND 6436 RIVERSDAL

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 Dwerf Street adjoining Erven 3105 and 6436 Riversdal.

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 30 July 2010.

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

9 July 2010

22059

STAD KAAPSTAD (HELDERBERG-DISTRIK)

SPESIALE TOESTEMMING & AFWYKING

- Erf 6111, Helderberg College-weg 85, Somerset-Wes

Kennisgewing geskied hiermee ingevolge die toepaslike sonering-skemaregulasies en 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- & Andries Pretoriusstraat, Somerset-Wes. Navrae kan gerig word aan me. Riana du Plessis, Posbus 19, Somerset-Wes 7129, per e-pos aan ciska.smit@capetown.gov.za, gestuur word, tel (021) 850-4346 of faksnr. (021) 850-4487, weksdae gedurende 08:00-13:00. Enige besware, met die volledige redes daarvoor, moet voor of op 16 Augustus 2010 skriftelik by die kantoor van die distriksbestuurder, Eerste Verdieping, Munisipale Kantore, h/v Victoria- en Andries Pretoriusstraat, Somerset-Wes, ingedien 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: mev. I Leeb

Eienaar: mnr. GAR & mev. MC Leeb

Aansoeknr.: 194123

Kennisgewing nr.: 33/2010

Adres: Helderberg College-weg 85, Somerset-Wes

Aard van aansoek:

- Raadstoestemming om toe te laat dat 'n plek van onderrig (crèche/dagsorgsentrum met 'n maksimum van 90 kinders) in die bestaande woning op Erf 6111, Helderberg Collegeweg 85, Somerset-Wes, bedryf word.
- Afwyking van die toepaslike soneringskemaregulasies om die verslapping toe te laat van die 9m-boulyne wat op 'n plek van onderrig van toepassing is, tot 6m (straat), 4.33m (aanliggend aan Erf 6110) en tot 2m (aanliggend aan Erf 6112), om die crèche/dagsorgsentrum te akkommodeer.

ACHMAT EBRAHIM, STADSBESTUURDER

9 Julie 2010

22054

HESSEQUA MUNISIPALITEIT

SLUITING VAN GEDEELTE VAN DWERGSTRAAT GRESEND AAN ERWE 3105 EN 6436 RIVERSDAL

Kennis word hiermee gegee ingevolge die bepalings van Artikel 137(2)(a) van die Munisipale Ordonnansie 20 van 1974, dat die Hessequa Munisipaliteit van voorneme is 'n gedeelte van Dwerfstraat, grensend aan Erwe 3105 en 6436 Riversdal, te sluit.

Besonderhede van voorgenoemde sluiting is beskikbaar by die Hoof: Bepanning 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 30 Julie 2010.

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

9 Julie 2010

22059

CITY OF CAPE TOWN (HELDERBERG DISTRICT)

REZONING, SUBDIVISION, DEPARTURE & APPROVAL OF SITE DEVELOPMENT PLAN

- Erven 14415, 1753 & 1754, Lourensford Road, Somerset West

Notice is hereby given in terms of Sections 15(2)(a), 17(2)(a) & 24(2)(a) of Ordinance 15 of 1985 and the relevant Zoning Scheme Regulations 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 Riana du Plessis, PO Box 19, Somerset West, 7129, e-mail to ciska.smit@capetown.gov.za, tel (021) 850-4346 or fax (021) 850-4487 during 08:00-16:30. 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 10 August 2010, 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 Diesel & Munns Inc

Owner: PJ Green Trust

Application Number: 193492

Notice Number: 34/2010

Address: Lourensford Road, Somerset West

Nature of application:

- The rezoning of Erf 1753 & 1754, Somerset West from Single Residential to Subdivisional Area for Special Business and Public Road purposes;
- The subdivision of Erf 1753 into Portion 1 (Special Business) and Portion 2 (Road);
- The subdivision of Erf 1754 into Portions 1 and 2 (Special Business) and Portion 3 (Road);
- The subdivision of Erf 14415 into Portion 1 (Special Business) and Portion 2 (Road);
- The consolidation of proposed Portion 2 of Erf 1754 with adjoining Erf 1755;
- The consolidation of the proposed Portion 1 of Erf 14415, Portion 1 of Erf 1753 and Portion 1 of Erf 1754 to form a new Special Business erf;
- The departure from the Somerset West Zoning Scheme Regulations on consolidated Portion 1 of Erf 14415, Portion 1 of Erf 1753 and Portion 1 of Erf 1754 to:
 - permit the relaxation of the 4.5m street building line (Lourensford Road) to 0m to accommodate the existing building and proposed extensions;
 - permit the relaxation of the 4.5m lateral building line (adjacent to Erf 1750) to 2.13m to accommodate the proposed extensions to the existing building;
 - permit the relaxation of the 4.5m rear building line to 1m to accommodate the proposed extensions to the existing building;
- the approval of the Site Development Plan for the consolidated Portion 1 of Erf 14415, Portion 1 of Erf 1753 and Portion 1 of Erf 1754.

ACHMAT EBRAHIM, CITY MANAGER

9 July 2010

22055

STAD KAAPSTAD (HELDERBERG-DISTRIK)

HERSONERING, ONDERVERDELING, AFWYKING & GOEDKEURING VAN DIE TERREINONTWIKKELINGSPLAN

- Erwe 14415, 1753 & 1754, Lourensfordweg, Somerset-Wes

Kennisgewing geskied hiermee ingevolge artikels 15(2)(a), 17(2)(a) en 24(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- & Andries Pretoriusstraat, Somerset-Wes. Navrae kan gerig word aan me. Riana du Plessis, Posbus 19, Somerset-Wes 7129, per e-pos aan ciska.smit@capetown.gov.za, gestuur word, tel (021) 8504346 of faksnr. (021) 850-4487, weksdae gedurende 08:00-13:00. Enige besware, met die volledige redes daarvoor, moet voor of op 10 Augustus 2010 skriftelik by die kantoor van die distriksbestuurder, Eerste Verdieping, Munisipale Kantore, h/v Victoria- en Andries Pretoriusstraat, Somerset-Wes, ingedien 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: mnre. Diesel & Munns Ingelyf

Eienaar: PJ Green Trust

Aansoeknr.: 193492

Kennisgewingnr.: 34/2010

Adres: Lourensfordweg, Somerset-Wes

Aard van aansoek:

- Die hersonerings van Erwe 1753 & 1754, Somerset-Wes, van enkelresidensiële na onderverdelingsgebied vir spesialesake- en openbare-paddoeleindes.
- Die onderverdeling van Erf 1753 in Gedeelte 1 (spesiale sakesone) en Gedeelte 2 (pad).
- Die onderverdeling van Erf 1754 in Gedeeltes 1 en 2 (spesiale sake sone) en Gedeelte 3 (pad).
- Die onderverdeling van Erf 14415 in Gedeelte 1 (spesiale sake-sone) en Gedeelte 2 (pad).
- Die konsolidasie van die voorgestelde Gedeelte 2 van Erf 1754 met die aanliggende Erf 1755.
- Die konsolidasie van die voorgestelde Gedeelte 1 van Erf 14415, Gedeelte 1 van Erf 1753 en Gedeelte 1 van Erf 1754 om 'n nuwe spesialesakesone-erf te vorm.
- Afwyking van Somerset Wes se soneringskema regulasies op die gekonsolideerde Gedeelte 1 van Erf 14415, Gedeelte 1 van Erf 1753 en Gedeelte 1 van Erf 1754, om:
 - toe te laat dat die 4.5m-straatboulyn (Lourensfordweg) tot 0m verslap word om die bestaande gebou en aanbouings te akkommodeer;
 - toe te laat dat die 4.5m-syboulyn (aanliggend aan Erf 1750) tot 2.13m verslap word om die voorgestelde aanbouings aan die bestaande gebou te akkommodeer;
 - toe te laat dat die 4.5m-agterste boulyn tot 1m verslap word om die voorgestelde aanbouings aan die bestaande gebou te akkommodeer;
- Goedkeuring van die terreinontwikkelingsplan vir die gekonsolideerde Gedeelte 1 van Erf 14415, Gedeelte 1 van Erf 1753 en Gedeelte 1 van Erf 1754.

ACHMAT EBRAHIM, STADSBESTUURDER

9 Julie 2010

22055

CITY OF CAPE TOWN (NORTHERN DISTRICT)

REZONING AND CLOSURE

- Portion of Public Street (Corner of 1st Avenue and Kleinbegin Street) Kleinbegin, Kraaifontein as well as exception of Subdivision to consolidate a portion of the Road with Erf 3895, Kraaifontein

Notice is hereby given in terms Section 17 and Section 23 of the Land Use Planning Ordinance, No 15 of 1985 that Council has received the undermentioned application, which is open to inspection at the office of the District Manager at the Municipal Offices, Brighton Road, Kraaifontein. Enquiries may be directed to Ms S Schutter at tel (021) 980-6146, fax (021) 980-6083 or email: shihaam.schutter@capetown.gov.za weekdays during 08:00-14:30. Written objections, if any, with reasons may be lodged at the office of the abovementioned District Manager, PO Box 25, Kraaifontein, 7569, fax (021) 980-6083, or hand-delivered to the Municipal Offices at Brighton Road, Kraaifontein, on or before 10 August 2010, quoting the above applicable legislation, the application number, as well as your erf and contact phone number and address. Any objections received after aforementioned closing date may be considered invalid.

Applicant: Mr J Swanepoel

Application number: 194299

Address: 118 1st Avenue, Kleinbegin, Kraaifontein, 7570

Nature of application: An application for Rezoning from Passive Public Open Space to Single Residential Including (Sub Zone A) and closure of a portion of the public street (corner of 1st Avenue and Kleinbegin Street) Kleinbegin, Kraaifontein as well as exception of subdivision in terms of Section 23 to consolidate a portion of the road with Erf 3895, Kraaifontein.

ACHMAT EBRAHIM, CITY MANAGER

9 July 2010

22056

CITY OF CAPE TOWN (SOUTHERN DISTRICT)

REZONING

- Erf 68987 Cape Town at Wynberg, Corner of Sussex and Park Roads

Notice is hereby given in terms of 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, Department: Planning & Building Development Management, City of Cape Town, Ground Floor, 3 Victoria Rd, Plumstead, and any enquiries may be directed to Mr K Barry, from 08:30-13:00 Monday to Friday, tel (021) 710-8205. 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 Kelvin.barry@capetown.gov.za. 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 the above address and/or fax number, and if, as a consequence it arrives late, it will be deemed to be invalid. The closing date for objections and comments is 10 August 2010.

File Ref: LUM/00/68987

Application Number: 180512

Applicant: Barry M Abrahams Architecture

Address: Corner of Sussex and Park Roads

Nature of application: To rezone the property from General Residential R4 to General Commercial (C1) to permit a workshop.

ACHMAT EBRAHIM, CITY MANAGER

9 July 2010

22058

STAD KAAPSTAD (NOORDELIKE DISTRIK)

HERSONERING EN SLUITING

- Gedeelte openbare straat (h/v 1e Laan en Kleinbeginstraat) Kleinbegin, Kraaifontein, sowel as uitsondering van onderverdeling om 'n gedeelte van die pad met Erf 3895, Kraaifontein, te konsolideer

Kennisgewing geskied hiermee ingevolge artikels 17 en 23 van die Ordonnansie op Grondgebruikbeplanning, nr. 15 van 1985, dat onderstaande aansoek ontvang is en by die kantoor van die distriksbestuurder, Stad Kaapstad, Munisipale Kantore, Brightonweg, Kraaifontein, ter insae beskikbaar is. Navrae kan gerig word aan me. S Schutter, Posbus 25, Kraaifontein 7569, of bogenoemde straatadres, tel (021) 980-6146, faksnr. (021) 980-6083 of e-posadres shihaam.schutter@capetown.gov.za, gedurende kantoore (08:00-14:30). Enige besware, met volledige redes, moet voor of op 10 Augustus 2010 skriftelik aan die kantoor van bogenoemde distriksbestuurder, Posbus 25, Kraaifontein 7569, gerig word, na (021) 980-6083 gefaks word, of per hand by bogenoemde adres afgelewer word, met vermelding van bogenoemde toepaslike wetgewing, die aansoeknommer sowel as u erf- en kontaktelefoonnommer en adres. Enige besware wat na voormelde sluitingsdatum ontvang word, kan dalk ongeldig geag word.

Aansoeker: mnr J Swanepoel

Aansoeknr: 194299

Adres: 1ste laan 118, Kleinbegin, Kraaifontein 7570

Aard van aansoek: Die hersonering van passiewe openbare oop ruimte na enkelresidensieel (subsone A) en sluiting van 'n gedeelte van die openbare straat (h/v 1ste Laan en Kleinbeginstraat) Kleinbegin, Kraaifontein, sowel as uitsondering van onderverdeling ingevolge artikel 23 om 'n gedeelte van die pad met Erf 3895, Kraaifontein, te konsolideer.

ACHMAT EBRAHIM, STADSBESTUURDER

9 Julie 2010

22056

STAD KAAPSTAD (SUIDELIKE DISTRIK)

HERSONERING

- Erf 68987 Kaapstad te Wynberg, h/v Sussex- en Parkweg

Kennisgewing geskied hiermee ingevolge artikel 17(2) van die Ordonnansie op Grondgebruikbeplanning, no. 15 van 1985, dat onderstaande aansoek ontvang is en ter insae beskikbaar is by die kantoor van die distriksbestuurder, departement: beplanning en bouontwikkelingsbestuur, Stad Kaapstad, Grondverdieping, Victoriaweg 3, Plumstead 7801. Navrae kan gerig word aan mnr K Barry, tel (021) 710-8205, van 08:30 tot 13:00, Maandag tot Vrydag. Enige besware en/of kommentaar, met volledige redes daarvoor, moet voor of op die sluitingsdatum skriftelik gerig word aan die kantoor van die distriksbestuurder, departement: beplanning en bou-ontwikkelingsbestuur, Stad Kaapstad, Private Bag X5, Plumstead 7801, faksnr (021) 710-8283 of e-posadres Kelvin.barry@capetown.gov.za, 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. Die sluitingsdatum vir besware en kommentaar is 10 Augustus 2010.

Lêerverw.: LUM/00/68987

Aansoeknr: 180512

Aansoeker: Barry M Abrahams Architecture

Adres: h/v Sussex- en Parkweg

Aard van aansoek: Die hersonering van die eiendom van algemeen-residensieel, R4, na algemeen-kommersieel, C1, ten einde 'n werkwinkel toe te laat.

ACHMAT EBRAHIM, STADSBESTUURDER

9 Julie 2010

22058

CITY OF CAPE TOWN (SOUTHERN DISTRICT)
REZONING AND SUBDIVISION

- Erf 1535 Constantia, 19 Van Breda Avenue

Notice is hereby given in terms of Sections 17 & 24 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, Department: Planning & Building Development Management, City of Cape Town, Ground Floor, 3 Victoria Road, Plumstead, and any enquiries may be directed to P Heydenrych, tel (021) 710 9362 from 08:00-13:00 Monday to Friday. Any objections and/or comments, with full reasons therefor, must be submitted in writing to 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 newton.woollam@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 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 N Woollam, tel (021) 710-8231. The closing date for comments/objections is Tuesday, 10 August 2010.

Reference: LUM/16/1535 (1) No: 190691

Owner: City of Cape Town

Applicant: Mr & Mrs G Finlayson

Address: 19 Van Breda Avenue, Constantia

Nature of application:

- The subdivision of Erf 1535 Constantia into 2 portions (Portion A: $\pm 259\text{m}^2$ & Remainder: $\pm 58\text{m}^2$).
- To rezone Portion A from Public Utility to Single Residential to enable the Portion to be consolidated with Erf 1533 Constantia.

ACHMAT EBRAHIM, CITY MANAGER

9 July 2010

22057

HESSEQUA MUNICIPALITY

CLOSURE AND ALIENATION OF PORTION 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 Erven 95 and 4476 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 135m^2 in extent to the owner of the adjacent Erf 95 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 30 July 2010.

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 RIVERSDALE 6670

9 July 2010

22060

STAD KAAPSTAD (SUIDELIKE DISTRIK)
HERSONERING EN ONDERVERDELING

- Erf 1535 Constantia, Van Breda-laan 19

Kennisgewing geskied hiermee ingevolge artikels 17 en 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 bouontwikkelingsbestuur, Grondverdieping, Victoriaweg 3, Plumstead, 7801, gerig word aan P Heydenrych, tel (021) 710-9362, van 08:30-13:00, Maandae tot Vrydae. Enige besware en/of kommentaar, met volledige redes daarvoor, moet voor of op die sluitingsdatum skriftelik aan die kantoor van die distriksbestuurder, departement: beplanning en bouontwikkelingsbestuur, Stad Kaapstad, Privaat Sak X5, Plumstead 7801, gerig word, of na (021) 710-8283 gefaks word, of per e-pos aan newton.woollam@capetown.gov.za gestuur word, met vermelding van bogenoemde Ordonnansie, onderstaande verwysingsnommer en die beswaarmaker se erf- en telefoonnommer/s en adres. Besware en kommentaar kan ook voor of op die sluitingsdatum per hand by bogenoemde straatadres afgelewer word. As u reaksie nie na dié adres en/of faksnr. gestuur word nie en gevolglik laat ontvang word, kan dit ongelukkig geag word. Om nadere inligting, tree asseblief met Newton Woollam, tel (021) 710-8231, in verbinding. Die sluitingsdatum vir besware en kommentaar is Dinsdag 10 Augustus 2010.

Verwysing: LUM/16/1535 (1) Nr: 190691

Eienaar: Stad Kaapstad

Aansoeker: mnr & mev. G Finlayson

Adres: Van Breda-laan 19, Constantia

Aard van aansoek:

- Die onderverdeling van Erf 1535, Constantia, in 2 gedeeltes (Gedeelte A: $\pm 259\text{m}^2$, en die Restant: $\pm 58\text{m}^2$).
- Die hersonering van Gedeelte A van openbare utiliteit na enkelresidensieel ten einde toe te laat dat die Gedeelte met Erf 1533, Constantia, gekonsolideer word.

ACHMAT EBRAHIM, STADSBESTUURDER

9 Julie 2010

22057

HESSEQUA MUNISIPALITEIT

SLUITING EN VERVREEMDING: GEDEELTE
ANDERSONSTRAAT STILBAAI-WES

Kennis word hiermee gegee ingevolge die bepalings van Artikel 137(2)a van die Munisipale Ordonnansie 20 van 1974, dat die Hessequa Munisipaliteit van voorneme is om 'n gedeelte van Andersonstraat, aangrensend tot Erwe 95 en 4476 Stilbaai-Wes, te sluit.

Kennis word verder gegee dat ingevolge die bepalings van Artikel 124 van die Munisipale Ordonnansie 20 van 1974 die Munisipaliteit ook van voorneme is om die voorgenoemde geslote straatgedeelte aangrensend Erwe 95 en 4476 plus ongeveer 135m^2 die Restant van Erf 657 Stilbaai-Wes te vervreem aan die eienaar 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 30 Julie 2010.

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

9 Julie 2010

22060

MOSSSEL BAY MUNICIPALITY

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

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

ERF 18984, MOSSSEL BAY: PROPOSED REZONING, DEPARTURE AND CONSOLIDATION

Notice is hereby given in terms of Sections 15(1)(a)(i) and 17 of the Land Use Planning Ordinance 15 of 1985 that the undermentioned application has been received by the Municipal Manager and is open for inspection during office hours at the Municipal Building, 4th Floor, Montagu Place Building, Montagu Street, Mossel Bay. Any objections, with full reasons therefor, should be lodged in writing with the Municipal Manager, PO Box 25, Mossel Bay, 6500 on or before Tuesday, 10 August 2010 quoting the above Ordinance and the objector's erf number. Any enquiries in this regard may be directed to Mr G Scholtz, Town Planning Department, on the telephone number (044) 606-5074 and fax number (044) 690-5786.

In terms of Section 21(4) of the Local Government Municipal Systems, 2000 (Act 32 of 2000) notice is hereby given that people who cannot write can approach the Department Legal Services during office hours where a member of staff will assist you in putting your comments or objections in writing.

Nature of the application:

1. Rezoning of Erf 18984, Mossel Bay 4.2715ha in extent from Undetermined Zone to Institutional Zone II (Place of instruction) in terms of Section 17 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985);
2. Departure in terms of Section 15(1)(a)(i) of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) for a lateral building line relaxation from 10m to 0.4103m on the western boundary for a stand for spectators;
3. Consolidation of Erf 18984, Mossel Bay with Erf 16118, Mossel Bay.

The property is situated in the southern area of the suburb of Heiderand directly west of the existing St. Blaize School and south and adjacent to the road reserve of Seemeeu Road.

Applicant: Delplan Urban & Regional Planning, PO Box 9956, George 6530 Tel: (044) 873-4566, Fax: (044) 873-4568, E-mail: delarey@delplan.co.za, on behalf of Curro Holdings (Pty) Ltd

DR M GRATZ, MUNICIPAL MANAGER

File Reference: 15/4/27/5; 15/4/27/2

9 July 2010

22061

MOSSSEL BAY MUNICIPALITY

MUNICIPAL ORDINANCE, 1974 (ORDINANCE 20 OF 1974)

CLOSURE OF PUBLIC PLACE ERF 4645, STREETS NAMED SEELEU-OORD, DUGONG-OORD AND PORTIONS OF STREET ADJACENT TO ERVEN 4646-4665, 6498, 13185 AND 13774 MOSSSEL BAY

Notice is hereby given in terms of section 137(1) of the Municipal Ordinance, Ordinance 20 of 1974, that the Municipality of Mossel Bay has permanently closed Public Place Erf 4645, Streets named Seeleu-Oord, Dugong-Oord and portions of street adjacent to Erven 4646-4665, 6498, 13185 and 13774 Mossel Bay.

(15/1/1/4) (Surveyor General Ref: S/8302/69 v2 p.408)

DR M GRATZ, MUNICIPAL MANAGER

9 July 2010

22062

MOSSSELBAAI MUNISIPALITEIT

ORDONNANSIE OP GRONDGEBRUIKBEPLANNING, 1985 (ORDONNANSIE 15 VAN 1985)

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

ERF 18984, MOSSSELBAAI: VOORGESTELDE HERSONERING, AFWYKING EN KONSOLIDASIE

Kennis geskied hiermee ingevolge Artikels 15(1)(a)(i) en 17 van Ordonnansie 15 van 1985 dat die onderstaande aansoek deur die Munisipale Bestuurder ontvang is en gedurende kantoorure ter insae lê by die Munisipale Gebou, 4de vloer, Montagu Gebou, Montagustraat, Mosselbaai. Enige besware met volledige redes daarvoor, moet skriftelik by die Munisipale Bestuurder, Posbus 25, Mosselbaai, 6500 ingedien word op of voor Dinsdag, 10 Augustus 2010 met vermelding van bogenoemde Ordonnansie en beswaarmaker se erfnummer. Enige kommentaar wat na die voorgemelde sluitingsdatum ontvang word, mag moontlik nie in ag geneem word nie. Enige navrae kan gerig word aan Mnr G. Scholtz, Stadsbeplanning by telefoonnommer (044) 606-5074 of faksnommer (044) 690-5786.

Ingevolge Artikel 21(4) van die Wet op Plaaslike Regering: Munisipale Stelsels, 2000 (Wet 32 van 2000) word kennis gegee dat persone wat nie kan skryf nie, die Afdeling Regsdienste kan nader tydens kantoorure waar 'n lid van die personeel u behulpsaam sal wees om u kommentaar of besware op skrif te stel.

Aard van aansoek:

1. Hersonering van Erf 18984, Mosselbaai groot 4.2715ha vanaf Onbepaalde Sone na Institusionele Sone II (Onderwysplek) in terme van Artikel 17 van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie 15 van 1985);
2. Afwyking in terme van Artikel 15(1)(a)(i) van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie 15 van 1985) vir die verslapping van die westelike syboullyn vanaf 10m na 0.4103m vir 'n paviljoen vir toeskouers;
3. Konsolidasie van Erf 18984, Mosselbaai met Erf 16118, Mosselbaai.

Die eiendom is geleë in die suidelike gedeelte van die Heiderand Uitbreiding en direk wes van die bestaande St. Blaize Skool en suid en grensend aan die padreserwe van Seemeeuweg.

Aansoeker: Delplan Stedelike & Streeksbeplanning, Posbus 9956, George 6530, Tel: (044) 873-4566, Faks: (044) 873-4568, E-pos: delarey@delplan.gov.za, namens Curro Holdings (Edms) Bpk

DR M GRATZ, MUNISIPALE BESTUURDER

Lêerverwysing: 15/4/27/5; 15/4/27/2

9 Julie 2010

22061

MOSSSELBAAI MUNISIPALITEIT

MUNISIPALE ORDONNANSIE, 1974 (ORDONNANSIE 20 VAN 1974)

SLUITING VAN OPENBARE PLEK ERF 4645, STRATE GENAAMD SEELEU-OORD, DUGONG-OORD EN GEDEELTES STRAAT GRESEND AAN ERWE 4646-4665, 6498, 13185 EN 13774 MOSSSELBAAI

Kennis geskied hiermee ingevolge artikel 137(1) van die Munisipale Ordonnansie, Ordonnansie 20 van 1974, dat die Munisipaliteit van Mosselbaai Openbare Plek Erf 4645, Strate genaamd Seeleu-Oord, Dugong-Oord en gedeeltes straat grensend aan Erwe 4646-4665, 6498, 13185 en 13774 Mosselbaai, permanent gesluit het.

(15/1/1/4) (Landmeter-Generaal Verw: S/8302/69 v2 p.408)

DR M GRATZ, MUNISIPALE BESTUURDER

9 Julie 2010

22062

MOSEL BAY MUNICIPALITY

PUBLIC NOTICE CALLING FOR INSPECTION OF
SUPPLEMENTARY VALUATION ROLL AND LODGING OF
OBJECTIONS

Notice is hereby given in terms of Section 49 (1)(a)(i) read together with section 78(2) of the Local Government: Municipality Property Rates Act, 2004 (Act No. 6 of 2004), hereinafter referred to as the "Act". That the supplementary valuation roll for the financial years/year 2010/2011 is open for public inspection at 3rd Floor, Valuation Division, Montagu Place, Montagu Street, Mossel Bay from 02 July 2010 to 02 August 2010.

An invitation is hereby made in terms of section 49(1)(a)(ii) read together with section 78(2)* of the Act that any owner of property or other person who so desires should lodge an objection with the municipality manager in respect of any matter reflected in, or omitted from the supplementary valuation roll* within the abovementioned period.

Attention is specifically drawn to the fact that in terms of section 50(2) of the Act an objection must be in relation to a specific individual property and not against the supplementary valuation roll* as such.

The form for the lodging of an objection is obtainable at the following address: 3rd Floor, Valuation Division, Montagu Place, Montagu Street, Mossel Bay or website www.mosselbaymun.co.za

The completed forms must be returned to the following address: Mossel Bay Municipality, Valuation Division, PO Box 25/Private Bag X29, Mossel Bay 6500. The closing date for lodging objections is Monday, 2 August 2010.

For enquiries, please contact Ms M Moore at (044) 606-5122/Mr G Fourie at (044) 606-5072 or email gfourie@mosselbaymun.co.za.

DR M GRATZ, MUNICIPAL MANAGER

9 July 2010

22063

SWARTLAND MUNICIPALITY

NOTICE 08/2010/2011

PROPOSED REZONING OF ERF 322,
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 Erf 322 (744m² in extent), situated c/o Vrede- and Dirkie Uys Street, Malmesbury from single residential zone to business zone in order to convert the existing house into offices.

Further particulars are available during office hours (weekdays) at the Department Development Services, office of the Head: 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 10 August 2010 at 17:00.

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

9 July 2010

22064

MOSELBAAI MUNISIPALITEIT

PUBLIEKE KENNISGEWING VIR INSPEKSIE VAN DIE
AANVULLENDE WAARDASIELYS EN INDIEN VAN
BESWARE

Kennis word hierby gegee in terme van Artikel 49(1)(a)(i) Plaaslike Regering: Munisipale Eiendomsbelasting Wet, 2004 (Wet Nr. 6 van 2004), hierin verwys na as die "Wet", dat die Aanvullende Waardasie-lyns vir die boekjare 2010/2011 ter insae lê vir publieke inspeksie by: Mosselbaai Munisipale kantoor, 3de Vloer, Kamer 304 Montagu Plek, Montagustraat vanaf 2 Julie 2010 tot 2 August 2010.

'n Uitnodiging word hierby gerig, in terme van Artikel 49(1)(a)(ii) saamgelees met Artikel 78(2) in die Wet, dat enige eienaar van eiendom of enige ander persoon wat dit nodig ag, 'n beswaar by die munisipale bestuurder kan indien vir enige aangeleentheid vervat of weggelaat in die waardasierol binne bogenoemde tydperk.

U aandag word spesifiek daarop gevestig dat in terme van Artikel 50(2) in die Wet 'n beswaar teen 'n spesifieke individuele eiendom ingedien moet word, en nie teen die waardasierol in sy geheel nie.

Die vorms om 'n beswaar in te dien, is by die bogenoemde munisipale kantore beskikbaar en die voltooiende vorms moet ook daar ingehandig word. Besware kan ook elektronies ingedien word by admin@mosselbaymun.co.za.

Die sluitingsdatum vir die indiening van enige beswaar is Maandag, 2 Augustus 2010. Die waardasierol is beskikbaar op die munisipale webblad www.mosselbaymun.co.za.

Navrae kan telefonies gerig word by Me M Moore (044) 606-5122 of Mnr G Fourie (044) 606-5072 of per epos aan gfourie@mosselbaymun.co.za

DR M GRATZ, MUNISIPALE BESTUURDER

9 Julie 2010

22063

SWARTLAND MUNISIPALITEIT

KENNISGEWING 08/2010/2011

VOORGESTELDE HERSONERING VAN ERF 322,
MALMESBURY

Kennis geskied hiermee ingevolge Artikel 17(1) van Ordonnansie 15 van 1985 dat 'n aansoek ontvang is vir die hersonering van Erf 322 (groot 744m²), geleë h/v Vrede- en Dirkie Uysstraat, Malmesbury vanaf enkelwoningone na sakesone ten einde die bestaande woonhuis te omskep na kantore.

Verdere besonderhede is gedurende gewone kantoorure (weeksdag) 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 10 Augustus 2010 om 17:00.

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

9 Julie 2010

22064

SWELLENDAM MUNICIPALITY

APPLICATION FOR SUBDIVISION: PORTION 12 AND 57 OF
THE FARM KLIPRIVIER NO 190, SWELLENDAM

Notice is hereby given in terms of the Land Use Planning Ordinance, 1985 (Ordinance no. 15 of 1985) that Council has received an application from David Hellig & Abrahamse Land Surveyors on behalf of the O'Grady Family Trust for the subdivision of the Portion 12 and 57 of the Farm Kliprivier No 190 and the consolidation of the relevant portions with adjoining properties.

Further particulars regarding the proposal are available for inspection at the Municipal office, Swellendam during office hours. Objections to the proposal, if any, must reach the undermentioned on or before 10 August 2010. Persons who are unable to read and write will be assisted during office hours, at the Municipal office, Swellendam, to write down their objections.

N NEL, MUNICIPAL MANAGER, Municipal Office, SWELLENDAM

Notice: 203/2010

9 July 2010

22065

SWELLENDAM MUNICIPALITY

APPLICATION FOR A CONSENT USE: ERF 4226 (ANGELIER
STREET), SWELLENDAM

Notice is hereby given in terms of the Land Use Planning Ordinance, 1985 (Ordinance no. 15 of 1985) that Council has received an application from the Pinkster Protestante Church for a consent in order to use Erf 4226, Swellendam for church purposes.

Further particulars regarding the proposal are available for inspection at the Municipal office, Swellendam during office hours. Objections to the proposal, if any, must reach the undermentioned on or before 10 August 2010. Persons who are unable to read and write will be assisted during office hours, at the Municipal office, Swellendam, to write down their objections.

N NEL, MUNICIPAL MANAGER, Municipal Office, SWELLENDAM

Notice: 202/2010

9 July 2010

22066

SWELLENDAM MUNICIPALITY

APPLICATION FOR DEPARTURE: ERF 5552 (24 ABELIA
STREET), SWELLENDAM

Notice is hereby given in terms of the Land Use Planning Ordinance, 1985 (Ordinance no. 15 of 1985) that Council has received an application from VE Schoeman for a departure on Erf 5552, Swellendam in order to use the property for a house shop.

Further particulars regarding the proposal are available for inspection at the Municipal office, Swellendam during office hours. Objections to the proposal, if any, must reach the undermentioned on or before 10 August 2010. Persons who are unable to read and write will be assisted during office hours, at the Municipal office, Swellendam, to write down their objections.

N NEL, MUNICIPAL MANAGER, Municipal Office, SWELLENDAM

Notice: 201/2010

9 July 2010

22067

SWELLENDAM MUNISIPALITEIT

AANSOEK OM ONDERVERDELING: GEDEELTE 12 EN 57 VAN
DIE PLAASKLIPRIVIER NR 190, SWELLENDAM

Kennis geskied hiermee in terme van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie nr. 15 van 1985) dat die Raad 'n aansoek ontvang het van David Hellig & Abrahamse Landmeters namens die O'Grady Family Trust vir die onderverdeling van Gedeelte 12 en 57 van die plaas Kliprivier Nr 190 en konsolidasie van die betrokke gedeeltes met aangrensende eiendomme.

Verdere besonderhede van die voorstel lê gedurende kantoorure by die Swellendam Munisipale kantoor, ter insae. Skriftelike besware teen die voorstel, indien enige, moet die ondergemelde bereik voor of op 10 Augustus 2010. Persone wat nie kan lees en skryf nie, sal gedurende kantoorure by die Munisipale kantoor, Swellendam gehelp word om hul besware neer te skryf.

N NEL, MUNISIPALE BESTUURDER, Munisipale Kantoor, SWELLENDAM

Kennisgewing: 203/2010

9 Julie 2010

22065

SWELLENDAM MUNISIPALITEIT

AANSOEK OM VERGUNNINGSGEBRUIK: ERF 4226,
(ANGELIERSTRAAT), SWELLENDAM

Kennis geskied hiermee in terme van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie nr. 15 van 1985) dat die Raad 'n aansoek ontvang het van die Pinkster Protestante Kerk 'n vergunning ten einde Erf 4226, Swellendam vir die doeleindes van 'n kerkgebou aan te wend.

Verdere besonderhede van die voorstel lê gedurende kantoorure by die Swellendam Munisipale kantoor, ter insae. Skriftelike besware teen die voorstel, indien enige, moet die ondergemelde bereik voor of op 10 Augustus 2010. Persone wat nie kan lees en skryf nie, sal gedurende kantoorure by die Munisipale kantoor, Swellendam gehelp word om hul besware neer te skryf.

N NEL, MUNISIPALE BESTUURDER, Munisipale Kantoor, SWELLENDAM

Kennisgewing: 202/2010

9 Julie 2010

22066

SWELLENDAM MUNISIPALITEIT

AANSOEK OM AFWYKING: ERF 5552 (ABELIASTRAAT 24),
SWELLENDAM

Kennis geskied hiermee in terme van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie nr. 15 van 1985) dat die Raad 'n aansoek ontvang het van VE Schoeman vir 'n afwyking op Erf 5552, Swellendam ten einde 'n huiswinkel vanaf die eiendom te bedryf.

Verdere besonderhede van die voorstel lê gedurende kantoorure by die Swellendam Munisipale kantoor, ter insae. Skriftelike besware teen die voorstel, indien enige, moet die ondergemelde bereik voor of op 10 Augustus 2010. Persone wat nie kan lees en skryf nie, sal gedurende kantoorure by die Munisipale kantoor, Swellendam gehelp word om hul besware neer te skryf.

N NEL, MUNISIPALE BESTUURDER, Munisipale Kantoor, SWELLENDAM

Kennisgewing: 201/2010

9 Julie 2010

22067

SWELLENDAM MUNICIPALITY

APPLICATION FOR AN AMENDMENT OF THE SPATIAL DEVELOPMENT FRAMEWORK AS WELL AS REZONING AND CONSENT USE: ERF 4719 (VAN VOLLENHOVEN STREET), SWELLENDAM

Notice is hereby given in terms of the Land Use Planning Ordinance, 1985 (Ordinance no. 15 of 1985) that Council has received an application from Mr JJ Hartzberg for the amendment of the spatial development framework as well as rezoning of Erf 4719, Swellendam from single residential to business purposes and a consent to conduct an off sales from the premises.

Further particulars regarding the proposal are available for inspection at the Municipal office, Swellendam during office hours. Objections to the proposal, if any, must reach the undermentioned on or before 10 August 2010. Persons who are unable to read and write will be assisted during office hours, at the Municipal office, Swellendam, to write down their objections.

N NEL, MUNICIPAL MANAGER, Municipal Office, SWELLENDAM

Notice: 200/2010

9 July 2010

22076

SWELLENDAM MUNICIPALITY

APPLICATION FOR CONSENT USE AND DEPARTURE ERF 2634 (ELIANTHE'S GUESTHOUSE, VOORTREK STREET) SWELLENDAM

Notice is hereby given in terms of the Land Use Planning Ordinance, 1985 (Ordinance no. 15 of 1985) that Council has received an application from Ms Elianthe Teirbrood for a consent use in order to regularise the continued use of Erf 2634, Swellendam for the purpose of a guesthouse as well as a departure in order to conduct a restaurant and tea garden from the property.

Further particulars regarding the proposal are available for inspection at the Municipal office, Swellendam during office hours. Objections to the proposal, if any, must reach the undermentioned on or before 10 August 2010. Persons who are unable to read and write will be assisted during office hours, at the Municipal office, Swellendam, to write down their objections.

N NEL, MUNICIPAL MANAGER, Municipal Office, SWELLENDAM

Notice: 199/2010

9 July 2010

22068

SWELLENDAM MUNICIPALITY

APPLICATION FOR CONSENT USE AND DEPARTURE ERF 480 (12 SOMERSET STREET) SWELLENDAM

Notice is hereby given in terms of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) that Council has received an application from Mr P Fourie for a consent use in order to use Erf 480, Swellendam for the purpose of a guesthouse.

Further particulars regarding the proposal are available for inspection at the Municipal office, Swellendam during office hours. Objections to the proposal, if any, must reach the undermentioned on or before 10 August 2010. Persons who are unable to read and write will be assisted during office hours, at the Municipal office, Swellendam, to write down their objections.

N NEL, MUNICIPAL MANAGER, Municipal Office, SWELLENDAM

Notice: 198/2010

9 July 2010

22069

SWELLENDAM MUNISIPALITEIT

AANSOEK OM WYSIGING VAN DIE RUIMTELIKE ONTWIKKELINGSRAAMWERK ASOOK HERSONERING EN VERGUNNINGSGEBRUIK: ERF 4719 (VAN VOLLENHOVENSTRAAT), SWELLENDAM

Kennis geskied hiermee in terme van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie nr. 15 van 1985) dat die Raad 'n aansoek ontvang het van mnr JJ Hartzberg vir die wysiging van die ruimtelike ontwikkelingsraamwerk asook hersonering van Erf 4719, Swellendam vanaf enkel woondoeleindes na sakedoeleindes en vir 'n vergunning ten einde 'n drankwinkel vanaf die perseel te bedryf.

Verdere besonderhede van die voorstel lê gedurende kantoorure by die Swellendam Munisipale kantoor, ter insae. Skriftelike besware teen die voorstel, indien enige, moet die ondergemelde bereik voor of op 10 Augustus 2010. Persone wat nie kan lees en skryf nie, sal gedurende kantoorure by die Munisipale kantoor, Swellendam gehelp word om hul besware neer te skryf.

N NEL, MUNISIPALE BESTUURDER, Munisipale Kantoor, SWELLENDAM

Kennisgewing: 200/2010

9 Julie 2010

22076

SWELLENDAM MUNISIPALITEIT

AANSOEK OM VERGUNNINGSGEBRUIK EN AFWYKING: ERF 2634 (ELIANTHE'S GASTEHUIS, VOORTREKSTRAAT) SWELLENDAM

Kennis geskied hiermee in terme van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie nr. 15 van 1985) dat die Raad aansoek ontvang het van Me Elianthe Teirbrood vir 'n vergunningsgebruik ten einde die voortgesette benutting van Erf 2634, Swellendam vir die doeleindes van 'n gastehuis te wettig asook vir 'n afwyking ten einde 'n restaurant en teetuin vanaf die eiendom te bedryf.

Verdere besonderhede van die voorstel lê gedurende kantoorure by die Swellendam Munisipale kantoor, ter insae. Skriftelike besware teen die voorstel, indien enige, moet die ondergemelde bereik voor of op 10 Augustus 2010. Persone wat nie kan lees en skryf nie, sal gedurende kantoorure by die Munisipale kantoor, Swellendam gehelp word om hul besware neer te skryf.

N NEL, MUNISIPALE BESTUURDER, Munisipale Kantoor, SWELLENDAM

Kennisgewing: 199/2010

9 Julie 2010

22068

SWELLENDAM MUNISIPALITEIT

AANSOEK OM VERGUNNINGSGEBRUIK: ERF 480 (SOMERSETSTRAAT 12) SWELLENDAM

Kennis geskied hiermee in terme van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie nr. 15 van 1985) dat die Raad 'n aansoek ontvang het vanaf mnr P Fourie vir 'n vergunningsgebruik ten einde Erf 480, Swellendam vir die doeleindes van 'n gastehuis te benut.

Verdere besonderhede van die voorstel lê gedurende kantoorure by die Swellendam Munisipale kantoor, ter insae. Skriftelike besware teen die voorstel, indien enige, moet die ondergemelde bereik voor of op 10 Augustus 2010. Persone wat nie kan lees en skryf nie, sal gedurende kantoorure by die Munisipale kantoor, Swellendam gehelp word om hul besware neer te skryf.

N NEL, MUNISIPALE BESTUURDER, Munisipale Kantoor, SWELLENDAM

Kennisgewing: 198/2010

9 Julie 2010

22069

CITY OF CAPE TOWN
PROBLEM BUILDING BY-LAW, 2010

To provide for the identification, control and management of dilapidated and problem buildings in the City of Cape Town; and to provide for matters incidental thereto.

PREAMBLE

WHEREAS section 156(2) and (5) of the Constitution provides that a municipality may make and administer by-laws for the effective administration of the matters which it has the right to administer, and to exercise any power concerning a matter reasonably necessary for, or incidental to, the effective performance of its functions;

AND WHEREAS Part B of Schedule 4 to the Constitution lists building regulations as a local government matter to the extent set out in section 155(6) (a) and (7);

AND WHEREAS the City of Cape Town seeks to identify, control and manage dilapidated and problem buildings within its area of jurisdiction to ensure that such buildings comply with this By-law by—

- Formulating a coordinated integrated strategy plan, processes and procedures;
- Turning problem buildings around by rejuvenating and regenerating the buildings rather than demolishing them;
- Redeveloping the property where problem buildings can't be rejuvenated or regenerated after consultation with the owners;
- Facilitating the disposal of problem buildings for the purpose of achieving the objectives of this By-law.

AND NOW THEREFORE, BE IT ENACTED by the Council of the City of Cape Town, as follows:

Definitions

1. In this By-law, unless the context otherwise indicates—

“**authorised official**” means an employee of the City authorised by the City Manager to implement and enforce the provisions of this By-law;

“**building**” includes—

- (a) any structure, whether of a temporary or permanent nature and irrespective of the materials used in the erection thereof, erected or used for or in connection with the—
 - (i) accommodation or convenience of human beings or animals;
 - (ii) manufacture, processing, storage, display or sale of any goods;
 - (iii) rendering of any service;
 - (iv) destruction or treatment of refuse or other waste materials;
 - (v) cultivation or growing of any plant or crop;
- (b) any wall or part of a building;
- (c) a unit or common property as defined in the Sectional Titles Act, 1986 (Act No. 95 of 1986); or
- (d) any vacant or unoccupied erf;

“**City**” means the City of Cape Town established in terms of section 12 of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998), by Provincial Notice No. 479 dated 22 December 2000;

“**licensed waste disposal facility**” means a site, or premises which is licensed in terms of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008) and used for the accumulation or disposal of waste;

“**owner**” in relation to a building means the person in whose name the land on which such building was or is erected, as the case may be, is registered in the deeds office in question and includes a person in charge of such building: Provided that if—

- (a) such person, in the case of a natural person, is deceased or was declared by any court to be incapable of managing his or her own affairs or a prodigal or is a patient as defined in section 1 of the Mental Health Act, 1973 (Act No. 18 of 1973), or if his or her estate has been sequestrated, the executor or curator concerned, as the case may be;
- (b) such person, in the case of a juristic person or trust, has been liquidated or placed under judicial management, the liquidator or judicial manager concerned, as the case may be;
- (c) such person is absent from the Republic or if his or her whereabouts are unknown, any person who, as agent or otherwise, undertakes the management, maintenance or collection of rentals or other moneys in respect of such building or who is responsible there for;
- (d) in the case of a sectional title scheme, a sectional title unit is registered in the name of a person, that person;
- (e) in the case of a trust, the trustees of such trust;
- (f) in the case of a sectional title scheme, a body corporate responsible for the control, administration and management of the common property; or
- (g) where the City is unable to determine the identity of such person, any person who is entitled to the benefit of the use of such building or who enjoys such benefit;

“**problem building**” includes any building or portion of a building—

- (a) that appears to have been abandoned by the owner with or without the consequence that rates or other service charges are not being paid;
- (b) that is derelict in appearance, overcrowded or is showing signs of becoming unhealthy, unsanitary, unsightly or objectionable;
- (c) that is the subject of written complaints in respect of criminal activities, including drug dealings and prostitution;

- (d) that is illegally occupied;
- (e) where refuse or waste material is accumulated, dumped, stored or deposited with the exception of licensed waste disposal facilities; or
- (f) that is partially completed or structurally unsound and is a threat or danger to the safety of the general public.

Application of this By-law

2. This By-law applies to all problem buildings situated within the area of jurisdiction of the City, except those situated in areas exempted from the application of the National Building Regulations and Building Standards Act, 1977 (Act No. 103 of 1977).

Appointment of Authorised Officials

3. The City Manager may appoint authorised officials to implement and enforce the provisions of this By-law.

Delegation

4. The City Manager may exercise all powers, duties and functions conferred upon the City in terms of this By-law and to delegate such powers, duties and functions to authorised officials.

Entry by authorised officials of buildings and land

5. (1) Any authorised official may enter any building at any reasonable time with a view to—

- (a) inspect or determine whether the building complies with any provision of this By-law subject to 7 days notice of such intended inspection having been given to the owner; or
- (b) serve the owner of the building with the compliance notice as referred to in section 7.

(2) No person shall hinder or obstruct the authorised official in the exercise of his or her powers in terms of the By-law.

(3) An authorised official shall, when entering the building, produce a valid identification document issued to him or her by the City to the owner of such building.

Declaration of a building, a problem building

6. (1) The authorised official may, subject to subsections (2) to (5), if a building falls within the definition of “problem building” as defined in section 1, declare such building a problem building.

(2) The authorised official shall, by notice in writing, before declaring such building a problem building, inform the owner of his or her intention to declare such building a problem building, giving the reasons for such declaration.

(3) The authorised official may carry out an investigation in respect of a building which he or she intends to declare a problem building as contemplated in subsection (2), provided that he or she must display a notice of such investigation on the building concerned.

(4) The authorised official shall give the owner a period of seven days to make representations on why the building should not be declared a problem building.

(5) The authorised official shall, after considering the representations referred to in subsection (4), take a decision either to declare or not to declare a building a problem building.

(6) The owner shall, in respect of a declaration in terms of subsection (1), have a right of appeal in terms of section 62 of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000).

Compliance notice

7. (1) The authorised official shall serve a written notice on the owner of any building which has been declared a problem building as referred to in section 6, requiring such owner within a specified period to—

- (a) repair, renovate, repaint, alter, close, demolish, secure, or remove all refuse from, such problem building;
- (b) complete the construction of a problem building or any structure of such building;
- (c) enclose, fence or barricade such problem building to the satisfaction of the City;
- (d) appoint and instruct, at the cost of such owner, an approved competent person referred to in Part A 19 of the National Building Regulations, to examine a condition that gave rise to the declaration of a building a problem building and to report to the authorised official on the nature and extent of the steps to be taken, which in the opinion of such approved competent person needs to be taken in order to render such problem building safe;
- (e) dispose of, destroy or remove any material or article accumulated, dumped, stored or deposited in any building, which is refuse or waste and which is showing signs of becoming unsightly, insanitary, unhealthy or objectionable or is likely to constitute an obstruction; or
- (f) comply with any provision of this By-law.

(2) The City may, if such owner fails to comply with a notice served on him or her in terms of subsection (1), repair, renovate, repaint, alter, close, demolish, remove all refuse or secure any problem building at the cost of the owner.

(3) The City may, if the owner fails to pay such cost, recover the cost in terms of the Credit Control and Debt Collection By-law, 2006.

(4) Despite subsection (1), section 6 and subject to any applicable legislation, if the authorised official has reason to believe that the condition of any building is such that steps should forthwith be taken to protect life or property, he or she may take such steps as may be necessary in the circumstances without serving or delivering such notice on or to the owner of such building and may recover the cost of such steps from such owner.

(5) If the authorised official deems it necessary for the safety of any person, he or she may by notice in writing—

- (a) order the owner of any problem building to remove, within the period specified in such notice, any person occupying or working, or who for any other purpose is in such problem building, and to take care that no person who is not authorised by the City enters such problem building;
- (b) order any person occupying or working, or who for any other purpose is in any problem building, to vacate such building.

(6) No person shall occupy, use or permit the occupation or use of any problem building or continue to occupy, use or permit, the occupation or use of any problem building in respect of which a notice was served or delivered in terms of this section or steps were taken by the City in terms of subsection (2), unless he or she has been granted permission by City in writing that such building may be occupied or used or continue to be occupied or used, as the case may be.

Service of a notice

8. (1) Whenever a compliance notice is authorised or required to be served on a person in terms of this By-law, it shall be deemed to have been effectively and sufficiently served on such person—

- (a) when it has been delivered to him or her personally;
- (b) when it has been left at his or her 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 his or her last known residential or business address in the Republic and an acknowledgment of the posting thereof is produced;
- (d) if his or her address in the Republic is unknown, when it has been served on his or her agent or representative in the Republic in the manner contemplated in paragraph (a), (b) or (c); or
- (e) if his or her address and agent in the Republic are unknown, when it has been posted in a conspicuous place on the immovable property, if any, to which it relates.

(2) When a compliance notice as aforesaid is authorised or required to be served on a person by reason of his or her being or having been the owner or holding some other right in respect of immovable property, it shall not be necessary to name him or her, but it shall be sufficient if he or she is therein described as the owner or holder of such immovable property or other right, as the case may be.

Indemnity

9. The City or any authorised official of the City shall not be liable to a third party for any damage caused by anything lawfully done or omitted by the City or any authorised official in carrying out any function or duty in terms of this By-law.

Offences and penalties

10. (1) Any person who contravenes any provision, or fails to comply with any notice issued in terms, of this By-law commits an offence.

(2) A person who is guilty of an offence in terms of this By-law is upon conviction liable to a fine not exceeding R300 000.00 or imprisonment for a period not exceeding three years or to both such fine and imprisonment.

(3) In the case of a continuing offence an additional fine or imprisonment for a period not exceeding ten days for each day on which such offence continued may be imposed.

(4) In addition to any penalty imposed in terms of subsections (2) and (3), the person so convicted shall be liable to pay the cost of repair of any damage caused or costs incurred in remedying any damage resulting from such an offence.

Short title

11. This By law is called the City of Cape Town: Problem Building By-law, 2010.

STAD KAAPSTAD
VERORDENING OP PROBLEEMGEBOUE, 2010

Om vir die identifikasie, beheer en bestuur van probleem- en vervalte geboue in die Stad Kaapstad voorsiening te maak; en om vir aangeleenthede wat daarmee gepaard gaan, voorsiening te maak.

AANHEF

NADEMAAL artikels 156(2) en (5) van die Grondwet bepaal dat 'n munisipaliteit verordeninge kan uitvaardig en toepas vir die doeltreffende administrasie van die aangeleenthede ten opsigte waarvan hy die reg het om dit te administreer, en om enige bevoegdheid uit te oefen rakende 'n aangeleentheid wat redelikerwys vir die doeltreffende uitvoering van sy funksies nodig is of daarmee gepaard gaan;

EN NADEMAAL Deel B van Bylae 4 van die Grondwet bouregulasies as 'n plaaslike regeringsaangeleentheid lys in die mate in artikels 155(6) (a) en (7) uiteengesit;

EN NADEMAAL die Stad Kaapstad probleem- en vervalte geboue binne sy regsgebied wil identifiseer, beheer en bestuur om te verseker dat sodanige geboue aan dié Verordening voldoen deur—

- 'n gekoördineerde geïntegreerde strategieplan, prosesse en prosedures te formuleer;
- probleemgeboue te rehabiliteer deur die geboue op te knap en te vernuwe in plaas van om hulle te sloop;
- die eiendom na oorlegpleging met die eienaars te herontwikkel in gevalle waar probleemgeboue nie opgeknap en vernuwe kan word nie;
- die wegdoening met probleemgeboue te fasiliteer met die oog daarop om die doelwitte van dié Verordening te bereik;

WORD DAAR DUS NOU soos volg deur die Raad van die Stad Kaapstad **VERORDEN**:

Definisies

1. In dié Verordening, tensy dit uit die samehang anders blyk, beteken—

“eienaar” ten opsigte van 'n gebou of grond die persoon op wie se naam die grond waarop sodanige gebou opgerig is of word, na gelang van die geval, by die betrokke Aktekantoor geregistreer is, met inbegrip van 'n persoon wat in beheer van sodanige gebou is: Met dien verstande dat -

- (a) as sodanige persoon, in die geval van 'n natuurlike persoon, oorlede is of deur enige hof as deurbringer of onbevoeg verklaar is om sy of haar eie sake te bestuur of 'n pasiënt is soos omskryf in artikel 1 van die Wet op Geestesgesondheid, 1973 (Wet 18 van 1973), of as sy of haar boedel gesekwestreer is, die betrokke eksekuteurs of kurator, na gelang van die geval;
- (b) as sodanige persoon, in die geval van 'n regspersoon, gelikwedeer of onder geregtelike bestuur geplaas is, die betrokke likwidateur of geregtelike bestuurder, na gelang van die geval;
- (c) as sodanige persoon nie in die Republiek is nie of sy of haar verblyfplek onbekend is, enige persoon wat as agent of andersins die bestuur, instandhouding en invordering van huurgeld of ander gelde ten opsigte van sodanige gebou onderneem of wat daarvoor verantwoordelik is;
- (d) as, in die geval van 'n deeltitelskema, 'n deeltiteleenheid in die naam van 'n persoon geregistreer is, die betrokke persoon;
- (e) in die geval van 'n trust, die trustees van sodanige trust;
- (f) in die geval van 'n deeltitelskema, 'n regspersoon wat vir die beheer, administrasie en bestuur van die gemeenskaplike eiendom verantwoordelik is; of
- (g) as die Stad nie die identiteit van die betrokke persoon kan bepaal nie, enige persoon wat op die voordeel van die gebruik van sodanige gebou geregtig is en wat sodanige voordeel benut;

“gebou” ook—

- (a) enige struktuur, hetsy van 'n tydelike of permanente aard, en ongeag die materiaal wat by die oprigting daarvan gebruik is, wat opgerig is of gebruik word vir, of verband hou met—
 - (i) die akkommodasie of gerief van mense of diere;
 - (ii) die vervaardiging, verwerking, berging, vertoon of verkoop van enige goedere;
 - (iii) die lewering van enige diens;
 - (iv) die vernietiging of behandeling van vullis of ander afvalstowwe;
 - (v) die verbouing of kweek van enige plant of gewas;
- (b) enige muur of deel van 'n gebou;
- (c) 'n eenheid of gemeenskaplike eiendom soos omskryf in die Wet op Deeltitels, 1986 (Wet 95 van 1986); of
- (d) enige onbeboude, onbewoonde erf;

“gelisensieerde afvalwegdoeningsfasiliteit” 'n terrein of perseel wat ingevolge die Nasionale Wet op Omgewingsbestuur: Afval (“National Environmental Management Waste Act”), 2008 (Wet 59 van 2008), gelisensieer is en vir die ophoping of wegdoening van afval gebruik word;

“gemagtigde amptenaar” enige werknemer van die Stadsbestuurder wat deur die Stad gemagtig is om die bepalings van dié Verordening te implementeer en toe te pas;

“probleemgebou” ook enige gebou of gedeelte van 'n gebou—

- (a) wat blyk deur die eienaar agtergelaat te wees met of sonder die gevolg dat belasting of ander diensteheffings nie betaal word nie;
- (b) wat verlate voorkom, oorbewoon is of tekens toon dat dit ongesond, onhigiënies, onooglik of aanstootlik word;

- (c) die onderwerp is van skriftelike klagtes oor kriminele aktiwiteit, insluitende dwelmshandel en prostitusie;
- (d) onwettig bewoon word;
- (e) waar vullis of afvalstowwe by sodanige gebou opgehoop, gestort, geberg of agtergelaat word, met die uitsondering van gelisensieerde afvalwegdoeningsfasiliteite; of
- (f) wat deels voltooï of struktureel swak is, en wat 'n bedreiging of gevaar vir die veiligheid van die algemene publiek inhou;

“**Stad**” die Stad Kaapstad wat ingestel is ingevolge artikel 12 van die Wet op Plaaslike Regering: Munisipale Strukture, 1998 (Wet 117 van 1998), by Provinsiale Kennisgewing no. 479 van 22 Desember 2000.

Toepassing van dié Verordening

2. Dié Verordening is van toepassing op alle probleemgeboue wat binne die Stad se regsgebied geleë is, met die uitsondering van dié wat geleë is in gebiede wat van die toepassing van die Wet op Nasionale Bouregulasies en Boustandaarde, 1977 (Wet 103 van 1977), vrygestel is.

Aanstelling van gemagtigde amptenare

3. Die Stadsbestuurder kan gemagtigde amptenare aanstel om die bepalings van dié Verordening te implementeer en toe te pas.

Delegasie

4. Die Stadsbestuurder kan alle bevoegdhede, pligte en funksies wat ingevolge dié Verordening aan die Stad verleen word, uitoefen en sodanige bevoegdhede, pligte en funksies aan gemagtigde amptenare delegeer.

Betreding van geboue en grond deur gemagtigde amptenare

5. (1) Enige gemagtigde amptenaar mag enige gebou of grond op enige redelike tyd betree met die doel —
- (a) om die gebou te inspekteer of om te bepaal of dit aan enige bepaling van dié Verordening voldoen, onderworpe daaraan dat daar 7 dae kennis van sodanige voorgenome inspeksie aan die eienaar gegee is, of
 - (b) om die voldoeningkennisgewing waarna daar in artikel 7 verwys word, aan die eienaar van die gebou te beteken.
- (2) Geen persoon mag die gemagtigde amptenaar by die uitoefening van sy of haar bevoegdhede ingevolge die Verordening hinder of dwarsboom nie.
- (3) 'n Gemagtigde amptenaar moet by betreding van die gebou 'n geldige identiteitsdokument wat die Stad aan hom of haar uitgereik het, aan die eienaar van sodanige gebou of grond toon.

Verklaring van 'n gebou tot probleemgebou

6. (1) Die gemagtigde amptenaar mag, onderworpe aan subartikels (2) tot (5), as 'n gebou binne die definisie van probleemgebou val soos omskryf in artikel 1, sodanige gebou tot probleemgebou verklaar.
- (2) Die gemagtigde amptenaar moet, voordat sodanige gebou tot probleemgebou verklaar word, die eienaar skriftelik in kennis stel van sy of haar voorneme om sodanige gebou tot probleemgebou te verklaar.
- (3) Die gemagtigde amptenaar kan 'n ondersoek uitvoer ten opsigte van 'n gebou wat hy of sy voornemens is om as 'n probleemgebou te verklaar, soos voorsien in subartikel (2), met dien verstande dat hy of sy 'n kennisgewing van sodanige ondersoek van die betrokke gebou moet toon.
- (4) Die gemagtigde amptenaar moet die eienaar 'n tydperk van sewe dae bied om verhoë te rig oor waarom die gebou nie tot probleemgebou verklaar kan word nie.
- (5) Die gemagtigde amptenaar moet, na oorweging van die verhoë waarna daar in subartikel (4) verwys word, 'n besluit neem of 'n gebou tot 'n probleemgebou verklaar moet word of nie.
- (6) Die eienaar het, ten opsigte van 'n verklaring wat ingevolge subartikel (1) gedoen is, 'n reg van appèl ingevolge artikel 62 van die Wet op Plaaslike Regering: Munisipale Stelsels, 2000 (Wet 32 van 2000).

Voldoeningskennisgewing

7. (1) Die gemagtigde amptenaar mag 'n skriftelike kennisgewing beteken aan die eienaar van enige gebou wat tot probleemgebou verklaar is, soos daarna in artikel 6 verwys word, welke kennisgewing van sodanige eienaar vereis om binne 'n voorgeskrewe tydperk—
- (a) sodanige probleemgebou te herstel, op te knap, te verf, te verander, te sluit, te sloop of te beveilig;
 - (b) die konstruksie van 'n probleemgebou of enige struktuur van sodanige gebou te voltooi;
 - (c) sodanige probleemgebou tot voltoening van die Stad af te kamp, te omhein of af te sper;
 - (d) 'n goedgekeurde bevoegde persoon waarna in Deel A 19 van die Nasionale Bouregulasies verwys word, op koste van sodanige eienaar aan te stel en opdrag te gee om 'n toestand wat daartoe aanleiding gegee het dat 'n gebou tot 'n probleemgebou verklaar is, te ondersoek en om aan die gemagtigde amptenaar verslag te doen oor die aard en omvang van die stappe wat gedoen moet word wat na die mening van sodanige goedgekeurde bevoegde persoon gedoen moet word om sodanige probleemgebou te beveilig;
 - (e) met enige materiaal of artikels wat by enige gebou opgehoop, gestort, geberg of agtergelaat is, wat vullis of afval is en wat tekens toon dat dit onooglik, onhigiënies of ongesond of aanstootlik word of waarskynlik 'n hindernis sal uitmaak, weg te doen of dit te vernietig of te verwyder; of
 - (f) aan enige bepaling van dié Verordening te voldoen.

- (2) Die Stad mag, ingeval sodanige eienaar versuim om te voldoen aan 'n kennisgewing wat ingevolge subartikel (1) aan hom of haar beteken is, enige probleemgebou op koste van die eienaar herstel, opknop, verf, verander, sluit, sloop, alle afval verwyder of die probleemgebou beveilig.
- (3) Die Stad mag, as die eienaar versuim om sodanige koste te betaal, die koste ingevolge die Verordening op Kredietbeheer en Skuldinvordering, 2006, verhaal.
- (4) As die gemagtigde amptenaar ondanks subartikel (1), artikel 6 en onderworpe aan enige toepaslike wetgewing, rede het om te glo dat die toestand van enige gebou sodanig is dat stappe onverwyld gedoen moet word om lewe of eiendom te beskerm, mag hy of sy sodanige stappe doen wat in die omstandighede nodig geag word sonder om sodanige kennisgewing aan die eienaar van sodanige gebou te beteken of af te lewer, en die koste van sodanige stappe van sodanige eienaar verhaal.
- (5) As die gemagtigde amptenaar dit vir die veiligheid van enige persoon nodig ag, mag hy of sy deur middel van skriftelike kennisgewing—
- die eienaar van enige probleemgebou gelas om binne die tydperk wat in sodanige kennisgewing gespesifiseer word, enige persoon wat sodanige probleemgebou okkupeer of daarin werk of wat om enige ander rede daarin is, te verwyder en om te sorg dat geen persoon wat nie deur die Stad gemagtig is nie, sodanige probleemgebou betree;
 - enige persoon wat enige probleemgebou okkupeer of daarin werk of om enige ander rede daarin is, gelas om sodanige gebou te ontruim.
- (6) Geen persoon mag enige probleemgebou okkupeer, gebruik of dit laat okkupeer of gebruik of voortgaan om enige probleemgebou te okkupeer, te gebruik of laat okkupeer of gebruik ten opsigte waarvan 'n kennisgewing ingevolge dié artikel beteken of afgelewer is of stappe ingevolge subartikel (2) deur die Stad gedoen is nie, tensy die Stad skriftelike toestemming aan hom of haar verleen het dat sodanige gebou geokkupeer of gebruik mag word of steeds geokkupeer of gebruik mag word, na gelang van die geval.

Betekening van 'n kennisgewing

8. (1) Wanneer ook al 'n voldoeningskennisgewing ingevolge dié Verordening gemagtig is of vereis word om aan 'n persoon beteken te word, sal dit doeltreffend en voldoende aan sodanige persoon beteken geag te wees—

- as dit persoonlik aan hom of haar beteken is;
- as dit by sy of haar verblyfplek in die Republiek by 'n persoon gelaat is wat oënskynlik ouer as 16 jaar is;
- as dit per geregistreerde of aangetekende pos na sy of haar laaste bekende woon- of sakeadres in die Republiek gepos is en bewys van die pos daarvan gelewer kan word;
- as dit, ingeval sy of haar adres in die Republiek onbekend is, aan sy of haar agent of verteenwoordiger in die Republiek beteken is op die wyse bedoel in paragraaf (a), (b) of (c); of
- as dit, ingeval sy of haar adres in die Republiek onbekend is, op 'n opsigtelike plek aangebring is op die vaste eiendom, as daar is, waarop dit betrekking het.

(2) Wanneer bogenoemde voldoeningskennisgewing gemagtig is of vereis word om aan 'n persoon beteken te word uit hoofde daarvan dat hy of sy die eienaar van vaste eiendom is of was of enige ander reg ten opsigte daarvan het, is dit nie nodig om hom of haar te noem nie, maar is dit voldoende as hy of sy daarin as die eienaar of houer van sodanige eiendom of ander reg beskryf word, na gelang van die geval.

Vrywaring

9. Die Stad of enige gemagtigde amptenaar van die Stad is nie teenoor 'n derde party aanspreeklik vir enige skade wat veroorsaak word deur enigiets wat die Stad of enige gemagtigde amptenaar doen of nalaat om te doen by die uitvoering van enige funksie of plig ingevolge dié Verordening nie.

Misdrywe en boetes

10. (1) Enige persoon wat 'n bepaling van dié Verordening oortree of versuim om aan 'n kennisgewing wat daarkragtens uitgereik is, te voldoen, begaan 'n misdryf.

(2) Enige persoon wat ingevolge dié Verordening aan 'n misdryf skuldig is, is by skuldigbevinding strafbaar met 'n boete van R300 000,00 of gevangenisstraf van hoogstens drie jaar, of aan beide sodanige boete en gevangenisstraf.

(3) In die geval van 'n voortgesette misdryf kan 'n bykomende boete of gevangenisstraf vir 'n tydperk van hoogstens tien dae opgelê vir elke dag waarop sodanige misdryf voortgesit is.

(4) Benewens enige boete wat ingevolge subartikels (2) en (3) opgelê is, is die persoon wat skuldig bevind is, aanspreeklik daarvoor om die koste van herstelwerk van enige skade wat aangerig is of koste wat aangegaan is om enige skade as gevolg van sodanige misdryf te herstel, te betaal.

Kort titel

11. Dié Verordening word die Stad Kaapstad: Verordening op Probleemgeboue, 2010, genoem.

ISIXEKO SASEKAPA

UMTHETHO KAMASIPALA ONGEZAKHIWO EZIYINGXAKI/EZINENGXAKI-ka-2010

Ukubonelela ngomsebenzi wokuchonga, ukujonga nokulawula izakhiwo ezidilikayo neziyingxaki kummandla wesiXeko saseKapa; kunye nemibandela enxulumene noku.

INTSHAYELELO

NJENGOKO icandelo le-156(2) kunye nele-(5) loMgaqo-siseko libonelela ngento yokuba umasipala unakho ukwenza yaye asebenzise imithetho kamasipala ukulungiselela ulawulo olusebenzayo lwemicimbi anelungelo lokuyisebenzisa, yaye asebenzise naliphi na igunya elibhekiselele kumba oyimfuneko kuye, okanye kumcimbi ongalindelekanga, ekusebenzeni ngokufanelekileyo imisebenzi yakhe;

YAYE NJENGOKO iSahlulo B seShedyuli yesi-4 kuMgaqo-nkqubo sidwelisa imimiselo yesakhiwo njengomcimbi kamasipala ngokobume obuthiwe thaca kwicandelo lama-155(6) (a) kunye nelesi-(7);

YAYE NJENGOKO isiXeko saseKapa sifuna ukuchonga, ukulawula nokuphatha izakhiwo ezidilikileyo neziyingxaki kwingingqi yaso yolawulo ukuqinisekisa ngento yokuba izakhiwo ezinjalo ziyahambelana nalo Mthetho kaMasipala ngoku-

- Qulunqa isicwangciso esilungelelanisiweyo esihlanganisiweyo seqhinga lokusebenza, kunye neenkqubo;
- Guqula izakhiwo eziyingxaki ngokuzivuselela ngokutsha nokuzihlaziya ngokutsha ngaphezu kokuba zidilizwe;
- Phuhlisa ngokutsha isiza apho izakhiwo eziyingxaki zingabi nakho ukuvuselelwa ngokutsha okanye ukuhlaziywa ngokutsha emva kothethwano kunye nabanini bazo;

YAYE NGOKO KE, UMISELWE liBhunga lesiXeko saseKapa, ngale ndlela ilandelayo:—

IiNkcazelo

1. Kulo Mthetho kaMasipala, ngaphandle kokuba ubume buchaza enye into—

“igosa eligunyazisiweyo” lithetha umqeshwa kaManejala wesiXeko eligunyaziswe sisiXeko ukuba limilisele yaye linyanzelise izibonelelo zalo Mthetho kaMasipala;

“isakhiwo” sibandakanya—

- (a) nasiphi na, nokokuba sesethutyana okanye sisigxina kungakhathalelwe izixhobo ezisetyenzisiweyo ekwakheni apho, esakhelwe okanye esisetyenziselwa okanye esibhekiselele—
 - (i) nendawo yokuhlala okanye efanele abantu okanye izilwanyana;
 - (ii) nokwenza, ukuqhuba, ukugcina, ukubonisa okanye ukuthengisa naziphi na impahla;
 - (iii) nokunikezelwa kwayo nayiphi na inkonzo;
 - (iv) nokuchitha okanye ukunyangwa kwenkunkuma okanye nayiphi na impahla ezinkunkuma;
 - (v) nokulima okanye ukukhulisa nasiphi na isityalo okanye isivuno;
- (b) naluphi na udonga okanye inxalenye yesakhiwo;
- (c) iyunithi okanye ipropati njengoko ichazwe kuMthetho weCandelo leTayitile (uMthetho onguNombolo 95 we-1986);
- (d) nasiphi na isiza esingenanto;

“IsiXeko” sithetha isiXeko saseKapa esisekwe ngokwemiqathango yecandelo le-12 likaMasipala: uMthetho weZakhiwo zikaMasipala, we-1998 (uMthetho onguNombolo 117 ka-1988), ongeSaziso sePhondo esinguNombolo 479 somhla wama-22 kuDisemba wama-2000;

“isibonelelo sokulahla inkunkuma esinelayisenisi” sithetha isiza, okanye isakhiwo esinelayisenisi ngokwemiqathango yomthetho oyi-National Environmental Management: Waste Act, 2008 (Umthetho Nomb. 59 ka-2008) nesisetyenziselwa ukufaka okanye ukulahla inkunkuma;

“umnini” ngokuhambelana nesakhiwo okanye umhlaba uthetha umntu othi umhlaba ube segameni lakhe apho bewakhiwe kuwo okanye kusakhiwe kuwo, njengoko ubume bunokuba njalo, sibhaliswe kwi-ofisi yeziqibo ekuthethwa ngayo yaye kubandakanywa umntu ophetheyo weso sakhwiwo: Ngaphandle kokuba—

- (a) umntu lowo, kwimeko yomntu, uswelekile okanye ubhengezwe nayiphi na inkundla njengongakwaziyo ukulawula imicimbi yakhe okanye unenkitho okanye usisigulane njengoko kuchaziwe kwicandelo 1 loMthetho weMpilo yeNgqondo, wangowe-1973 (uMthetho onguNombolo 18 ka-1973), okanye ilifa lakhe lithinjwe, umabi welifa okanye umgcini ekubhekiselelwe kuye, njengoko ubume bunokuba njalo;
- (b) umntu lowo, kwimeko yomntu osemthethweni, uthe wathinjwa okanye ishishini labekwa phantsi kolawulo olusemthethweni, umthimbi okanye umlawuli osemthethweni lowo, njengoko imeko inokuba njalo;
- (c) umntu lowo ungaphandle kweRiphabliki okanye akaziwa apho akhoyo, nawuphi na umntu, njenge-arhente okanye nayiphi na enye indlela, uqalisa ulawulo, ukulolonga okanye ukuqokelela imali ye-arhente okanye nayiphi na enye imali ebhekiselele kwisakhiwo esinjalo okanye lowo unoxanduva apho ngoko;
- (d) kwimeko yoyilo lwecandelo letayitile, iyunithi yecandelo letayitile ibhaliswe egameni lomntu;
- (e) kumcimbi wetrasti (trust), ibhaliswa ngegama labanini-trasti baloo trasti;
- (f) kwimeko yoyilo lwecandelo letayitile, iqumrhu elimanyeneyo linoxanduva lokulawula, nokuphatha izakhiwo ezo zonke; okanye;
- (g) isiXeko asikwazi ukuqinisekisa ngeenkukacha zomntu lowo, nawuphi na umntu onelungelo kwisibonelelo sokusebenzisa eso sakhiwo othi axhamle kweso sibonelelo sinjalo;

“isakhiwo esiyingxaki” sibandakanya nasiphi na isakhiwo okanye inxalenye yesakhiwo:

- (a) esibonakala ngathi silahliwe ngumnini waso esijongile okanye engasijonganga isiphumo sokokuba iirhafu okanye eminye imirhumo yenkonzo ayihlawulwanga;
- (b) esikhangeleka silahliwe, sinabantu abaninzi kakhulu abahlala kuso okanye sibonisa iimpawu zokungabikho kwempilo, asicocekanga, asibukeki okanye sibi;
- (c) esingunobangela wezikhalazo ezibhaliweyo ezibhekiselele kwimisebenzi yolwaphulo-mthetho ezibandakanya ukuthengisa iziyobisi nokuthengisa ngemizimba;

- (d) sihlalwa ngokungekho mthethweni;
- (e) inkunkuma nezinto ezilahliweyo zikhule kakhulu, kuyalahla, kugcinwe okanye kujulwe nje kweso sakhiwo ngaphandle kwezibonelelo ezisemthethweni zokulahla inkunkuma; okanye
- (f) nasiphi na isakhiwo esishiywe singagqitywanga, okanye esingakhiwanga ngokufanelekileyo esinobungozi kukhuseleko loluntu.

Ukusetyenziswa kwalo Mthetho kaMasipala

2. Lo Mthetho kaMasipala usebenza kuzo zonke izakhiwo eziyingxaki ezakhiwe kwingingqi yolawulo lwesiXeko, ngaphandle kwezo zikwimimandla enikwe imvume yokuba ingachatshazelwa yimiqathango yomthetho oyi-National Building Regulations and Building Standards Act, 1977 (uMthetho Nomb. 103 ka-1977).

Ukutyunjwa kwaMagosa okanye abasebenzi abaGunyazisiweyo

3. UManejala wesiXeko angatyumba abasebenzi ze abanike igunya lokumisela nokunyanzelisa izibonelelo zalo Mthetho kaMasipala.

Ukunikezela ngegunya

4. UManejala wesiXeko angasebenzisa onke amagunya nemisebenzi yakhe ayinikwe sisiXeko ngokwalo Mthetho kaMasipala ze awanikezele onke loo magunya naloo misebenzi kubasebenzi abagunyazisiweyo.

Ilungelo lokungena legosa eligunyazisiweyo lezakhiwo nomhlaba

5. (1) Naliphi na igosa eligunyazisiweyo linalo ilungelo lokungena nakusiphi na isakhiwo okanye umhlaba nangaliphi na ixesha elifanelekileyo ngenjongo—

- (a) yokuhlola okanye yokuqinisekisa ngento yokuba ingaba isakhiwo siyahambelana naso nasiphi na isibonelelo salo Mthetho kaMasipala kodwa oko kuyaxhomekeka ekubeni kukhutshwe isaziso seentsuku ezisi-7 esichaza ngoloo hlolo esiya kuthi sinikwe umnini-sakhiwo; okanye
- (b) zokunika umnini wesakhiwo isaziso sokuhambelana njengoko kubhekiselelwe kuso kwicandelo lesi-7.

(2) Akukho mntu oya kuphazamisa okanye athintele igosa eligunyazisiweyo ekusebenziseni amagunya alo ngokwemiqathango yalo Mthetho kaMasipala.

(3) Igosa eligunyazisiweyo, xa lingena kwisakhiwo, liya kuvelisa uxwebhu lokuzazisa olukhutshelwe umnini wesakhiwo eso okanye umhlaba wesiXeko.

Ukubhengezwa kwesakhiwo, isakhiwo esiyinxaki

6. (1) Igosa eligunyazisiweyo linakho, kuxhonyekeke kumacandelwana (2) ukuya (5), ukuba ngaba isakhiwo sikuluhlu lwenkcazelo yesakhiwo esiyinxaki njengoko kuchaziwe kwicandelo loku-1, ukusibhengeza isakhiwo eso njengesakhiwo esiyinxaki.

(2) Igosa eligunyazisiweyo, phambi kokuba libhengeze isakhiwo eso njengesakhiwo esiyinxaki, liya kwazisa umnini ngesaziso esibhaliweyo ngenjongo yalo yokusibhengeza isakhiwo eso njengesakhiwo esiyinxaki.

(3) Igosa eligunyazisiweyo livumelekile ukuba liqhube uphando oluphathelele kwisakhiwo azimisele ukusibhengeza njengesakhiwo esiyinxaki njengoko kubonisiwe kwicandelwana (2), ngokuxhomekeke ekubeni igosa elo lixhome isaziso esibhengeza uphando ngesakhiwo eso kuthethwa ngaso.

(4) Igosa eligunyazisiweyo liya kunika umnini wesakhiwo isithuba seentsuku ezisixhenxe ukuba anike ubungqina bokokuba ingaba kutheni esi sakhiwo singenakho ukubhengezwa njengesakhiwo esiyinxaki.

(5) Igosa eligunyazisiweyo, emva kokuba lithathele ingqalelo ubungqina ekubhekiswe kubo kwicandelwana (4), liya kuthatha isigqibo malunga nokuba eso sakhiwo lisibhengeze okanye lingasibhengezi njengesakhiwo esiyinxaki.

(6) Umnini, ngokubhekiselele kubhengezo olwenziweyo ngokwemiqathango yecandelwana loku-(1), uya kuba nelungelo lokubhena ngokwemiqathango yecandelo lama-62 loMthetho weeNkqubo zikaMasipala, wama-2000 (uMthetho onguNombolo wama-32 wama-2000).

Isaziso sokuhambelana

7. (1) Igosa eligunyazisiweyo linakho ukunikezela ngesaziso esibhaliweyo kumnini waso nasiphi na isakhiwo esithe sabhengezwa njengesakhiwo esiyinxaki njengoko kubhekiselelwe kuso kwicandelo lesi-6, sidinga umnini lowo kwisithuba esichaziweyo kufuneka—

- (a) alungise, ahlaziye ngokutsha, apeyinte ngokutsha, aguqule, avale, adilize okanye aqinise isakhiwo eso siyingxaki;
- (b) agqibezele ulwakhiwo lwesakhiwo esiyinxaki okanye naluphi na udonga olukweso sakhiwo;
- (c) asivalele, asibiyele okanye asenzele uqilima eso sakhiwo ngohlobo oluya kwanelisa isiXeko;
- (d) atyumbe ze ayalele, ngeendleko zomnini lowo, umntu okwaziyo ukwenza loo msebenzi ekubhekiswe kuye kwiNxalenye A 19 yeMimiselo yoKwakha yeSizwe (National Building Regulations), ukuba aphande ngemeko ekhokelele ekubeni eso sakhiwo sibhengezwe njengesiyinxaki ze anike ingxelo kwigosa eligunyazisiweyo ngobume nobungakanani bamanyathelo ekufuneka ethatyathwe, anokuthi ngembono yomntu okwaziyo ukwenza loo msebenzi, awathabathe ukusenza eso sakhiwo siyingxaki sibe sesikhuselekileyo;
- (e) alahle, atshabalalise okanye asuse nayiphi na impahla okanye izinto ezifunjiweyo, ezilahliweyo, ezigciniweyo okanye ezibekiweyo nakusiphi na isakhiwo, eyinkunkuma ebonisa iimpawu zokungajongeki nenokuchaphazela ucoceko lwendawo okanye enokuchaphazela impilo nekungafanelekanga ukuba ibe lapho okanye enokuba ngumqobo othile; okanye
- (f) kuthotyelwe naso nasiphi na isibonelelo salo Mthetho kaMasipala

(2) IsiXeko sinakho, ukuba ngaba umnini lowo uyasilela ukuhambelana nesaziso asikhutshelweyo ngokwemiqathango yecandelwana (1), ukulungisa, ukuhlaziya ngokutsha, ukupeyinta ngokutsha, ukuguqula, ukuvala, ukudiliza, ukususa yonke inkunkuma okanye asivalele nasiphi na isakhiwo esiyinxaki ngeendleko zomnini.

(3) IsiXeko sinakho, ukuba ngaba umnini uyasilela ukuhlawula iindleko ezinjalo, ukubuyisa ezo ndleko ngokwemiqathango yoMthetho kaMasipala woLawulo lweMali-mboleko kunye noQokelelo lweMali-mboleko, wama-2006.

(4) Ngaphandle kwecandelwana (1), icandelo 6, yaye kuxhonyekeke kuwo nawuphi na umthetho osebenzayo, ukuba ngaba igosa eligunyazisiweyo linesizathu lokukholelwa kwinto yokuba ubume baso nasiphi na isakhiwo bobokuba kufuneka kuthatyathwe amanyathelo ngoko nangoko ukukhusela ubomi okanye isakhiwo, unakho ukuthabatha amanyathelo anjalo njengoko kuya kube kuyimfuneko kwiimeko ezo engakhange abe

ukhuphe okanye uhambise isaziso esinjalo kumnini wesakhiwo eso yaye unakho ukuzifumana kwakhona iindleko zokuthabatha loo manyathelo kumnini lowo.

- (5) Ukuba ngaba igosa eligunyazisiweyo libona kuyimfuneko ukulungiselela ukhuseleko lawo nawuphi na umntu, linakho ngesaziso esibhaliweyo—
- ukuyalela umnini ngayo nayiphi na ingxaki ekwisakhiwo ukuba asuse, kwisithuba esichazwe kweso saziso, nawuphi na umntu ohlalayo okanye osebenzayo, okanye nawuphi na omnye othi ngenye injongo abe kweso sakhiwo siyingxaki, nokunika ingqwalasela kwinto yokokuba makungabikho mntu ongagunyaziswanga sisiXeko omakangene kweso sakhiwo siyingxaki;
 - ukuyalela nawuphi na umntu ohlalayo okanye osebenzayo, okanye nawuphina na umntu ongena nangayiphi na injongo kwisakhiwo esiyingxaki, ukuba aphume aphele kweso sakhiwo.
- (6) Akukho mntu uya kuhlala, uya kusebenzisa okanye uya kunika imvume yokuhlala okanye yokusebenzisa nasiphi na isakhiwo esiyingxaki okanye aqhubeka ehlala, esebenzisa okanye evumela, ukuhlalwa okanye ukusetyenziswa kwaso nasiphi na isakhiwo esiyingxaki ngokubhekiselele apho bekukhutshwe okanye kuhanjiswa khona isaziso ngokwemiqathango yeli candelo okanye amanyathelo athatyathwe sisiXeko ngokwemiqathango yecandelwana (2), ngaphandle kokuba ubani lowo unikwe imvume sisiXeko ngembalelwano yokokuba isakhiwo eso sinakho ukuhlalwa okanye ukusetyenziswa, njengoko imeko isitsho.

Ukunikezelwa kwesaziso

8. (1) Nangalo naliphi na ithuba isaziso sokuhambelana sithe sagunyaziswa okanye kwafuneka sinikezelwe kumntu lowo ngokwemiqathango yalo Mthetho kaMasipala, siya kuthatyathwa njengesinikezelwe njengesisebenzayo nesanelisayo kumntu lowo—

- xa sithe sanikezelwa kuye ubuqu;
 - xa sithe sashiywa kwindawo yakhe ahlala kuyo okanye ashishina kuyo kwiRiphabliki kumntu mhlawumbi obudala bungaphezulu kweminyaka eli-16;
 - xa sithe saposwa ngeposi eqinisekisiweyo okanye engqinelweyo kwidelesi yakhe yokugqibela eyaziwayo yendawo yakhe yokuhlala okanye yoshishino kwiRiphabliki kunye nesaziso sokuba iposiwe emva koko sikhutshwe;
 - ukuba ngaba idilesi yakhe kwiRiphabliki ayaziwa, xa ithe yathunyelwa kwi-arhente yakhe okanye ummeli kwiRiphabliki ngendlela apha equlunqwe kumhlathi (a), (b) okanye (c); okanye;
 - ukuba ngaba idilesi yakhe kuye ne-arhente azaziwa kwiRiphabliki, xa sithe saposelwa kwindawo esekuhleni kwisakhiwo, ukuba ngaba ikho, ehambelana naso.
- (2) Xa isaziso sokuhambelana njengoko sichazwe apha ngasentla sigunyazisiwe okanye kufuneka sinikezelwe kumntu ngesizathu sokuba inguye okanye engumnini kanye enelungelo elithile ngokubhekiselele kwisakhiwo okanye umhlaba, akusayi kuba yimfuneko ukumchaza, kodwa kuya kwanela ukuba yena apho uchazwa njengomnini okanye ungumphathi weso sakhiwo okanye elinye ilungelo, njengoko kunokuba njalo.

Ukhuselo

9. IsiXeko okanye naliphi na igosa eligunyazisiweyo lesiXeko alisayi kuba nabutyala kumntu wesithathu ngawo nawuphi na umonakalo obangelwe ngokwenziweyo okanye okungenziwanga sisiXeko okanye naliphi na igosa eligunyazisiweyo ekuqhubeni nawuphi na umsebenzi okanye uxanduva ngokwemiqathango yalo Mthetho kaMasipala.

Amatyala nezohlwayo

10. (1) Nawuphi na umntu othe waphula izibonelelo okanye othe akathobela nasiphi na isaziso esikhutshwe kulandelwa lo Mthetho kaMasipala, waphule umthetho.

(2) Umntu onobutyala bolwaphulo mthetho ngokwemiqathango yalo Mthetho kaMasipala uya kugwetywa aze abe noxanduva lokuhlalwa isohlwayo esingama-R 300 000.00 okanye avelwe entolongweni kangangesithuba esingadlulanga kwiminyaka emithathu okanye zozibini izohlwayo ezinjehohlwayo kunye nokuvalwa entolongweni.

(3) Kwimeko apho ulwaphulo mthetho luqhubekayo isohlwayo esangezelelweyo okanye ukuvalwa entolongweni kwisithuba esingadlulanga kwiintsuku ezilishumi ngosuku ngalunye oluthe ulwaphulo mthetho lwaqhubeka ngalo kunakho ukunyanzeliswa.

(4) Ngaphezulu kwaso nasiphi na isohlwayo esinyanzeliswa ngokwemiqathango yecandelwana lesi-(2) kunye nelesi-(3), umntu ofunyaniswe enetyala uya kuba noxanduva lokuhlalwa iindleko zokulungisa nawuphi na umonakalo owenzekileyo okanye iindleko ezenziweyo ekulungiseni nawuphi na umonakalo ovele ngenxa yolo lwaphulo mthetho.

Isihloko esifutshane

11. Lo Mthetho kaMasipala ubizwa sisiXeko saseKapa ngokuba: UMthetho kaMasipala ongezakhiwo eziyiNgxaki, wama-2010.

9 July 2010

22043

**CITY OF CAPE TOWN
GRAFFITI BY-LAW, 2010**

To provide for prohibition of graffiti within the area of jurisdiction of the City of Cape Town; to regulate the display of mural art; to provide for removal of graffiti and restoration of surfaces affected by graffiti; and to provide for matters connected therewith.

Preamble

WHEREAS section 156 (2) of the Constitution of the Republic of South Africa, 1996 provides that a municipality may make and administer by-laws for the effective administration of the matters which it has the right to administer;

WHEREAS the City has, in terms of section 156(1) read with Part B of Schedule 5 of the Constitution, the right to administer the control of public nuisances, billboards and the display of advertisements in public places;

WHEREAS graffiti affects the quality of life of all residents and visitors, and constitutes a public nuisance which damages the image of the City known worldwide for its beauty and makes it a less desirable place to visit, live and work in;

AND WHEREAS the City wishes to provide for the removal of graffiti on both public property and private property, the restoration of such property and the protection of public and private property from acts of graffiti vandalism;

AND NOW THEREFORE, BE IT ENACTED by the Council of the City of Cape Town, as follows:—

Definitions

1. In this By-law, unless the context indicates otherwise—

“**apply**” means to paint, including to spray paint, draw, write, mark, engrave, etch, scratch, or otherwise affix to or express on any natural surface or man-made surface, utilising any graffiti implement whatsoever, and “**applying**”, “**applied**” and “**application**” have corresponding meanings;

“**authorised official**” means an employee of the City responsible for the enforcement or the implementation of this By-law or such service provider as has been authorized by the City;

“**City**” means the City of Cape Town established by Provincial Notice 479 of 2000 dated 22 September 2000 in terms of section 12 of the Local Government: Municipal Structures Act, 1998(Act No. 117 of 1998), and includes any committee or sub-council established by the City or any employee or duly authorised agent of the City, acting in connection with this By-law by virtue of a power vested in the City and delegated to such committee, sub-council, employee or agent;

“**compliance notice**” means a notice served in terms of section 4;

“**graffiti**” means any one of or a combination of any inscription, word, figure other than a figure indicating a street number, letter, sign, symbol, sketch, picture, drawing, mural or design that is applied to any natural surface or man-made surface on any property and which is visible to a person from a public place and which has not been authorised by the City;

“**graffiti implement**” includes an aerosol paint container, a broad tipped marker, gum label, etching equipment, brush or any other device capable of leaving a visible mark on or scarring any natural surface or man-made surface;

“**mural art**” means art in the form of a painting, applied directly to a wall, fence or structure;

“**natural surface**” means the surface of any rock, tree or other natural feature;

“**offensive content**” includes content of any art work which, whether in form, content or both, may reasonably be expected to—

- (a) cause offence or danger to any person or property, or to any member of the public in a manner which is contemplated in section 16(2)(a),(b) and (c) of the Constitution of the Republic of South Africa, 1996; or
- (b) be detrimental or otherwise have a negative impact on the environment;

“**organ of state**” means—

- (a) any department of state or administration in the national, provincial or local sphere of government; or
- (b) any other functionary or institution—
 - (i) exercising a power or performing a function in terms of the Constitution or a provincial constitution; or
 - (ii) exercising a public power or performing a public function in terms of any legislation, but does not include a court or a judicial officer;

“**owner**” means—

- (a) the owner of any property or any person in whose name the land on which a building was or is erected and is registered in the deeds office;
- (b) any person who, as agent or otherwise, undertakes the management, maintenance or collection of rentals or other monies in respect of the property; and
- (c) any person who is entitled to the benefit of the use of such building or land, or who enjoys such benefit;

“**person**” includes any organ of state, natural or juristic person including companies incorporated or registered as such under any law and any body of persons, whether incorporated or not, functioning as a single entity for whatever purpose;

“**public place**” means—

- (a) any public land, square, public swimming bath, public resort, public recreation site, zoological, botanical or other public garden, park or hiking trail, including any portion thereof and any facility or apparatus therein or thereon, as well as any public open space, public road, road reserve, reserve street, lake, dam, or river;
- (b) any public building, structure, hall, room or office including any part thereof and any facility or apparatus therein, which is the property

of, or possessed, controlled or leased by the City and to which the general public has access, whether on payment of admission fees or not;

- (c) any nature conservation area including —
 - (i) nature reserves;
 - (ii) protected natural areas;
 - (iii) nature conservation worthy areas; or
 - (iv) natural open spaces;

“public property” means immovable property owned by an organ of state;

“private property” means immovable property owned by a private person;

“remove” means restore the surface with full functionality of purpose to the same or to a better condition than prior to the application of graffiti to the satisfaction of the City, and **“removal”**, **“removing”** and **“removed”** have corresponding meanings; and

“self-permit mechanism” refers to the mechanism referred to in section 10 for an application and approval to effect a self-permit.

Declaration of nuisance

(2) The City declares the existence of graffiti anywhere within its area of jurisdiction to be a public nuisance, which is subject to removal in terms of this By-law.

Prohibition

3. (1) No person shall within the area of jurisdiction of the City, without a permit issued by the City, apply graffiti or cause graffiti to be applied to any—

- (a) property;
- (b) natural surface; or
- (c) wall, fence, structure or thing in any street or other public place.

(2) Any person who aids or assists the person referred to in subsection (1) in the application of graffiti as contemplated therein, in contravention of this By-law, shall be guilty of an offence.

Compliance notice

4. (1) The authorised official may, where a person has contravened section 3, serve a notice on such person ordering him or her to remove the graffiti by a date specified in the notice which shall not be more than 30 days from the date of issuing the notice, and such notice must—

- (a) specify the address or location of the property, natural surface or any other structure or thing to which the graffiti has been applied;
- (b) describe in general terms the graffiti which has been applied; and
- (c) state that if the graffiti in question is not removed in accordance with the notice, the City or an outside agent appointed by the City may effect such removal at the cost of the person to whom the notice is addressed.

(2) The authorised official may, where he or she is unable to determine the identity of the person referred to in subsection (1), serve a notice on the owner requiring him or her to remove the graffiti as contemplated in subsection (1).

(3) Any costs incurred by the City in terms of subsection (1) (c), as certified by the Director: Expenditure in the Directorate of Finance in the City, shall constitute a liquid claim in favour of the City and recoverable in terms of the Credit Control and Debt Collection Policy of the City and the Credit Control and Debt Collection By-law of the City.

(4) Where the recovery of the costs referred to in subsection (3) will—

- (a) impose on an owner of property a financial burden beyond the ability or financial capacity of such owner; or
- (b) affect the same property repeatedly, the authorised official, subject to any law or any policy of the City, may waive the whole or a part of the costs incurred.

Service of notices

5. (1) Where a compliance notice is served on any person in terms of section 4, it is deemed to have been properly served on such person when it has been served—

- (a) personally to him or her or in the case of a juristic person to a person apparently employed at its registered office;
- (b) at his or her place of residence or business to a person apparently over the age of 16 years;
- (c) by registered or certified mail to such person’s last known residential or business address as appears in the records of the City or records at the Deeds Office, or in the case of a juristic person, to its registered office and an acknowledgment of posting is produced;
- (d) on the agent or representative of such person in the Republic in one of the aforesaid manners, if an address in the Republic is unknown;
- (e) by posting it in a conspicuous place on the property to which it relates, for a period of 14 calendar days, if the address and agent are unknown.

(2) The failure to make proper service on any person as required in terms of this By-law shall not invalidate any proceedings held in respect of contraventions of this By-law.

Duty of owner

6. (1) Every owner and every occupant of property must, at all times maintain free of graffiti any wall, fence, building, structure or thing located on such property.
- (2) Every owner of property must remove from that property any unsightly graffiti within 10 days of the owner becoming aware of the graffiti on his or her property.

Right of entry

7. (1) An authorised official may, where—
- (a) property is not maintained in accordance with section 6; and
 - (b) a compliance notice was served to a person in terms of sections 4 and 5 but such person has failed to comply therewith,
- enter the property and remove the graffiti, provided that he or she first gives at least 15 days' notice to the owner by way of registered mail to the last known address of such owner, or by posting a notice on the property.
- (2) The 15 days' notice served on the owner in terms of subsection (1) must include—
- (a) the address of the property to which the authorised official intends to enter;
 - (b) the date and time on which the authorised official intends to enter the premises, provided that such entry may be gained only between 08h00 and 18h00 from Monday to Friday; and
 - (c) the reason for the entry and the specific provision of this By-law which has been contravened by the owner.

Costs

8. (1) The City shall keep an account of the costs referred to in section 4, including all direct and indirect expenses incurred in removing graffiti and shall render a statement of such costs to the person responsible for the removal thereof, once the graffiti has been removed.
- (2) If the costs and expenses, or any portion thereof, incurred by the City in the removal of the graffiti remains unpaid after 30 days calculated from the date of rendering of the statement in terms of subsection (1), such costs and expenses or portion shall constitute a municipal service fee as contemplated in section 118(1)(b) of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000).

Permits for art work and decorations

9. (1) Any person who intends applying a mural or any one of or a combination of any inscription, word, figure, letter, sign, symbol, sketch, picture, drawing or design to any natural surface or man-made surface on any property, which will be visible to a person from a public place, must apply in writing to the authorised official for a permit to do so.
- (2) The application for a permit referred to in subsection (1) must be accompanied by proof of the consent of the owner of the property, surrounding property owners and any other interested and affected parties.
- (3) In the application, full details must be provided as to the motivation for applying the inscription, word, figure, letter, sign, symbol, sketch, picture, drawing, mural or design, the intended size thereof and the materials and implements to be used, and an accurate likeness, illustration or depiction of the intended work.
- (4) The authorised official must, on receipt of the application referred to in subsection (2), consult with any affected department of the City or person.
- (5) The City may refuse or grant an application for a permit, and must within 30 days of its decision advise the applicant in writing.
- (6) In the event of the City granting such application, a permit will be issued in writing to the applicant, subject to such conditions as may be imposed by the City.
- (7) The City may designate certain spaces to be utilized for murals or any inscription, word, figure, letter, sign, symbol, sketch, picture, drawing or design, and these spaces will be identified after consultation with the relevant communities, ward forums and subcouncils.
- (8) A person may apply to utilize a designated space referred to in subsection (7) in writing to the authorised official, and—
- (a) may be authorised to utilize a designated space for mural art or decorations;
 - (b) must remove the art or decorations after the expiry of a three month period; and
 - (c) may apply for a three month extension of the authorisation.

Artist database and self-permitting mechanism

10. (1)(a) The authorised official must keep, maintain and update a register of mural artists and other artists within the area of jurisdiction of the City who have been granted approval in terms of paragraph (b).
- (b) A mural artist may be recorded in the register in terms of paragraph (a) upon the submission of an application in a manner or form determined by the authorised official, subject to the artist meeting the following conditions:
- (i) the artist has obtained approval for at least five consecutive applications submitted by him or her in terms of section 9;
 - (ii) the artist is a registered member of the Visual Arts Network of South Africa (VANSA); and
 - (iii) the artist has no previous conviction for malicious damage to property or any offence relating to graffiti.
- (2) Mural artists registered as contemplated in subsection (1) may, subject to subsection (3), self-permit their future works of art.
- (3) A mural artist registered in terms of subsection (1) must, for every mural work of art and prior to the creation of such works of art, submit a self-permitting notice to the authorised official—

- (a) in a manner or form determined by him or her;
 - (b) containing proof of the consent of the owner of the property and adjacent property owners; and
 - (b) accompanied by a sketch or other image of the intended work of art,
- in order to effect a self-permit.

Penalties

11. (1) Any person who fails to comply with any provision of this By-Law shall be guilty of an offence.

(2) Any person convicted of an offence in terms of this By-law shall—

- (a) upon conviction for a first offence be liable to a fine of R15 000 or 3 months imprisonment;
 - (b) upon conviction for a second offence or subsequent offences, be liable to a fine of R30 000 or 6 months imprisonment, or to both such fine and such imprisonment.
- (3) In addition to a penalty contemplated in subsection (1), the convicted person may be liable—
- (a) to pay an amount equal to the cost or estimated cost of removal of the graffiti from the affected property, and where the cost of removal of the graffiti from the affected property has been borne by the City or by the owner of the property, to pay the amount so ordered to the City or to the owner, as the case may be;
 - (b) to a further penalty deemed appropriate by the court in default of payment of the ordered amount to the City or to the owner of the property, as the case may be.
- (4) In the case of a continuing offence, the person convicted shall be liable to any additional penalty the court may deem appropriate.
- (5) A court convicting a person of an offence under this By-law may impose alternative sentencing as an appropriate penalty.

Short title

12. This By-Law is called the City of Cape Town: Graffiti By-Law, 2010.

9 July 2010

22044

STAD KAAPSTAD

VERORDENING OP GRAFFITI, 2010

Om vir die verbod op graffiti binne die regsgebied van die Stad Kaapstad voorsiening te maak; om die vertoon van muurkuns te reguleer; om vir die verwydering van graffiti en die herstel van oppervlakke wat deur graffiti geraak word, voorsiening te maak; en om vir aangeleenthede wat daarmee verband hou, voorsiening te maak.

AANHEF

NADEMAAL artikel 156(2) van die Grondwet van die Republiek van Suid-Afrika, 1996, bepaal dat 'n munisipaliteit verordeninge kan uitvaardig en toepas vir die doeltreffende administrasie van die aangeleenthede waarop hy die reg op administrasie het;

NADEMAAL die Stad ingevolge artikel 156(1), gelees met deel B van bylae 5 van die Grondwet, die reg het om die beheer van openbare oorlaste en reklameborde en die vertoon van advertensies op openbare plekke te administreer;

NADEMAAL graffiti die lewensgehalte van alle inwoners en besoekers raak, en 'n openbare oorlaste uitmaak wat aan die beeld van die Stad, wêreldwyd om sy prag bekend, afbreuk doen en dit 'n minder gewenste plek maak om te besoek en in te leef en te werk;

EN NADEMAAL die Stad vir die verwydering van graffiti op openbare sowel as privaat eiendom, die herstel van sodanige eiendom, en die beskerming van openbare en privaat eiendom teen dade van graffitivandalisme voorsiening wil maak;

WORD DAAR DUS NOU soos volg deur die raad van die Stad Kaapstad **VERORDEN:**

Definisies

1. In dié Verordening, tensy die konteks die teendeel bewys, beteken -

“**aanbring**” verf, met inbegrip van spuitverf, teken, skryf, merk, graveer, ets, krap of andersins aanbring of uitdruk, op enige natuurlike of mensgemaakte oppervlak deur die gebruik van welke graffitigereedskap ook al, en het “**aangebring**” dieselfde betekenis;

“**aanstootlike inhoud**” ook die inhoud van enige kunswerk wat, hetsy in vorm of inhoud of albei, billikerwys verwag kan word om

- (a) aanstoot te gee aan of gevaar in te hou vir enige persoon of eiendom, enige lid van die publiek op 'n wyse wat bedoel word in artikel 16(2)(a), (b) en (c) van die Grondwet van die Republiek van Suid-Afrika, 1996; of
- (b) vir die omgewing nadelig te wees of andersins 'n nadelige uitwerking daarop te hê;

“**eienaar**”—

- (a) die eienaar van enige eiendom of enige persoon op wie se naam die grond waarop 'n gebou opgerig is of word, by die Aktekantoor geregistreer is;
- (b) enige persoon wat as agent, of andersins, die bestuur, instandhouding of invordering van huurgeld of ander gelde ten opsigte van die eiendom behartig; en
- (c) enige persoon wat daarop geregtig is om voordeel uit die gebruik van sodanige grond of gebou te trek, of wat sodanige voordeel geniet;

“gemagtigde amptenaar” ’n werknemer van die Stad, of sodanige diensverskaffer wat deur die Stad gemagtig is, wat vir die toepassing en implementering van dié Verordening verantwoordelik is;

“graffiti” enige enkele of kombinasie van enige inskripsie, woord, syfer (anders as ’n syfer wat ’n straatnommer aantoon), letter, teken, simbool, skets, prent, tekening, muurskildering of ontwerp wat op enige natuurlike of mensgemaakte oppervlak op enige gebou aangebring word en wat ’n persoon van ’n openbare plek af kan sien, en wat nie deur die Stad gemagtig is nie;

“graffitigereedskap” ’n spuitverfhouer, ’n breëpuntmerker, plaketiket, etstoerusting, kwas of enige toestel wat ’n sigbare merk op ’n natuurlike of mensgemaakte oppervlak kan laat of dit kan skend;

“muurkuns” kuns in die vorm van ’n skildery wat regstreeks op ’n muur aangebring is;

“natuurlike oppervlak” die oppervlak van enige rots, boom of ander natuurlike verskynsel;

“openbare eiendom” vaste eiendom wat deur ’n staatsinstelling besit word;

“openbare plek”—

- (a) enige openbare grond, plein, swembad, openbare oord, openbare ontspanningsterrein, diere-, botaniese of ander openbare tuin, park of voetslaanpad, met inbegrip van enige gedeelte daarvan en enige fasiliteit of apparaat daarin of daarop, sowel as enige openbare oop ruimte, openbare pad, padreserwe, reserwestraat, meer, dam of rivier;
- (b) enige openbare gebou, struktuur, saal, vertrek of kantoor, met inbegrip van enige gedeelte daarvan en enige fasiliteit of apparaat daarin, wat Stads-eiendom is of deur die Stad besit of beheer of verhuur word en waartoe die gewone publiek toegang het, hetsy toegangsgeld betaal word, al dan nie;
- (c) enige natuurbewarea, met inbegrip van
 - (i) natuurreservate;
 - (ii) beskermde natuurgebiede;
 - (iii) gebiede wat natuurbewaringswaardig is; of
 - (iv) natuurlike oop ruimtes;

“persoon” ook enige staatsinstelling, regs- of natuurlike persoon, met inbegrip van maatskappye wat ingevolge enige wet as sodanig geïnkorporeer of geregistreer is, en enige groep persone, hetsy geïnkorporeer al dan nie, wat om welke rede ook al as enkele entiteit funksioneer;

“privaat eiendom” vaste eiendom wat deur ’n privaat persoon besit word;

“selfpermitmeganisme” die meganisme waarin daar in artikel 10 verwys word vir ’n aansoek en goedkeuring ten einde ’n selfpermit te bewerkstellig;

“staatsinstelling”—

- (a) enige staatsdepartement of -administrasie in die nasionale, provinsiale of plaaslike regeringsfeer; of
- (b) enige ander ampsbekleder of instelling—
 - (i) wat ’n bevoegdheid uitoefen of ’n funksie verrig ingevolge die Grondwet of ’n provinsiale grondwet; of
 - (ii) wat ’n openbare bevoegdheid uitoefen of ’n openbare funksie verrig ingevolge enige wetgewing, maar met uitsluiting van ’n hof of ’n regterlike beampte;

“Stad” die Stad Kaapstad wat ingevolge Provinsiale Kennisgewing 479 van 22 September 2000 tot stand gebring is ingevolge artikel 12 van die Wet op Plaaslike Regering: Munisipale Strukture, Wet 117 van 1998, met inbegrip van enige komitee of subkomitee of subraad wat deur die Stad gestig is, of enige werknemer of behoorlik gemagtigde agent van die Stad wat in verband met dié Verordening optree uit hoofde van ’n bevoegdheid wat in die Stad setel en aan sodanige werknemers of agent gedelegeer is;

“verwyder” die herstel van die oppervlak tot volle bedoelde funksie tot dieselfde of beter toestand as voor die aanbring van graffiti, tot bevrediging van die Stad, en het **“verwyder”**, **“verwydering”** en **“is verwyder”** ooreenstemmende betekenis;

“voldoeningskennisgewing” ’n kennisgewing wat ingevolge artikel 4 uitgereik is.

Verklaring van oorlas

2. Die Stad verklaar die bestaan van graffiti op enige plek binne sy regsgebied as openbare oorlas, wat ingevolge dié Verordening aan verwydering onderhewig is.

Verbod

3. (1) Geen persoon mag sonder ’n permit wat deur die Stad uitgereik is, binne die regsgebied van die Stad graffiti aanbring of laat aanbring op enige—

- (a) eiendom;
 - (b) natuurlike oppervlak; of
 - (c) muur, heining, struktuur of voorwerp in enige straat of ander openbare plek nie.
- (2) Enige persoon wat die persoon waarna in subartikel (1) verwys word, help of bystaan om graffiti soos hierin bedoel, in stryd met dié Verordening aan te bring, is aan ’n misdryf skuldig.

Voldoeningskennisgewing

4. (1) Die gemagtigde amptenaar mag, waar ’n persoon artikel 3 oortree het, ’n kennisgewing aan sodanige persoon beteken wat hom/haar beveel om die graffiti te verwyder teen ’n datum wat in die kennisgewing gespesifiseer word, welke datum nie later as 30 dae na die uitreikingsdatum van die kennisgewing is nie, en sodanige kennisgewing moet—

- (a) die adres of ligging van die eiendom, die natuurlike oppervlak of enige struktuur of voorwerp spesifiseer waarop die graffiti aangebring is;
 - (b) die graffiti wat aangebring is, in algemene terme beskryf; en
 - (c) meld dat as die betrokke graffiti nie in ooreenstemming met die kennisgewing verwyder word nie, die Stad, of 'n buite-agent wat deur die Stad aangestel is, sodanige verwydering kan doen op koste van die persoon aan wie die kennisgewing geadresseer is.
- (2) Die gemagtigde amptenaar mag, waar hy of sy nie die identiteit kan bepaal van die persoon waarna daar in subartikel (1) verwys word nie, 'n kennisgewing aan die eienaar beteken wat vereis dat hy/sy die graffiti bedoel in subartikel (1) verwyder.
- (3) Enige koste wat die Stad ingevolge subartikel (1)(c) aangaan, soos gesertifiseer deur die direkteur: besteding in die Stad se finansiesdirekoraat, maak 'n likiede eis ten gunste van die Stad uit, en sal verhaalbaar wees ingevolge die Stad se beleid oor kredietbeheer en skuldinvordering en die Stad se Verordening op Kredietbeheer en Skuldinvordering.
- (4) Waar die verhaling van die koste waarna in subartikel (3) verwys word—
- (a) 'n finansiële las op die eienaar van 'n eiendom sal oplê wat die vermoë of finansiële kapasiteit van sodanige eienaar te bowe gaan; of
 - (b) dieselfde eiendom herhaaldelik raak;
- kan die gemagtigde amptenaar, onderhewig aan enige wet of enige beleid van die Stad, al die koste wat aangegaan is, of 'n deel daarvan kwytsteld.

Betekening van kennisgewings

5. (1) Waar 'n voldoeningskennisgewing aan enige persoon ingevolge artikel 4 beteken word, word dit geag behoorlik aan sodanige persoon beteken te wees, as dit
- (a) persoonlik aan hom of haar, of in die geval van 'n regs persoon, aan 'n persoon wat klaarblyklik by sy geregistreerde kantoor in diens is, beteken is;
 - (b) by sy of haar woonplek of sakeonderneming beteken is aan 'n persoon wat klaarblyklik ouer as 16 jaar is;
 - (c) per geregistreerde of gesertifiseerde pos na sodanige persoon se laaste bekende woon- of sakeadres gepos is, soos dit in die Stad se rekords of dié van die Aktekantoor verskyn, of in die geval van 'n regs persoon, na sy geregistreerde kantoor gestuur is, en bewys gelewer word dat dit gepos is;
 - (d) op een van bogenoemde wyses aan die agent of verteenwoordiger van sodanige persoon in die Republiek beteken is, as 'n adres in die Republiek onbekend is;
 - (e) as dit op 'n duidelik sigbare plek aangebring is op die eiendom waarop dit van toepassing is, vir 'n tydperk van 14 kalenderdae, as die adres en die agent onbekend is.
- (2) Die versuim om 'n kennisgewing behoorlik aan enige persoon te beteken, soos daar ingevolge dié Verordening vereis word, sal geen regstappe wat ten opsigte van dié Verordening ingestel word, ongeldig maak nie.

Plig van eienaar

6. (1) Elke eienaar en elke bewoner van eiendom moet te alle tye enige muur, heining, gebou, struktuur of voorwerp wat op sodanige eiendom geleë is, vry van graffiti hou.
- (2) Elke eienaar van eiendom moet enige onooglike aanwas van graffiti van sodanige eiendom verwyder binne 10 dae nadat die eienaar van die graffiti op sy of haar eiendom bewus geword het.

Reg van toegang

7. (1) 'n Gemagtigde amptenaar kan,
- (a) waar 'n eiendom nie in ooreenstemming met artikel 6 in stand gehou word nie; en
 - (b) waar 'n voldoeningskennisgewing ingevolge artikels 4 en 5 aan 'n persoon beteken is, en die persoon versuim het om daaraan te voldoen; die eiendom betree en die graffiti verwyder, met dien verstande dat hy of sy die eienaar eers minstens 15 dae vooraf per geregistreerde pos na sodanige eienaar se laaste bekende adres kennis gee, of deur 'n kennisgewing op die eiendom aan te bring.
- (2) Die kennisgewing van 15 dae wat ingevolge subartikel (1) aan die eienaar beteken word, moet die volgende insluit:
- (a) Die adres van die eiendom wat die gemagtigde amptenaar beoog om te betree.
 - (b) Die datum en tyd waarop die gemagtigde amptenaar beoog om die perseel te betree, met dien verstande dat sodanige toegang slegs tussen 08:00 en 18:00 van Maandag tot Vrydag verkry kan word.
 - (c) Die rede vir die betreding en die spesifieke bepaling van dié Verordening wat deur die eienaar oortree is.

Koste

8. (1) Die Stad hou boek van al die koste waarna daar in artikel 4 verwys word, met inbegrip van alle regstreekse en onregstreekse uitgawes wat aangegaan is om graffiti te verwyder, en lewer 'n rekening van sodanige koste aan die persoon wat vir die verwydering van graffiti verantwoordelik is, sodra dit verwyder is.
- (2) As die koste en uitgawes, of enige gedeelte daarvan, wat die Stad by die verwydering van die graffiti aangegaan het, na 30 dae, bereken van die datum waarop die rekening ingevolge subartikel (1) gelewer is, steeds onvereffen bly, maak sodanige koste en uitgawes 'n munisipale diensteheffing uit soos bedoel in artikel 118(1)(b) van die Wet op Plaaslike Regering: Munisipale Stelsels, Wet 32 van 2000.

Permitte vir muurkuns en -versierings

9. (1) Enige persoon wat beoog om enige enkele of kombinasie van enige inskripsie, woord, syfer, letter, teken, simbool, skets, prent, tekening of ontwerp op enige natuurlike of mensgemaakte oppervlak op enige eiendom aan te bring, wat 'n persoon van 'n openbare plek af kan sien, moet skriftelik by die gemagtigde amptenaar om 'n permit aansoek doen om dit te doen.

(2) Die aansoek om 'n permit waarna in subartikel (1) verwys word, moet van bewys van toestemming deur die eienaar van die eiendom, belanghebbendes en partye wat geraak word, en omliggende eiendomseienaars vergesel word.

(3) In die aansoek moet volledige besonderhede rakende die motivering vir die aanbring van die inskripsie, woord, syfer, letter, teken, simbool, skets, prent, tekening en muurskildering verstrek word, asook besonderhede van die beoogde grootte daarvan, die materiaal en gereedskap wat gebruik gaan word, en 'n akkurate beeltenis, illustrasie of beskrywing van die beoogde werk.

(4) Die gemagtigde amptenaar moet by ontvangs van die sodanige aansoek waarna in subartikel (2) verwys word, met enige Stadsdepartement of persoon wat geraak word, oorleg pleeg.

(5) Die stad kan 'n aansoek om 'n permit van die hand wys of goedkeur en moet die aansoeker binne 30 dae skriftelik van sy besluit verwittig.

(6) Ingeval die Stad sodanige aansoek toestaan, sal 'n skriftelike permit aan die aansoeker uitgereik word, onderhewig aan sodanige voorwaardes na gelang die Stad kan ophê.

(7) Die Stad kan bepaalde ruimtes aanwys wat vir sodanige muurkuns of enige inskripsie, letter, teken, simbool, skets, prent, tekening of ontwerp gebruik mag word, en dié ruimtes sal in oorleg met die betrokke gemeenskappe, wyksforums en subrade geïdentifiseer word.

(8) 'n Persoon kan skriftelik by die gemagtigde amptenaar aansoek doen om 'n aangewese ruimte waarna daar in subartikel (7) verwys word, te gebruik, en

- (a) kan gemagtig word om 'n aangewese ruimte vir muurkuns of -versierings te gebruik;
- (b) moet die kuns of versierings na verstryking van die driemaandetydperk verwyder;
- (c) kan om 'n driemaandeverlening van die magtiging aansoek doen.

Kunstenaarsdatabasis en selfpermitmeganisme

10. (1) (a) Die gemagtigde amptenaar moet 'n register hou, in stand hou en bywerk van muur- en ander kunstenaars binne die Stad se regsgebied aan wie goedkeuring ingevolge paragraaf (b) verleen is.

(b) 'n Muurkunstenaar kan ingevolge paragraaf (a) in die register opgeteken word na voorlegging van 'n aansoek op 'n wyse of vorm wat deur die gemagtigde amptenaar bepaal word, onderhewig daaraan dat die kunstenaar aan die volgende voorwaardes voldoen:

- (i) Die kunstenaar het vir minstens vyf agtereenvolgende aansoeke wat hy/sy ingevolge artikel 9 voorgelê het, goedkeuring verkry.
- (ii) Die kunstenaar is 'n geregistreerde lid van die Visuele-kunsnetwerk van Suid-Afrika (VANSA).
- (iii) Die kunstenaar het geen vorige veroordeling vir kwaadwillige beskadiging van eiendom of enige ander oortreding wat met graffiti verband hou nie.

(2) Muurkunstenaars wat geregistreer is soos bedoel in subartikel (1) mag, onderhewig aan subartikel (3), self 'n permit vir hulle toekomstige kunswerke bewerkstellig.

(3) 'n Muurkunstenaar wat ingevolge subartikel (1) geregistreer is, moet vir elke muurkunswerk en voor die skepping van sodanige kunswerke 'n selfpermitkennisgewing aan die gemagtigde amptenaar voorlê,

- (a) op 'n wyse of vorm wat deur hom of haar bepaal is;
- (b) wat bewys van die toestemming van die eienaar van die eiendom en aanliggende eiendomseienaars bevat; en
- (c) wat vergesel word deur 'n skets of ander beeltenis van die beoogde kunswerk,

ten einde 'n selfpermit te bewerkstellig.

Boetes

11. (1) Enige persoon wat versuim om aan enige bepaling van dié Verordening te voldoen, sal aan 'n misdryf skuldig wees.

(2) Enige persoon wat ingevolge dié Verordening aan 'n misdryf skuldig bevind word,

- (a) is by skuldigbevinding aan 'n eerste misdryf aan 'n boete van R15 000 of tronkstraf van 3 maande blootgestel;
- (b) is by skuldigbevinding aan 'n tweede misdryf of daaropvolgende misdrywe aan 'n boete van R30 000 of tronkstraf van 6 maande blootgestel, of aan sodanige boete sowel as sodanige tronkstraf.

(3) Benewens 'n boete bedoel in subartikel (1), is die veroordeelde blootgestel—

- (a) daaraan om 'n bedrag gelykstaande met die koste of geraamde koste van die verwydering van die graffiti van die betrokke eiendom te betaal, en waar die koste van die verwydering van die graffiti van die betrokke eiendom deur die Stad of die eienaar van die eiendom gedra is, om die bedrag wat dienooreenkomstig gelas word, aan die Stad of die eienaar te betaal, na gelang van die geval;
- (b) aan 'n verdere boete wat die hof toepaslik ag by versuim van betaling van die voorgeskrewe bedrag aan die Stad of die eienaar van die eiendom, na gelang van die geval.

(4) In die geval van 'n voortgesette misdryf, word die veroordeelde aan enige bykomende boete blootgestel wat die hof toepaslik mag ag.

(5) 'n Hof wat 'n persoon aan 'n misdryf ingevolge dié Verordening skuldig bevind, kan 'n alternatiewe vonnis as toepaslike straf ophê.

Kort titel

12. Dié Verordening staan as die Stad Kaapstad: Verordening op Graffiti, 2010, bekend.

ISIXEKO SASEKAPA
UMTHETHO KAMASIPALA OYILWAYO WEGRAFITI

Ukubonelela ngothintelo lwegrafiti kwingingqi ephantsi kolawulo lweSixeko saseKapa; ukubonelela ngokususwa kwegrafiti nokuvuselelwa kweendonga ezichatshazelwa yigrafiti; nokubonelela kwimiba enxulumene noko.

INTSHAYELELO

NJENGOKUBA icandelo le-156 (2) lo Mgaqo-siseko weRiphabliki yoMzantsi Afrika, we-1996 ubonelela ngento yokuba umasipala unakho ukwenza nokulawula imithetho kamasipala ukulungiselela ulawulo olusebenzayo lwemiba athe wanelungelo lokuyilawula;

NJENGOKUBA iSixeko, ngokwemiqathango yecandelo 156(1) elifundwa kunye neSahlulo B seShedyuli yesi-5 yoMgaqo-siseko, sinelungelo lokulawula nokuphatha iinkathazo zikawonke-wonke, iibhodi zopapasho nokubonisa izaziso kwiindawo zoluntu.

NJENGOKUBA igrafiti inempembelelo kukulunga kwendlela yokuphila yabo bonke abahlali nabatyeleli, yaye iba yenye eyinkathazo kuluntu ethi yonakalise imbonakalo yeSixeko eyaziwa kwilizwe lonke ngobuhle bayo iyenze ibe yindawo enganqweneleki kakhulu ukuba ityelelwe, kuhlalwe yaye kusetyenzwe kuyo;

YAYE NJENGOKUBA iSixeko sifuna ukubonelela ngokususwa kwegrafiti kwizakhiwo zikarhulumente nezakhiwo zangasese, ukuvuselelwa ngokutsha kwizakhiwo ezinjalo nokukhuselwa kwizakhiwo zikarhulumente nezangasese kwizenzo zolonakaliso ngenkohlakalo yegrafiti;

YAYE NJENGOKO KUNJALO NGOKU, KUMISELWA liBhunga leSixeko saseKapa njengoku kulandelayo:—

IINKCAZELO

1. Kulo Mthetho kaMasipala, ngaphandle kokuba ubume bubonisa enye into, la magama namabinzana alandelayo aya kuba nezi ntsingiselo zabelwe wona, yaye—

“**ukuqaba**” kuthetha ukupeyinta, kubandakanywa ukutshiza ngepeyinti, ukuzoba, ukubhala, ukuphawula, ukukrola, ukukrwela, okanye ukuncanyatheliswa okanye ukuboniswa nakuwuphi na umphandle wendalo okanye wesakhiwo, kusetyenziswa naluphi na umilisele lwegrafiti nangayiphi na indlela yaye “**ukuqaba**”, “**iqatywe**” kunye “**ukuqatywa**” kuneentsingiselo ezihambelanayo;

“**igosa eligunyazisiweyo**” lithetha umqeshwa weSixeko onoxanduva lokunyanzelisa okanye ukumilisele lo Mthetho kaMasipala okanye umniko- nkonzo lowo ugunyazisiweyo siSixeko;

“**ISixeko**” sithetha iSixeko saseKapa esisekwe ngeSaziso sePhondo sama-479 sowama-2000 somhla wama-22 kuSeptemba wama-2000 ngokwemiqathango yecandelo le-12 loMthetho weZakhiwo zikaMasipala: kaMasipala, we-1998 (uMthetho onguNombolo 117 we-1998), ze sibandakanye nayiphi na ikomiti okanye icandelo lebhunga elisekwe siSixeko okanye nawuphi na umqeshwa okanye iarhente egunyaziswe ngokusesikweni yeSixeko, esebenza ngokunxulumene nalo Mthetho kaMasipala ngenxa yamagunya aselungelweni leSixeko ze anikezelwa kuloo mqeshwa okanye iarhente;

“**isaziso sohambelwano**” sithetha isaziso esikhutshwe ngokwemiqathango yecandelo lesi-4;

“**Igrafti**” ithetha nawuphi na okanye nayiphi na intlanganisela yayo nayiphi na imibhalo, amagama, isazobe engaphandle kwesazobe esibonisa inombolo yesitalato, inani, uphawu, umqondiso, umfanekiso, umzobo, umzobo oseludongeni okanye uyilo oluncanyathelise nakuwuphi na umphandle okanye ophandle owenziweyo nakusiphi na isakhiwo obonakalayo kumntu okwindawo kawonke wonke yaye ongagunyaziswanga siSixeko;

“**Isixhobo segrafti**” sithetha inkonxa enesixhobo esitshiza ipeyinti, isidyobhi esinencamu yokubhala ebanzi, ilebhele yentlaka, isixhobo sokukrola, ibrashii okanye nasiphi na esinye isixhobo esikwaziyo ukushiya uphawu olubonakalayo okanye umkrwelo nakuwuphi na umgangatho wendalo okanye umgangatho owenziwe ngumntu;

“**Ubugcisa obuseludongeni**” buthetha ubugcisa obukwimo yokupeyintwa, obuqatywa ngqo eludongeni;

“**umgangatho wendalo**” uthetha nawuphi na umgangatho walo naliphi na ilitye, isiqu somthi okanye nayiphi na imbonakalo yendalo;

“**umntu**” ubandakanya naliphi na isebe likarhulumente, umntu onguye okanye umntu osemagunyeni kubandakanywa iinkampani ezimanyanisiweyo okanye ezibhalisiweyo phantsi komthetho nalo naliphi na iqumru labantu, nokokuba limanyanisiwe okanye hayi, elisebenza njengequmru elinye nangayiphi na injongo

“**indawo kawonke wonke**” ithetha nayiphi na indlela kawonke wonke, isitalato sikawonke wonke, indlela ecanda phakathi kwezindlu, ibhulorho, indlela ephuma ngaphantsi, indledlana yabahamba ngenyawo, ipavumente yabahamba ngenyawo, indledlana yabahamba ngenyawo esecaleni komgaqo okanye isahlulo sendlela esiyeleleyo sabahamba ngenyawo, isitrato esimxinwa esiphakathi kwezindlu, isikwere, isithuba esingena nto, isitiya, ipaki okanye indawo evalelekileyo ephantsi kolawulo lweSixeko, okanye ogunyaziwe abangabanye bakarhulumente okanye ababonakaliswe ngolo hlobo kwiincwadi ezisemthethweni.

“**indlela yokuzinika imvume**” ibhekiselele kwindlela ekubhekiselelwe kuyo kwicandelo 10 ukulungiselela isicelo nolwamkelo ukwenzela ukuqalisa ngokuzinika imvume.

“**umhlaba/isakhiwo sangasese**” sithetha isakhiwo esingashukumiyo esiselungelweni lomntu;

“**umhlaba/isakhiwo sikarhulumente**” sithetha isakhiwo esingashukumiyo esiselungelweni likarhulumente;

“**ukususa**” kuthetha ukuvuselela ngokutsha isebenze ngenjongo epheleleyo kwindlela ebe iyiyo ngaphambili okanye isebenze ngcono ngaphambi kokufakwa kwegrafiti ngokwanelisa iSixeko, yaye “**ukususa**”, no- “ukususwa” kuneentsingiselo ezingqameneyo;

“**okuqulathliweyo okubi**” kubandakanya okuqulathliweyo kwawo nawuphi na umsebenzi wobugcisa, nokokuba ungokobume, ungokokuqulathliweyo okanye ungazo zombini iindlela, kunokuthi kulindeleke—

- (a) Ukuba kubangele isithuko okanye ingozi nakuwuphi na umntu okanye isakhiwo, okanye nakuliphi na ilungu loluntu ngendlela equlathwe kwicandelo 16(2)(a),(b) kunye (c) loMgaqo-siseko weRiphabliki yoMzantsi Afrika, we-1996, okanye
- (b) ukuba ibangele umonakalo okanye ngenye indlela ibe nefuthe elibi kwindalo;

“**amasebe karhulumente**” athetha—

- (a) naliphi na isebe likarhulumente okanye olawulo kurhulumente wesizwe, owephondo okanye umasipala; okanye

- (b) Naliphi na igosa likarhulumente/umphathiswa okanye iziko—
- (i) elisebenzisa ubunganga balo okanye elenza umsebenzi ngokwemiqathango yoMgaqo-siseko okanye umgaqo-siseko wephondo; okanye
 - (ii) elisebenzisa igunya likarhulumente okanye elenza umsebenzi karhulumente ngokwemiqathango yawo nawuphi na umthetho, kodwa akubandakanywa inkundla okanye igosa lenkundla;

“umnini” uthetha—

- (a) Umnini wawo nawuphi na umhlaba okanye nawuphi na umntu othe umhlaba wasegameni lakhe apho kukho khona isakhiwo okanye sakhiwe kuwo yaye sibhalisiwe kwiofisi yeencwadi zezigqibo;
- (b) Nawuphi na umntu, osebenza njengearhente okanye nangenye indlela, olawulayo, ogcina okanye oqokelela irhente okanye nayiphi na imali ebhekiselele kwisakhiwo; yaye
- (c) Nawuphi na umntu oselungelweni lwezibonelelo zokusetyenziswa kwesakhiwo eso okanye umhlaba, okanye oxhamla ezo zibonelelo.

“indawo kawonke wonke” ithetha—

- (a) Nawuphi na umhlaba, iskwere, idami lokuqubha likawonke wonke, indawo yekhefu yoluntu, isiza sokuzonwabisa soluntu, umyezo wezilwanyana, indawo yezityalo neentyatyambo or nasiphi na isitiya soluntu, ipaki, indledlana yokuthatha uhambo ngenyawo, kubandakanywa nasiphi na isiqanaqwana yaye nayiphi na indawo okanye isixhobo kuyo, ngokunjalo nasiphi na isithuba esivulekileyo soluntu, uhola, umgaqo owodwa, isitalato esisodwa, idama, ichibi, okanye umlambo;
- (b) Nasiphi na isakhiwo soluntu, iholo, igumbi okanye iofisi kubandakanywa nasiphi na isahlulo apho kunye nayiphi na indawo okanye isixhobo esilapho, esiselungelweni okanye esilawulwa okanye esirhentsiswa siSixeko yaye apho uluntu lunelungelo lokungena, nokokuba kuhlawulwa umrhumo wokungena okanye hayi;
- (c) Nayiphi na indawo yolondolozo lwendalo kubandakanywa—
 - (i) Indawo yolondolozo lwendalo;
 - (ii) Iingingqi zendalo ezikhuselweyo;
 - (iii) Iingingqi ezinexabiso zolondolozo lwendalo; okanye
 - (iv) Izithuba zendalo ezingena nto.

UKUBHENGEZWA KWENKATHAZO

(2) ISixeko sibhengeza ubukho begrafiti naphi na kwingingqi yaso yolawulo buyinkathazo karhulumente, ekufuneka isusiwe ngokwemiqathango yalo Mthetho kaMasipala.

UTHINTELO

3. (1) Akukho mntu oya kuthi, ekwinqingqi ephantsi kolawulo lweSixeko, aqabe igrafiti okanye enze into yokuba kuqatywe nakusiphi na—

- (a) isakhiwo;
- (b) umgangatho wendalo; okanye
- (c) udonga, uthango, isakhiwo okanye into nakusiphi isitalato okanye nakwenye indawo kawonke wonke.

(2) Nawuphi na osiza okanye oncedisa umntu ekubhekiselelwe kuye kwicandelwana (1) ekuqatyweni kwegrafiti njengoko kucamngcwe apha, esaphula lo Mthetho kaMasipala, uya kuba nobutyala bolwaphulo-mthetho.

ISAZISO SOKUTHOBELA

4. (1) Igosa eligunyazisiweyo linakho, apho umntu athe waphula umthetho wecandelo lesi-3, ukuthumela isaziso kumntu lowo sigunyazisa ukuba asuse igrafiti ngomhla othile ochaziweyo kwisaziso, yaye isaziso eso kufuneka—

- (a) sichaze idilesi okanye indawo leyo yesakhiwo, yomgangatho wendalo okanye esinye nje isakhiwo okanye into apho kuqatywe khona igrafiti;
- (b) sichaze ngemiba ebanzi le graffiti ethe yaqatywa; yaye
- (c) sichaze into yokokuba ukuba ngaba ithe igrafiti ayasuswa ngokuhambelana nesaziso, iSixeko okanye iarhente yangasese etyunjwe siSixeko inakho ukuyisusa ngeendleko zomntu lowo isaziso besithunyelwe kuye.

(2) Igosa eligunyazisiweyo linakho, apho singakwaziyo ukumazi umntu lowo ekubhekiselelwe kuye kwicandelwana (1), ukuthumela isaziso kumnini sigunyazisa ukuba asuse igrafiti njengoko kucamangiwe kwicandelwana (1).

(3) Naziphi na iindleko ezithe zathwalwa siSixeko ngokwemiqathango yecandelwana (1) (c), njengoko kuqinisekisiwe ngugunyaziwe onesakhono kwiSixeko, siya kumiselwa njengebango lemali eselungelweni leSixeko yaye liya kufunyanwa sisixeko kwinkundla yamatyala esiphantsi kolawulo lwaso.

(4) Apho ukufunyanwa kweendleko ekubhekiselelwe kuko kwicandelwana (3) kuya—

- (a) kubeka emagxeni kumnini wesakhiwo uxanduva lwemali olungaphezulu kwekhono okanye ikhono lakhe lemali lomntu lowo; okanye
- (b) kuya kuba nempembelelo amaxesha amaninzi aphinda-phindeneyo kweso sakhiwo,

Igosa eligunyazisiweyo, kuxhonyekekwe nakuwuphi na umthetho okanye nawuphi na umgaqo-nkqubo weSixeko, linakho ukuzirhoxisa iindleko ngokupheleleyo okanye inxalenye yazo..

UMSEBENZI WOMNINI

5. (1) Nawuphi na umnini yaye nawuphi na umntu ohlala kwisakhiwo eso kufuneka ngawo onke amaxesha agcine isakhiwo eso singenagrafiti nakuluphi na udonga, uthango, kwisakhiwo, isakhiwo okanye into ekulo mhlaba.

(2) Nawuphi na umnini womhlaba kufuneka asuse kumhlaba ukwanda okufihlakeleyo kwegrafiti kwiintsuku ezili-10 akuba umnini ethe wazi ngobukho begrafiti kumhlaba wakhe.

UKUNIKEZELWA KWEZAZISO

6. (1) Apho kunikezelwe ngesaziso sokuthobela nakuwuphi na umntu ngokwemiqathango yecandelo lesi-4 sithathwa njengesinikezelwe ngendlela eyiyo kumntu lowo xa sithe sanikezelwa—

- (a) ngqo kumntu lowo okanye kwimeko yomntu osemthethweni okanye kumntu oqeshwe kwiofisi yaso yobhaliso;
- (b) kwindawo yakhe ahlala kuyo okanye yoshishino kumntu ongaphezulu kubudala beminyaka eli-16;
- (c) ngeleta ethunyelwe ngerejista okanye ileta eqinisekisiweyo kwidilesi yokugqibela eyaziwayo ebehlala kuyo umntu lowo okanye idilesi yoshishino njengoko ibonakala kwiinkcukacha ezibhaliweyo zeSixeko okanye ezeOfisi yeziGqibo, okanye kwimeko yomntu osemthethweni, kwiofisi yakhe yobhaliso ze isaziso sokuposa siveliswe;
- (d) kwiarhente okanye ummeli womntu lowo kwiRiphabliki ngenye yezi ndlela zichazwe apha ngasentla, ukuba ngaba idilesi kwiRiphabliki ayaziwa;
- (e) ngokuyigxumeka kwindawo ebonakalayo kumhlaba lowo ekubhekiselelwe kuwo, kangangesithuba seentsuku ezili-14, ukuba idilesi kunye nearhente ayaziwa.

(2) Ukusilela ukunganikezelwa kwesaziso nakuwuphi na umntu njengoko kugunyaziswa ngokwemiqathango yalo Mthetho kaMasipala akuyi kuzenza zingabi semthethweni naziphi na iinkqubo eziqhutywayo ngokubhekiselele kulwaphulo mthetho lwalo Mthetho kaMasipala.

ILUNGELO LOKUNGENA

7. (1) **Igosa eligunyazisiweyo linakho, apho—**

- (a) umhlaba/isakhiwo singagcinwanga ngokuhambelana necandelo lesi-6; yaye;
- (b) Isaziso sokuhambelana sanikezelwa kumntu ngokwemiqathango yamacandelo 4 kunye nele-5 kodwa umntu lowo usilele ukuhambelana nawo.

Ukungena kumhlaba/kwisakhiwo ze lisuse igrafiti, ngaphandle kokuba libe linikeze isaziso seentsuku ezimalunga ne-15 kumntu ngokuthumela ileta eqinisekisiweyo kwidilesi yokugqibela eyaziwayo yaloo mnini, okanye ngokuncamathisela isaziso kumhlaba/kwisakhiwo eso.

(2) Isaziso seentsuku ezili-15 esinikezwe umnini ngokwemiqathango yecandelwana (1) kufuneka sibandakanye—

- (a) Idilesi yomhlaba/yesakhiwo elixhibe ukungena kuwo igosa eligunyazisiweyo;
- (b) Umhla kunye nexesha elijonge ukungena ngalo kulo mhlaba/ kwisakhiwo igosa eligunyazisiweyo, ngaphandle kokuba ukungena apho kuya kuvumeleka kuphela phakathi kwesithuba sentsimbi yesi-8 kusasa ukuya kwintsimbi yesi-6 malanga ukususela ngoMvulo ukuya kutsho ngolwesiHlanu; yaye
- (c) Isizathu sokungena kunye nesibonelelo esithe ngqo salo Mthetho kaMasipala esithe saphulwa ngumntu.

IINDLEKO

8. (1) ISixeko siya kugcina iakhawunti yeendleko ekubhekiselelwe kuzo kwicandelo lesi-4, kubandakanywa inkcitho yonke ethe ngqo nengathanga ngqo, ezithe zenzeka ekususweni kwegrafiti yaye siya kukhupha ingxelo yeendleko ezo kumntu onoxanduva lokususa ngoko, xa ithe igrafiti yasuswa.

(2) Ukuba ngaba iindleko nenkcitho, okanye nayiphi na inxalenye ngoko, ethe yenziwa siSixeko ekususweni kwegrafiti yaza yahlala ingahlawulwanga emva kweentsuku ezingama-30 ebalwe ukususela kumhla wokukhutshwa kwengxelo ngokwemiqathango yecandelwana (1), iindleko ezinjalo kunye nenkcitho okanye inxalenye ziya kuqulunqwa zibe ngumrhumo wenkonzo kamasipala ocamngcwe kwicandelo 118(1)(b) kuMthetho weeNkqubo zikaMasipala wama-2000 (uMthetho onguNombolo 32 wama-2000).

IIMVUME IMIFANEKISO YEMIZOBO ESELUDONGENI KUNYE NEMIHOMBISO

9. (1) Nawuphi na umntu ozimisele ukwenza isicelo sawo nawuphi na okanye indibaniselane yombhalo, igama, umzobo, unobumba, uphawu, umqondiso, isazobe, umfanekiso, umzobo oseludongeni okanye uyilo olukuwo nawuphi na umgangatho wendalo okanye umgangatho owenziwe ngumntu nakusiphi na isakhiwo eso, okanye esiya kuthi sibonakale kumntu okwindawo kawonke wonke, kufuneka enze isicelo esibhaliweyo ngokubhalela igosa eligunyazisiweyo ukuze afumane imvume yokwenza njalo.

(2) Isicelo sephepha mvume ekubhekiselelwe kuso kwicandelwana (1) kufuneka sikhathshwe bubungqina bemvume yomntu womhlaba, naye nawuphi na omnye umntu onomdla namaqela achaphazelekayo.

(3) Kwisicelo iinkcukacha ezipheleleyo kufuneka zinikezelwe njengempembelelo yokwenziwa kwesicelo sombhalo, igama, umzobo, unobumba, uphawu, umqondiso, isazobe, umfanekiso, umzobo oseludongeni okanye uyilo, ubungakanani ekujongwe kubo ngoko kunye nempahla nezixhobo eziza kusetyenziswa, nokufana okuthe ngqo, umzobo nomfanekiso yomsebenzi lowo kuxhitywe ukuba wenziwe.

(4) Igosa eligunyazisiweyo kufuneka, ekufumaneni kwakhe esi sicelo kubhekiselelwe kuso kwicandelwana (1), athethane nesebe elichaphazelekayo leSixeko okanye umntu.

(5) ISixeko sinakho ukusala okanye asinikezele isicelo eso sinjalo, kuxhonyekeke kwimiqathango enokuthi ibekwe, yaye kufuneka kwisithuba seentsuku ezingama-30 azise umenzi wesicelo ngesigqibo saso ngembalelwano.

(6) Kwimeko apho iSixeko sithe sanikezela ngesicelo esinjalo, iphepha mvume elibhaliweyo liya kukhutshelwa umenzi wesicelo, kuxhonyekeke kwimiqathango enjalo enjengaleyo ikhutshwa siSixeko.

(7) ISixeko sinakho ukunyula izithuba ezithile ezingena nto emazisetyenziselwe le mizobo iseludongeni, yaye ezi zithuba zingena nto ziya kutyunjwa ngothethwano noluntu oluchaphazelekayo, iiforam zewadi kunye namacandelo ebhanga.

(8) Umntu unakho ukwenza isicelo sokusebenzisa isithuba esingena nto esityunjiweyo ekubhekiselelwe kuso kwicandelwano (7) kangangesithuba seenyanga ezintathu ngokuthi abhalele uMlawuli woBugcisa neNkcubeko kwiCandelo lezoQoqosho uPhuhliso lweNtlalo, yaye—

- (a) unakho ukugunyazisa ukusetyenziswa kwesithuba esingena nto esityunjiweyo ukulungiselela imizobo eseludongeni okanye imihombiso;
- (b) kufuneka asuse imizobo okanye imihombiso emva kokuba ixesha liphelile leenyanga ezintathu;
- (c) Unakho ukwenza isicelo sokwandiswa kwesigunyaziso kangangeenyanga ezintathu.

Uluhlu lweenkcukacha zegcisa kunye neendlela ezamkelayo

10. (1)(a) Igosa eligunyazisiweyo kufuneka ligcine, lilolonge ze lihlaziye irejista labazobi abazoba eludongeni nabanye abazobi kwingingqi ephantsi kolawulo lweSixeko abathe banikwa imvume ngokwemiqathango yomhlathi (b).

(b) Umzobi ozoba eludongeni unakho ukubhaliswa kwirejista ngokwemiqathango yomhlathi (a) xa athe wangenisa isicelo ngendlela egqitywe ligosa eligunyazisiweyo, kuxhonyekeke ekufezekisweni kwale miqathango ilandelayo ngumzobi:

- (i) Umzobi uthe wafumana imvume kwizicelo ezingenisweyo ezihlanu ezilandelelanayo ngokwemiqathango yecandelo lesi-9;
- (ii) Umzobi ubhalisiwe njengelungu leVisual Arts Network of South Africa (VANSA); yaye
- (iii) Umzobi akazange agwetywe ngaphambili ngokonakalisa isakhiwo okanye naliphi na ityala elinxulumene negrafiti.

(2) abazobi abazoba eludongeni njengoko kuqulunqwe kwicandelwana (1) banakho, kuxhonyekeke kwecandelwana (3), ukunika imvume yomsebenzi wabo wobugcisa wexa elizayo.

(3) Umzobi ozoba eludongeni obhalisiweyo ngokwemiqathango yecandelwana (1) kufuneka, nangawuphi na umsebenzi wokuzoba eludongeni yaye naphambi kokuyila umsebenzi onjalo wobugcisa, angenise isaziso sokuvuma kwigosa eligunyazisiweyo—

- (a) Ngendlela apha okanye ngobume obugqitywe nguye;
- (b) Siqulathe ubungqina bemvume yomnini wesakhiwo kunye nezakhiwo ezikufutshane; kunye
- (c) sikhathshwe ngumzobo okanye omnye umboniso womsebenzi wobugcisa ekuxhitywe wona.

Ukulungiselela ukuqalisa ngemvume.

IZOHLWAYO

11. (1) Nawuphi na umntu othe wasilela ukuhambelana naso nasiphi na isibonelelo salo Mthetho kaMasipala uya kuba nobutyala.

(2) Nawuphi na umntu ogwetyelwe ityala ngokwemiqathango yamacandelo 3 alo Mthetho kaMasipala oya kuthi—

- (a) emva kokuba egwetyiwe kwityala lakhe lokuqala abe noxanduva lwesohlwayo se-R15 000 okanye iinyanga ezintathu etolongweni;
- (b) emva kokuba egwetyiwe kwityala lakhe lesibini okanye amatyala alandelayo, uya kuba noxanduva lokuthwala isohlwayo sama-R30 000 okanye iinyanga ezi-6 etolongweni, okanye kuzo zozibini izohlwayo ezinjalo kunye nokuvallelwa entolongweni oko.

(3) Ngaphezulu kwesohlwayo esicamngcwe kwicandelwana (1), umntu ogwetyiweyo uya kuthwala uxanduva—

- (a) Lokuhlawula isixa-mali esilingana neendleko okanye iindleko ezithelekelelweyo zokususwa kwegrafiti kweso sakhiwo sichaphazelekayo, ze apho iindleko zokususwa kwegrafiti kwisakhiwo esichaphazelekayo zibe zithwalwa siSixeko okanye ngumnini wesakhiwo, ukuhlawula isixa-mali esigunyazisiweyo kwiSixeko okanye kumnini njengoko kusenokuba njalo;
- (b) Lokuhlawula isohlwayo esingaphezulu esibonwa sifanelekile yinkundla xa esilele kwintlawulo yesixa-mali esigunyazisiweyo kwiSixeko okanye kumnini wesakhiwo, njengoko imeko inokuba njalo.

(4) Kwimeko yokuqhubeka ngolwaphulo mthetho, umntu ogwetyiweyo uya kuthwala uxanduva lwesohlwayo esangezelelweyo enokuthi inkundla isibone sifanelekile.

(5) Inkundla egwebe umntu owaphule umthetho phantsi kwalo Mthetho kaMasipala inakho ukubeka phezu kamagxa akhe isigwebo esisesinye njengesohlwayo esifanelekileyo.

ISIHLOKO ESIFUTSHANE

12. Lo Mthetho kaMasipala ubizwa ngokuba iSixeko saseKapa: uMthetho kaMasipala weGrafiti, wama-2010.

**MOSSEL BAY MUNICIPALITY
RATES POLICY**

Whereas the Council has adopted a rates policy on;

And whereas chapter 2 of the Local Government: Municipal Property Rates Act, 2004 (Act No. 6 of 2004) provides that a municipal council must adopt Rates Policy and By-laws to give effect to that policy, and its implementation and enforcement;

And whereas the Municipality adopt the By-law, as promulgated in Provincial Gazette, 6537, dated 20 June 2008;

Now therefore the Policy is hereby published for general information.

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Introduction

1. (1) The major source of local taxation is the property tax (property rates). The owners of property in municipal areas have to pay a tax based on a valuation of their properties in order to finance certain municipal services. While this tax is by no means the sole source of municipal revenue, it is an important source of discretionary revenue for the Municipality and enables it to function effectively.
- (2) In terms of Section 229 of the Constitution of the Republic of South Africa, 1996 the Municipality may levy a rate on a property in its respective area. The Council must adopt and implement a Rates Policy that complies with the provisions of any applicable legislation on the levying of fees. It is required that the Council adopt By-laws to give effect to the implementation and enforcement of its Rates Policy. The By-laws differentiate between:
 - (i) Different categories of property
 - (ii) Different categories of owners liable for the payment of rates
- (3) The Council must annually review, and if necessary, adjust its Rates Policy.

Definitions

2. All definitions refer to the Act—Mutatis Mutandis

Adoption of Rates Policy

3. (1) The Council adopts this policy on the levying of rates on rateable properties in the Mossel Bay Municipal area.
- (2) The Rates Policy will—
 - (a) treat persons liable for rates equitably;
 - (b) determine the criteria to be applied by the Municipality if it—
 - (i) levies different rates for different categories of property;
 - (ii) exempts a certain property or a property of a specific category from a rate;
 - (iii) rebates or reductions in respect of a rate; or
 - (iv) increases rates;
 - (c) determine criteria for the determination of—
 - (i) categories of properties for levying of rates/
 - (ii) categories of owners/properties for granting exemptions, rebates and reductions;

- (d) determine how the Municipality's powers must be exercised in relation to properties used for multiple purposes;
- (e) identify and quantify all exemptions, rebates, reductions, exclusions and phasing in of rates on properties;
- (f) take into account the effect of rates on the poor and include appropriate measures to alleviate the rates burden on them;
- (g) take into account the effect of rates on organisations conducting specified public benefit activities and registered in terms of the Income Tax Act for tax reductions because of those activities, in the case of property owned and used by such organisations for those activities;
- (h) take into account the effect of rates on public service infrastructure;
- (i) allow the Municipality to promote local, social and economic development; and
- (j) any exemptions, rebates or reductions must comply and be implemented in accordance with a national framework that may be prescribed after consultation with organised local government.
- (k) The Municipality will not grant relief in respect of the payment of a rate;
 - (i) to a category of owners/properties other than by way of an exemption, a rebate or a reduction provided for in its Rates Policy.
 - (ii) to the owners of properties on an individual basis.

Levying of rates

Amount due for rates

4. (1) A rate levied on property will be a rate based on the market value of the property shown on the current valuation roll of the Municipality.
- Rates to be levied on all rateable properties
- (2) The Municipality may levy rates on all rateable property in its area, but is not obliged to levy a rate on a—
- (a) property of which the Municipality or municipal entity is the owner;
 - (b) public service infrastructure owned by a municipal entity;
 - (c) property in respect of which it is impossible or unreasonably difficult to establish a market value because of legally insecure tenure resulting from past racially discriminatory laws or practices;

Differential rates

- (3) The Municipality may levy different rates for different categories of rateable property. The categories are determined according to—
- (a) the use of the property;
 - (b) the permitted use of the property; or
 - (c) the geographical area in which the property is situated.
- (4) The Municipality may differentiate between the following:
- (a) residential properties;
 - (b) industrial properties;
 - (c) business and commercial properties;
 - (d) Accommodation Establishments;
 - (e) farm property used for—
 - (i) agricultural purposes;
 - (ii) other commercial purposes; or
 - (iii) non-commercial purposes;
 - (iv) residential purpose; and
 - (v) purposes other than (d) (i)-(iv);
 - (f) unused farmland;
 - (g) small holdings used for:
 - (i) agricultural purposes,
 - (ii) residential purposes;
 - (iii) industrial purposes;
 - (iv) business and commercial purposes; and
 - (v) purposes other than those specified in paragraphs a-d;
 - (h) privately owned towns serviced by the owner;
 - (i) state owned properties;
 - (j) municipal properties;
 - (k) public service infrastructure;

- (l) formal and informal settlements;
- (m) communal land;
- (n) state trust land;
- (o) protected areas;
- (p) properties on which national monuments are proclaimed;
- (q) properties owned by public benefit organisations;
- (r) properties used for multi purposes.

Levying of rates on property in sectional title schemes

- (5) A rate on property, which is subject to a sectional title scheme, will be levied on the individual sectional title units in the scheme (including garages and storerooms).

Properties used for multiple purposes

- (6) The Council of Mossel Bay Municipality will consider applications in this regard on a ad-hoc basis according to Section 9 of Act 6 of 2004.

Exemptions, rebates and reductions

- (7) In imposing the rate in the rand for each annual operating budget component, the Council may grant the following exemptions, rebates and reductions to the categories of properties and categories of owners. The Council reserves the right to amend these exemptions, rebates and reductions if the circumstances of a particular annual budget dictate, or in special circumstances that need certain assistance.

Exemptions

- (8) (a) The following owners must be exempted from payment of an assessment rates levy on their property:
- (i) owned by a religious body or organisation, and exclusively used as a place of assembly for public worship, provided that where such property is used as or for the purpose of a dwelling the exemption contemplated by this paragraph shall only apply if such property is so used by:
 - (ii) a minister of religion or an employee in the full-time service of such body or organisation;
 - (iii) owned by a church and used for the residence of a minister of religion in the full-time service of such church;
- (b) Council may decide which other properties will be exempted from rates in accordance with the Property Rates Act.
- (c) Road reserves are exempted from payment of rates in accordance with Act 7 of 1998 on Road Agencies.
- (d) Rateable property registered in the name of the Council/Municipal entity.
- (e) Properties which qualify as Public Infrastructure must be granted a rebate of 30%.

Rebates and reductions

- (9) (a) The following owners may be granted a rebate on, or a reduction in the rates payable on their property:
- (i) Pensioners that meet the following criteria:
 - i. Registered owner of property;
 - ii. Applicant must reside on the property;
 - iii. Income not exceeding an amount set by Council;
 - iv. Applications for rebates or reductions must apply annually. Already approve applicants must re-apply yearly before 30 June. Late applications will be considered by the Director of Finance and the rebate, if approved, will be prorated from date of application;
 - v. New applications received will be handled on merit and prorated from the date of application;
 - vi. Where an institution applies for rebate or reduction in rates, they must submit a zero tax certificate for SARS;
 - vii. If the above is not available, statement of the most recent income and expenditure must be provided as proof of no profit motive;
 - viii. In the case where a indigent owner (except pensioners) apply for rebate of reduction of rates an affidavit must accompany the application.
 - (ii) State Hospitals, State clinics, Schools and other state institutions, institutions for mentally ill persons, which are not operated for gain;
 - (iii) Rateable property registered in the name of an agricultural society affiliated to or recognised by the South African Agricultural Union, which is used for the purpose of such society;
 - (iv) Cemeteries and crematoriums, which are registered in the names of private persons and which are used exclusively for burials and cremations;
 - (v) Museums, art galleries, libraries and botanical gardens which are open to the public, whether admission fees are charges or not;
 - (vi) Sports grounds used for the purpose of amateur sports and any social activities, which are connected with such sports;
 - (vii) State subsidised Crèches;
 - (viii) Rateable property registered in the name of benevolent or charitable organisations, or any rateable property let by the Council to any of the named organisations;

- (ix) Indigent owners;
 - (x) Owners temporarily without income;
 - (xi) Owners of a property situated in an area affected by a disaster within the meaning of the Disaster Management Act, 2002 or in any other serious adverse social or economic conditions;
 - (xii) Owners of residential properties with to which Section 17(1)(h) of the Act applies on the market value of the property less the amount stated in that section;
 - (xiii) State or public infrastructure and their rates may be reduced to a percentage, which is contemplated in Section 17(1)(a) of the Act;
 - (xiv) Owners of agricultural properties who are bona fide farmers;
 - (xv) Privately owned towns.
- (b) (i) When considering the criteria in respect of any exceptions, rebates and reductions on properties used for agricultural purposes the Municipality will take into account:
- i. the extent of service provided by the Municipality;
 - ii. the contribution of agriculture to the local economy;
 - iii. the extent to which agriculture assists in meeting the service delivery and development obligations of the Municipality;
 - iv. the contribution of agriculture to the social and economic welfare of farm workers.
- (ii) When valuations are done in respect of bona-fide farming activities in rural areas the following are exempted:
- i. structural works, dipping tanks, storage tanks, walls silos and kraals, if permanently constructed.
 - ii. irrigation works, dams, boreholes, wells, permanent fences, reclamation works, subsoil drainage, plantations, vineyards and orchards; and
 - iii. any residential building erected for occupation by bona fide farm workers; provided that, if the valuation of any such building exceeds an amount determined by Council, such building shall be deemed to be included to the extent to which such valuation exceeds the prescribed amount, and for the purpose of the foregoing provisions of this paragraph any portion of a building as aforesaid which is designed or adapted for separate occupation for residential purposes shall be deemed to be a separate residential building; provided further that residential buildings excluding those referred to in this paragraph shall be excluded from the provisions of this regulation;
 - iv. the amount determined in (iii) above may be revised by Council in its budgeting process;
 - v. where a building was not completed for a whole financial year but levied with a interim for the whole of the year, pro-rata credit from date of completion can be passed on request of the owner. The Building Inspector must confirm this date of completion. Credit will only be passed for the period where the buildings were not completed.

Industrial incentives

(10) Council may grant industrial incentives on an ad-hoc basis to encourage large industrial developments

Reporting

(11) The Municipal Manager will annually table to the Municipal Council—

- (a) a list of all exemptions, rebates and reductions granted during the previous financial year; and
- (b) a statement reflecting the income foregone for the Municipality by way of such rebates and reductions. All rebates and reductions will be reflected in the annual budget of the Municipality—
 - (i) as income on the revenue side; and
 - (ii) as expenditure on the expenditure side.

Annual increase of rates

5. The Municipality will consider increasing its rates in terms of the provisions of Section 20 of the Act. Rates increases will be used to finance the increase in operating costs of community and subsidised services or as may be necessary.

Limitations on levying of rates

Constitutional constraints

6. (1) The Municipality may not exercise its power to levy rates on property in a way that would materially and unreasonably prejudice—
- (i) national economic policies;
 - (ii) economic activities across its boundaries; or
 - (iii) the national mobility of goods, services, capital or labour.
- (2) Rates that are disallowed include rates on—
- (a) property belonging to land reform beneficiary for a period of ten years the date on which such beneficiary's title is registered in the office of the Registrar of Deeds, for so long as the property is owned by the land reform beneficiary who first acquires title and his or her heirs;
 - (b) an amount determined by Council to be deducted from the value of all residential property; the Minister may from time to time, increase this monetary limit to reflect inflation

Additional rates

Special rating areas

7. Special rating areas will be handled according the prescriptions of the Property Rates Act 6 of 2004.

Liability for rates

Method and time of payment

8. (1) (a) The Municipality will recover the rate levied in periodic instalments of equal amounts in twelve months. The instalment is payable on/before the due date as printed on the monthly consumer account. Interest will be charged at 1% above the prime interest rate for any late payments received.
- (b) By prior arrangement with the Municipality the rate may be paid in a single amount before 30 September of the year it is levied in, however, application must be submitted before 31 May for this option. The Director of Financial Services or a delegated official will consider any late applications.
- (c) In the case of a interim debit raising where the account is payable annually, the due date for payments will be 3 months from date of debit raising. Monthly interim debit accounts, must be divided in 12 monthly instalments to ensure a uniform tax base.

Recovery of arrear rates from tenants, occupiers and agents

- (2) If an amount due for rates levied in respect of a property is unpaid after the day determined, the Municipality may recover the amount in whole or in part from a tenant or occupier of the property. The amount the Municipality might recover from the tenant or occupier of the property is limited to the amount of the rent or other money due and payable by the tenant or occupier to the owner of the property. Any amount the Municipality recovers from the tenant or occupier of the property may be set off, by the tenant or occupier, against any money owed by the tenant or occupier to the owner.
- (3) The Municipality may recover the amount due for rates from an agent of the owner after it has given written notice to that agent or person. The amount the Municipality may recover from the agent or other person is limited to the amount of the rent received by the agent or that person after written notice has been given by the Municipality to that agent or person, less the commission due to that agent or person, subject to the Estate Agents Act, 1976 (Act No. 112 of 1976). The agent or other person must, on request by the Municipality, furnish the Municipality with a written statement specifying all payments for rent on the property received by that agent or person during a period determined by the Municipality.

Adjustments of rates

9. (a) The compulsory phasing in of certain rates will be handled in terms of the provisions of Section 21 of the Act.
- (b) Where incorrect debits were raised regarding rates, the accounts under query will be rectified from the financial year in which the error has occurred, subject to the provisions of the Prescription Act. Corrections in respect of valuations must be done in terms of the Property Rates Act.

General valuation of rateable property

General valuation and preparation of valuation rolls

10. The Municipality must in terms of the provisions of this Act, execute a general valuation done of all properties. A municipal valuator must be appointed through an open, competitive and transparent process.

Valuation criteria

Valuation

11. (1) (a) Properties are valued in accordance with generally recognised valuation practices, methods and standards, and the provisions of this Act.
- (b) Council may determine whether—
- (i) a physical inspection of the property to be valued; or
- (ii) a comparative, analytical and other systems or techniques may be used, including aerial photography and computer assisted mass appraisal systems or techniques.
- (c) Valuations are rounded off to the nearest R1000.00

METVALUE System

- (2) The METVALUE computer programme is in use by the Municipality to assist in the valuation process. This programme uses the erf data from the municipal financial database. Data and photos are gathered during on-site inspections and captured on the METVALUE system. The property is then electronically valued. Management information is made available. A valuation roll for public inspection gets printed and notices are generated to send to the owners. The valuations are imported into the financial system of the Municipality once the valuation process has been completed.

Valuations: uncompleted buildings

- (3) Uncompleted homes and buildings should only be valued if the valuations of improvements amounts to more than R30 000.00.

Interim valuation debits

12. In the event that a property has been transferred to a new owner and an Interim Valuation took place, the previous owner as well as the new owner will jointly and separately be held responsible for the settling the interim rates account.

Clearance certificates**13. Rates Clearance Certificates**

- (a) will be valid for up to 120 days.
- (b) No extension on a certificate will be granted. If it expires a new application for clearance must be made,
- (c) If the valid period surpasses 30 June, the total annual debit for the following financial year will be payable.
- (d) Outstanding services of tenants may only be recovered for a maximum period of two years.

Ownership

14. Properties, which vest in the Municipality during developments, i.e. open spaces and roads should be transferred at the cost of the developer to the Municipality. Until such time, rates levied will be for the account of the developer. The developer will be responsible for the maintenance of services on the properties until the properties have been transported back in the name of the Council.

Conclusion

15. The ordinary municipal rate is not levied according to specific service benefits, but according to ability to pay, as evidenced by the ownerships of fixed property, the justification of the tax being the community of interest. It is a tax, and a tax is a common burden. It is levied to pay for benefits and services to the community as a whole in which no particular individual, or set of individuals derives any measurable and specific benefit from the rest.

DOCUMENT AND VERSION CONTROL

Version: Revision 6

Date: 28 May 2010

Summary: This document describes the Rates Policy that will be applicable to the Mossel Bay Municipality, with effect from 1 July 2010

Signature: _____ **Date:** _____

Municipal Manager

(Accounting Officer)

Signature: _____ **Date:** _____

Executive Mayor

9 July 2010

22045

MOSEL BAY MUNICIPALITY**TARIFF POLICY**

Whereas the Council has adopted a tariff policy on;

And whereas section 75 of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000) provides that a municipal council must adopt Tariff Policy and By-laws to give effect to that policy, and its implementation and enforcement;

And whereas the Municipality adopt the By-law, as promulgated in Provincial Gazette, 6347, dated 3rd March 2006;

Now therefor the Policy is hereby published for general information.

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Introduction

1. In terms of section 74 of the Local Government: Municipal Systems Act, 2000, the Mossel Bay Council must adopt and implement a Tariff Policy that complies with the provisions of any applicable legislation on the levying of fees for municipal services provided by or on its behalf. The Tariff Policy may differentiate between different categories of users, debtors, service providers, service standards, geographical areas and other matters as long as the differentiation does not amount to unfair discrimination. Section 75 of the Systems Act requires that the Council adopt by-laws to give effect to the implementation and enforcement of its Tariff Policy.

Definitions

2. In this Policy, unless inconsistent with the context-

“Accommodation Establishments” consist of one or more of the following types of accommodation:

- a. **“Camping”** (informal temporary accommodation in a unique environment) is defined by a property used for erection of tents or other temporary structures for temporary accommodation for visitors or holiday-makers, which includes ablution, cooking and other facilities that are reasonably and ordinarily related to camping, for the use of such visitors, and includes a caravan park, whether publicly or privately owned, but which excludes the alienation of land on the basis of time sharing, sectional title, share blocks or individual subdivision; and excludes resort accommodation or mobile homes.
- b. **“Bed and breakfast”** (accommodation in a dwelling-house or second dwelling unit for transient guests) is defined by a dwelling-house or second dwelling in which the owner of the dwelling supplies lodging and meals for compensation to transient guests who have permanent residence elsewhere; provided that the primary use of the dwelling-house concerned shall remain for the living accommodation of a single family.
- c. **“Guest house”** (accommodation in a dwelling-house or second dwelling unit for transient guests) is defined by a dwelling-house or second dwelling which is used for the purpose of supplying lodging and meals to transient guests for compensation, in an establishment which exceeds the restrictions of a bed and breakfast establishment and may include business meetings or training sessions for resident guests.
- d. **“Self catering accommodation”** (accommodation for non-permanent residents and transient guests) is defined by a house, cottage, chalet, bungalow, flat, studio, apartment, villa, or similar accommodation where facilities and equipment are provided for guests to cater for themselves. The facilities should be adequate to cater for the maximum advertised number of residents the facility can accommodate.
- e. **“Self-catering apartments”** (accommodation for non-permanent residents and transient guests) is defined by a building or group of buildings consisting of separate accommodation units, each incorporating a kitchen/ette facility, and which may include other communal facilities for the use of transient guests, together with outbuildings as are normally used therewith; which are rented for residential purposes and may include holiday flats; but does not include a hotel, dwelling-house, second dwelling or group house.
- f. **“Backpackers accommodation”** (accommodation and communal facilities in a building or free standing buildings for transient guests) is defined by a building where lodging is provided, and may incorporate cooking dining and communal facilities for the use of lodgers, together with such outbuildings as are normally used therewith and includes a building in which dormitories/rooms/beds are rented for residential purposes, youth hostel, and backpackers’ lodge; but does not include a hotel, dwelling house, second dwelling or group house.
- g. **“Boarding house”** a dwelling-house or second dwelling which is used for the purpose of supplying lodging with or without meals or self catering to non permanent/permanent residents for compensation; provided that the primary use of the dwelling-house shall remain for the living accommodation of a single family.

“Additional residential units” additional units erected on an erf zoned as single or general residential, it can form part of the main structure or be separated. The size of the additional units must vary between 30 and 120 square meters and does not have to have separate service connections. Loose standing units may only have a ground level structure. Each unit must have direct access from ground level.

“customer/user” means any person to whom a service is rendered or made available by the council

“households” all matured persons older than 18 years that occupied a property within the jurisdiction of the Council regardless whether the person rents or owns the property;

“indigent household” a Household qualify as indigent on the following conditions:

- (i) Total monthly household income must not be more than twice (2x) the monthly State old age pension and
- (ii) The average electricity consumption for the past four months must not exceed 300kwh per month and
- (iii) The average water consumption for the past four months must not exceed 15kl water per month.

“municipal area” means the area in respect of which the municipality has executive and legislative authority as determined by the Constitution and national legislation and the area as demarcated by the Demarcation Act 1998 (Act 27 of 1998);

“municipal council” means the council of Mossel Bay Municipality;

“municipal manager” means a person appointed under section 82 of the Municipal Structures Act (Act 177 of 1998) and the person who is the head of administration and also the accounting officer for the municipality and where necessary includes an “acting municipal manager”;

“municipality” means:

- (a) an organ of state within the local sphere of government exercising legislative and executive authority in an area determined under the Local Government: Municipal Demarcation Act 1998 (Act 27 of 1998);
- (b) a municipality consists of:
 - (i) the political structures and administration of the municipality; and

- (ii) the community of the municipality;
- (c) functions in the area in keeping with the political, statutory and other relationships between its political structures, political office bearers and administration and its community; and
- (d) as a separately legal personality that excludes liability on the part of its community for the actions of the municipality.

“occupier” means the person who controls and resides on, or who controls and otherwise uses immovable property or a portion thereof; provided that—

- (a) the husband or wife of the owner of immovable property which is at any time used by such owner and husband or wife as a dwelling, shall be deemed to be the occupier thereof;
- (b) where husband and wife both reside on immovable property and one of them is an occupier thereof, the other shall also be deemed to be an occupier thereof, and
- (c) a person who—
 - (i) resides in or occupies a room or rooms in a boarding house, lodging house, home for elderly people (other than a person, and the husband or wife of such person, who, by paying a capital amount, has acquired and exercises a lifelong right to so reside in or occupy a room or rooms in a home for elderly people), hostel, hotel, motel, hotel, club mess, barracks, nurses home or other place of a like nature;
 - (ii) resides in or occupies a separate room or rooms on immovable property occupied by any relative of such person;
 - (iii) as a boarder or lodger, resides in or occupies a room or rooms on immovable property owned or occupied by any other person, or
 - (iv) occupies an area of land or building or portion of a building solely for the purpose of parking, leaving or storing any vehicle or craft thereon or therein;

shall be deemed not to be an occupier of the immovable property concerned.

“owner” means

- (a) the person in whom the legal title to the premises is vested;
- (b) in a case where the person is whom the legal title is vested is insolvent or dead, or is under any form of legal disability whatsoever, the person in whom the administration of and control of such premises is vested as curator or other legal representative;
- (c) in any case where the Municipality is unable to determine the identity of such person, a person who is entitled to the benefit of such premises or a building thereof;
- (d) leased for a period of not less than 30 (thirty) years, whether the lease is registered or not, the lessee thereof;
- (e) in relation to—
 - (i) a piece of land delineated on a sectional plan registered in terms of the Sectional titles Act 1986, (Act 95 of 1986), and without restricting the above provisions, the developer or the body corporate in respect of the common property, or
 - (ii) a section as defined in such Act, the person in whose name such section is registered under a sectional title deed, including the lawfully appointed representative of such person;
- (f) any legal person including but not limited to:
 - (i) a company registered in terms of the Companies Act, 1973 (Act 61 of 1973) Trust inter vivos, Trust mortis causa, a closed Corporations Act, 1984 (Act 69 of 1984), and a Voluntary Association;
 - (ii) any government department;
 - (iii) any council or board established in terms of any legislation applicable to the Republic of South Africa;
 - (iv) any embassy or other foreign entity
- (g) owned by a council and which has been disposed of, but which has not been transferred to the person it has been disposed of, from the date of the disposition concerned, such person; and
- (h) owned by or under the control or management of a council while held under a lease of any express or tacit extension thereof or under any other contract or under a servitude or right analogous thereto, the person so holding the immovable

“poor households” A household qualify as a poor household on the following conditions:

- i. Total monthly household income must be more than twice (2x) the monthly State old age pension, but less than an amount determined by Council and
- ii. The average electricity consumption for the past four months must not exceed 300kwh per month and
- iii. The average water consumption for the past four months must not exceed 15kl water per month.

“Tariff Policy” means a Tariff Policy on the levying of fees, rates or taxes for municipal services provided by the municipality itself and that complies with the Municipal Systems Act 2000 (Act 32 of 2000);

“the Act” means the Municipal Systems Act, 2000 (Act 32 of 2000).

General Principles

Objective

- 3 (1) The objective of this Tariff Policy is to ensure the following:
- (i) Tariffs must conform to acceptable policy principles;

- (ii) Municipal services must be sustainable;
- (iii) Tariffs must comply with the applicable legislation; and
- (iv) Tariffs should take poor people and limited consumption into consideration

Responsibility/accountability

- (2) The Mossel Bay Council have the overall responsibility of laying down the Tariff Policy.

Tariff Policy principles

- (3) In terms of section 74(2) of the Systems Act 2000, the Municipality's Tariff Policy reflects the following principles:
- (i) Users of municipal services are treated equitably in the application of tariffs;
 - (ii) The amount individual users pay for services are generally in proportion to their use of that service;
 - (iii) Poor households have access to at least basic services through:
 - Special or life line tariffs for low levels of use or consumption of services or for basic levels of service; or
 - Any other direct or indirect method of subsidisation of tariffs for poor households.
 - Tariffs reflect the costs reasonably associated with rendering the service, including capital, operating, maintenance, administration, replacement costs and interest charges;
 - (iv) Tariffs are set at levels that facilitate the financial sustainability of the service, taking into account subsidisation from sources other than the service concerned. A service is financially sustainable when it is provided in a manner that would ensure it's financing from internal and external sources is sufficient to cover the costs of the initial capital expenditure required, operating the service, maintaining, repairing and replacing the physical assets used in its provision;
 - (v) Provision is made in appropriate circumstances for a surcharge or a rebate on the tariff for a service;
 - (vi) Provision is made for the promotion of local economic development through special tariffs for categories of commercial and industrial users;
 - (vii) The economical, efficient and effective use of resources, the recycling of waste and other appropriate environmental objectives are encouraged; and
 - (viii) The extent of subsidisation of tariffs for poor households and other categories of users are fully disclosed.
 - (ix) It can be further stated that tariffs, rates and the employment of resources, in general, take into account the Council's IDP principles and goals.

Need for a Tariff Policy

Revenue adequacy and certainty

4. (1) The Municipality must have access to adequate sources of revenue to enable it to carry out its functions. The Municipality must:
- (i) Fully exploit the available sources of revenue to meet its development objectives; and
 - (ii) Be reasonably certain of its revenue to allow for realistic planning.

Sustainability

- (2) Financial sustainability requires a budget that balances. This means that the Municipality must ensure that:
- (i) Services are provided at affordable levels; and
 - (ii) It is able to recover the costs of service delivery.

It must be realised that no bailout will be provided if the budget is exceeded or if proper financial management controls are not established. Indigent members of the community have the right to have access to at least a minimum level of basic services. Therefore, there is a need to subsidise poor households, who are unable to pay for full service costs.

Effective and efficient resource use

- (3) Resources are scarce and must be used in the best possible way to reap the maximum benefit for the community. However, there are no mechanisms available to ensure the effective allocation of resources. It is therefore important that the community provide the necessary checks and balances. They can do this by participating in the budget process. Efficiencies in spending and resource allocation will ultimately increase the access of the poor to basic services.

Accountability, transparency and good governance

- (4) The Municipality must be accountable to the community for the use of its resources. Councillors must be able to:
- (i) Justify their expenditure decisions; and
 - (ii) Explain why and how the revenue necessary to sustain expenditure, is raised.

Budgeting and the financial affairs must be open to public scrutiny. The community must have greater voice making decisions about how revenue is raised and spent. Community participation in budgeting must include those groups in the community who face particular constraints in participating. It must also include a capacity-building component to ensure that people understand the prioritisation process (why resources are allocated to one area rather than another).

Equity and redistribution

- (5) Members of the community must be treated equitably with regard to the provision of services.

Development and investment

- (6) Meeting basic needs in the context of existing services backlogs will require increased investment in municipal infrastructure.

Sources of Revenue

5. (1) In terms of section 229 of the Constitution of the Republic of South Africa 1996, Act 108 of 1996, the Municipality may impose:
- (i) Rates on property and surcharges on fees for services provided by or on behalf of the Municipality; and
 - (ii) If authorised by national legislation, other taxes, levies and duties appropriate to local government, but it may not impose income tax, value-added tax, general sales tax or customs duty.
- (2) The power of the Municipality to impose rates on property, surcharges on fees for services provided by or on behalf of the Municipality, or other taxes, levies or duties:
- (i) May not be exercised in a way that materially and unreasonably prejudices national economic policies, economic activities across municipal boundaries, or the national mobility of goods, services, capital or labor; and
 - (ii) May be regulated by national legislation.
- (3) In terms of section 4(1)(a) of the Systems Act, the Council has the right, amongst other things, to finance the affairs of the Municipality by:
- (i) Charging fees for services; and
 - (ii) Imposing surcharges on fees, rates on property and to the extent authorised by national legislation, other taxes, levies and duties.

Section 16 of the Systems Act requires the Municipality to establish appropriate mechanisms, procedures and processes to ensure community participation in, amongst other things, the preparation of its budget.

Pricing Strategy

6. (1) The strategy must be to recover the full financial cost of rendering the services required by and delivered to the community from the community, including the cost of capital. The points of departure pertaining to a pricing strategy are:
- (i) The starting point to recover cost is the determination of service levels. These shall be based on basic human needs;
 - (ii) The second point will be to ensure a sustainable service delivery based on the set service level; and
 - (iii) The third point will be the upgrading of services to higher levels in accordance with the level of affordability by the community and the ability to render the upgraded services in a sustainable manner.
- (2) The following must be considered in the pricing strategy in order to accurately determine and recover the cost pertaining to a service:
- (a) *Management cost*
Resource management expenditure is those activities that are required to deliver, regulate, manage and maintain the service.
 - (b) *Capital costs*
Capital cost expenditure is the obligation to meet the repayments on loans negotiated to finance the provision of the service.
 - (c) *Maintenance costs*
These are normal running costs to maintain the service at the established level of service provision.
 - (d) *Consumption/Usage*
In the case of a measurable service, the actual cost of usage of the service is easily determined. Where measurable services are provided (usually to informal areas) without measuring devices being installed, the cost will be calculated by using the appropriate charge multiplied by the bulk registered consumption or estimated volume of consumption divided by the number of households/properties.
 - (e) *Cost of immeasurable services*
These services are normally community based and subsidised services and the cost will be recoverable through a rating policy as determined from time to time. Recovery of costs will therefore be equalised over the total area of jurisdiction and the principle of collective payment will apply.

Categories of Tariff Charges

Services charges

7. (1) An important source of local own revenue is charges that are directly related to the provision of municipal services. The majority of these are utility charges, such as electricity and water, which have contributed significantly to the growth of revenue of municipalities. Cost recovery is an essential part of sustainable service delivery. The system of revenue sharing within a service is aimed at subsidising the operating costs of basic services to indigent and low-income households.

Collection of levies

- (2) The municipality may in future be required to impose and collect levies for other authorities, such as a District Municipality, or community based organisations. Such levies are imposed as the result of provisions contained in acts or bylaws and individual service delivery agreements. The municipality acts as an agent for such an organisation and may recover its cost by means of commissions or administration fees.

Legislation

8. (1) Section 160 of the Constitution determines that the Municipality may not delegate the power to impose taxes, tariffs and other charges. Such tariffs must be approved by means of a decision of the majority of the Councillors in a Council, after taking all the required factors into consideration.

Water & Sanitation

- (2) In respect of the provision of water and sanitation services, the Water Services Act of 1997 determines that a Municipality or another water services provider must supply water and sanitation services in terms of conditions set by the Municipality. The condition that must be set, amongst other things, is to provide for the determination and structure of tariffs. These powers must be read with section 21 of the Act in terms of which the Municipality must pass bylaws that provide, amongst other things, for the determination and structure of tariffs and the payment and collection of money due for water and sanitation.

Electricity

- (3) In terms of section 9 of the Electricity Act 1987 the holder of an electricity license may not charge any consumer with other tariffs than those specified in the schedule of approved tariffs in its license. Further, a Municipality that holds an electricity license is obliged to supply electricity within the area of supply mentioned in its license, to every applicant who is in a position to make satisfactory arrangements for payment thereof.

Other Services

- (4) In terms of section 74 of the Systems Act, the Council must adopt and implement a Tariff Policy that complies with the provisions of any applicable legislation on the levying for municipal services provided by or on its behalf. The Tariff Policy may differ between different categories of users, debtors, service providers, service standards geographical areas and other matters as long as the differentiation does not promote discrimination. Section 75 of the Systems Act requires that the Council adopt a bylaw effecting to the implementation and enforcement of its Tariff Policy. Such bylaws may differentiate between categories of users, debtors, service providers, services, service standards and geographical areas as long as such differentiation does not amount in discrimination.

Classification of Services

9. (1) Traditionally, municipal services have been classified into five groups:

Trading services

- (a) Water and electricity provisions are trading services. Typically the consumption of a trading service is measurable and can be apportioned to an individual consumer. These services are managed like businesses. The tariffs for these services are determined in such a way that a Nett trading surplus is realised. The trading surplus is used to subsidise the tariffs of non-trading services, in other words, to relieve property rates.

Economical services

- (b) Sewerage and refuse removal are economic services. Whilst they are also managed like businesses, the tariffs for services are determined in such a way that user charges cover the cost of providing the service. It is, however, common practice to set tariffs at a profit margin if possible subsidise tariffs on non-trading services.

Subsidised services

- (c) Subsidised services include fire fighting, approving building plans and the construction of buildings, leasing of municipal facilities, selling of burial sites and certain town planning functions. The consumption of subsidised services can be determined reasonably accurately and apportioned to individuals and consumers. However, if the tariffs for using this service were based on its real cost, nobody would be able to afford it. In most cases not only would the consumer benefit from using the service, but also other persons. A user charge is payable for using the service, but the tariff is much lower than the real cost of providing the service.

Community services

- (d) Community services are those services where the consumption cannot be determined nor apportioned to individual consumers. These services are typically financed through rates. Examples are the establishment, operation and maintenance of parks and recreation facilities, provision and maintenance of roads and storm water drainage systems, the establishment management and maintenance of cemeteries and traffic regulation.

Support services

- (e) The Municipality also provides services in support of the abovementioned services. These are staff functions and include secretarial and committee services, records and archives, financial-, technical- and corporate management, accounting and stores, Information Technology, occupational health and safety and human resources management. These services are financed through property rates.

Policy Proposal

A minimum amount of basic services must be subsidised to the poor.

10. (1) (a) The Municipality subscribes to a policy that entitles poor households which includes indigent consumers to a minimum amount of subsidised basic services. A basic service is a service that is necessary to ensure an acceptable and reasonable quality of life and, if not provided, would endanger public health or safety of the environment. This goal is achieved by providing a minimum amount of subsidised basic services to such consumers through its policy on indigence.

The specific services are:

- (i) Potable water;
- (ii) Domestic sewage removal;
- (iii) Domestic refuse removal; and
- (iv) Electricity

- (b) The determination of minimum levels of these services is influenced by national guidelines as well as local social and economical conditions.
- (c) The subsidies are financed from the Equitable Share allocations by National Treasury in terms of which the Division of Revenue Act must be determined in such a way that the sustainability of the special fund, created for this purpose, be guaranteed. Council will strive to minimise the burden of shortfalls in subsidies in poor households. Any shortfalls can be subsidised by Rates and Service charges.

Keeping tariffs affordable

- (2) The Council is keenly aware of the financial situation of most residents within the municipal area. Therefore, the Council undertakes to keep tariffs at affordable levels as far as possible. In order to ensure that tariffs remain affordable, the Council will ensure that:
 - (i) Services are delivered at an appropriate level;
 - (ii) Efficiency improvements are actively pursued across all its operations;
 - (iii) A performance management system is introduced to ensure that plans that are devised are actually implemented, that resources are obtained as economically as possible, used efficiently and effectively and the appropriate service delivery mechanisms are used;
 - (iv) Any service that is provided for which there is little demand, that is priced under the actual cost of providing it, and which requires the maintenance of significant infrastructure and other facilities, will be phased out, except where the Council is by law required to provide such a service.

Fully exploiting sources of revenue

- (3) (a) Property rates are an important source of discretionary revenue for the Municipality. It is used to finance services that cannot be apportioned to individual consumers and to balance the budget after service charges have been determined. It is therefore imperative that property rates must be imposed on, and is payable in respect of, all rateable properties within the municipal area. All rateable properties will be subject to and liable for paying rates.
- (b) Consequently it is the policy of the Council:
 - (i) That tariffs for service and property rates will be reviewed annually;
 - (ii) That tariff increases must be in line with increases in the price of goods, material and other resources acquired and used by the Municipality to perform its function, as well as any specific costs relating to the supply of a service during a financial year; and
 - (iii) The tariff for a particular service must be calculated in such a way that all relevant costs are covered. This means that a tariff for a service must include at least the capital expenditure required and interest thereon, the cost of managing and operating the service and the cost of maintaining, repairing and replacing the physical assets used in its provision—this is only applicable for Economic and Trading Services.

Introducing the “Consumer Must Pay Principle”

- (4) Having regard for the abovementioned policy on a minimum amount of subsidised basic services for the indigent, the Council believes that consumers of services must pay for the amount of services that they use. Where it is possible to measure the consumption of services, the Council will develop a program to install meters in appropriate cases. Also it is the Council’s policy that the tariffs for such services must include all relevant cost factors.

Redistribution/Cross-subsidisation

- (5) Some members of the community are better able to afford to pay for the services that they use and have the benefit of, than other. The budget of the Municipality is an important device in ensuring redistribution within the community. Those that pay higher property rates based on the value of their properties, in fact subsidise those who pay less tax. The Council will ensure that the cross-subsidisation occurs between and within services to further contribute to its redistribution objectives.

Promoting local economic competitiveness and development

- (6) The size of the property rates and service charges accounts presented to local business is a significant business overhead for any business enterprise in the municipal area. The overhead of a business is one of the factors that influence the price of goods and services sold by it, and therefore its profitability and chances of survival. The Council will take care that the municipal account presented to local business is fair. To ensure fairness toward local business the Council will, when it determines tariffs, take into account the desire:
 - (i) To promote local economic competitiveness; and
 - (ii) To promote local economic development and growth.

Ensuring financial sustainability of service delivery

- (7) (a) The Constitution, Systems Act and Water Services Act require that the Municipality must ensure that the services that it provides must be sustainable. Financial sustainability of an enterprise will be achieved when it is financed in a manner that ensures that its financing is sufficient. The tariff for a service must therefore be sufficient to cover the cost of the initial capital expenditure required and interest thereon, managing and operating the service and maintaining, repairing and replacing the physical assets used in its provision. However, sustainability does not only mean that the price of the service must include all the relevant cost elements, it also means that the charges to be levied must be collected.
- (b) The Council therefore adopted and applies a Credit Control policy to ensure that property rates and service charges are recovered. Where a trading and economic service is available to a property, an availability levy is imposed if the occupier of the property does not use the service concerned or if the property is vacant. The availability levy must be adequate to cover the pro rata cost of the initial capital expenditure and the maintenance of the infrastructure associated with service delivery.

Tariff determination process

- (8) (a) Except in special circumstances, such as significant increases in the wholesale price of goods and services that the Council purchases during a year to provide services, the Council will review its tariffs during the preparation of the annual budget in accordance with the policy stated above. Proposed tariffs will be presented to the community during the Council’s consultations on the budget.

- (b) Immediately after the Council has determined or amended a tariff, the municipal manager must cause a notice in this regard to be displayed at a place installed for this purpose at all the offices of the Municipality as well as at such other places within the municipal area as she/he may determine. The notice must state:
 - (i) The general purpose of the resolution;
 - (ii) The date on which the notice is displayed;
 - (iii) That any person who desires to object to such determination or amendment must do so in writing within 14 days after the date on which the notice was displayed; and
 - (iv) That any person who cannot write may come, during office hours, to a place where a staff member of the Municipality named in the notice, will assist that person to transcribe her/his objection.
- (c) If no objection is lodged within the period stated in the notice, the determination or amendment will come into operation on the date determined by the Council. Where an objection is lodged, every objection must be considered. The Council may, after it has considered all objections, confirm, amend, or withdraw the determination or amendment and may determine another tariff and the date on which the determination or amendment will come into operation.
- (d) After the Council has determined another tariff, it will again give notice of the determination, amendment or date as determined above and will also publish it prescribed.

Limiting of the financial risk of service delivery

- (9) (a) Due to the fact that accounts for most services are payable between three and six weeks after the services were rendered, it is necessary to hold guarantees, in the form of deposits, for such consumers:
 - (i) to cover the cost of services not yet billed; and
 - (ii) as a guarantee against non-payment of accounts, as stipulated in the policy on credit control.
- (b) As a part of the assessment of risks involved in the supply of services to consumers, the Council must decide whether the risks are sufficiently covered or whether deposits should be held in respect of a service by a consumer as well as the amount of such a deposit.
- (c) The risk of the provision of a service to each consumer must be assessed and a deposit should be calculated, taking into account, the consumption patterns of a specific consumer or property. Although this effectively reduces risk, the administration of such individual assessments in a high customer turnover environment may not be a practical and economically viable option. It must be further noted that, although the risk of service delivery is minimised if deposits are held, it soon becomes insufficient as the cost of service delivery increases and the deposit remains at the same level. It is very unpopular to increase deposits regularly and deposits of current consumers are only adjusted on default.
- (d) As an alternative deposits may be standardised for different services, consumers or locations. Although this method simplifies the administration of deposits, it does not cater for individual needs and may not necessarily provide sufficient coverage of the risks involved.

In practice it is found that a combination of the two methods provide a suitable solution to the problem.

- Standardised deposits are applied in respect of services for which the risks can be calculated, especially if such risks are not influenced by personal consumption variances.
- Minimum levels of deposit are calculated in respect of the average exposure per group of consumers within a service, i.e. domestic. Should it be necessary to adjust such a deposit to a higher level due to higher consumption patterns or other risks, it is done at the discretion of the official, following clear guidelines in this respect.
- Adjustment of deposits resulting from non-payment of account is described in the policy on credit control.

Due to the tendency of liquidators to immediately seize any bank guarantees issued by insolvent estates or business entities, the Council decided not to accept bank guarantees as a guarantee for service delivery.

- (e) When a tenant defaults on payment of a deposit or for services, the owner stays liable.

Limiting of financial risk pertaining to new tariff options

- (10) (a) In the course of the budgetary process tariffs are calculated at levels that will produce the income required to cover costs for a financial year or to reach the required surplus. Any changes in tariff structures and the level of tariffs during the course of a financial year, will impact on income. The amendment of tariff structures during a financial year should therefore take into account the effect thereof on the budget.
- (b) In order to regulate such amendments and to prevent a drastic impact on the budget, the following rules must be applied:
 - (i) The Council must consider and approve/not approve all requests for amendments.
 - (ii) Request for amendments must be accompanied by detailed calculations and estimates of the impact thereof on the budget. Such calculations should furthermore take into account all the relevant factors and be backed by data and projections over reasonable period. Such impacts must be verified by the department of the Manager: Financial Services
 - (iii) The Council may approve only amendments that can be accommodated in such a way that it will not have a detrimental effect on the operating budget.
 - (iv) Any amendment to tariff structures, in respect of trading and economic services, that may impose a drastic impact on the present budget may only be considered for the next financial year and should form part of a new budgetary process.

Zoning and Usage for Rates Purposes

- (11) Where the zoning and consent use on a property differs, the tariff as determined for the consent use will apply

e.g.

- if any property is used as a business, the business tariff will apply;
- if any property is used as an accommodation establishment the accommodation establishment tariff will apply;

- if an agricultural property is used or partly used for business or as an accommodation establishment the property or portion will be levied on the applicable tariff as accepted by Council.

The following rates tariff structure will apply for the 2010/2011 financial year

| TARIFF TYPE | | STRUCTURE |
|-------------------------------|------------------|-----------|
| Residential | % of Ind./Comm. | 46.2% |
| Agricultural | % of Residential | 25% |
| Vleesbaai | % of Residential | 30% |
| Industry/Commercial | BASIS TARIFF | 100% |
| Accommodation | % of Ind./Comm. | 70% |
| Agricultural used as business | % of Ind./Comm. | 70% |
| Public service Infrastructure | % of Residential | 25% |
| Public benefit Infrastructure | % of Residential | 25% |

The following rates tariff structure will apply as from the 2011/2012 financial year.

| TARIFF TYPE | | STRUCTURE |
|-------------------------------|------------------|-----------|
| Residential | % of Ind./Comm. | 50% |
| Agricultural | % of Residential | 25% |
| Vleesbaai | % of Residential | 30% |
| Industry/Commercial | BASIS TARIFF | 100% |
| Accommodation | % of Ind./Comm. | 70% |
| Agricultural used as business | % of Ind./Comm. | 70% |
| Public service Infrastructure | % of Residential | 25% |
| Public benefit Infrastructure | % of Residential | 25% |

Responsibility for payment of accounts

- (12) (a) The owner will be liable for payment of rates and sewerage fees. The occupier will be liable for the water, electricity and refuse removal services in all circumstances.
 - (b) If an occupier did not pay a deposit, the owner stays responsible for all debits raised against the account.
 - (c) If a occupier does not pay the account, the owner stays responsible for the account.

Tariffs for trading economical and other services

11. (a) Electricity and water supply are treated as trading services, operated as separate accounts with the aim of producing a profit to be utilised as a subsidy for other services.
- (b) The supply of and tariff structures for these services are influenced by local conditions as well as national guidelines and prescriptions by the National Electricity Regulator (NER) and the Water Services Act.
- (c) Sewerage and refuse removal are treated as economical services. Tariffs structures are only influenced by local conditions, but the cost of these services are influenced by regional and national regulations as well as minimum standards that must be conformed to.
- (d) Cost related to the provision of services can be grouped into two basic elements, i.e.
 - (i) Fixed costs can be regarded as basic cost and is used as a basis to calculate availability fees in respect of such a service, if applicable. These cost elements are not directly influenced by variances in demand for a service.
 - (ii) Variable production costs, which consists of the direct production cost elements. Increases or decreases in production costs can directly be attributed to variances in demand for a service. These costs are treated as consumption costs of such services.

Electricity Tariffs

12. (a) In addition to general cost factors, the following will be considered in the determination of a tariff structure for electricity:
 - (i) Bulk electricity is supplied by a sole supplier, Eskom, and distributed by the Municipality via an electricity reticulation system consisting of substations, mini substations, underground and overhead distribution lines and metered connections to consumers.
 - (ii) Minimum standards for distribution are determined nationally and must be adhered to in order to conform to both safety and continuity of supply norms.
 - (iii) Due to the fact that a large part of the operating expenditure consists of bulk electricity purchases, tariff structures and levels are very sensitive to any change in the cost of supply by Eskom.
- (b) Electricity is supplied under a distribution license, granted by the National Electricity Regulator (NER) for a specific area of jurisdiction, which also regulates the following aspects:
 - (i) classification of consumer categories
 - (ii) permissible tariff structure options are determined at a national level and distributors are obliged to apply these structures to obtain uniformity.
 - (iii) All tariff structures and tariffs must be approved by the NER prior to application thereof by a distributor
- (c) The following tariff structure options are available:
 - (i) one-part tariff

This tariff consists of a tariff expressed as a cent per kWh charge only and does not contain a fixed monthly charge (basic or minimum charge)

(ii) two-part tariff

This tariff is also applicable to residential application and contains a fixed or basic fee, combined with an energy fee.

(iii) Two-part demand tariff

a demand meter is installed to determine the demand factor. It is applicable for larger commercial, industrial and agricultural customers.

(iv) three-part tariff

a demand meter is installed to determine the demand factor It is applicable for larger commercial, industrial and agricultural customers.

(v) three-part time-of-use tariff (TOU tariff)

This tariff is applicable for larger commercial, industrial and agricultural customers who are able to shift load into off-peak periods, thus effecting savings both to themselves and the distributor.

(d) The three-part TOU tariff structure closely resembles the tariff structure utilised by Eskom to supply bulk electricity to the Municipality and is therefor the most cost reflective structure. Due to the capital outlay required it can, however, only be utilised in the case of large power users. To gain maximum benefits from this relatively complex tariff structure the end-user must have a certain level of expertise and it requires a substantial capital investment.

(e) In contrast to this, the one-part single energy rate tariff structure is a very simple tariff structure that can be understood by any end-user and offers the best platform for energy savings by the average user. It is, however, the least cost reflective structure and requires expertise by the distributor to ensure that all costs are recouped via such a tariff structure.

Although a rising block tariff structure is not supported by NER, a declining block scale tariff structure may be applied. This promotes increased consumption by end-users.

Any block tariff structure is sensitive to consumption over a specified period. It is therefor essential that meters be read regularly at intervals as near as possible to 30 days as longer or shorter consumption periods may affect the monthly consumption volumes in specific tariff blocks.

Domestic Supply

(1) (a) A two-part tariff structure is applied in respect of credit meters as well as prepaid meters. All households with a pre-paid meter and using less than 400 kWh (based on the average purchases of the previous four months) will automatically be placed on the two part tariff except in the following cases:

- Indigent of poverty-stricken consumers
- Consumers identified as permanent inhabitants for at least nine month of a year. To be identified as such, a consumer has to hand in a sworn affidavit signed by a Commissioner of Oath.

(b) A one-part tariff—All household consumers with pre-paid meters who uses more than 400 kWh electricity per month and who permanently occupies the property for at least nine month of a year

(c) A one-part Indigent Tariff—for permanent residents who qualify for an indigent subsidy.

(d) A certain amount of electricity is distributed free of charge every month. This is decided on by council during the budgetary process.

Commercial Supply

(2) (a) A two-part tariff structure is applied in respect of single phase credit meters

(b) A one-part tariff is charged to single phase pre-paid meters

(c) A two-part tariff structure is applied in respect of three phase credit meters

(d) A one-part tariff is charged to three phase pre-paid meters

Light Industrial/Bulk Supply

(3) (a) A three-part tariff structure is applied in respect of light industrial meters

(b) A three-part tariff structure is applied in respect of bulk supply meters

(c) A three-part time-of-use tariff structure is applied in respect of special bulk supply meters

Other Supply

(4) (a) A three-part tariff structure is applied in respect of Mossgas (Klipheuwel)

(b) A two-part demand tariff structure is applied for agricultural supply

(c) A one-part tariff is charged to agricultural water pumping

(d) A one-part tariff is charged to street lighting where electricity supply is metered

(e) A one-part fixed tariff is charged to private street lighting

(f) A one-part tariff is charged to sport fields

Miscellaneous

(5) (a) An availability fee will be charged on properties not connected to the electricity network, should it be available to that property. This fee aims to recoup capital and maintenance costs of networks as well as certain fixed administrative costs in respect of such properties. If the owner connects the service with the intention to improve the property the debit will be adjusted pro-rata from the date of the connection.

- (b) A fixed tariff is charged for:
- temporary connections valid for 3 months
 - electricity connections
 - re-connections
 - special readings
 - testing of meters
 - replacing of breakers
 - installing of pre-paid meters
 - erecting of street lights
 - damage to, or tampering with meters
- (c) In the event of a business or accommodation establishment being conducted from a residential property electricity will be levied on the tariff for “business”
- (d) For each additional residential or business unit on a property or when a second electricity meter is installed, although there is only one water meter, a basic fee for water as well as refuse removal, will be payable for each unit.
- (e) The developer or registered owner is at all times responsible for payment of services on a property.

General

- (6) (a) Tariffs as well as the minimum levels of deposits will be revised annually during the budgetary process.
- (b) The minimum levels for deposits may be increased for individual consumers at the discretion of Chief Financial Officer, should consumption levels or other risks necessitate it.

Water Tariffs

13. (1) Water is supplied to end-users by means of the following specialised infrastructure:

- (i) retaining and storage dams;
- (ii) supply lines;
- (iii) water purification plants;
- (iv) water reticulation networks; and
- (v) metered connections to the properties of consumers.

The variable cost of supply is, however, sensitive to prices of essential materials such as chlorine, which is used in the purification processes. Apart from normal price increases, the price is also influenced by exchange rates.

The supply of water is regulated by the Water Services Act 1997, Act 108 of 1997, but without a centralised regulatory body such as the NER. Certain minimum standards as well as guidelines for tariffs are contained in the Act.

Many aspects pertaining to water supply is influenced by the same factors as that of electricity supply. Due to this, only those factors unique to water supply and the accompanying tariff structure are discussed.

Water is a scarce commodity with little alternatives available (contrary to electricity). Tariff structures should therefore be aimed at the reduction of consumption. For this reason a declining block tariff structure is not an option.

Water is bought at a one-part tariff expressed in Rand per kilolitre. For this reason it is found that water tariff structures for end-users follow the same trend. In order to cut consumption, an inclining block rate tariff structure with a basic fee is applied in Mossel Bay.

The first block rate represents the lifeline volume of 6 kl per month, which is supplied at no cost to households. Losses incurred in this tariff category are recouped by contributions from the higher tariff categories, conforming to the principle of cross-subsidisation. Council however reserves the right to decrease or discontinue the free 6kl per month in the case of a drought.

Categories of consumers

(2) Provisions is made for the following categories of users:

- a. Consumers with connections up to 25mm
 1. Single residential, Flats, Other Residential, Complexes with businesses and residential combined. (up to four consumers with one joint meter)
 2. Businesses with up to four consumers and with one joint meter.
 3. Flats, other residential and business complexes with more than four units and with one joint meter
- b. Consumers with connections bigger than 25mm
 1. Medium connections with up to nine consumers and with one joint meter using less than 1000kl per month
 2. Medium connections with more than nine consumers and with one joint meter using less than 1000kl per month.
 3. Bulk consumers (consuming more than 1000kl for two months over a period of twelve months)
 4. Special agreements

Leakages

- (3) (a) A consumer may qualify for a percentage reduction as determined by Council on his/her account in the event of a water leakage, if:
- (i) The leakage was underground and not easily detectable;
 - (ii) The leakage was repaired within 48 hours after detection;
 - (iii) That the consumer submits a sworn affidavit by him/herself confirming that his/her insurance(s) does not cover such losses.
 - (iv) A written confirmation from the consumer's insurance also be submitted together with the sworn affidavit in (iii) in which they confirm that the insurance policy of the consumer indeed does not cover any losses due to leakages.
 - (v) The consumer has not applied for discount within the previous 12 months;
- (b) A authentic certificate must reach the municipality within 10 days after completion of repairs done and must contain the following:
- (i) The date of the invoice and repair work
 - (ii) Confirmation that surface leakage was not visible
 - (iii) Certify that the leakage originated from pipes listed on the schedule of approved pipes held by the City Engineer

When the Municipal Manager declares that the dam volume has dropped to below 25% no charges in respect of water losses, because of leakages will be written off.

Water restrictions in the case of a drought

- (4) Surcharges on tariffs in respect of consumers with connections up to 25mm will be levied. The surcharge is based on normal water tariffs for consumption of municipal water of more than 20 kiloliters per month and will be based on the dam level of the Wolwedans dam.

The surcharge will be levied as follows:

Level of Wolwedans Dam between 40% and 60%—surcharge of 50%

Level of Wolwedans Dam between 25% and 40%—surcharge of 100%

Level of Wolwedans Dam less than 25% —surcharge of 200%

Miscellaneous

- (5) (a) An availability fee will be charged on users and/or properties not connected to the water network, should it be available. This fee aims to recoup capital and maintenance costs of networks as well as certain fixed administrative costs in respect of such properties. If the owner connects the service with the intention to improve the property the debit will be adjusted pro-rata from the date of the connection.
- (b) A certain quantity of water may be distributed free of charge every month. This is decided on by council during the budgetary process.
- (c) A fixed tariff is charged for:
- (i) water connections
 - (ii) upgrading of water meters to a larger connection
 - (iii) special readings
 - (iv) testing of meters
 - (v) installation of taps after the meter
 - (vi) moving of meters
 - (vii) opening of meters inaccessible for reading
 - (viii) damage to, or tampering with meters
- (d) Properties with more than one consumer and where a bulk meter is installed will pay.
- (i) A basic charge according to the size of the connection and/or consumption.
 - (ii) Metered consumption according to the consumers tariff, linked with the size of the connection and/or consumption (if more than 1000kl consumed for a 2 month period per year).
- (e) Flats and other complexes with more than one consumer and with one joint meter will pay:
- (i) The basic per consumer according to domestic tariff
 - (ii) Metered consumption according to the consumers tariff, linked with the size of the connection and/or consumption
- (f) Water delivery in rural areas,:
- (i) A fixed predetermined amount will be charged to cover the transport cost.
 - (ii) In the case of registered indigent consumers the cost will be recovered from the applicable grant.
 - (iii) Only 6kl water per household will be delivered per month.
 - (iv) Delivery per area will only be made according to a fixed schedule.

General

- (6) (a) Tariffs as well as the minimum levels of deposits will be revised annually during the budgetary process.
- (b) The minimum levels for deposits may be increased for individual consumers at the discretion of Chief Financial Officer, should consumption levels or other risks necessitate it.
- (c) It is the consumer's responsibility to ensure that the meter is readable and accessible for meter readers.

Refuse removal tariff structures

- 14.** (1) The factors and principles that impact on tariff structures are:
- (i) Operating cost of vehicles;
 - (ii) The cost of labour, fuel and maintenance of vehicles. This is a labour intensive service and changes in any of these cost elements may have a drastic influence on the total cost;
 - (iii) National and regional standards in respect of dump sites and transfer stations must be adhered to and may necessitate additional expenditure;
- (2) In general refuse volumes are influenced by the following factors:
- (i) the number of occupants on a property;
 - (ii) garden refuse that is produced;
 - (iii) the nature and volumes of business and industrial refuse; and
 - (iv) habits of consumers and facilities available to them.
- (3) Each consumer pays for the privilege to have a certain volume of refuse removed from his/her premises. Should certain consumers have a need for increased volumes, they must bear the additional cost themselves. This principle has the result that a more affordable service is supplied to the average consumer, while large consumers pay for their additional volumes.
- (4) A consumer who chooses to do his/her own refuse removal will still be liable for paying the refuse tariff, as the service is available to all consumers.
- (5) Tariffs are based on units of refuse removal. One unit is defined as one bag of refuse removed once a week.
- (6) For each additional residential unit, one additional refuse removal unit will be levied.
- (7) Refuse removal at accommodation establishments will be levied at an amount calculated on a minimum of three units.
- (8) In caravan parks or camping areas two stands, bungalows and/or chalets will be levied as one refuse removal unit.
- (9) A refuse fee will be charged to all occupiers/owners of improved properties once a electricity meter has been installed. A refuse levy will be payable by the owner where a building/house is unoccupied.

Categories of consumers

- (1) Provisions is made for the following categories of consumers:
- (i) Domestic consumers
 - (ii) Accommodation establishments
 - (iii) Additional residential units
 - (iv) Special Agreements
 - (v) Caravan Parks.
 - (vi) Removal on Request
 - (vii) Businesses on Residential Properties
 - (viii) Additional Removals
 - (ix) Medium consumers
 - (x) Bulk consumers

General

- (2) (a) Tariffs as well as units to be removed from categories of consumers will be revised annually during the budgetary process.
- (b) Only refuse in the prescribed black plastic bags should be removed.
- (c) An additional service should be available upon special request for the removal of garden refuse. Spare capacity of vehicles and teams could be utilised for this purpose. Tariffs should be at such a level that total cost is recovered. Consumers should be encouraged to do their own removals. Contractors should pay a dumping fee.
- (d) In the event of business being conducted from a residential property business tariff will be levied for refuse removal.
- (e) Refuse levy will be payable on properties used as storage or vacant properties.

Sewage tariff

- 15.** (1) The following services are rendered in the Municipal area:
- (i) An internal water borne sewage system consisting of reticulation network and sewage works;
 - (ii) A limited number of properties are serviced by a bucket removal system.
 - (iii) A small number of properties are serviced by a septic tank service.
- (2) A fixed rate structure is applicable, which only differentiate between groups of properties:
- (i) Single residential
 - (ii) Sectional title units
 - (iii) Additional residential units
 - (iv) Accommodation Establishments
 - (v) Business and other properties
 - (vi) Chalets and caravan parks
 - (vii) Granny Flats
 - (viii) Special agreements
 - (ix) Availability charges on vacant properties
 - (x) Churches
 - (xi) Bucket Removal systems

Miscellaneous

- 16.** (1) (a) An availability fee will be charged on vacant properties not connected to the sewage system should it be available. This fee aims to recoup capital and maintenance costs of networks as well as certain fixed administrative costs in respect of such properties. If the owner connects the service with the intention to improve the property the debit will be adjusted pro-rata from the date of the connection.
- (b) Accommodation establishments will be levied according to the Accommodation establishment tariff.
- (c) A fixed tariff is charged for:
- (i) sewage connections
 - (ii) larger connection
 - (iii) inspections for blockages
 - (iv) opening of sewage blockages
 - (v) emptying of septic tanks
 - (vi) industrial effluent

General

- (2) Tariffs will be revised annually during the budgetary process. Sewerage is levied annually and divided into twelve equal monthly instalments. On written request it can be paid annually by 30 September.

Sundry service tariff structures

- 17.** (1) (a) A variety of sundry tariffs are applied to recoup costs of sundry services provided to the public. All such tariffs are based on cost of supply, but individual tariffs may be set at:
- (i) subsidised levels;
 - (ii) levels reflecting actual cost; or
 - (iii) levels producing profits.
- (b) The level, at which the Council sets a sundry service tariff, takes into account factors such as:
- (i) affordability;
 - (ii) socio-economic circumstances;
 - (iii) utilisation of amenities and resources;
 - (iv) national and regional agreements and provisions; and
 - (v) any other factors influencing such decisions.
- (c) These tariff structures and tariffs will be revised at least once a year, during the annual budgetary process.

Conclusion

18. (1) (a) Tariffs represent the charges levied by Council on consumers for the utilisation of services provided by the Municipality and rates on properties. Tariffs may be calculated in various ways, dependent upon the nature of the service being provided. Tariffs may be set in such a manner so as to recover the full cost of the service being provided or to recover a portion of those costs.
- (b) The same principles stipulated in this policy will unilaterally apply in Trading-, Economical-, Subsidised and Community Services.

Adjustments of services

19. Where incorrect debits were raised regarding services, the accounts under query will be rectified for the year, in which the error was found or reported, and two preceding years.

DOCUMENT AND VERSION CONTROL

Version: Revision 6

Date: 28 May 2010

Summary: This document describes the Tariff Policy that will be applicable to the Mossel Bay Municipality, with effect from 1 July 2010

Signature: _____ **Date:** _____

**Municipal Manager
(Accounting Officer)**

Signature: _____ **Date:** _____

Executive Mayor

9 July 2010

22046

MOSSEL BAY MUNICIPALITY**CUSTOMER CARE, INDIGENT, CREDIT CONTROL AND DEBT COLLECTION POLICY**

Whereas the Council has adopted a customer care, indigent, credit control and debt collection rates policy on;

And whereas section 98 of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000) provides that a municipal council must adopt Customer Care, Indigent, Credit Control and Debt Collection Policy and By-laws to give effect to that policy, and its implementation and enforcement;

And whereas the Municipality adopt the By-law, as promulgated in Provincial Gazette, 6347, dated 3rd March 2006;

Now therefore the Policy is hereby published for general information.

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9. CREDIT CONTROL POLICY
10. DEBT COLLECTION POLICY
11. TAMPERING POLICY

Definitions

1. For the purpose of this policy, the wording or any expression has the same meaning as contained in the Act, except where clearly indicated otherwise and means the following:

“**Act**” The Local Government Act: Systems Act, 2000 (Act No 32 of 2000) as amended from time to time;

“**Authorized Representative**” Person or instance legally appointed by the Council to act or to fulfil a duty on its behalf;

“**by-law**” means a by-law adopted by the Council,

“**Chief Financial Officer**” the person appointed by council to administer its finances regardless of the designation or title attached to the post;

“**consumer**” any occupier of any property to which the Municipality has agreed to supply services or already supplies services to, or failing such an occupier, then the owner of the property;

“council” the municipal council of the Municipality of Mossel Bay;

“credit control and debt collection” means the functions relating to the collection of any monies due and payable to the Municipality;

“defaulter” a consumer who owes money to the Municipality after the due date has expired;

“equipment” a building or other structure, pipe, pump, wire, cable, meter, engine or any accessories;

“households” all matured persons older than 18 years that occupied a property within the jurisdiction of the Council regardless whether the person rents or owns the property;

“indigent household” a Household qualify as indigent on the following conditions:

- (i) Total monthly household income must not be more than twice (2x) the monthly State old age pension and
- (ii) The average electricity consumption for the past four months must not exceed 300kwh per month and
- (iii) The average water consumption for the past four months must not exceed 15kl water per month.

“interest” a charge levied, with the same legal priority as service charges, on arrear amounts calculated at a standard rate equal to a interest rate which is one percent higher than the interest rate payable by council for bank overdrafts;

“Municipality” the institution that is responsible for the collection of funds and the provision of services to the consumers of Mossel Bay;

“municipal account” shall include levies or charges in respect of the following services and taxes:

- (a) electricity consumption,
- (b) water consumption,
- (c) refuse removal,
- (d) sewerage services,
- (e) rates,
- (f) interest and/or surcharges, debt collection costs,
- (g) housing rentals and instalments,
- (h) miscellaneous and sundry charges.

“Municipal Manager” the person appointed as Municipal Manager in terms of section 82 of the Local Government: Structures Act, 1998, (Act 117 of 1998) and include any person acting in that position or to whom authority was delegated;

“municipal services” those services provided by the Municipality, such as, inter alia the supply of water and electricity, refuse removal, sewerage treatment, and for which services charges are levied;

“occupier” any person who occupies any property or part thereof, without taking cognisance of the title in which he or she occupies the property,

“owner”—

- (a) the person in whose name the property is legally vested;
- (b) in the case where the person in whose name the property is vested, is insolvent or deceased, or is disqualified in terms of any legal action, the person who is responsible for administration or control of the property as curator, trustee, executor, administrator, legal manager, liquidator, usufructuary, servitude holder or any other legal representative;
- (c) in the case where the council are unable to establish the identity of such person, the person who are entitled to derive benefit from the property or any buildings thereon;
- (d) in the case of a lease agreement in excess of 30 years was entered into, then the lessee;
- (e) regarding:
 - (i) a portion of land allotted on a sectional title plan and which is registered in terms of the Sectional Title Act, 1986 (Act 95 van 1986), without limiting it to the developer or managing body to the communal property;
 - (ii) a portion as defined in the Sectional Title Act, the person in whose name that portion is registered in terms of a sectional title, including the legally appointed representative of such person;
- (f) any legal entity including but not limited to:
 - (i) a company registered in terms of the Companies Act, 1973 (Act 61 of 1973), a trust *inter vivos*, trust *mortis causa*, a closed corporation registered in terms of the Close Corporation Act, 1984 (Act 69 of 1984), and any voluntary organization;
 - (ii) any provincial or national government department, local authority;
 - (iii) any council or management body established in terms of any legal framework applicable to the Republic of South Africa; and
 - (iv) any embassy or other foreign entity.
- (g) In respect of a property owned by a council and which has been disposed of, but which has not been transferred to the person to whom it has been disposed of, from the date of the disposition concerned, such person; and
- (h) In respect of a property owned by or under the control or management of a council while held under a lease or any express or tacit extension thereof or under any other contract or under a servitude or right analogous thereto, the person so holding the immovable property;

“poor households” A household qualify as a poor household on the following conditions:

- (i) Total monthly household income must be more than twice (2x) the monthly State old age pension and less than the amount determined by council

- (ii) The average electricity consumption for the past four months must not exceed 300kwh per month and
- (iii) The average water consumption for the past four months must not exceed 15kl water per month.

“**property**” any portion of land, of which the boundaries are determined, within the jurisdiction of the Municipality.

“**tamper**” means the unauthorized interference with a service rendered by the municipality, or to damage or make unauthorized changes to the equipment or property of the municipality used in connection with the provision or municipal services.

General objectives

2. (1) The objectives of this policy are to:—
 - (a) provide a framework within which the Municipality can exercise its executive and legislative authority with regard to credit control and debt collection;
 - (b) ensure that all monies due and payable to the Municipality are collected and used to deliver services in the best interests of the community, residents and consumers and in a financially sustainable manner;
 - (c) provide a framework for consumer care and indigent support;
 - (d) describe credit control measures and sequence of events;
 - (e) outline debt collection and credit control procedures and mechanisms; and
 - (f) set realistic targets for credit control and debt collection;

Principles

3. (1) The administrative integrity of the Municipality must be maintained at all costs. The democratically elected councillors are responsible for policy-making, while it is the responsibility of the Municipal Manager to ensure the execution of these policies.
- (2) All consumers must complete an official application form, formally requesting the Municipality to connect them to service supply lines. The most important rights and obligations of the consumer and Municipality must be included in the service application form.
- (3) A copy of the application form, conditions of services and extracts of the relevant council’s consumer care, credit control and debt collection policy and By-laws must be handed to every consumer on request at such fees as may be prescribed by Council.
- (4) Billing is to be accurate, timorous and understandable.
- (5) The consumer is entitled to reasonable access to pay points and to a variety of reliable payment methods.
- (6) The consumer is entitled to efficient, effective and reasonable responses to enquiries and appeals, and should suffer no disadvantage during the processing of such requests.
- (7) Enforcement of payment must be prompt, consistent and effective.
- (8) Unauthorised consumption, connection and reconnection, the tampering with or theft of meters, service supply equipment and the reticulation network and any fraudulent activity in connection with the provision of municipal services will lead to disconnections, penalties, loss of rights and criminal prosecutions.
- (9) Incentives and disincentives may be used in collection procedures.
- (10) The collection process must be cost-effective.
- (11) Results will be regularly and efficiently reported and monitored.
- (12) Application forms will be used to, *inter alia*, categorize consumers according to credit risk and to determine relevant levels of services and deposits required.
- (13) Targets for performance in both consumer service and debt collection will be set and pursued and remedies implemented for non-performance.
- (14) Where practically possible the debt collection and consumer care policies would be handled independently of each other and the organizational structure will reflect the separate functions.
- (15) Consumers that meet council’s indigent criteria must be identified and supported.

Duties and functions

Duties and Functions of Council

4. (1) To approve a budget consistent with Council’s Integrated Development Plan.
- (2) To impose rates and service charges to finance the budget.
- (3) To facilitate sufficient funds to give access to basic services for the poor.
- (4) To provide for a bad debt provision, in line with the payment record of consumers as reflected in the financial statements of the Municipality.
- (5) To set an improvement target for debt collection, in line with acceptable accounting ratios and resources available to the Municipal Manager.
- (6) To approve a reporting framework for customer care, credit control and debt collection.
- (7) To consider and approve By-laws to give effect to the Council’s policy.
- (8) To revise the budget should Council’s targets for consumer care, credit control and debt collection not be met.

- (9) To take disciplinary and/or legal action against councillors, officials and agents who do not execute council policies and By-laws, or act improperly in terms of such policies and By-laws.
- (10) To approve a list of attorneys that will act for Council in all legal matters relating to debt collection.
- (11) To delegate the required authorities to monitor and execute the customer care, credit control and debt collection policy and By-law to the Executive Mayor and Municipal Manager.
- (12) To provide sufficient capacity in the Municipality's Financial Department for customer care, credit control and debt collection. Alternatively to appoint a Service Provider, or debt collection agent.
- (13) To assist the Municipal Manager in the execution of his duties, if and when required.
- (14) To provide funds for the training of staff.

Duties and functions of Councillors

- (15) To hold regular ward meetings.
- (16) To adhere to and convey council policies to consumers and ratepayers.
- (17) To adhere to the Code of Conduct for Councillors.
- (18) To give inputs regarding indigent applications.

Duties and functions of Executive Mayor

- (19) To ensure that Council's budget, cash flow and targets for debt collection are met and executed in terms of the policy and relevant By-laws.
- (20) To monitor the performance of the Municipal Manager in implementing the policy and By-laws.
- (21) To review and evaluate the policy and By-laws in order to improve the efficiency of Council's customer care, credit control and debt collection procedures, mechanisms and processes.
- (22) To report to Council.

Duties and functions of the Municipal Manager

- (23) To implement good customer care management systems.
- (24) To implement council's customer care, credit control and debt collection policy.
- (25) To install and maintain appropriate accounting and credit control systems.
- (26) To bill consumers.
- (27) To demand payment on due dates.
- (28) To raise interest and collection fees for payment defaults.
- (29) To appropriate payments received.
- (30) To collect outstanding debt.
- (31) To provide different payment methods.
- (32) To determine customer care, credit control and debt collection measures.
- (33) To determine all relevant work procedures for, inter alia, public relations, arrangements, disconnections of services, summonses, attachments of assets, sales in execution, write-off of debts, sundry debtors and legal processes.
- (34) To instruct agents and attorneys to proceed with legal processes.
- (35) To set performance targets for staff.
- (36) To appoint staff to execute council's policy and By-laws in accordance with council's appointment policy.
- (37) To delegate certain functions to heads of departments.
- (38) To determine control procedures.
- (39) To monitor contracts with Service Providers in connection with credit control and debt collection.
- (40) To report to the Executive Mayor.

Duties and functions of communities, ratepayers and residents

- (41) To fulfil certain responsibilities, as brought about by the privilege and or right to use and enjoy public facilities and municipal services.
- (42) To pay service fees, rates on property and other taxes, levies and duties imposed by the Municipality on or before due date.
- (43) To obtain a duplicate account at the municipal help desk if an account is not delivered during the normal billing cycle.
- (44) To notify the Municipality in writing when services are not longer required at a particular service delivery point and of address changes.
- (45) To safeguard and maintain service meters in a readable condition.
- (46) To observe the mechanisms and processes of the Municipality in exercising their rights.
- (47) To allow municipal officials reasonable access to their property to execute municipal functions.
- (48) To comply with the By-laws and other legislation of the Municipality.
- (49) To refrain from tampering with municipal services and property.
- (50) To maintain credit and pre-payment meters.
- (51) Not to move any meter without written permission from the Municipality.

Performance evaluation

5. (1) The municipal council in consultation with the municipal manager must establish a mechanism to set targets for debt collection, customer care and administrative performance, evaluate performances and take corrective actions on an regular basis to enhance credit control and debt collection.

Income Collection Targets

- (2) Council to create targets that include:

(a) Reduction in present monthly increase in debt in line with performance agreements determined by council from time to time.

Consumer Service Targets

- (3) Council to create targets that would include:

- (a) Response time to consumer queries.
 (b) Date of first account delivery to new consumers.
 (c) Reconnection time lapse.
 (d) Meter reading cycle.

Administrative Performance

- (4) Council to create targets that will include:

- (a) Cost efficiency of debt collection.
 (b) Query and appeal periods.
 (c) Enforcement mechanism ratios.

Reporting

6. (1) The Chief Financial Officer shall report monthly to the Municipal Manager in a suitable format to enable the Municipal Manager to report to the Executive Mayor as supervisory authority in terms of section 99 of the Systems Act, read with section 100(c). This report shall contain particulars on:
- (a) Performance against targets agreed to in item 5 of this policy document.
- (2) If in the opinion of the Chief Financial Officer, Council will not achieve cash receipt income equivalent of the income projected in the annual budget as approved by Council, the Chief Financial Officer will report this with motivation to the Municipal Manager who will, if he agrees with the Chief Financial Officer, immediately move for a revision of the budget according to realistically realizable income levels.
- (3) The Executive Mayor as Supervisory Authority shall, at intervals of 3months, report to Council as contemplated in section 99(c) of the Systems Act.

Customer Care Policy

7. (1) Objective

To focus on the client's need in a responsible and pro-active way, to enhance the payment for services and to create a positive and cooperative relationship between the persons responsible for the payment for services received, and the Municipality, and where applicable, any service provider.

Communication

- (2) The Municipality will, within its financial and administrative capacity, conduct an annual process of compiling and communicating its budget, which will include targets for credit control and debt collection.
- (3) Council's Customer Care, Indigent, Credit Control and Debt Collection Policy will be made available by general publication and on specific request, and will also be available for perusal at Council's offices.
- (4) Council will endeavour to distribute a regular newsletter, which will give prominence to customer care and debt issues.
- (5) Ward councillors will be required to hold regular ward meetings, at which Customer care and debt collection issues will be given prominence.
- (6) The press will be encouraged to give prominence to Council's Customer Care, Credit control and Debt Collection policies, and will be invited to Council or Committee meetings where these are discussed.

Metering

- (7) The Municipality will endeavour, within practical and financial limits, to provide meters to every paying consumer for all services.
- (8) All meters will be read monthly, if at all possible. If the meter is not read monthly the council will estimate the consumption in terms of council's operational procedures;
- (9) Consumers are entitled to request verification of meter readings and accuracy within reason, but may be held liable for the cost thereof.
- (10) Consumers will be informed of meter replacement.
- (11) If a service is metered but it cannot be read due to financial and human resource constraints or circumstances out of the control of the Municipality or its authorized agent, and the consumer is charged for an estimated consumption the account following the reading of the

metered consumption must articulate the difference between the actual consumption and the average consumption, and the resulting credit or debit adjustments.

- (12) If an electricity meter cannot be read due to no access, the meter may be replaced with a pre-paid meter at the cost of the owner.
- (13) The occupier can give the readings through telephonically but at least every three months a true reading must be obtained by the meter reader.
- (14) If no reading on a water meter can be obtained for more than three consecutive months the meter may be moved at the cost of the owner/occupier

Accounts and billing

- (15) Consumers on the billing system will receive an understandable and accurate bill from the Municipality, which bill will consolidate all service costs for that property.
- (16) Accounts will be produced in accordance with the meter reading cycle and due dates will be linked to the statement date.
- (17) Accounts will be rendered monthly in cycles of approximately 30 days at the address last recorded with the Municipality or its authorized agent.
- (18) It is the consumer's responsibility to ensure that postal address and other contact details are correct.
- (19) It is the consumer's responsibility to make enquiries and ensure timeous payments in the event of accounts not received.
- (20) Settlement or due dates will be as indicated on the statement.
- (21) Where an account is not settled in full, any lesser amount tendered and accepted shall not be deemed to be in full and final settlement of such an account.
- (22) Where any payment made to the Municipality or its authorized representative by negotiable instrument and it is later dishonoured by the bank, the Municipality or its authorized agent:
 - (a) May recover an admin fee as determined by Council relating to dishonoured negotiable instruments against the account of the consumer.
 - (b) Shall regard such an event as a default on payment.
 - (c) May insist on cash payments for all future accounts.
- (23) The Municipality or its authorized agent must, if administratively possible, issue a duplicate account or any acceptable alternative to a consumer on request, at a cost determined by Council from time to time.

Payment facilities and methods

- (24) The Municipality will operate and maintain suitable payment facilities, and which facilities will be accessible to all users.
- (25) The Municipality will, at its discretion allocate a payment between service debts and a consumer who has overdue debt, may not specify that the payment is for a specific portion of the account.
- (26) The Municipality may in terms of section 103 of the Systems Act, with the consent of a consumer, approach an employer to secure a debit or stop order arrangement.
- (27) The consumer will acknowledge, in the consumer agreements that the use of consumer agents in the transmission of payments to the Municipality is at the risk of the consumer—also for the transfer time of the payment.

Incentives for prompt payment

- (28) During the budget process Council may, to encourage prompt payment and/or to reward regular payers, consider from time to time incentives for the prompt payment of accounts or payment by debit or stop order.
- (29) The cost associated with the incentive scheme, if introduced, will be reflected in annual budgets as additional expenditure.

Enquiries, appeals and service complaints

- (30) Within its administration and financial ability the Municipality will establish:
 - (a) A central complaints/feedback office;
 - (b) A centralized complaints database to enhance co-ordination of complaints, their speedy resolution and effective communication with consumers;
 - (c) Appropriate training for officials dealing with the public to enhance communications and service delivery; and
 - (d) A communication mechanism to give council feedback on the application of the policies on customer care and management, credit control and debt collection and other issues of concern.
- (31) If a consumer is convinced that his or her account is inaccurate, he or she can lodge a query with the Municipality for investigation of this account, and where necessary the relevant alterations will be made.
- (32) In the interim the debtor must pay the average of the last three months accounts where such history of the account is available. Where no such history is available, the debtor must pay without prejudice of rights an estimate provided by the Municipality before payment due date until the matter is resolved.
- (33) The relevant department will investigate and inform the debtor within one month of the outcome of the investigation.
- (34) Failure to make such agreed interim payment or payments will result in the consumer forming part of the normal credit control procedures.
- (35) A consumer may appeal against the finding of the Municipality or its authorized agent in terms of 7(30).
- (36) An appeal in terms of 7(32) must be made and lodged with the Municipality within 21 (twenty-one) days after the consumer became aware of the finding and must:

- (a) Set out the reasons for the appeal.
 - (b) Pay any security determined for the testing of a measuring device, if applicable.
- (37) After the appeal has been investigated by the Chief Financial Officer it must be submitted with comments to the Executive Mayor for a final ruling where after the consumer must be informed.

Consumer assistance programmes

Water leakages

- (38) If the leakage is on the consumer's side of the meter, the consumer will be responsible for the payment of all water supplied to the property.
- (40) The consumer has the responsibility to control and monitor his/her water consumption.

Rate rebates

- (41) Subject to certain criteria the municipal council may grant rate rebates annually to certain categories of ratepayers in accordance to the Municipality's rates policy and By-law.

Arrangements for settlements

- (42) If required consumers with arrears must convert to a prepayment meter, and when implemented the cost of the conversion and the arrears total, will be paid off either by—
- (a) adding the debt to the arrears bill and repaying it over the agreed period; or
 - (b) adding the debt as a surcharge to the prepaid electricity cost, and repaying it with each purchase of electricity until the debt is liquidated.
 - (c) Installation of pre-paid meter is free of charge if a person is indigent.
- (43) Council reserves the right to raise the deposit requirement of debtors who seek arrangements.
- (44) If an arrangement is not honoured the arrangement will be cancelled and no further agreement will be entered into.
- (45) All arrangements for settlements will be in accordance to the processes and guidelines approved by the Municipal Manager or CFO from time to time in pursuance of the credit control and debt collection targets set by council.

Consumer Categories

- (46) Consumers will be categorized according to specific classifications based on *inter alia* the type of entity, applicable tariffs and risk levels. Processes for credit control, debt collection and consumer care may differ from category to category, as deemed appropriate from time to time by the Municipal Manager.

Priority Consumer Management

- (47) Certain consumers will be classified as priority consumers based on criteria determined by the Municipal Manager from time to time, such as the number of properties owned or volume of consumption.
- (48) A Priority Consumer Liaison Officer or person nominated by the Municipal Manager will be responsible for the ongoing management of the consumers so classified and will perform tasks such as the review of monthly accounts to ensure accuracy, the monitoring of prompt settlement of accounts and response to queries.

Indigent Policy

- 8 (1) The objectives of this policy are to;—
- (a) determine the criteria for qualification of indigent and poor households;
 - (b) ensure that the criteria is applied correctly and fairly to all applicants;
 - (c) allow the Municipality or its authorised agent to conduct in loco visits to the premises of applicants to verify the actual status of the household;
 - (d) allow the Municipality to maintain and publish the register of names and addresses of account holders receiving subsidies.
- (2) Principles of policy;—
- (a) The administrative integrity of the Municipality must be maintained at all costs. The democratically elected councillors are responsible for making of policy, while it is the responsibility of the Municipal Manager to ensure the execution of this policy;
 - (b) All applicants must complete an official application form, which is to be submitted together with the supporting documents as specified in this policy;
- (3) Criteria for indigent or poor households:—
- To qualify for a subsidy, a household must comply with the following criteria:
- (a) The total household income for an indigent subsidy may not exceed the sum of two times the amount of state funded social pension and for a Poor household subsidy may not exceed the amount predetermined by Council;
 - (b) The average monthly consumption of electricity by the household over the previous four months may not exceed 300kWh;
 - (c) The average monthly consumption of water by the household over the previous four months may not exceed 15kl;
 - (d) Must be a permanent occupier of the applicable property.
 - (e) Must be a South African Citizen;
 - (f) Must be the owner of only one property.

(4) Application for Indigent or Poor household Subsidy;

The account holder must apply in person at a customer care office of the Municipality on the prescribed application form. The following items must accompany the application:

- (a) The latest municipal account of the household;
- (b) Proof of the account holders identity;
- (c) Proof of income of the total household;
- (d) Sworn statement.

(5) Local audit (verification)

The Municipality reserves the right to send officials and/or representatives of the Municipality to the household or site of the applicant(s) at any reasonable time, with the aim of carrying out a local verification of the accuracy of the information provided by the applicant(s)

Subsidy

- (6) Indigent subsidies will be funded from the equitable share contribution made from the national government's fiscus and as provided for in the municipal budget.
- (7) Subsidised services may include water, electricity, sewerage, refuse removal and assessment rates.
- (8) If a consumer's consumption or use of the municipal service is less than the subsidised service, the unused portion may not be accrued by the consumer and will not entitle the consumer to cash or a rebate in respect of the unused portion.
- (9) In order to assist the subsidised households, who uses more than the qualifying amount of water and electricity, not to lose their subsidy, these services will be restricted to allow only the use of maximum 15kl water and 300kWh electricity.
- (10) All consumes who qualify for a subsidy must agree to the installation of a prepaid electricity meter and will be placed on restricted service levels in order to limit further escalation of debt. Installation of a pre-paid meter is free of charge for indigent households.
- (11) When a household qualifies for a subsidy for the first time, the arrear account will be taken to council to consider writing of off the debt.
- (12) Where a qualifying consumer's account is paid in full at the date of application, or regularly maintains a paid up account after receiving the subsidy, the restriction on service. levels will be waived. If the account is cleared due to the arrear debts being written off, the restriction on service levels can only be waived after a period of six months during which the account was paid in full every month and after a written request has been received.
- (13) Where the household qualifies for the subsidy but is not the owner or account holder of the property and the owner cannot be traced, a tenant account can be opened for the occupier without a deposit. If at any stage the situation of this person should change and he is de-registered, a deposit must be paid.
- (14) A subsidised consumer must immediately request deregistration by the Municipality or its authorized agent if his/her circumstances have changed to the extent that he/she no longer meet the criteria.
- (15) A subsidised consumer may at any time request deregistration.
- (16) A list of subsidised consumers will be maintained and audited on a regular basis and the info may be supplied to the general public.

Water leakages and other problems at Indigent households

- (17) Where water leakages occur at indigent households, such leakages can be repaired at Councils expense and the cost thereof recovered from the equitable share grant.

Additional subsidy categories

- (18) Subject to the extent of the equitable share contribution received and affordability levels council may provide, free of charge to consumers, certain basic levels of water and electricity.
- (19) Further rebates may be provided as determined from time to time in council's policies and By-laws.

Credit Control Policy

9 (1) Specific objective

To implement procedures that will restrict the unauthorized use of municipal services, escalation of debt and limit Municipality's risks.

Service application and agreements

- (2) All consumers of services will be required to sign an agreement governing the supply and cost of municipal services. Owners (with their written consent) may allow tenants to sign separate agreements with the Municipality, which the Municipality may at its own discretion accept or reject.
- (3) All consumers shall pay a deposit as determined from time to time by Council and which may be increased by the Municipal Manager when deemed necessary and in the event of non-payment.
- (4) Prior to signing these agreements, consumers will be entitled to receive the policy document of the Council on request at a cost determined by Council.
- (5) On the signing of the agreement, consumers can insist on a copy of the agreement for their records if required.
- (6) Consumers are responsible for administration cost and interest in the event of delayed and/or non-payment.
- (7) Existing consumers of services may be required to sign new agreements as determined by the Municipal Manager from time to time.
- (8) If a consumer fails or refuses to sign a new service agreement or pay the deposit stipulated in subsection 8(3) the Municipality may discontinue services until the necessary agreement has been signed or deposit been paid.

- (9) The consumer will also be held accountable for services already provided, costs incurred and any other costs associated with the administration regarding collection of service fees and cost incurred.

Right of access to premises

- (10) The owner and or occupier of property is to allow an authorized representative of the Municipality access at all reasonable hours to the property in order to read, inspect, install or repair any meter or service connection for reticulation, or to disconnect, stop or restrict, or reconnect, the provision of any service.
- (11) The owner is responsible for all the cost associated with the relocation of a meter if satisfactory access is not possible.
- (12) If a person fail to comply with the provisions set out in 8(10) the Municipality or its authorized representative may:
- By written notice require such person to restore access at his/her own expense within a specified period.
 - If it is the opinion that the situation is a matter of urgency, without prior notice restore access and recover the cost from such person.

Enforcement Mechanisms

- (13) Interest can be raised as a charge on all accounts not paid by the due date.
- (14) Consumers who are in arrears with their municipal account and who have not made arrangements with the council will have their supply of electricity and water, and other municipal services, suspended, restricted or disconnected.
- (15) Council reserves the right to deny or restrict the sale of electricity or water to consumers who are in arrears with their rates or other municipal charges.
- (16) Upon the liquidation of arrears, or the conclusion of acceptable arrangements for term payment, the service will be reconnected as soon as conveniently possible.
- (17) The cost of the restriction or disconnection, and the reconnection, will be determined by tariffs approved by Council, and will be payable by the consumer.
- (18) If a person is indigent a pre-paid meter must be installed free of charge.
- (19) The deposit of any defaulter will be adjusted and brought into line with relevant policies of Council.
- (20) Where a property appears on the cut-off list for a second time during a twelve month period the credit meter may be replaced with a pre-paid meter and the cost be debited to the consumer account.

Theft and fraud

- (21) Any person (natural or juristic) found to be illegally connected or reconnected to municipal services, tampering with meters, the reticulation network or any other supply equipment or committing any unauthorized act associated with the supply of municipal services, as well as theft of and damage to Council property, will be prosecuted.
- (22) The Municipal Manager will immediately terminate the supply of services to a consumer should such conduct as outlined above, be detected.
- (23) The total bill owing, including interest, fines and administration fees, assessment of unauthorized consumption, discontinuation and reconnection fees, and increased deposits as determined by the Municipal Manager, if applicable, will be due and payable before any reconnection can be sanctioned.
- (24) The Municipal Manager will maintain monitoring systems in order to identify consumers who are undertaking such illegal actions.
- (25) Council reserves the right to lay criminal charges and/or to take any other legal action against both vandals and thieves.

Consumer screening and securities

- (26) All applicants for municipal services will be checked for credit-worthiness including banking details and information from credit bureaus, other local authorities, trade creditors and employers.
- (27) Deposits will be required, and may vary according to the risk. A minimum deposit will be payable equal to twice the largest consumption used during the previous six months or the amount determined by Council from time to time, whichever is the largest.
- (28) At the discretion of the municipal manager deposits can be increased to a maximum of three months average consumption when the account falls into arrears.
- (29) Deposits can vary according to the credit-worthiness or service or user category of the applicant.
- (30) The Municipality will not pay any interest on deposits.
- (31) On the termination of the agreement the amount of the deposit, less any outstanding amount due to the Municipality, will be refunded to the consumer.
- (32) No Bank guarantees will be accepted as a deposit.

Persons and Business who tender to the Municipality

- (33) The Procurement Policy and Tender Conditions of the Municipality will include the following:
- When inviting tenders for the provision of services or delivery of goods, potential contractors may submit tenders subject to a condition that consideration and evaluation thereof will necessitate that the tenderer obtain from the Municipality a certificate stating that all relevant municipal accounts owing by the tenderer and/or its directors, owners or partners have been paid or that suitable arrangements (which include the right to set off in the event of non-compliance) have been made for payment of any arrears.
 - No tender will be allocated to a person/contractor until a suitable arrangement for the repayment of arrears, has been made. No further debt may accrue during contract period.
 - A condition allowing the Municipality to deduct any moneys owing to the Municipality from contract payments.

Debt Collection Policy

Objective

10. (1) To provide procedures and mechanisms to collect all the monies due and payable to Council arising out of the supply of services and annual levies, in order to ensure financial sustainability and delivery of municipal services in the interest of the community.

Personal contact

- (2) Telephonic contact, agents calling on clients:
- (a) Council will endeavour, within the constraints of affordability, to make personal, electronic or telephonic contact with certain arrear debtors to encourage their payment, and to inform them of their arrears state, their rights (if any) to conclude arrangements or to indigent subsidies, other related matters and will provide information on how and where to access such arrangements or subsidies.
 - (b) Such contact is not a right for debtors to enjoy and disconnection of services and other collection proceedings may continue in the absence of such contact for whatever reason.

Legal Process/Use of attorneys/Use of credit bureaus

- (3) Municipal Manager may, when a debtor is in arrears, commence legal process against that debtor, which process could involve final demands, disconnections, restrictions, summonses, judgments, garnishee orders and as a last resort sales in execution of property.
- (4) Municipal Manager will exercise strict control over this process, to ensure accuracy and legality within it, and will require regular reports on progress from outside parties, be they attorneys or any other collection agents appointed by council.
- (5) Council will establish procedures and codes of conduct where external service providers have been appointed to collect outstanding debtors.
- (6) Garnishee orders, in the case of employed debtors, are preferred to sales in execution, but both are part of Council's system of debt collection procedures.
- (7) All steps in the consumer care and credit control procedure will be recorded for Council's records and for the information of the debtor.
- (8) Individual debtor accounts are protected and are not the subject of public information. However Council may release debtor information to credit bureaus.
- (9) Council may consider the cost effectiveness of the legal process, and will receive reports on relevant matters.
- (10) Council may consider the use of agents as service providers and innovative debt collection methods and products. Cost effectiveness, the willingness of agents to work under appropriate codes of conduct and the success of such agents and products will be part of the agreement Council might conclude with such agents or service providers; and will be closely monitored by Council
- (11) Appropriate measures will be taken to inform consumers what the responsibilities of service providers will be regarding customer care, credit control and debt collection.

Rates clearance

- (12) On the sale of any property in the municipal jurisdiction, Council will withhold the transfer until all rates and service charges in connections with a property are paid by withholding a rates clearance certificate.

Administrative Cost in regard to collection

- (13) All costs of legal process, including interest, service discontinuation costs and costs associated with consumer care or credit control, where ever applicable, are for the account of the debtor.

The Pre-payment meter System

- (14) The Municipality will use its pre-payment system to—
- (a) link the provision of electricity by the Municipality to a "pre-payment" system comprising, first, a pre-payment of electricity kWh and;
 - (b) raise and recover payments in respect of arrear municipal taxes and other municipal levies, tariffs and duties in respect of services such as water, refuse removal, sanitation and sewage .
 - (c) to enforce satisfactory arrangements with consumers in arrears by blocking access to prepayment meters.

Abandonment of Claims

- (15) The Municipal Manager must ensure that all avenues are utilized to collect the Municipality's debt from arrear debtors.
- (16) Circumstances whereby a municipal council may validate the termination of debt collection procedures as contemplated in section 109(2) of the Act are as follows:
- (a) The insolvency of the debtor, whose estate has insufficient funds.
 - (b) A balance being too small to recover, for economic reasons considering the cost of recovery.
 - (c) Where a consumer or groups of consumers are unable to pay for services rendered and have no assets.
 - (d) Inactive accounts where all the necessary steps have been taken with no success and/or the debtors cannot be traced and/or the debtor has no assets.
- (17) The municipal manager must maintain audit trails in such an instances document the reasons for the abandonment of the actions or claims in respect of debts.
- (18) Criteria for the determination of the recoverability or irrecoverability of debt

All cases with the following classification "summons, judgment or execution" should be tested prior to the taking of action, with regard to the following:

- Asset's Survey. To undertake a home visit to make a survey of the type of house, its contents, other assets like vehicles registered in

the name of the account holder as well as the combined income of the household. The result of this survey will determine whether further action is to be taken.

- Consumption. If a consumer has consumption of an average of more than 300 kWh of electricity plus 15kl of water taken over a period of 4 months, these consumption point to the ability of the person to pay or to make an arrangement.

If the survey however reveals that the debt is still not recoverable after all necessary steps has been taken, it should be tabled together with the "write off compliance report" for consideration by Council to write off the debts.

(19) Deceased (Ref C/R F202-08/04)

1. A death certificate of the deceased should be presented.
2. Proof from the Registrar of Estates should be obtained that the deceased estate is not liable for any claims.
3. Should the estate however be liable for claims, a claim should be laid against the said estate.
4. If a death certificate was obtained while no estate was registered, such debts should be written off with effect from the date of death.
5. Should the new owner be an indigent case, the total outstanding amount should be written off.
6. If the new person (owner) is however not classified as indigent, the client shall be obliged to settle the outstanding amount from the date of death up to the current date or to arrange for a settlement agreement.
7. Child headed families, where the parents are deceased and only unemployed minor children lives in the dwelling, the debt can be written off.

(20) Clients in correctional care or clients who were imprisoned

1. Obtain a letter from correctional services, which indicates the date of release.
2. If the client is not an indigent case/subsidy case, a settlement agreement should be reached.
3. If a lodger occupies the dwelling while the owner is imprisoned, such lodger should accept responsibility for levies.
4. If no lodger is occupying the dwelling the services should be terminated until the owner is released from prison.

(21) Temporary suspension of actions for special reasons

1. At all times, the approval of the Director: Financial Services or his delegate should be obtained to suspend temporary actions for special reasons.

(20) Water on drip

1. If a person is in arrears and his/her water is on drip, such person should negotiate a settlement agreement to redeem the debts.
2. The water restriction should not be restored unless the settlement agreement is settled in full.
3. When the settlement agreement is paid off, the water restriction can be restored.

(23) Process regarding disabled persons or persons who are linked to a respirator or life supporting machine.

1. That indigent and subsidy of people with heavy consumption not be cancelled.
2. That all collection actions can be suspended with the Municipal Managers consent.
3. A medical certificate to confirm the client's health condition should be obtained at regular intervals.

(24) Where the inheritor of a property, with no, or an insolvent estate, qualifies for an indigent subsidy, the outstanding debt can be written off in order for clearance to be given and the property be transferred.

(25) Methods and places of payment:

1. Cheques and Postal orders must be crossed and be made payable to Mossel Bay Municipality. Post-dated cheques will not be accepted unless prior arrangements have been made. Receipts will not be mailed for payment made by cheque. If a receipt is required the words "RECEIPT REQUIRED", must be written on the account.
2. Payments will always be appropriated to the oldest account (notwithstanding the kind of service), where after it will be appropriated in order of a predetermined priority.
3. Payments can be made:
 - (i) at any of the Municipal Offices from Mondays to Fridays (public holidays excluded) 08:00 to 15:30 (Mossel Bay Office) and 08:00 to 15:00 (Great Brak River, Hartenbos, D'Almeida and Kwanonqaba offices);
 - (ii) at any of the Easy Pay pay points, any Post Office and/or Postal Agency. Please note that at least 48 hours should be allowed for processing of all third party payments; However payments made at a third party will be done at own risk. It also remains the responsibility of the person making the payment, to ensure that the receipt is correct.
 - (iii) by direct Bank—and/or Electronic Payments to NEDBANK Using Mossel Bay Municipality as beneficiary . The Municipal account number must be used as the reference number;
 - (iv) by way of an automatic debit order. These forms are available at any of the Municipal Offices.

(25) Interest

Where rates and taxes and annual service fees are paid on a monthly basis, such payment must be made before the expiry date. Failing this, interest at the standard rate of prima +1%, will be levied on the outstanding payment.

(26) Suspension of services

The supply can be disconnected without any notice, if any amount is due after the expiry date. The deposit will be revised simultaneously and a surcharge, as determined by Council from time to time, will be added whether the supply had been physically disconnected or not.

(27) Re-connection

It will in all cases be attempted to reconnect the supply on the day of payment. If this is not possible, the supply will be reconnected on the following working day.

(28) Termination of services

When a premises is vacated, the consumer leaving such premises, must give the Municipality 15 day prior written notice. Failing which will result in the consumer being held liable for costs levied until the date of the notice.

(29) Accounts

If no account has been received on the 10th on a month, a copy should be obtained from the Municipality. The account must at all times be produced when payments are done or enquiries are made.

(30) Tenant Accounts

Council will do everything possible to collect all municipal debt incurred by a tenant but if the debt cannot be collected the owner of the property will remain responsible.

(31) Payments

Payments will always be appropriated to the oldest account (notwithstanding the kind of service), where after it will be appropriated in order of a predetermined priority. Post-dated cheques are not acceptable unless prior arrangements have been made.

(32) Pre-paid electricity:

Where a pre-paid electricity meter is in use and any of the other services on the property is in arrears, only units to the value of a portion of the amount tendered will be issued, the rest of the amount will be allocated to the arrear account. (The percentage of the division will be as determined by Council from time to time).

Tampering Policy

Objective

11. (1) Section 97(1) (h) of the Act stipulates that a municipality's Credit

Control and Debt Collection Policy must provide for matters relating to unauthorised consumption of services, theft and damages.

(2) The objective of this Policy is to provide in this policy an extension of Credit Control and Debt Collection Policy for the matters referred to in that section.

Implementing Authority:

(3) The Municipal Manager must implement and enforce this policy and any by-laws enacted to give effect to this policy.

Unauthorised use of property of the Council

(4) No one may tamper with any municipal equipment or property.

(5) An authorised officer must inspect the equipment and property of the municipality when he or she suspects.

(a) that any illegal connections were attached to such equipment or property, or

(b) that any unauthorised consumption or use of services is taking place, or

(c) any theft of such equipment or property, or

(d) any damage to such equipment or property.

Municipality's right of access to premises

(6) In terms of section 101 of the Act the occupier of premises in a municipality must give an authorised officer access at all reasonable hours to the premises in order to read, inspect, repair; any meter or service connection for reticulation, or to stop or restrict the provision of any service.

Power to restrict or terminate supply of services

(7) Where the municipality has suffered any loss or damage as a result of any act contemplated in paragraph 4 a penalty equal to the amount of damages or loss may be imposed on the occupier of the premises concerned.

(8) The occupier must be notified of the amount of damage or loss by means of a notice which is hand delivered, or sent per mail, to the latest recorded address of the occupier, and such notice must also stipulate the date on or before which such amount must be paid to the municipality.

(9) The Council may 'in addition to the steps contemplated in paragraph (2) limit or discontinue the supply of water and electricity in terms of the prescribed disconnection procedures or discontinue any other service to any premises.

(10) The Council may hand deliver or send per mail to the latest recorded address of the consumer a discontinuation notice informing such consumer—

(a) that the provision of the service will be, or has been discontinued on the on the date stated on the discontinuation notice, and

(b) of the steps which can be taken to have the service reconnected.

(11) The council shall reconnect or restore full levels of supply of any of the restricted or discontinued municipal services only after the full amount of the penalty, including the costs of such disconnection and reconnection, if any, have been paid in full, or any other relevant condition or conditions of the Council's credit control policy as it may deem fit have been complied with.

(12) The right of the Council or any duty appointed agent to limit or discontinue water to any premises or customer, shall be subject to the provisions of sections 3 and 4 of the Water Service Act 1997 (Act 108 of 1997).

Illegal reconnections and/or tampering

- (13) The Municipal Manager shall, as soon as it comes to the notice of the Municipal Manger that any terminated or restricted service has been irregularly reconnected or reinstated, instate one, some or all of the following enforcement actions;
- disconnect or restrict such service(s),
 - permanently remove such service(s),
 - require pre payment technology to be installed,
 - not reinstate such service(s) until the arrear account, including the interest raised on such amount, the charges for the notice sent in terms of paragraph 1 and the charges for both the original and subsequent reconnection or reinstatement of the service(s) and the revised deposit and penalty have been paid in full.
 - laying criminal charges with the police,
 - cancel the contract.
- (14) All indigent households shall be visited by a person or firm delegated by council on a regular basis to investigate tampering and illegal connection cases and or to inspect the status of meters connections and restrictions and/or flow limiters.

OCUMENT AND VERSION CONTROL

Version: Revision 6

Date: 28 May 2010

Summary: This document describes the Rates Policy that will be applicable to the Mossel Bay Municipality, with effect from 1 July 2010

Signature: _____ **Date:** _____

Municipal Manager

(Accounting Officer)

Signature: _____ **Date:** _____

Executive Mayor

9 July 2010

22047

BITOU LOCAL MUNICIPALITY

PORTION 9 OF THE FARM KIRBYWOOD NO. 302, BITOU MUNICIPAL AREA: PROPOSED REZONING AND TOURIST FACILITY ("BRAMON WINE ESTATES")

Notice is hereby given in terms of Section 17 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985), read with Clause 4.6 of the Zoning Scheme Regulations promulgated under Section 8 of the Land Use Planning Ordinance No. 15 of 1985 that application has been made for the rezoning of Portion 9 of the Farm Kirbywood No. 302 from Agricultural Zone I to Agricultural Zone II to allow the establishment of a winery and associated wine tasting facility on the property.

The property is located approximately 18km north-east of Plettenberg Bay (known as "Bramon Wine Estate"), with access obtained via servitude road directly adjoining the N2 National Road.

Detail regarding the proposal is available for inspection at the Municipal Town Planning Office (Monks View, Church Street, Plettenberg Bay), during normal office hours. Enquiries regarding the matter should be directed to the Town Planner (Tel: (044) 533-6881/ Fax: (044) 533-6885).

Any comments on or objections to the proposal should be submitted in writing to reach the undersigned by not later than Friday, 13 August 2010.

A person who cannot read or write but wishes to comment on the proposals may visit the Department: Strategic Services (Town Planning section) where a member of staff will assist them to formalize their comment.

LMR Ngoqo, Municipal Manager, Bitou Local Municipality, Private Bag X1002, PLETTENBERG BAY 6600

Municipal Notice No. 120/2010 9 July 2010

22074

BITOU PLAASLIKE MUNISIPALITEIT

GEDEELTE 9 VAN DIE PLAAS KIRBYWOOD NO. 302, BITOU MUNISIPALE GEBIED: VOORGESTELDE HERSONERING EN TOERISTE FASILITEIT ("BRAMON WYN RANG")

Kennis geskied hiermee ingevolge Artikel 17 van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ord. 15 van 1985), gelees met Klousule 4.6 van die Soneringskema regulasies uitgevaardig in terme van Artikel 8 van die Ordonnansie 15 van 1985), dat 'n aansoek ontvang is om die hersonering van Gedeelte 9 van die Plaas Kirbywood Nr. 302 vanaf Landbousone I na Landbousone II die vestiging van 'n wynkelder en gepaardgaande wynproe fasiliteit op die eiendom toe te laat.

Die betrokke eiedom is geleë ongeveer 18km noord-oos van Plettenbergbaai (bekend as "Bramon Wine Estate"), met toegang vanaf 'n serwituutpad direk aanliggend aan die N2 Nasionale Pad.

Besonderhede aangaande die voorstel lê ter insae by die Munisipale Stadsbeplanningskantoor (Monks View, Kerkstraat, Plettenbergbaai) gedurende normale kantoorure. Navrae kan gerig word aan die Stadsbeplanner (Tel: (044) 533-6881/Faks: (044) 533-6885).

Enige kommentaar op of besware teen die aansoek moet op skrif gestel word ten einde die ondergetekende te bereik teen nie later nie as Vrydag, 13 Augustus 2010.

Persone wat wil kommentaar lewer maar nie kan lees of skryf nie mag die Munisipale Stadsbeplanningsafdeling besoek waar hul deur 'n amptenaar bygestaan sal word ten einde hul kommentaar te formaliseer.

LMR Ngoqo, Munisipale Bestuurder, Bitou Plaaslike Munisipaliteit, Privaatsak X1002, PLETTENBERGBAAI 6600

Munisipale Kennisgewing Nr. 120/2010 9 Julie 2010

22074

DRAKENSTEIN MUNICIPALITY

APPLICATION FOR SUBDIVISION, CONSOLIDATION, REZONING AND DEPARTURES FROM LAND USE RESTRICTIONS: ERVEN 8425 AND 19863 PAARL

Notice is hereby given in terms of Sections 24(2)(a), 17(2)(a) and 15(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, c/o Market and Main Street, Paarl, Tel (021) 807-6226:

Properties: Erven 8425 and 19863 Paarl

Owners: Erf 8425 — Salomons Vallei Ondernemings (Pty) Ltd
Erf 19863 — Salomonsvlei-Wes Trust

Applicant: TV3 Architects and Town Planners

Locality: Located approximately 3km southeast of the Paarl CBD

Extent: Erf 8425 — ±4.33ha
Erf 19863 — ±33.24ha

Current Zoning: Deemed to be Agricultural Zone I

Existing Uses: Bona fide agricultural activities and a stone/rock crusher business

Proposal: Subdivision of Erf 19863 Paarl in two (2) portions namely: Portion A (±25.5ha) and Remainder (±7.74ha);

Consolidation of proposed Portion A (±25.5ha) and Erf 8425 Paarl (±4.33ha) to form the application property of ±29.85ha;

Rezoning of the newly formed land unit (application property) from Agricultural Zone I to Subdivisional Area to create a mixed residential development with an overall gross density of 27 units per hectare;

Re-subdivision of the newly formed land unit (application property) into 8 portions namely:

- Portion 1 (±0.63ha) for business purposes (Business Zone II);
- Portion 2 (±2.23ha) for public road purposes, Carolina Road (Transport Zone II);
- Portion 3 (±1.30ha) for public road purposes. Right of way servitude (Transport Zone II);
- Portion 4 (±2.65ha) for a group housing development with a gross density of 17.5 units per hectare (Residential Zone II);
- Portion 5 (±14.23ha) for a single residential development with a gross density of 9 units per hectare (Residential Zone I);
- Portion 6 (±3.56ha) for a town housing development with a gross density of 30 units per hectare (Residential Zone III);
- Portion 7 (±2.38ha) for a flats development with a gross density of 97 units per hectare (265 units) (Residential Zone IV);
- Portion 8 (±2.73ha) for a retirement apartments development with a gross density of 97 units per hectare (266 units per hectare) (Residential Zone V);

Re-subdivision of abovementioned Portion 4 into:

- 46 Group housing erven (Residential Zone II) with sizes ranging between ±291m² and ±529m²;
- 1 Private open space erf (Open Space Zone II) of ±4190m²;
- 1 Private road erf (Open Space Zone II) of ±5586m²;

Re-subdivision of abovementioned Portion 5 into:

- 124 Single dwelling erven (Residential Zone I) with sizes ranging between ±368m² and ±766m²;
- 4 Private open space erven (Open Space Zone II) of ±1013m², ±4248m², ±4912m² and ±11600m² respectively;
- 1 Private road erf (Open Space Zone II) of ±27167m²;

DRAKENSTEIN MUNISIPALITEIT

AANSOEK OM ONDERVERDELING, KONSOLIDASIE, HERSONERING EN AFWYKING VAN GRONDGEBRUIKBEPERKINGS: ERWE 8425 EN 19863 PAARL

Kennis geskied hiermee ingevolge Artikels 24(2)(a), 17(2)(a) en 15(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 kantoor van die Hoof: Beplanningsdienste, Administratiewe Kantore, h/v Mark- en Hoofstraat, Paarl, Tel (021) 807-6226:

Eiendomme: Erwe 8425 en 19863 Paarl

Eienaars: Erf 8425 — Salomons Vallei Ondernemings (Edms) Bpk
Erf 19863 — Salomonsvlei-Wes Trust

Aansoeker: TV3 Argitekte en Stadsbeplanners

Ligging: Geleë ongeveer 3km suid-oos vanaf die Paarl SSK

Grootte: Erf 8425 — ±4.33ha
Erf 19863 — ±33.24ha

Huidige Sonering: Geag gesoneer te wees as Landbousone I

Huidige Gebruik: Bona fide landbou aktiwiteit en steen/klip krummel besigheid

Voorstel: Onderverdeling van Erf 19863 Paarl in twee (2) gedeeltes naamlik: Gedeelte A (±25.5ha) en Restant (±7.74ha);

Konsolidasie van voorgestelde Gedeelte A (±25.5ha) en Erf 8425 Paarl (±4.33ha) ten einde die aansoek eiendom van ±29.85ha te vorm;

Hersonering van die nuutgevormde grondeenheid (aansoek eiendom) vanaf Landbousone I na Onderverdelingsgebied om 'n gemengde residensiële ontwikkeling te skep met 'n algehele bruto digtheid van 27 eenhede per hektaar;

Her-onderverdeling van die nuutgevormde grondeenheid (aansoek eiendom) in 8 gedeeltes naamlik:

- Gedeelte 1 (±0.63ha) vir besigheidsdoeleindes (Sakesone II);
- Gedeelte 2 (±2.23ha) vir publieke paddoeleindes, Carolina Pad (Vervoersone II);
- Gedeelte 3 (±1.30ha) vir publieke paddoeleindes, Reg-van-weg serwituut (Vervoersone II);
- Gedeelte 4 (±2.65ha) vir 'n groepsbehuising ontwikkeling met 'n bruto digtheid van 17.5 eenhede per hektaar (Residensiële Sone II);
- Gedeelte 5 (±14.23ha) vir 'n enkelwoning ontwikkeling met 'n bruto digtheid van 9 eenhede per hektaar (Residensiële Sone I);
- Gedeelte 6 (±3.56ha) vir dorpsbehuising ontwikkeling met 'n bruto digtheid van 30 eenhede per hektaar (Residensiële Sone III);
- Gedeelte 7 (±2.38ha) vir 'n woonstel ontwikkeling met 'n bruto digtheid van 97 eenhede per hektaar (265 eenhede) (Residensiële Sone IV);
- Gedeelte 8 (±2.73ha) vir 'n aftreewoonstel ontwikkeling met 'n bruto digtheid van 97 eenhede per hektaar (266 eenhede) (Residensiële Sone V);

Her-onderverdeling van bogenoemde Gedeelte 4 as volg:

- 46 Groepsbehuising erwe (Residensiële Sone II) met groottes van tussen ±291m² en ±529m²;
- 1 Privaat Oopruimte erf (Oopruimte Sone II) van ±4190m²;
- 1 Privaat pad erf (Oopruimte Sone II) van ±5586m²;

Her-onderverdeling van bogenoemde Gedeelte 5 as volg:

- 124 Enkelwoning erwe (Residensiële Sone I) met groottes van tussen ±368m² en ±766m²;
- 4 Privaat Oopruimte erf (Oopruimte Sone II) van ±1013m², ±4248m², ±4912m² en ±11600m² onderskeidelik;
- 1 Privaat pad erf (Oopruimte Sone II) van ±27167m²;

Re-subdivision of abovementioned Portion 6 into:

- 104 Town house erven (Residential Zone III) with sizes ranging between $\pm 153\text{m}^2$ and $\pm 312\text{m}^2$;
- 4 Private open space erven (Open Space Zone II) of $\pm 2538\text{m}^2$, $\pm 2654\text{m}^2$, $\pm 494\text{m}^2$ and $\pm 2047\text{m}^2$ respectively;
- 1 Private road erf (Open Space Zone II) of $\pm 9880\text{m}^2$;

Departures of the following land use parameters:

- For proposed Portion 4 (Residential Zone II)
 - Relaxation of the prescribed side building lines abutting other zones from 3m to 0m;
 - Relaxation of the prescribed maximum extent of a Group housing erf from 2ha to 2.65ha; and
- For proposed Portion 6 (Residential Zone III)
 - Relaxation of the prescribed side building lines abutting other zones from 3m to 0m.

Motivated objections to the above can be lodged in writing to the Municipal Manager, Drakenstein Municipality, PO Box 1, Paarl, 7622 by not later than Tuesday, 10 August 2010. No late objections will be considered.

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

DR ST KABANYANE, MUNICIPAL MANAGER

15/4/1 (8425) P 9 July 2010

22073

DRAKENSTEIN MUNICIPALITY

APPLICATION FOR CONSENT USE: ERF 562 MBEKWENI

Notice is hereby given in terms of Clause 4.12 of the Town Planning Conditions for Mbekweni, 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, c/o Market and Main Street, Paarl, Tel (021) 807-4770:

Property: Erf 562 Mbekweni

Applicant: Louis Hugo Town Planner

Owner: Shepherd Industrial and Commercial Real Estate CC

Locality: Located at the intersection of Jan van Riebeeck Drive and Wamkelikile Street, Mbekweni

Extent: $\pm 2017\text{m}^2$

Zoning: Industrial Zone in terms of the Town Planning Conditions for Mbekweni

Proposal: Consent Use on Erf 562 Mbekweni to permit a "business use" which will entail an extension of the existing public garage ($\pm 312\text{m}^2$) by adding a new retail shop and ablution facilities. A total of 23 on-site bays will be provided.

Motivated objections to the above can be lodged in writing to the Municipal Manager, Drakenstein Municipality, PO Box 1, Paarl, 7622 by not later than Tuesday, 10 August 2010. No late objections will be considered.

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

DR ST KABANYANE, MUNICIPAL MANAGER

15/4/1 (562) M 9 July 2010

22071

Her-onderverdeling van bogenoemde Gedeelte 6 as volg:—

- 104 Dorpshuis erwe (Residensiële Sone III) met groottes van tussen $\pm 153\text{m}^2$ en $\pm 312\text{m}^2$;
- 4 Privaat oopruimte erwe (Oopruimte Sone II) van $\pm 2538\text{m}^2$, $\pm 2654\text{m}^2$, $\pm 494\text{m}^2$ en $\pm 2047\text{m}^2$ onderskeidelik;
- 1 Privaat pad erf (Oopruimte Sone II) van $\pm 9880\text{m}^2$;

Afwykinge van die volgende grondgebruikbeperkings:

- Vir voorgestelde Gedeelte 4 (Residensiële Sone II)
 - Verslapping van die voorgeskrewe syboullyn aangrensend ander sones vanaf 3m na 0m;
 - Verslapping van die voorgeskrewe maksimum grootte van 'n Groeps erf vanaf 2ha na 2.65ha; en
- Vir voorgestelde Gedeelte 6 (Residensiële Sone III)
 - Verslapping van die voorgeskrewe syboullyn aangrensend ander sones vanaf 3m na 0m.

Gemotiveerde besware teen bogemelde aansoek kan skriftelik gerig word aan die Munisipale Bestuurder, Drakenstein Munisipaliteit, Posbus 1, Paarl, 7622, teen nie later nie as Dinsdag, 10 Augustus 2010. Geen laat besware sal oorweeg word nie.

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

DR ST KABANYANE, MUNISIPALE BESTUURDER

15/4/1 (8425) P 9 Julie 2010

22073

DRAKENSTEIN MUNISIPALITEIT

AANSOEK OM VERGUNNINGSGEBRUIK: ERF 562 MBEKWENI

Kennis geskied hiermee ingevolge Klousule 4.12 van die Dorpsbeplanningvoorwaardes vir Mbekweni, dat 'n aansoek soos hieronder uiteengesit ontvang is en gedurende normale kantoorure ter insae is by die kantoor van die Hoof: Beplanningdienste, Administratiewe Kantore, h/v Mark- en Hoofstraat, Paarl, Tel (021) 807-4770:

Eiendom: Erf 562 Mbekweni

Aansoeker: Louis Hugo Stadsbeplanner

Eienaar: Shepherd Industrial and Commercial Real Estate CC

Ligging: Geleë by die interseksie van Jan van Riebeeckweg en Wamkelikilestraat, Mbekweni

Grootte: $\pm 2017\text{m}^2$

Sonering: Nywerheidsone in terme van die Dorpsbeplanningvoorwaardes vir Mbekweni

Voorstel: Spesiale vergunning op Erf 562 Mbekweni vir die daarstelling van 'n "sakegebruik" wat die uitbreiding van die bestaande openbare garage ($\pm 312\text{m}^2$) deur die toevoeging van 'n nuwe winkel en ablusieruimtes sal behels. 'n Totaal van 23 parkeer-ruimtes sal op die perseel voorsien word.

Gemotiveerde besware teen bogemelde aansoek kan skriftelik gerig word aan die Munisipale Bestuurder, Drakenstein Munisipaliteit, Posbus 1, Paarl, 7622, teen nie later nie as Dinsdag, 10 Augustus 2010. Geen laat besware sal oorweeg word nie.

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

DR ST KABANYANE, MUNISIPALE BESTUURDER

15/4/1 (562) M 9 Julie 2010

22071

DRAKENSTEIN MUNICIPALITY

APPLICATION FOR SUBDIVISION, REZONING, AMENDMENT OF THE URBAN STRUCTURE PLAN FOR THE CAPE METROPOLITAN AREA: VOLUME 4: PAARL/WELLINGTON ("GUIDEPLAN") AND CONSOLIDATION: REMAINDER OF FARM 832 PAARL DIVISION

Notice is hereby given in terms of Section 26(1) of the Physical Planning Act, 1991 (Act 125 of 1991) read together with Section 29(3) of the Development Facilitation Act, 1995 (Act 67 of 1995) and Sections 4(7), 24(2)(a) and 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, c/o Market and Main Street, Paarl, Tel (021) 807-6226:

Property: Remainder of Farm 832 Paarl Division

Applicant: Jan Hanekom Partnership

Owner: The Trustees for the time being of the Paul De Villiers Family Trust

Locality: Located ± 2 km south of Central Paarl, along Main Road 189 and the N1

Extent: ± 47.39 ha

Current Zoning: Agriculture Zone I

Current Uses: Public Road and Agricultural activities

Proposal: Subdivision of Remainder Farm 832 Paarl Division into two portions namely: Portion 1 (± 0.26 ha) and Remainder (± 47.13 ha);

Rezoning of proposed Portion 1 from Agriculture Zone I to Business Zone IV to utilize the property for the purposes of a storage area, in order to incorporate it with the proposed storage facility development on Farm 832/36 Paarl Division;

Consolidation of proposed Portion 1 (± 0.26 ha) and Farm 832/36 Paarl Division (± 2.14 ha) to form a new land unit of ± 2.40 ha in extent; and

Amendment of the Urban Structure Plan for the Cape Metropolitan Area Volume 4: Paarl/Wellington to change the reservation of proposed Portion 1 from "Agricultural Purposes" to "Urban Development".

Motivated objections to the above can be lodged in writing to the Municipal Manager, Drakenstein Municipality, PO Box 1, Paarl, 7622 by not later than Tuesday, 10 August 2010. No late objections will be considered.

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

DR ST KABANYANE, MUNICIPAL MANAGER

DRAKENSTEIN MUNISIPALITEIT

AANSOEK OM ONDERVERDELING, HERSONERING, WYSIGING VAN DIE STEDELIKE STRUKTUURPLAN VIR DIE KAAPSE METROPOLITAANSE AREA: VOLUME 4: PAARL/WELLINGTON ("GIDSPLAN") EN KONSOLIDASIE: RESTANT PLAAS 832 PAARL AFDELING

Kennis geskied hiermee ingevolge Artikel 26(1) van die Wet op Fisiese Beplanning, 1991 (Wet 125 van 1991) saamgelees met Artikel 29(3) van die Wet op Ontwikkelingsfasilitering, 1995 (Wet 67 van 1995) en Artikels 4(7), 24(2)(a) en 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 kantoor van die Hoof: Beplanningdienste, Administratiewe Kantore, h/v Mark- en Hoofstraat, Paarl, Tel (021) 807-6226:

Eiendom: Restant Plaas 832 Paarl Afdeling

Aansoeker: Jan Hanekom en Vennote

Eienaar: Die Trustees indertyd van Paul De Villiers Familietrust

Ligging: Geleë ± 2 km suid vanaf die middedorp van Paarl, langs Hoofpad 189 en die N1

Grootte: ± 47.39 ha

Huidige Sonering: Landbousone I

Huidige Gebruik: Publieke Pad en Landbou aktiwiteite

Voorstel: Onderverdeling van Restant Plaas 832 Paarl Afdeling in twee gedeeltes naamlik: Gedeelte 1 (± 0.26 ha) en Restant (± 47.13 ha);

Hersonering van voorgestelde Gedeelte 1 vanaf Landbousone I na Sakesone IV ten einde die eiendom vir die doeleindes van 'n stoorplek aan te wend en sodoende dit te inkorporeer met die voorgestelde stoorfasiliteit ontwikkeling op Plaas 832/36 Paarl Afdeling;

Konsolidasie van voorgestelde Gedeelte 1 (± 0.26 ha) en Plaas 832/36 Paarl Afdeling (± 2.14 ha) om 'n nuwe grondeenheid van ± 2.40 ha te vorm; en

Wysiging van die Stedelike Struktuurplan van die Kaapse Metropolitaanse Area: Volume 4: Paarl/Wellington om die reservering van voorgestelde Gedeelte 1 te wysig vanaf "Landbou doeleindes" na "Stedelike Ontwikkeling".

Gemotiveerde besware teen bogemelde aansoek kan skriftelik gerig word aan die Munisipale Bestuurder, Drakenstein Munisipaliteit, Posbus 1, Paarl, 7622, teen nie later nie as Dinsdag, 10 Augustus 2010. Geen laat besware sal oorweeg word nie.

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

DR ST KABANYANE, MUNISIPALE BESTUURDER

DRAKENSTEIN MUNICIPALITY

APPLICATION FOR REZONING AND DEPARTURE FROM LAND USE RESTRICTIONS: ERF 22713 PAARL (BERYL STREET)

Notice is hereby given in terms of Sections 17(2)(a) and 15(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, c/o Market and Main Street, Paarl, Tel (021) 807-6226:

Property: Erf 22713 Paarl

Applicant: L Abrahams

Owner: MT and L Abrahams

Locality: Located at 22 Beryl Street, Paarl

Extent: ±222m²

Zoning: Single Dwelling Residential Zone

Proposal: Rezoning of Erf 22713 Paarl, from Single Dwelling Residential Zone to Special Business Zone in order to operate a tavern on the premises.

Departures of the following land use parameters:

- Relaxation of the maximum permissible coverage from 60% to 78%;
- Relaxation of the northern zone building line (on the common boundary between Erven 22713 and 22712 Paarl) from 4.5m to 1m;
- Relaxation of the southern zone building line (on the common boundary between Erven 22713 and 22714 Paarl) from 4.5m to 0m;
- Relaxation of the western zone building line (on the common boundary between Erven 22713, 22733 and 22734 Paarl) from 4.5m to 0.66m; and
- Relaxation of the required parking provision from 4 required parking bays to 2 parking bays.

Motivated objections to the above can be lodged in writing to the Municipal Manager, Drakenstein Municipality, PO Box 1, Paarl, 7622 by not later than Tuesday, 10 August 2010. No late objections will be considered.

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

DR ST KABANYANE, MUNICIPAL MANAGER

15/4/1 (22713) P 9 July 2010

22070

DRAKENSTEIN MUNISIPALITEIT

AANSOEK OM HERSONERING EN AFWYKING VAN GROND- GEBRUIKBEPERKING: ERF 22713 PAARL (BERYLSTRAAT)

Kennis geskied hiermee ingevolge Artikels 17(2)(a) en 15(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 kantoor van die Hoof: Beplannings-dienste, Administratiewe Kantore, h/v Mark- en Hoofstraat, Paarl, Tel (021) 807-6226:

Eiendom: Erf 22713 Paarl

Aansoeker: L Abrahams

Eienaar: MT en L Abrahams

Ligging: Geleë te Berylstraat 22, Paarl

Grootte: ±222m²

Sonering: Enkelwoningone

Voorstel: Hersonerings van Erf 22713 Paarl vanaf Enkelwoningone na Spesiale Sakesone ten einde 'n taverne te bedryf op die eiendom.

Afwykinge van die volgende grondgebruikbeperkings:

- Verslapping van die maksimum toelaatbare dekking vanaf 60% tot 78%;
- Verslapping van die noordelike soneboulyn (op die gemeenskaplike erfgrens van Erwe 22713 en 22712 Paarl) vanaf 4.5m tot 1m;
- Verslapping van die suidelike soneboulyn (op die gemeenskaplike erfgrens van Erwe 22713 en 22714 Paarl) vanaf 4.5m tot 0m;
- Verslapping van die westelike soneboulyn (op die gemeenskaplike erfgrens van Erwe 22713, 22733 en 22734 Paarl) vanaf 4.5m tot 0.66m; en
- Verslapping van die voorgeskrewe parkering vereiste vanaf 4 parkeerplekke na 2 parkeerplekke.

Gemotiveerde besware teen bogemelde aansoek kan skriftelik gerig word aan die Munisipale Bestuurder, Drakenstein Munisipaliteit, Posbus 1, Paarl, 7622, teen nie later nie as Dinsdag, 10 Augustus 2010. Geen laat besware sal oorweeg word nie.

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

DR ST KABANYANE, MUNISIPALE BESTUURDER

15/4/1 (22713) P 9 Julie 2010

22070

DRAKENSTEIN MUNICIPALITY

APPLICATION FOR REZONING: ERF 393 WELLINGTON (LADY LOCH ROAD)

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, c/o Market and Main Street, Paarl, Tel (021) 807-6226:

Property: Erf 393 Wellington

Applicant: Louis Hugo Town Planner

Owner: Parceval Investments (Pty) Ltd

Locality: Located in Lady Loch Road, Wellington

Extent: 4283m²

Zoning: Single Residential Zone

Proposal: Rezoning of Erf 393 Wellington from Single Residential Zone to Industrial Zone in order to develop a new building for the packaging of organic medicinal (pharmaceutical) products.

Motivated objections to the above can be lodged in writing to the Municipal Manager, Drakenstein Municipality, PO Box 1, Paarl, 7622 by not later than Tuesday, 10 August 2010. No late objections will be considered.

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

DR ST KABANYANE, MUNICIPAL MANAGER

15/4/1 (393) W 9 July 2010

22075

DRAKENSTEIN MUNISIPALITEIT

AANSOEK OM HERSONERING: ERF 393 WELLINGTON (LADY LOCH PAD)

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 kantoor van die Hoof: Beplanningsdienste, Administratiewe Kantore, h/v Mark- en Hoofstraat, Paarl, Tel (021) 807-6226:

Eiendom: Erf 393 Wellington

Aansoeker: Louis Hugo Stadsbeplanner

Eienaar: Parceval Investments (Pty) Ltd

Ligging: Geleë te Lady Loch Pad, Wellington

Grootte: ±4283m²

Sonering: Enkelresidensiële Sone

Voorstel: Hersonerings van Erf 393 Wellington vanaf Enkelresidensiële Sone na Nywerheidsone, ten einde 'n nuwe gebou te ontwikkel vir die verpakking van organiese mediese farmaseutiese produkte.

Gemotiveerde besware teen bogemelde aansoek kan skriftelik gerig word aan die Munisipale Bestuurder, Drakenstein Munisipaliteit, Posbus 1, Paarl, 7622, teen nie later nie as Dinsdag, 10 Augustus 2010. Geen laat besware sal oorweeg word nie.

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

DR ST KABANYANE, MUNISIPALE BESTUURDER

15/4/1 (393) W 9 Julie 2010

22075

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All correspondence must be addressed to the Director-General, P.O. Box 659, Cape Town 8000, and cheques, bank drafts, postal orders and money orders must be made payable to the Department of the Premier.

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