



Provincial Gazette

Provinsiale Koerant

6772

6772

Friday, 30 July 2010

Vrydag, 30 Julie 2010

Registered at the Post Office as a Newspaper

As 'n Nuusblad by die Poskantoor Geregistreer

CONTENTS

(*Reprints are obtainable at Room M21, Provincial Legislature Building, 7 Wale Street, Cape Town 8001.)

| No. | Page |
|--|------|
| Provincial Notices | |
| 296 City of Cape Town: (Cape Town Region): Removal of restrictions | 1191 |
| 297 City of Cape Town: (Tygerberg Region): Removal of restrictions | 1191 |
| 298 Mossel Bay Municipality: Amendment of the urban structure plan for the Mossel Bay/Riversdale Region..... | 1189 |
| 299 Western Cape: Department of Transport: Impoundment Fees..... | 1186 |
| 300 Hesseuqa Municipality: Amendment of the Mossel Bay/Riverdale regional structure plan and the Still Bay local structure plan..... | 1190 |
| Removal of restrictions in towns | |
| Applications: | 1191 |
| Tenders: | |
| Notices..... | 1205 |
| Local Authorities | |
| Berg River Municipality: Rezoning, Subdivision and Consent Use..... | 1206 |
| Berg River Municipality: Subdivision | 1205 |
| Berg River Municipality: Subdivision | 1206 |
| Cape Agulhas Municipality: Departure | 1207 |
| City of Cape Town: (Blaauwberg District): Amendment of guide-plan and for less formal township establishment | 1207 |
| City of Cape Town: (Blaauwberg District): Amendment of guide-plan and for less formal township establishment | 1208 |
| City of Cape Town: (Blaauwberg District): Subdivision, rezoning, conditional use and departures..... | 1209 |
| City of Cape Town: (Blaauwberg District): Rezoning | 1209 |
| City of Cape Town: (Blaauwberg District): Rezoning and regulated departures | 1210 |
| City of Cape Town: (Cape Flats District): Call for suggested names for unnamed road referred to as "North South Link Road" Muizenberg..... | 1210 |
| City of Cape Town: (Khayelitsha/ Mitchells Plain): Less formal township establishment..... | 1211 |

(Continued on page 1300)

INHOUD

(*Herdrukke is verkrygbaar by Kamer M21, Provinsiale Wetgewing-gebou, Waalstraat 7, Kaapstad 8001.)

| Nr. | Bladsy |
|--|--------|
| Provinsiale Kennisgewings | |
| 296 Stad Kaapstad: (Kaapstad Administrasie): Opheffing van beperkings | 1191 |
| 297 StadKaapstad (Tygerberg Distrik): Opheffing van beperkings | 1191 |
| 298 Mosselbaai Munisiplaiteit: Wysiging van die stedelike struktuurplan vir die Mosselbaai/Riversdal Streek | 1189 |
| 299 Wes-Kaapse Provinsiale Departement van Vevoer: Skutfooie | 1187 |
| 300 Hesseuqa Munisipaliteit: Wysiging van die Mosselbaai/Riverdal streekstruktuurplan en Stilbaai plaaslike struktuurplan..... | 1190 |
| Opheffing van beperkings in dorpe | |
| Aansoeke: | 1191 |
| Tenders: | |
| Kennisgewings: | 1205 |
| Plaaslike Owerhede | |
| Bergrivier Munisipaliteit: Hersonering, onderverdeling en vergunningsgebruik | 1206 |
| Bergrivier Munisipaliteit: Onderverdeling..... | 1205 |
| Berrgrivier Munisipaliteit: Onderverdeling | 1206 |
| Kaap Agulhas Munisipaliteit: Afwyking | 1207 |
| Stad Kaapstad: (Blaauwberg Distrik): Wysiging van die gidsplan en minder informele dorpstigting | 1207 |
| Stad Kaapstad: (Blaauwberg Distrik): Wysiging van die gidsplan en minder informele dorpstigting | 1208 |
| Stad Kaapstad: (Blaauwberg Distrik): Onderverdeling, hersonering, voorwaardelike gebruik en afwykings | 1209 |
| Stad Kaapstad: (Blaauwberg Distrik): Hersonering | 1209 |
| Stad Kaapstad: (Blaauwberg Distrik): Hersonering en regulasiesafwykings..... | 1210 |
| Stad Kaapstad: (Kaapse Vlakte-Distrik): Versoek om voorgestelde name vir naamlose pad wat "Noord-Suid-Verbindingspad" Muizenberg, genoem word..... | 1210 |
| Stad Kaapstad: (Khayelitsha/ Mitchells Plain): Minder formele dorpstigting | 1211 |

(Vervolg op bladsy 1300)

PROVINCIAL NOTICES

The following Provincial Notices are published for general information.

ADV. B. GERBER,
DIRECTOR-GENERAL

Provincial Building,
Wale Street
Cape Town.

PROVINSIALE KENNISGEWINGS

Die volgende Provinsiale Kennisgewings word vir algemene inligting gepubliseer.

ADV. B. GERBER,
DIREKTEUR-GENERAAL

Provinsiale-gebou,
Waalstraat
Kaapstad.

P.N. 299/2010

30 July 2010

WESTERN CAPE PROVINCIAL DEPARTMENT OF TRANSPORT AND PUBLIC WORKS**NATIONAL LAND TRANSPORT ACT, 2009 (ACT 5 OF 2009)****IMPOUNDMENT FEES FOR IMPOUNDED VEHICLES**

I, Robin Carlisle, Provincial Minister of Transport and Public Works in the Western Cape, acting in terms of section 87(2)(b), read with section 87(3) of the National Land Transport Act, 2009 (Act 5 of 2009), hereby give notice that—

- (a) I intend determining the impoundment fees, as set out in the Schedule; and
- (b) the notice issued in terms of section 124(2)(b) and (3) of the National Land Transport Transitional Act, 2000 (Act 22 of 2000) is to be withdrawn.

Members of the public are invited to submit written representations on or objections to the proposed impoundment fees as set out in the Schedule, within 21 days of publication of the notice, to the following address:

The Provincial Minister
Department of Transport and Public Works
9 Dorp Street
Private Bag X 1985
8000 CAPE TOWN
Attention: Ms N. Tsipa- Sipoyo

SCHEDULE**Table of Impoundment Fees**

| OPERATING OF PUBLIC TRANSPORT SERVICE WITHOUT A PERMIT OR LICENCE | |
|---|------------------------|
| OCCURRENCE | IMPOUNDMENT FEE |
| First impoundment for operating public transport service without a permit or licence | R 7 000.00 |
| Second impoundment for operating public transport service without a permit or licence | R10 000.00 |
| Third and subsequent impoundments for operating public transport service without a permit or licence | R15 000.00 |
| OPERATING OF PUBLIC TRANSPORT SERVICE CONTRARY TO THE CONDITIONS OF AN OPERATING PERMIT OR LICENCE | |
| OCCURRENCE | IMPOUNDMENT FEE |
| First impoundment for operating public transport service contrary to the conditions of an operating permit or licence | R 2 500 |
| Second impoundment for operating public transport service contrary to the conditions of an operating permit or licence | R 5 000 |
| Third and subsequent impoundments for operating public transport service contrary to the conditions of an operating permit or licence | R 10 000 |

ROBIN CARLISLE, PROVINCIAL MINISTER OF TRANSPORT AND PUBLIC WORKS

WES-KAAPSE PROVINSIALE DEPARTEMENT VAN VERVOER EN OPERNBARE WERKE**NASIONALE WET OP GRONDVERVOER, 2009 (WET 5 OF 2009)****SKUTFOOIE VIR GESKUTTE VOERTUIE**

Ek, Robin Carlisle, Provinsiale Minister van Vervoer en Openbare Werke in die Wes-Kaap, ingevolge artikel 87(2)(b), gelees saam met artikel 87(3) van die Nasionale Wet op Grondvervoer, 2009 (Wet 5 van 2009), gee hiermee kennis dat—

- (a) Ek beoog om die skutfooie vas te stek, soos uiteengesit in die Skedule; en
- (b) Die kennisgewing ingevolge artikel 124(2)(b) en (3) van die Nasionale Oorgangswet op Grondvervoer, 2000, (Wet 22 van 2000).

Lede van die publiek word uitgenooi om geskrewe voorleggis oor of besware teen die voorgestelde skutfooie, soos in die Skedule uiteengesit, binne 21 dae vanaf publikasie van hierdie kennisgewing, aan die volgende adres te rig:

Die Provinsiale Minister
 Departement van Vervoer en Openbare Werke
 Dorpstraat 9
 Private Bag X 1985
 8000 KAAPSTAD
 Aandag: Me. N. Tsipa- Sipoyo

SKEDULE**Tabel va Skutfooie**

| BEDRYF VAN OPENBARE VERVOERDIENS SONDER 'N PERMIT OF LISENSIE | |
|--|-----------------|
| VOORVAL | SKUTFOOI |
| Eester beslaglegging vir bedryf van openbare vervoerdiens sonder 'n permit of lisensie | R 7 000.00 |
| Tweede beslaglegging vir bedryf van openbare vervoerdiens sonder 'n permit of lisensie | R10 000.00 |
| Derde en daaropvolgende beslagleggings vir bedryf van openbare vervoerdiens sonder 'n permit of lisensie | R15 000.00 |

| BERDRYFVAN OPENBARE VERVOERDIENS STRYDIG MET DIE VOORWAARDES VAN 'N BEDRYFSPERMIT OF LISENSIE | |
|--|-----------------|
| VOORVAL | SKUTFOOI |
| Eerste beslaglegging vir bedryf van openbare vervoerdiens strydig met die voorwaardes van 'n bedryfspermit of lisensie | R 2 500 |
| Tweede beslaglegging vir bedryf van openbare vervoerdiens strydig met die voorwaades van 'n bedryfspermit of lisensie | R 5 000 |
| Derde en daaropvolgende beslagleggings vir bedryf van openbare vervoerdiens strydig met die voorwaardes van 'n bedryfspermit of lisensie | R 10 000 |

ROBIN CARLISLE, PROVINSIALE MINISTER VAN VERVOER EN OPENBARE WERKE

**ISEBE LEZOTHUTHO NEIMISEBENZI YOLUNTI KWIPHONDO LENTSHONA KOLONI
UMTHETHO WESIZWE WEZOTHUTHO NGEENDLELA, 2009 (UMTHETHO 5 KA 2009)
INTLAWULELO YEZITHUTHI EZITHINJIWEYO**

Mna, Robin Carlisle, uMphathiswa weSebe lezoThutho neMisebenzi yoLuntu eNtshona Koloni, ngekwecandelo 87(2)(b), necandelo 87(3) loMthetho weSizwe wezoThutho ngeNdlela, 2009 (uMtheho 5 ka-2009) ndinika isaziso sokuba —

- (a) Ndifuna ukumisela umyinge wentlawulelo yezithuthi ezithenjweyo njengoko kumiselwe kwiShedyuli.
- (b) Isaziso esasikhutshwe ngekwecandelo 124(2)(b) nelesi (3) loMthetho weSizwe wezoThutho ngeNdlela, 2000 (uMthetho 22 of 2000) sirhoxisiwe.

Uluntu luyamenywa ukuba lufake iibono zalo ngokubhaliweyo malunga nesi sindululo singokumiselwa komyinge wentlawulelo yezithuthi ezithinjweyo kwisithuba seentsuku ezingama-21 sipapashiwe ezi sazi, njengoko kumiselwe kwiShedyuli, iibono mazifakwe kule dilesi:

uMphathiswa kwiPhondo
Isebe leZothutho neMisebenzi yoLuntu
9 Dorp Street
Private Bag X 1985
8000 CAPE TOWN
Iya kuNksz N. Tsipa- Sipoyo

ISHEDYULI

Itheyibile yoMyinge weNtlawulelo yeziThuthi eziThinjiweyo

| UKUSETYENZIWA KWEZITHUTHI ZIKAWONKE-WONKE NGAPHANDLE KWEEMPHEPHA-MVUME | |
|---|---|
| IZIHLANDLO ZOKUTHINJWA | INTLAWULELO YEZITHUTHI EZITHINJIWEYO |
| Isihlandlo sokuqala sokuthinjwa kwesithuthi sikawonke-wonke esibanjwe sisebenza singenayo imvume yokuba sendleleni okanye impepha-mvume | R 7 000.00 |
| Isihlandlo sesibini sokuthinjwa kwesithuthi sikawonke-wonke esibanjwe singenayo imvume yokuba sendleni okanye impepha-mvume | R10 000.00 |
| Isihlandlo sesithathu, ukuya phambili, sokuthinjwa kwesithuthi sokawonke-wonke esibanjwe singenayo imvume yokuba sendleleni okanye impepha-mvume | R15 000.00 |
| UKUSETYENZISWA KWEZITHUTHI ZIKAWONKE-WONKE NGOKUCHASENE NEMIMISELO YOKUSEBENZA OKANYE YEMPEPHA-MVUME | |
| IZIHLANDLO ZOKUTHINJWA | INTLAWULO YEZITHUTHI EZITHINJIWEYO |
| Isihlandlo sokuqala sokuthinjwa kwesithuthi sikawonke-wonke esibanjwe sisebenza singenayo imvume yokuba sendleleni okanye impepha-mvume ngokuchasene nemimiselo | R 2 500 |
| Isihlandlo sesibini sokuthinjwa kwesithuthi sikawonke-wonke esibanjwe sisebenza singenayo imvume yokuba sendleleni okanye impepha-mvume ngokuchasene nemimiselo | R 5 000 |
| Isihlandlo sesithathu sokuthinjwa kwesithuthi sikawonke-wonke esibanjwe sisebenza singenayo imvume yokuba sendleleni okanye impepha-mvume ngokuchasene nemimiselo | R 10 000 |

ROBIN CARLISLE, UMPHATHISWA WEZOTHUTHO NEMISEBENZI YOLUNTI KWIPHONDO

P.N. 298/2010

30 July 2010

AMENDMENT OF THE URBAN STRUCTURE PLAN FOR THE MOSSEL BAY / RIVERSDAL REGION

By virtue of section 4(7) of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985), Minister A Bredell, Minister of Local Government, Environmental Affairs and Development Planning, on 6 Julie 2010 amended the Urban Structure Plan for the Knysna / Wilderness / Plettenberg Bay Region (made known as a Guide Plan in the Government Notice No. 842 of 29 April 1994 and declared as a Regional Structure Plan in Government Notice No. 165 of 9 February 1996), by changing the designation of a portion of Farm 146, known as the "Leeukamp", Mossel Bay, as approximately indicated on the attached map, from "Agricultural purposes" to "Recreation".

E17/3/4/2/CM2/Farm 142 Ptn 2, Mossel Bay

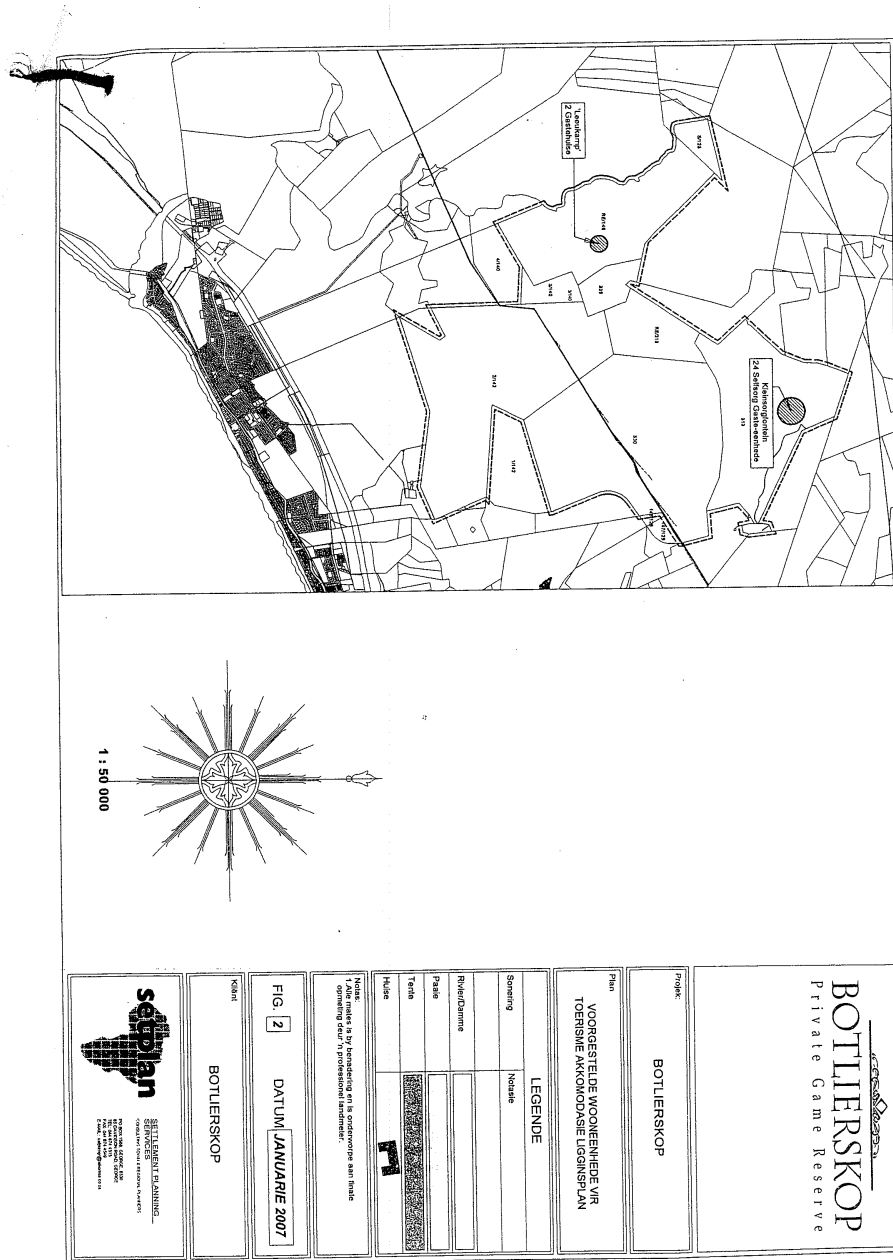
P.K. 298/2010

30 Julie 2010

WYSIGING VAN DIE STEDELIKE STRUKTUURPLAN VIR DIE MOSSELBAAI / RIVERSDAL STREEK

Kragtens artikel 4(7) van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie 15 van 1985), het Minister A Bredell, Minister van Plaaslike Regering, Omgewingsake en Ontwikkelingsbeplanning, op 6 Julie 2010 die Stedelike Struktuurplan vir die Mosselbaai / Riversdal Streekstruktuurplan (bekend gemaak as 'n Gidsplan in Goewermentskennisgewing Nr. 842 van 29 April 1994 en verklaar as Streekstruktuurplan in Goewermentskennisgewing Nr. 165 van 9 Februarie 1996), die gebruiksaanwysing van 'n gedeelte van Plaas Nr. 146, bekend as die Leeukamp, Mosselbaai, vanaf "Landboudoeleindes" na "Ontspanning" gewysig, soos by benadering op die bygaande kaart aangedui.

E17/3/4/2/CM2/Plaas 142 Ged. 2, Mosselbaai



| | |
|--|--|
| <p>BOTLIERSKOP Private Game Reserve</p> | |
| <p>Project: BOTLIERSKOP</p> | <p>Plan: VOORGESTELDE WOONERHEDE VIR TOERISTE ANKOMKODASSE LIGSINPLAN</p> |
| <p>LEGENDE</p> | |
| <p>Streeks: Notasie</p> | |
| <p>Rand/Diagramme</p> | |
| <p>Plaas</p> | |
| <p>Tentse</p> | |
| <p>Hoofse</p> | |
| <p>Nota: 'n Ander makke is by benadering in 'n ondersoep aan 'n finale oopdrag deur 'n professionele ontwerper.</p> | |
| <p>FIG. 2</p> | <p>DATUM: JANUARIE 2007</p> |
| <p>Kontak: BOTLIERSKOP</p> | |
| <p>setplan SETTLEMENT PLANNING PO BOX 1000, GARDENS, CAPE TOWN 7945 Tel: 021 462 1111 Fax: 021 462 1112 E: info@setplan.co.za</p> | |

P.N. 296/2010

30 July 2010

CITY OF CAPE TOWN

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 1249, Vredehoek removes title conditions B.a. and B.b. contained in Deed of Transfer T. 36843 of 2008 and amends title condition B.d. to read as follows:

“That no building which is used for human habitation shall be erected nearer than 4.72 metres to the street line which forms a boundary of this erf. No building which is used for human habitation shall be erected nearer than 1.57 metres to the lateral boundary common to any adjoining erf except where such erven are in common ownership.”

P.N. 297/2010

30 July 2010

CITY OF CAPE TOWN

(TYGERBERG DISTRICT)

REMOVAL OF RESTRICTIONS ACT, 1967

Notice is hereby given that the Minister of Local Government, Environmental Affairs and Development Planning, properly designated as competent authority in terms of paragraph (a) of State President Proclamation No. 160 of 31 October 1994, in terms of section 2(1) of the Removal of Restrictions Act, 1967 (Act 84 of 1967), and on application by the owner of Portion 4 of Farm No. 1158, Bellville, removes condition D. contained in Deed of Transfer No. T. 85845 of 1994.

P.K. 296/2010

30 Julie 2010

STAD KAAPSTAD

WET OP OPHEFFING VAN BEPERKINGS, 1967

Ek, Farzana Parker, in my hoedanigheid as Hoof Grondgebruikbestuur Reguleerder in die Departement van Omgewingsake en Ontwikkelingsbeplanning: Wes-Kaap, handelende ingevolge die bevoegdheid beoog in artikel 2(1) van die Wet op Opheffing van Beperkings, 1967 (Wet 84 van 1967), behoorlik aan my gedelegeer ingevolge artikel 1 van die Wes-Kaapse Wet op die Delegasie van Bevoegdhede, 1994, en op aansoek van die eienaar van Erf 1249, Vredehoek hef voorwaardes B.a. en B.b. soos vervat in Transportakte T. 36843 van 2008, op en wysig titelvoorwaarde B.d. om soos volg te lees:

“That no building which is used for human habitation shall be erected nearer than 4.72 metres to the street line which forms a boundary of this erf. No building which is used for human habitation shall be erected nearer than 1.57 metres to the lateral boundary common to any adjoining erf except where such erven are in common ownership.”

P.K. 297/2010

30 Julie 2010

STAD KAAPSTAD

(TYGERBERG DISTRIK)

WET OP OPHEFFING VAN BEPERKINGS, 1967

Kennis geskied hiermee dat die Minister van Plaaslike Regering, Omgewingsake en Ontwikkelingsbeplanning, behoorlik aangewys as bevoegde gesag ingevolge paragraaf (a) van Staatspresident Proklamasie No 160 van 31 Oktober 1994 kragtens artikel 2(1) van die Wet op Opheffing van Beperkings, 1967 (Wet 84 van 1967), en op aansoek van die eienaar van Gedeelte 4 van die Plaas Nr. 1158, Bellville voorwaarde D. vervat in Transportakte Nr. T. 85845 van 1994 ophef.

REMOVAL OF RESTRICTIONS IN TOWNS

OPHEFFING VAN BEPERKINGS IN DORPE

CITY OF CAPE TOWN (HELDERBERG DISTRICT)

REMOVAL OF RESTRICTIONS & TEMPORARY DEPARTURE

- Erf 4414, 38 Arum Avenue, Somerset West (*second placement*)

Notice is hereby given in terms of Sections 3(6) of the Act 84 of 1967 & 15(2)(a) of Ordinance 15 of 1985 that the undermentioned application has been received and is open to inspection at the office of the District Manager, First Floor, Municipal Offices, cnr 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 no. (021) 850-4487 during the hours 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, cnr Victoria & Andries Pretorius Streets, Somerset West on or before 30 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) 483-4634 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: Allen Handley

Owner: Dr CR Brink

Application Number: 182329

Notice Number: 36/2010

Address: 38 Arum Avenue, Somerset West

Nature of application:

- The removal of restrictive title conditions applicable to Erf 4414, 38 Arum Avenue, Somerset West to enable the owner to utilize a portion of the dwelling as a guesthouse;
- The temporary departure from the Somerset West Zoning Scheme Regulations in order to operate a bed-&-breakfast consisting of 4 guest suites from the dwelling.

ACHMAT EBRAHIM, CITY MANAGER

STAD KAAPSTAD (HELDERBERG-DISTRIK)

OPHEFFING VAN BEPERKINGS & TYDELIKE AFWYKING

- Erf 4414, Arumlaan 38, Somerset-Wes (*tweede plasing*)

Kennisgewing geskied hiermee ingevolge artikel 3(6) van Wet 84 van 1967 en artikel 15(2)(a) van Ordonnansie 15 van 1985 en die toepaslike soneringskemaregulasies 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 30 Augustus 2010 skriftelik by die kantoor van bogenoemde 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. 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) 483-4634 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: Allen Handley

Eienaar: Dr. CR Brink

Aansoeknr.: 182329

Kennisgewingnr.: 36/2010

Adres: Arumlaan 38, Somerset-Wes

Aard van aansoek:

- Die opheffing van beperkende titelvoorwaardes wat op Erf 4414, Arumlaan 38, Somerset-Wes, van toepassing is, ten einde die eienaar in staat te stel om 'n gedeelte van die woning as gastehuis te gebruik.
- Tydlike afwyking van Somerset-Wes se soneringskemaregulasies ten einde 'n bed-en-ontbytonderneming bestaande uit 4 gastesuites in die woning te bedryf.

ACHMAT EBRAHIM, STADSBESTUURDER

CITY OF CAPE TOWN (HELDERBERG DISTRICT)

UKUSUSWA KWEZITHINTELO NOKUTYESHELA OKWETHUTYANA IMIQATHANGO YOSETYENZISO-MHLABA

- Isiza 4414, 38 Arum Avenue, eSomerset West (*sikhutshwa okwesibini*)

Kukhutshwa isaziso ngokungqinelana neCandelo 3(6) loMthetho 84 ka-1967 nele-15(2)(a) oMmiselo 15 ka-1985 sokuba esi sicelo sikhanyanwe ngezantsi sifunyenwe kwaye sivulelekile ukuba siphengululwe kwi-ofisi yoMphathi weSithili, uMgangatho wokuQala, ii-Ofisi zikaMasipala, kwikona ye-Victoria ne-Andries Pretorius Streets, eSomerset West. Imibuzo mayijoliswe ku-Mnu. Dumza Mfutwana, PO Box 19, Somerset West, 7129, i-meyile ku-ciska.smit@capetown.gov.za, umnxeba: (021) 850-4346 okanye ifeksi: (021) 850-4487 phakathi kwentsimbi ye-08:00-14:30. Naziphina izichaso, nezizathu ezizeleyo zoko, zingangeniswa ngokubhaliweyo kwi-ofisi yoMphathi weSithili kuMgangatho wokuQala, ii-Ofisi zikaMasipala, kwikona ye-Victoria ne-Andries Pretorius Streets, eSomerset West ngomhla okanye phambo kowama-30 Agasti 2010, ucaphula lo Mthetho ungentla nenombolo yesiza neenombolo zomnxeba nedilesi yomchasi. Isicelo sikwavulelekile ukuba siphengululwe kwi-ofisi yoMlawuli: woLawulo oluHlanganisiweyo lokusiNgqongileyo, iSithili B1, uRhulumente wePhondo leNtshona Koloni, iGumbi 601, 1 Dorp Street, eKapa, ukususela ngentsimbi ye-08:00-12:30 nangentsimbi ye-13:00-15:30 (ngoMvulo ukuya ngoLwesihlanu). Imibuzo ngomnxeba malunga nalo mbandela ingenziwa kwa-(021) 483-4634 yaye inombolo yefeksi yeCandelo loLawulo ngu-(021) 483-3098. Naziphina izichaso ezifunyenwe emva kwalo mhla wokuvala okhankanywe ngentla zisenokuthathwa njengezingekho mthethweni.

Umfaki-sicelo: Allen Handley

Umnini: Dr CR Brink

INombolo yeSicelo: 182329

INombolo yeSaziso: 36/2010

Idilesi: 38 Arum Avenue, Somerset West

Uhlobo lwesicelo:

- Ukususwa kwemiqathango ethintelayo yetayitile emiselwe kwiSiza 4414, 38 Arum Avenue, eSomerset West kulungiselelwa ukuba umnini wepropati asebenzisa inxalenye yale ndawo yokuhlala njengendawo yeendwendwe;
- Ukutyeshelela okwethutyana iMiqathango yeNkqubo yokuCandwa koMhlaba eSomerset West kulungiselelwa ukuvulwa kwendawo apho ubani enokulala ze afumane isidlo sakusasa equka amagumbi ama-4 ahamba kunye eendwendwe kule ndawo yokuhlala.

ACHMAT EBRAHIM, CITY MANAGER

CITY OF CAPE TOWN (NORTHERN DISTRICT)

REMOVAL OF RESTRICTIONS

- Erven 356, 358, 364, 365, 371, 374, 379, 386, 389, 394, 403, 405, 412, 413, 419, 423, 427 and 438, Springbok Park, Brackenfell
(second placement)

Notice is hereby given in terms of Section 3(6) of the Removal of Restrictions Act, 1967 (Act 84 Of 1967): that the undermentioned application has been received and is open to inspection at the office of the District Manager, Northern District at the Municipal Offices, Brighton Road, Kraaifontein and that any enquiries may be directed to Mrs A van der Westhuizen, Box 25, Kraaifontein, 7569, (021) 980-6004, facsimile (021) 980-6083 or e-mail: Annaleze.van_der_Westhuizen@capetown.gov.za, weekdays during the hours of 08:00 to 14:30. The application is also open to inspection at the office of the Director: Integrated Environmental Management, Department of Environmental Affairs & Development Planning, Provincial Government of the Western Cape at the Utilitas Building, 1 Dorp Street, Room 207, Cape Town weekdays from 08:00 to 12:30 and 13:00 to 15:30. Telephonic enquiries in this regard may be made at (021) 483-4225 and the Directorate's fax number is (021) 483-3633. 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, with a copy to the abovementioned District Manager, on or before Monday 30 August 2010, quoting the above Act and the objector's erf number. Any objections received after aforementioned closing date may be disregarded.

Applicant: City of Cape Town on behalf of the owners

Nature of application: Removal of restrictive title conditions, applicable to Erven 356, 358, 364, 365, 371, 374, 379, 386, 389, 394, 403, 405, 412, 413, 419, 423, 427 and 438, Springbok Park, Brackenfell to enable the owners to utilize the properties for office purposes.

Application No: 192329

Erf numbers and addresses:

- 356: 6 Jannie Engelbrecht Street
- 358: 10 Jannie Engelbrecht Street
- 364: 18 HO de Villiers Street
- 365: 14 HO de Villiers Street
- 371: 26 John Gainsford Street
- 374: 9 Eben Olivier Street
- 379: 4 Eben Olivier Street
- 386: 7 Albie de Waal Street
- 389: 6 HO de Villiers Street
- 394: 8 Albie de Waal Street
- 403: 17 Dana Street
- 405: 13 Dana Street
- 412: 3 Nina Street
- 413: 21 Roslyn Street
- 419: 9 Roslyn Street
- 423: 1 Lee Street
- 427: 12 Dana Street
- 438: 7 Gert Kotze Street

ACHMAT EBRAHIM, CITY MANAGER

STAD KAAPSTAD (NOORDELIKE DISTRIK)

OPHEFFING VAN BEPERKINGS

- Erwe 356, 358, 364, 365, 371, 374, 379, 386, 389, 394, 403, 405, 412, 413, 419, 423, 427 & 438, Springbok Park, Brackenfell
(*tweede plasing*)

Kennisgewing geskied hiermee ingevolge artikel 3(6) van die Wet op Opheffing van Beperkings, Wet 84 van 1967, dat onderstaande aansoek ontvang is wat by die kantoor van die distriksbestuurder, Noordelike Distrik, Munisipale Kantore, Brightonweg, Kraaifontein, ter insae beskikbaar is. Navrae kan gerig word aan me. A van der Westhuizen, Posbus 25, Kraaifontein 7569, tel. (021) 980-6004, faksnr. (021) 980-6083, e-posadres Annaleze.van_der_Westhuizen@capetown.gov.za, of bogenoemde straatadres, gedurende kantoorure (08:00-14:30). Die aansoek is ook ter insae beskikbaar by die kantoor van die direkteur: geïntegreerde omgewingsbestuur, departement van omgewingsake en ontwikkelingsbeplanning, provinsiale regering van die Wes-Kaap, Utilitas-gebou, Kamer 207, Dorpstraat 1, Kaapstad, weksdae van 08:00-12:30 en 13:00-15:30. Telefoniese navrae in dié verband kan aan (021) 483-4225 gerig word, en die direktoraat se faksnr is (021) 483-3633. Enige besware, met volledige redes, moet voor of op Maandag 30 Augustus 2010 skriftelik aan die kantoor van bogenoemde direkteur: geïntegreerde omgewingsbestuur, departement van omgewingsake en ontwikkelingsbeplanning, Privaat Sak X9086, Kaapstad 8000, gerig word, met 'n afskrif aan bogenoemde distriksbestuurder, met vermelding van bogenoemde Wet en die beswaarmaker se ernommer. Enige besware wat na voormelde sluitingsdatum ontvang word, kan dalk ongedig geag word.

Aansoeker: Stad Kaapstad namens die eienaars

Aard van aansoek: Die opheffing van beperkende titelvoorwaardes wat op Erwe 356, 358, 364, 365, 371, 374, 379, 386, 389, 394, 403, 405, 412, 413, 419, 423, 427 & 438, Springbok Park, Brackenfell, van toepassing is, ten einde die eienaars in staat te stel om die eiendom vir kantooreleindes te gebruik.

Aansoeknr.: 192329

Erfnommers en adresse:

- 356: Jannie Engelbrechtstraat 6
- 358: Jannie Engelbrechtstraat 10
- 364: HO de Villiersstraat 18
- 365: HO de Villiersstraat 14
- 371: John Gainsfordstraat 26
- 374: Eben Olivierstraat 9
- 379: Eben Olivierstraat 4
- 386: Albie de Waalstraat 7
- 389: HO de Villiersstraat 6
- 394: Albie de Waalstraat 8
- 403: Danastraat 17
- 405: Danastraat 18
- 412: Ninastraat 3
- 413: Roslynstraat 21
- 419: Roslynstraat 9
- 423: Leestraat 1
- 427: Danastraat 12
- 438: Gert Kotzestraat 7

ACHMAT EBRAHIM, STADSBESTUURDER

CITY OF CAPE TOWN (NORTHERN DISTRICT)

UKUSUSWA KWEZITHINTELO

- Isiza 356, 358, 364, 365, 371, 374, 379, 386, 389, 394, 403, 405, 412, 413, 419, 423, 427 nesiza 438, Springbok Park, Brackenfell
(sikhutshwa okwesibini)

Kukhutshwa isaziso ngokwemigaqo yeCandelo 3(6) loMthetho wokuSuswa kwelithintelo, 1967 (uMthetho 84 ka-1967): sokuba esi sicelo sikhanyanwe ngezantsi sifunyenwe kwaye sivulelekile ukuba siphengululwe kwi-ofisi yoMphathi weSithili — kwiSithili esikuMntla kwiiOfisi zikaMasi-pala, Brighton Road, eKraaifontein kunye nokuba nayiphi imbuzo mayijoliswe kuNkskz. A van der Westhuizen, Box 25, Kraaifontein, 7569, 021-980 6004, ifeksi 021-980 6083 okanye nge-imeyile: Annaleze.van_der_Westhuizen@capetown.gov.za, phakathi evekini ukususela ngentsimbi ye-08:00 ukuya nge-14:30. Isicelo sikwavulelekile ukuba siphengululwe kwi-ofisi yoMlawuli: woLawulo oluHlanganisiweyo lokusiNgqongileyo, iSebe leMicimbi yokuSingqongileyo noCwanciso kuPhuhliso, uRhulumente wePhondo leNtshona Kolono kwiSakhiwo i-Utilitas, 1 Dorp Street, iGumbi 207, eKapa phakathi evekini ukususela ngentsimbi ye-08:00 ukuya nge-12:30 nangentsimbi yoku-13:00 ukuya nge-15:30. Imibuzo ngomnxeba malunga nalo mbandela ingenziwa kwa-021 483-4225 yaye inombolo yefeksi yeCandelo loLawulo ngu-021 483- 3633. Naziphina izichaso, nezizathu ezizeleyo zoko, zingangeniswa ngokubhaliweyo kwi-ofisi yoMlawuli okhankanyiweyo: woLawulo oluHlanganisiweyo lokusiNgqongileyo, iSebe leMicimbi yokuSingqongileyo noCwanciso kuPhuhliso kwa-Private Bag X9086, Cape Town, 8000, nekopi kuMphathi weSithili okhankanywe ngasentla, ngomhla okanye ngaphambi koMvulo, owama-30 Agasti 2010, ucaphula lo Mthetho ungasentla nenombolo yesiza yomchasi. Naziphina izichaso ezifunyenwe emva kwalo mhla wokuvala okhankanywe ngentla zisenokungananzwa.

Umfaki-sicelo: IsiXeko saseKapa egameni labanini-mhlaba

Uhlobo lwesicelo: Ukususwa kwemiqathango ethintelayo yetayitile, emiselwe kwiSiza 356, 358, 364, 365, 371, 374, 379, 386, 389, 394, 403, 405, 412, 413, 419, 423, 427 neSiza 438, Springbok Park, eBrackenfell kulungiselelwa ukuba abanini basebenzise ezi propati kwiinjongo zee-ofisi.

INomb. yeSicelo: 192329

Iinombolo zeziza needilesi:

- 356: 6 Jannie Engelbrecht Street
- 358: 10 Jannie Engelbrecht Street
- 364: 18 HO de Villiers Street
- 365: 14 HO de Villiers Street
- 371: 26 John Gainsford Street
- 374: 9 Eben Olivier Street
- 379: 4 Eben Olivier Street
- 386: 7 Albie de Waal Street
- 389: 6 HO de Villiers Street
- 394: 8 Albie de Waal Street
- 403: 17 Dana Street
- 405: 13 Dana Street
- 412: 3 Nina Street
- 413: 21 Roslyn Street
- 419: 9 Roslyn Street
- 423: 1 Lee Street
- 427: 12 Dana Street
- 438: 7 Gert Kotze Street

ACHMAT EBRAHIM, CITY MANAGER

CITY OF CAPE TOWN (SOUTHERN DISTRICT)

REMOVAL OF RESTRICTIVE TITLE CONDITIONS, REZONING, SUBDIVISION AND DEPARTURES

- Erf 97126 Cape Town at Newlands (*second placement*)

Notice is hereby given in terms of Section 3(6) of the Removal of Restrictions Act, 1967 (Act 84 of 1967) and Sections 24, 17 and 15 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, Ground Floor (Counter No. 3), 3 Victoria Road, Plumstead, from 08:00-13:00, Monday to Friday. Enquiries may be directed to Mr D Suttle, tel. (021) 710-8268. The application is also open for 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) 483-3009 and the Directorate's fax number is (021) 483-3098. Any objections, with full reasons therefor, should be lodged in writing at both (1) the office of the District Manager, Department: Planning & Building Development Management, Private Bag X5, Plumstead, 7801 or faxed to (021) 710-8283 or e-mailed to Roger.Brice@capetown.gov.za and (2) the Director: Integrated Environmental Management, at Private Bag X9086, Cape Town 8000, on or before the closing date, quoting the above Act and Ordinance, the undermentioned reference number, and the objector's erf, phone number/s 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 numbers, and, as a consequence arrives later, it will be deemed to be invalid. For any further information in this regard, contact Mr D Suttle on (021) 710-8268.

The closing date for objections and comments is Monday, 30 August 2010.

Applicant: @ Planning Town Planning

Application number: 191905

Address: 6 Mona Crescent, Newlands

Nature of application: The applicant has applied for the following applications:

1 *Removal of Restrictions*

The removal of the following restrictive conditions from Deed of Transfer T057141/09 applicable to Erf 97126, Newlands, in order to permit the erection of ten (10) Grouped Dwelling Residential Units, a private road, a refuse room and a security kiosk on the property:

- C.2(ii) "That the erf not be subdivided, except Erf no 1 which may be subdivided subject to approval of the Township Board."
- C.2(iii) "That not more than one dwelling, together with the necessary outbuildings and appurtenances, be erected on the erf, except erven Nos. 2 and 3 on which not more than one building together with the necessary outbuildings and appurtenances may be erected, and that not more than half the area of the erf be built upon."
- C.2(iv) "That no building shall be erected within 4.72m of any street line which forms a boundary of the erf."

2 *Rezoning*

- To rezone the property from Single Dwelling Residential to Subdivisional Area to allow for Grouped Dwellings Residential and Street Purposes.

3 *Subdivision*

- To subdivide the property into 14 portions comprising 13 Group Dwelling Residential portions for 10 Dwelling Units and 3 Private Areas (for private road, refuse room and security kiosk). 1 Street Purposes portion is for an embayment on Mona Crescent.

4 *Departures*

Departures from the Cape Town Zoning Scheme Regulations, as set out below, are applied for in terms of Section 15 of the Land Use Planning Ordinance No 15 of 1985.

Section 90(10)(b)(i): To permit 10 Dwelling Units on a Grouped Dwelling Site in lieu of 9.

Section 90(10)(b)(v): Unit 6 to be located 1m on ground level and 3m on 1st and 2nd floors from the northern boundary in lieu of 4.5m.

Section 90(10)(b)(v): Units 1 to 5 to be located 2.5m, on ground floor and 1.27m, on 1st floor, from the western common boundary in lieu of 3m.

Section 90(10)(b)(v): Unit 5 to be located 1.617m on ground floor and 1st floor, from the northern common boundary in lieu of 3m.

Section 47(2): A security kiosk and refuse room 0m from the new street boundary in lieu of 4.5m.

Section 47(2): Units 1 and 10 to be located 2m from the new street boundary, on ground and 1st floors, in lieu of 4.5m.

ACHMAT EBRAHIM, CITY MANAGER

STAD KAAPSTAD (SUIDELIKE DISTRIK)

OPHEFFING VAN BEPERKENDE TITELVOORWAARDES, HERSONERING, ONDERVERDELING EN AFWYKINGS

- Erf 97126 Kaapstad te Nuweland (*tweede plasing*)

Kennisgewing geskied hiermee ingevolge artikel 3(6) van die Wet op Opheffing van Beperkings, Wet 84 van 1967, en artikels 24, 17 en 15 van die Ordonnansie op Grondgebruikbeplanning, nr. 15 van 1985, dat onderstaande aansoek ontvang is en ter insae beskikbaar is by die kantoor van die distriksbestuurder, departement: beplanning en bou-ontwikkelingsbestuur, Stad Kaapstad, Grondverdieping (toonbanknr. 3), Victoriaweg 3, Plumstead 7801. Navrae kan gerig word aan mnr D Suttle, tel (021) 710-8268, gedurende 08:00-13:00, Maandag tot Vrydag. Die aansoek is ook ter insae beskikbaar by die kantoor van die direkteur: geïntegreerde omgewingsbestuur, departement van omgewingsake en ontwikkelingsbeplanning, provinsiale regering van die Wes-Kaap, Kamer 601, Utilitas-gebou, Dorpstraat 1, Kaapstad, van 08:00-12:30 en 13:00-15:30 (Maandae tot Vrydae). Telefoniese navrae in dié verband kan gerig word aan (021) 483-3009 en die direktoraat se faksnr. is (021) 483-3098. Enige besware en/of kommentaar, met volledige redes daarvoor, moet voor of op die sluitingsdatum by sowel (1) die kantoor van die distriksbestuurder, departement: beplanning en bou-ontwikkelingsbestuur, Stad Kaapstad, Privaat Sak X5, Plumstead 7801, faksnr. (021) 710-8283, Roger.Brice@capetown.gov.za, as (2) die direkteur: geïntegreerde omgewingsbestuur, Privaat Sak X9086, Kaapstad 8000, ingedien word, met vermelding van bogenoemde Wet en Ordonnansie, onderstaande verwysingsnommer en die beswaarmaker se erf- en telefoonnommer en adres. Besware en kommentaar kan ook voor of op die sluitingsdatum per hand by bogenoemde straatadresse afgelewer word. As u reaksie nie na dié adresse en/of faksnr. gestuur word nie en gevolglik laat ontvang word, sal dit ongeldig geag word. Om nadere inligting, tree asseblief met mnr D Suttle, tel (021) 710-8268, in verbinding. Die sluitingsdatum vir besware en kommentaar is Maandag, 30 Augustus 2010.

Aansoeker: @ Planning Town Planning

Aansoeknr.: 191905

Adres: Monasingel 6, Nuweland

Aard van aansoek: Die aansoeker het om die volgende aansoek gedoen:

1 *Opheffing van beperkings*

Die opheffing van die volgende beperkende voorwaardes in Transportakte T057141/09 wat op Erf 97126, Nuweland, van toepassing is, ten einde toe te laat dat tien (10) groepsbehuisingsseenhede, 'n privaat pad, 'n vulliskamer en 'n veiligheidskiosk op die eiendom gebou word:

- C.2(ii) “Dat die erf nie onderverdeel word nie, behalwe Erf 1, wat onderverdeel kan word, onderhewig aan goedkeuring van die dorpsraad.”
- C.2(iii) Dat daar nie meer as een woning, tesame met die nodige buitegeboue en toebehore, op die Erf opgerig word nie, met die uitsondering van Erwe 2 & 3, waarop daar nie meer as een woning, tesame met die nodige buitegeboue en toebehore, op die Erf opgerig word nie, en dat daar nie op meer as die helfte van die Erf gebou mag word nie.”
- C.2(iv) “Dat geen gebou binne 4.72m van enige straatlyn opgerig word wat 'n grens van die Erf vorm nie.”

2 *Hersonering*

- Die hersonering van die eiendom van enkelresidensieel na onderverdelingsgebied om vir groepsbehuisings- en straatdoeleindes voorsiening te maak.

3 *Onderverdeling*

Die onderverdeling van die eiendom in 14 gedeeltes bestaande uit 13 groepsbehuisingsgedeeltes vir 10 wooneenhede en 3 privaat gebiede (vir privaat pad, vulliskamer en veiligheidskiosk); 1 straatgedeelte is vir 'n inham aan Monasingel.

4 *Afwykings*

Daar word om afwykings van die Kaapstadse soneringskema regulasies, soos hieronder uiteengesit, aansoek gedoen ingevolge artikel 15 van die Ordonnansie op Grondgebruikbeplanning, nr. 15 van 1985.

Artikel 90(10)(b)(i): Om 10 wooneenhede in plaas van 9 op 'n groepsbehuisingsperseel toe te laat.

Artikel 90(10)(b)(v): Om toe te laat dat eenheid 6 op grondvlak 1m en op 1e en 2e verdiepings 3m in plaas van 4.5m van die noordelike grens geleë is.

Artikel 90(10)(b)(v): Om toe te laat dat eenhede 1 tot 5 op grondverdieping 2.5m, en op 1e verdieping 1.27m in plaas van 3m van die westelike gemeenskaplike grens geleë is.

Artikel 90(10)(b)(v): Om toe te laat dat eenheid 5 op grondverdieping en 1e verdieping 1.617m in plaas van 3m van die noordelike gemeenskaplike grens geleë is.

Artikel 47(2): Om toe te laat dat 'n veiligheidskiosk en vulliskamer 0m in plaas van 4.5m van die nuwe straatgrens geleë is.

Artikel 47(2): Om toe te laat dat eenhede 1 tot 10 op grond- en 1e verdieping 2m in plaas van 4.5m van die nuwe straatgrens geleë is.

ACHMAT EBRAHIM, STADSBESTUURDER

CITY OF CAPE TOWN (SOUTHERN DISTRICT)

UKUSUSWA KWEMIQATHANGO YESITHINTELO SETAYTILE YOBUNINI, UCANDO NGOKUTSHA, ULWAHLULO NOTYESHELO LWEMIQATHANGO

Isiza-97126, esiseKapa, e-Newlands (*isibhengezo sesibini*)

Kukhutshwa isaziso ngokweCandelo-3(6) loMthetho wokuSuswa kweziThintelo onguNomb.84 wangowe-1967 nangokwamaCandelo-24, 17 nele-15 oMpoposho oCwanciso lokuSetyenziswa koMhlaba onguNomb.15 wangowe-1985, sokuba isicelo esikhankanywe ngezantsi apha, sifunyenwe kwaye sivulelekile ukuba sihlolwe kwi-ofisi yoMphathi weSithili, iSebe loLawulo loPhuhliso lezoCwanciso neZakhiwo/uLwakhiwo, kuMgangatho olingana nohlaba (kwiKhawuntala enguNomb.3), 3 Victoria Road, e-Plumstead, ukususela ngeye-08:00-13:00, ngoMvulo ukuya ngoLwesihlanu. Imibuzo ingajoliswa kuMnu D. Suttle, umnxeba (021) 710 8268. Isicelo esi kwakhona sivulelekile ukuba siphononongwe/sihlolwe kwi-ofisi yoMlawuli woLawuli lokuSingqongileyo ngokuHlangeneyo, iSithili-B1, ubuRhulumente bePhondo laseNtshona Kapa, kwiGumbi-601, 1 Dorp Street, eKapa, ukususela ngeye-08:00-12:30 nokususela ngeye-13:00-15:30 (ngoMvulo ukuya ngoLwesihlanu). Imibuzo ngomnxeba ngokuphathelene nalo mbandela ingenziwa kwa-021-483 3009 nakwinombolo yefeksi yoMlawuli engu 021-483 3098. Naziphina izichaso ezinezizathu ezivakalayo zingangeniswa ngokubhaliweyo kuzo zimbini ii-ofisi eyokugala (1) eyi-ofisi yoMphathi weSithili, iSebe loLawulo loPhuhliso loCwanciso neZakhiwo, Private Bag X5, Plumstead, 7801 okanye zifekselwe kwa (021) 710-8283 okanye zi-imeyilelwe ku Roger. Brice@capetown.gov.za (2) nakuMlawuli woLawuli lokuSingqongileyo ngokuHlangeneyo, Private Bag X9086, Cape Town 8000, ngomhla okanye phambi komhla wokuvalwa, ucaphule lo Mthetho ngentla noMpoposho, inombolo yesalathiso ekhankanywe ngezantsi apha, nenombolo yesiza yomchasi, iinombolo zomnxeba nedilesi. Izichaso nezimvo zingangeniswa ngesandla kwiidilesi zesitrato ezikhankanywe ngentla apha okanye kwiinombolo zefeksi ungalulanga Umhla wokuvalwa. Ukuba impendulo yakho ayithunyelwanga kwezi dilesi neenombolo zefeksi sele zikhankanyiwe, kwaye kwakhona kwenzeka ukuba zifike emva komhla wokuvalwa/emva kwexesha, ziya kuthi zithatyathwe njengezingekho-mthethweni/ziya kuthi zingahoywa. Ukuba unemibuzo engeminye ngokuphathelene nalo mbandela, nceda uqhagamshelane noMnu D Suttle kwa (021) 710 8268.

Umhla wokuvalwa kokungeniswa kwezichaso nezimvo nguMvulo, 30 Agasti 2010.

Umfaki-sicelo: @ Planning Town Planning

Inombolo yesicelo: 191905

Idilesi: 6 Mona Crescent, Newlands

Ubume besicelo: Umfaki-sicelo uye wenza isicelo soku kulandelayo:

1 Ukususwa kwezithintelo

Ukususwa kwemiqathango yesithintelo esisusela kwiSigqibo sokuTshintshiselana esingunombolo-T057141/09 esijoliswe kwisiza-97126, esise-Newlands, ukuze kuvumeleke ukumiselwa/ukugxunyekwa kweyunithi ezilishumi (10) ezizilindlu zokuHlaia zeQela, kwindlela yabucala, igumbi lokugcina inkunkuma negunjana lezokhuseleko kwiipropati le:

- C.2(ii) “Ukuba iziza masingahlulwa, ngaphandle kwisiza esinguNomb.1 apho sona singohlulwa ngokuxhomekeke ekuphunyezweni kweBhodi engeLokishi.”
- C.2(iii) “Ukuba esingekhongaphezulu kwendawo yokuhLala enye, kunye nezakhiwo eziphumela ngaphandle namasuntswana azo, mazakhiwe kwisiza-, ngaphandle kweziza esinguNomb. 2 no.3 apho kuvumeleke ukuba kwakhiwe isakhiwo esingekhongaphezulu kwesinye kunye nezakhiwo eziphumela ngaphandle namasuntswana azo, kwaye kungakhiwa kwindawo engaphezulu kwehafu yesiza esi.”
- C.2(iv) “Ukuba akukho sakhiwo ekuvumelekileyo ukuba sakhiwe kwi-4.72m sawo nawuphina umda wesitrato othi ubeyinxal’ enye yomda wesiza esi.”

2 Ucando ngokutsha

- Ukuba kucandwe ngokutsha ipropati ukususela kwiNdawo yokuhLala umntu omnye ukuba ibenguMmandla owaHluliweyo ukuze kuvumeleke ukumiselwa kweziNdulu zokuHlala zeQela neSitrato.

3 Ulwahlulo

- Ukuba kwahlulwe ipropati ukuba ibeziziqephu ezili-14 eziquka iziqephu zokuHlala zeQela ezili-13 ezilungiselelwe iiYunithi zokuHlala ezili-10 neMimandla emi-3 yaBucala (elungiselelwe indlela yabucala, igumbi lokugcina inkunkuma negunjana lezokhuseleko). Isiqephu seSitrato esi-1 esilungiselelwe ukwahlulwa sibeziindawo kwi-Mona Crescent.

4 Utyeshelo lwemiqathango

Kuye kwenziwa isicelo sotyeshelo lwemiqathango olususela kwiMigaqo yeNkqubo yezoCando, njengoko kubonakalisiwe ngezantsi apha, ngokungqinelana neCandelo-15 loMpoposho woCwanciso lokuSetyenziswa koMhlaba onguNomb.15 wangowe-1985.

ICandelo-90(10)(b)(i): Ukuze kuvumeleke iyunithi zokuhlala ezili-10 kwiSiza esilungiselelwe ukuhala iQela, endaweni ye-9.

ICandelo-90(10)(b)(v): UYunithi-6 kufuneka amiselwe abesi-1m kumgangatho olingana nomhlaba abesisi-3m kumgangatho wo-1 new-2 ukususela kumda osemntla endaweni yesi- 4.5m.

ICandelo-90(10)(b)(v): liYunithi-1 ukuya kwisi-5 kufuneka zimiselwe zibesisi-2.5m, kumgangatho olingana nomhlaba nesi-1.27m, kumgangatho woku-1, ukususela kumda osentshona endaweni yesi-3m.

ICandelo-90(10)(b)(v): UYunithi-5 kufuneka amiselwe abesisi-1.617m kumgangatho olingana nomhlaba nakumgangatho wo-1, ukususela kumda esemntla endaweni yesi-3m.

ICandelo-47(2): Igunjana lezokhuseleko nelokugcinwa kwenkunkuma kufuneka abengu-0m ukususela kumda weSitrato esitsha, endaweni yesi-4.5m.

ICandelo-47(2) liYunithi-1 no-10 kufuneka zimiselwe zibesisi-2m ukususela kumda weSitrato esitsha, kumgangatho olingana nomhlaba nakumgangatho woku-1, endaweni yesi-4.5m.

ACHMAT EBRAHIM, CITY MANAGER

CITY OF CAPE TOWN (SOUTHERN DISTRICT)

REMOVAL OF RESTRICTIONS AND DEPARTURE IN TERMS OF THE LAND USE PLANNING ORDINANCE NO 15 OF 1985

- Erf 82714 Cape Town at Steenberg, 21 Wagner Street (*second placement*)

Notice is hereby given in terms of Section 3(6) of the Removal of Restrictions Act, 1967 (Act 84 of 1967), and Section 15 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, first floor, 3 Victoria Rd, Plumstead, and any enquiries may be directed to Mr P Heydenrych, tel (021) 710-9362 from 08:30 to 13:00 Monday to Friday. 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 to 12:30 and 13:00 to 15:30. Telephonic enquiries in this regard may be made at (021) 483-3009 and the Directorate's fax number is (021) 483-3098, the office of the District Manager, Department: Planning & Building Development Management, City of Cape Town, Private Bag X5, Plumstead, 7801 or faxed to (021) 710-8283 or e-mailed to newton.woollam@capetown.gov.za and the Director: Integrated Environmental Management, Department of Environmental Affairs & Development Planning, Provincial Government of the Western Cape at the Utilitas Building, 1 Dorp Street, Cape Town on or before the closing date, as indicated below quoting the above Act and Ordinance, the belowmentioned reference number, and the objector's erf and phone numbers and address. Objections and comments may also be hand-delivered to the abovementioned street addresses by no later than the closing date. If your response is not sent to these addresses and/or fax number, and if, as a consequence it arrives late, it will be deemed to be invalid. For any further information, contact Mr N Woollam on (021) 710-8231. The closing date for objections and comments is 30 August 2010.

File Ref: LUM/00/82714 (188450)

Applicant: S Dick

Address: 21 Wagner Road, Steenberg

Nature of application: Removal of restrictive title deed condition applicable to enable the owner to erect a second dwelling unit ("granny flat") on the property.

Departure: Section 27(1) to enable a Second Dwelling Unit on the property.

ACHMAT EBRAHIM, CITY MANAGER

STAD KAAPSTAD (SUIDELIKE DISTRIK)

OPHEFFING VAN BEPERKINGS EN AFWYKING INGEVOLGE DIE ORDONNANSIE OP GRONDGEBRUIKBEPLANNING,
NR. 15 VAN 1985

- Erf 82714 Kaapstad te Steenberg, Wagnerstraat 21 (*tweede plasing*)

Kennisgewing geskied hiermee ingevolge artikel 3(6) van die Wet op Opheffing van Beperkings, Wet 84 van 1967, en artikel 15 van die Ordonnansie op Grondgebruikbeplanning, nr. 15 van 1985, dat onderstaande aansoek ontvang is en ter insae beskikbaar is by die kantoor van die distriksbestuurder, departement: beplanning en bou-ontwikkelingsbestuur, Stad Kaapstad, Eerste Verdieping, Victoriaweg 3, Plumstead 7801. Navrae kan gerig word aan mnr. P Heydenrych, tel (021) 710-9362, gedurende 08:00-13:00, Maandag tot Vrydag. Die aansoek is ook ter insae beskikbaar by die kantoor van die direkteur: geïntegreerde omgewingsbestuur, Streek B1, departement van omgewingsake en ontwikkelingsbeplanning, provinsiale regering van die Wes-Kaap, Kamer 601, Utilitas-gebou, Dorpstraat 1, Kaapstad, van 08:00-12:30 en 13:00-15:30 (Maandae tot Vrydae). Telefoniese navrae in dié verband kan gerig word aan (021) 483-3009 en die direktoraat se faksnr is (021) 483-3098. Enige besware en/of kommentaar, met volledige redes daarvoor, moet voor of op die sluitingsdatum by sowel (1) die kantoor van die distriksbestuurder, departement: beplanning en bou-ontwikkelingsbestuur, Stad Kaapstad, Privaat Sak X5, Plumstead 7801, faksnr. (021) 710-8283, e-posadres newton.woollam@capetown.gov.za, as (2) die direkteur: geïntegreerde omgewingsbestuur, Privaat Sak X9086, Kaapstad 8000, ingedien word, met vermelding van bogenoemde Wet en Ordonnansie, onderstaande verwysingsnommer en die beswaarmaker se erf- en telefoonnommer en adres. Besware en kommentaar kan ook voor of op die sluitingsdatum per hand by bogenoemde straatadresse afgelewer word. As u reaksie nie na dié adresse en/of faksnr. gestuur word nie en gevolglik laat ontvang word, sal dit ongeldig geag word. Om nadere inligting, tree asseblief met mnr N Woollam, tel (021) 710-8231, in verbinding. Die sluitingsdatum vir besware en kommentaar is 30 Augustus 2010.

Lêerverw.: LUM/00/82714 (188450)

Aansoeker: S Dick

Adres: Wagnerstraat 21, Steenberg

Aard van aansoek: Die opheffing van 'n beperkende titelaktevoorwaarde wat van toepassing is, ten einde die eienaar toe te laat om 'n tweede wooneenheid ("oumawoonstel") op die eiendom op te rig.

Afwyking: Artikel 27(1), ten einde die 'n tweede wooneenheid op die eiendom moontlik te maak.

ACHMAT EBRAHIM, STADSBESTUURDER

CITY OF CAPE TOWN (SOUTHERN DISTRICT)

UKUSUSWA KWEZITHINTELO NOTYESHELO LOMQATHANGO NGOKUNGQINELANA NOMPOSHO WOCWANGCISO
LOKUSETYENZISWA KOMHLABA ONGUNOMB. 15 WANGOWE-1985

- Isiza-82714 esiseKapa e-Steenberg, 21 Wagner Street (*isibhengezo sesibini*)

Kukhutshwa isaziso ngokweCandelo-3(6) loMthetho wokuSuswa kweziThintelo onguNomb. 84 wangowe-1967, nangokweCandelo-15 loMpoposho woCwangciso lokuSetyenziswa koMhlaba onguNomb.15 wangowe-1985, sokuba isicelo esikhankanywe ngezantsi apha sifunyenwe kwaye sivulelekile ukuba sihlolwe kwi-ofisi yoMphathi weSithili, iSebe loLawulo lezoCwangciso neZakhiwo, isiXeko saseKapa, kumgangatho wokugala, 3 Victoria Rd, Plumstead, kwaye nayiphina imibuzo ingajoliswa kuMnu P. Heydenrych, umnxeba (021) 710-9362 ukususela kweye 08:30 ukuya kweye-13:00 ngoMvulo ukuya ngoLwesihlanu. Isicelo sikwawulelekile ukuba sihlolwe kwi-ofisi yoMlawuli woLawuli lokuSingqongileyo ngokuHlangeneyo, iSithili-B1, ubuRhulumente bePhondo laseNtshona Kapa, kwiGumbi-601, 1 Dorp Street, eKapa kwentsuku eziphakathi evekini ukususela kweye-08:00 ukuya kweye-12:30 nokususela kweye-13:00 ukuya kweye-15:30. Imibuzo ngomnxeba ngokuphathelene nalo mbandela ingenziwa kwa-021 483-3009 nakwinombolo yefeksi yoMlawuli engu (021) 483-3098, nakwi-ofisi yoMphathi weSithili, iSebe loLawulo lezoCwangciso neZakhiwo, isiXeko saseKapa, Private Bag X5, Plumstead, 7801 okanye ifekselwe kwa (021) 710-8283 okanye i-imeyilelwe ku newton.woollama@capetown.gov.za nakuMlawuli woLawuli lokuSingqongileyo ngokuHlangeneyo, iSebe leMicimbi yokuSingqongileyo noPhuhliso loCwangciso, ubuRhulumente bePhondo laseNtshona Kapa, kwiSakhiwo i-Utilitas, 1 Dorp Street, eKapa ngomhla okanye phambi komhla wokuvalwa, njengoko ubonakalisiwe ngezantsi apha, ucaphule uMthetho ongentla noMpoposho, inombolo yesalathiso ekhankanywe ngezantsi apha kunye nesiza somchasi, iinombolo kunye nedilesi yakhe ungadlulanga Umhla wokuvalwa. Ukuba impendulo yakhe iye ayathunyelwa kwezi dilesi neenombolo zefeksi ezikhankanywe ngentla apha, kwakhona ukuba kuye kwenzeka ukuba ifike emva komhla wokuvalwa, iya kuthi ithatyathwe njengegekho-mthethweni/ayisayi kuhoywa. Ukuba ufuna ingcaciso engenye, nceda uqhagamshelane noMnu N. Woollam kwa- (021) 710 8231. Umhla wokuvalwa kokungeniswa kwezichaso nezimvo ngowama-30 Agasti 2010.

Isalathiso somqulu: LUM/00/82714 (188450)

Umfaki-sicelo: S Dick

Idilesi: 21 Wagner Road, Steenberg

Ubume besicelo: Ukususwa komqathango wesithintelo setaytile yobunini ngokujoliswe kwiSiza-82714, ukuze umnini abenakho ukwakha/ ukugxumeka indawo yokuhLala yesibini (“iflethana yokuhlala”) kwipropati.

Utyeshelo lomqathango: ICandelo-27(1) ukuze kuvumeleke iYunithi eyiNdawo yokuhLala kwipropati le.

ACHMAT EBRAHIM, CITY MANAGER

CITY OF CAPE TOWN (TABLE BAY DISTRICT)

REMOVAL OF RESTRICTIONS, COUNCIL'S CONSENT & DEPARTURES

- Erf 532 Bantry Bay (*second placement*)

Notice is hereby given in terms of Section 3(6) of the Removal of Restrictions Act No. 84 of 1967, Section 15 of the Land Use Planning Ordinance No. 15 of 1985 and Section 9 of the Cape Town Zoning Scheme Regulations that the undermentioned application has been received and is open to inspection at the office of the District Manager, City of Cape Town, 2nd Floor, Media City, Cnr Hertzog Boulevard & Heerengracht, Cape Town, and any enquiries may be directed to B Schoeman, at PO Box 4529, Cape Town, 8000 on (021) 400-6452 or faxed to (021) 421-1963 or e-mailed to Ben.Schoeman@capetown.gov.za during office hours (08:00-14:30). The application is also open to inspection at the office of the Director, Integrated Environmental Management, Region B2, Provincial Government of the Western Cape at Room 604, 1 Dorp Street, Cape Town from 08:00-12:30 and 13:00-15:30 (Monday to Friday). Telephonic enquiries in this regard may be made at (021) 483-4589 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, with a copy to the abovementioned District Manager on or before 30 August 2010, quoting the abovementioned legislation and the objector's erf number, address and phone numbers. Any objections received after the aforementioned closing date may be disregarded.

Applicant: Willem Bührmann Associates

Application No: LM 5350 (192010)

Address: 276 Ocean View Drive

Nature of application: Amendment of restrictive title deed conditions applicable to Erf 532, Bantry Bay (building line, built-upon and number of Dwelling Unit restrictions will be encroached), Council's consent to permit the raising of a portion of the ground floor, columns exceeding 2.1m in height and a Double Dwelling House on the property, and for various departures relating to setbacks, coverage and number of storeys, in order to permit the development of a Double Dwelling House on the subject property.

ACHMAT EBRAHIM, CITY MANAGER

STAD KAAPSTAD (SUIDELIKE DISTRIK)

OPHEFFING VAN BEPERKINGS, RAADSTOESTEMMING & AFWYKINGS

- Erf 532 Bantrybaai (*tweede plasing*)

Kennisgewing geskied hiermee ingevolge artikel 3(6) van die Wet op Opheffing van Beperkings, Wet 84 van 1967, artikel 15 van die Ordonnansie op Grondgebruikbeplanning, nr 15 van 1985, en artikel 9 van die Kaapstadse soneringskema-regulasies dat onderstaande aansoek ontvang is en ter insae beskikbaar is by die kantoor van die distriksbestuurder, Stad Kaapstad, 2e Verdieping, Media City, h/v Hertzog-boulevard en Heerengracht, Kaapstad, en dat enige navrae gerig kan word aan B Schoeman, Posbus 4529, Kaapstad 8000, tel (021) 400-6452, faksnr (021) 421-1963, of e-posadres Ben.Schoeman@capetown.gov.za, gedurende kantoorure (08:00-14:30). 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, Dorpstraat 1, Kaapstad, van 08:00-12:30 en 13:00-15:30, Maandag tot Vrydag. Telefoniese navrae kan aan (021) 483-4589 gerig word, en die direktoraat se faksnr is (021) 483-3098. Enige besware, met volledige redes daarvoor, moet voor of op 30 Augustus 2010 skriftelik aan die kantoor van bogenoemde direkteur: geïntegreerde omgewingsbestuur, Privaat Sak X9086, Kaapstad 8000, gerig word, met 'n afskrif aan bogenoemde distriksbestuurder, met vermelding van bogenoemde wetgewing en die beswaarmaker se erfnommer, adres en telefoonnummers. Enige besware wat na voormelde sluitingsdatum ontvang word, kan dalk buite rekening gelaat word.

Aansoeker: Willem Bührmann Associates

Aansoeknr: LM 5350 (192010)

Adres: Ocean View-rylaan 276

Aard van aansoek: Wysiging van beperkende titelaktevoorwaardes wat op Erf 532, Bantrybaai, van toepassing is (beperkings rakende boulyne, beboude oppervlakte en getal wooneenhede sal oorskry word), raadstoestemming om toe te laat dat 'n gedeelte van die grondverdieping verhoog word, dat pilare 2.1m in hoogte oorskry, dat 'n dubbelwooneenheid op die eiendom toegelaat word, en verskillende afwykings met betrekking tot insprings, dekking en getal verdiepings, ten einde die ontwikkeling van 'n dubbelwoonhuis op die onderhawige eiendom toe te laat.

ACHMAT EBRAHIM, STADSBESTUURDER

CITY OF CAPE TOWN (SOUTHERN DISTRICT)

UKUSUSWA KWEZITHINTELO, IMVUME YEBHUNGA NOKUTYESHELWA KWEMIQATHANGO

- Isiza-532, esise-Bantry Bay (*isibhengezo sesibini*)

Kukhutshwa isaziso ngokweCandelo-3(6) loMthetho ongokuSuswa kweziThintelo onguNomb.84 wangowe-1967, ngokweCandelo-15 loMpoposho woCwangciso lokuSetyenziswa koMhlaba onguNomb. 15 wangowe-1985 nangokweCandelo-9 leMigaqo yeNkqubo yezocando yaseKapa, sokuba isicelo esikhankanywe ngezantsi apha sifunyenwe kwaye sivulelekile ukuba siphononongwe kwi-ofisi yoMphathi weSithili, isiXeko saseKapa, kuMgangatho we-2, e-Media City, kwiKoma ye-Hertzog Boulevard ne-Heerengracht, eKapa, kwaye nayiphina Imibuzo ingajoliswa ku-B Schoeman, kwa-PO Box 4529, Cape Town, 8000 kumnxeba (021) 400-6452 okanye kwifeksi (021) 421-1963 okanye kwi-imeyile Ben.Schoeman@capetown.gov.za ngamaxeshwa okuqhutywa komsebenzi (08:00-14:30). Isicelo esi sikwavulelekile ukuba siphononongwe kwi-ofisi yoMlawuli, uLawulo lokuSingqongileyo ngokuHlangeneyo, iNgingqi-B2, ubuRhulumente bePhondo laseNtshona Kapa kwiGumbi-604, 1 Dorp Street, eKapa ukususela ngeye-08:00-12:30 nokususela ngeye-13:00-15:30 (ngoMvulo ukuya ngoLwesihlanu). Imibuzo ngomnxeba ngokumalunga nalo mbandela ingenziwa kwa (021) 483-4589 nakwinombolo yefeksi yoMlawuli engu (021) 483-3098. Naziphina izichaso ezinezizathu ezivakalayo kufuneka zingeniswe ngokubhaliweyo kwi-ofisi ekhankanyiwe elandelayo apha yoMlawuli woLawulo lokuSingqongileyo ngokuHlangeneyo, Private Bag X9086, Cape Town, 8000, kunye nekopi kuMphathi weSithili okhankanywe ngentla apha, ngomhla okanye phambi kowama-30 Agasti 2010, kucatshulwe umthetho ongentla apha kunye nenombolo yesiza somchasi, idilesi neenombolo zomnxeba. Naziphina izichaso ezifunyenwe emva komhla wokuvalwa okhankanywe ngentla apha, ziya kuthi zingahoywa.

Umfaki-sicelo: Willem Bührmann Associates

Inombolo yesicelo: LM 5350 (192010)

Idilesi: 276 Ocean View Drive

Ubume besicelo: Ukulungiswa kwemiqathango yesithintelo setayitile yobunini ngokujoliswe kwiSiza-532, esise-Bantry Bay (izithintelo ezingomda wesakhiwo, ukwakha nenani leeyunithi zokuHlala ziya kuthi ziqukwe), imvume yeBhunga ukuze kuvumeleke ukunyuswa kwesiqephu somgangatho olingana nomhlaba, iikhohlam ngobude zingadluli kwi-2.1m neNdlu yokuhLala enguNdlumbini kwipropati le, notyeshelo lwemiqathango olwahlukeneyo olujoliswe kufakelelo, ububanzi nenani lemigangatho; ukuze kuvumeleke ukuphuhlisa kweNdlu yokuhLala enguNdlumbini kwipropati le ichaphazelekayo.

ACHMAT EBRAHIM, CITY MANAGER

CITY OF CAPE TOWN (TYGERBERG REGION)

REMOVAL OF RESTRICTIVE TITLE CONDITIONS, REZONING AND REGULATION DEPARTURES

- Erf 6540, Bellville (*second placement*)

Notice is hereby given in terms of Section 3(1) Removal of Restrictions Act, 1967 (Act 84 of 1967) and Sections 15 and 17 of the Land Use Planning Ordinance, 1985 (No. 15 of 1985) that Council has received the undermentioned application, which is open to inspection at the office of the District Manager at 3rd Floor, Municipal Offices, Voortrekker Road, Parow. Enquiries may be directed to Miss M Dwangu, Private Bag X4, Parow, 7499, Mpho.Dwangu@capetown.gov.za, (021) 938-8421 and fax (021) 938-8509 weekdays during 08:00-14:30. The application is also open to inspection at the office of the Director: Integrated Environmental Management, Department of Environmental Affairs & Development Planning, Provincial Government of the Western Cape at the Utilitas Building, 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) 483-4173 and the Directorate's fax number (021) 483-3633. Any objections, if any, with reasons may be lodged at the office of the abovementioned District Manager on or before a date not less than 30 days from the date of publication of the 2nd notice provided where it falls on a weekend or public holiday, it shall be the next working day thereafter, quoting the above applicable legislation, the application number, as well as the objectors erf number. Any objections received after aforementioned closing date may be disregarded.

Applicant: Tommy Brümmer Town Planners

Owner: Onse Kinders Trust & Janida Investments Trust

Application Number: 192027

Nature of application: Application for Removal of restrictive title conditions applicable to Erf 6540, Bellville.

Notice is also hereby given for the Rezoning of Erf 6540, Bellville, from Single Residential Zone to General Residential Zone to enable the development of 5 Residential Units and Regulation Departures for the relaxation of the street building line from 7.5m to 4.5m for a carport as well as a relaxation of the side building line from 4.5m to 1.5m.

ACHMAT EBRAHIM, CITY MANAGER

STAD KAAPSTAD (TYGERBERG-STREEK)

OPHEFFING VAN BEPERKENDE TITELVOORWAARDES, HERSONERING EN REGULASIEAFWYKINGS

- Erf 6540, Bellville (*tweede plasing*)

Kennisgewing geskied hiermee ingevolge artikel 3(6) van die Wet op Opheffing van Beperkings, Wet 84 van 1967, en artikels 15 en 17 van die Ordonnansie op Grondgebruikbeplanning, nr. 15 van 1985, dat onderstaande aansoek ontvang is en ter insae beskikbaar is by die kantoor van die distriksbestuurder, 3e Verdieping, Munisipale Kantore, Voortrekkerweg, Parow. Navrae kan gerig word aan me. M Dwangu, Privaat Sak X4, Parow 7499, e-posadres Mpho.Dwangu@capetown.gov.za, tel. (021) 938-8421 en faksnr. (021) 938-8509, weksdae gedurende 08:00 tot 14:30. Die aansoek is ook ter insae beskikbaar by die kantoor van die direkteur: geïntegreerde omgewingsbestuur, departement van omgewingsake en ontwikkelingsbeplanning, provinsiale regering van die Wes-Kaap, Utilitasgebou, Dorpstraat 1, Kaapstad, op weksdae van 08:00-12:30 en 13:00-15:30. Telefoniese navrae kan gerig word aan (021) 483-4173, en die direktoraat se faksnr. is (021) 483-3633. Enige besware, met volledige redes daarvoor, moet skriftelik aan die kantoor van bogenoemde distriksbestuurder gerig word voor of op 'n datum nie minder as 30 dae van die datum van die publikasie van die 2e kennisgewing nie, met dien verstande dat waar dit oor 'n naweek of op 'n openbare vakansiedag val, dit die volgende werksdag daarna sal wees, met vermelding van bogenoemde toepaslike wetgewing, die aansoeknommer, sowel as die beswaarmaker se erfnummer. Enige besware wat na voormelde sluitingsdatum ontvang word, kan dalk buite rekening gelaat word.

Aansoeker: Tommy Brümmer Stadsbeplanners

Eieneaar: Onse Kinders Trust & Janida Investments Trust

Aansoeknr.: 192027

Aard van aansoek: Die opheffing van beperkende titelvoorwaardes wat op Erf 6540, Bellville, van toepassing is.

Kennisgewing geskied ook hiermee van die hersonering van Erf 6540, Bellville, van enkelresidensiële sone na algemeenresidensiële sone ten einde die ontwikkeling van 5 residensiële eenhede en regulasieafwykings moontlik te maak vir die verslapping van die straatboulyn van 7.5m tot 4.5m vir 'n motorafdak, sowel as die verslapping van die syboulyn van 4.5m tot 1.5m.

ACHMAT EBRAHIM, STADSBESTUURDER

CITY OF CAPE TOWN (TYGERBERG REGION)

UKUSUSWA KWEMIQATHANGO YEZITHINTELO ZETAYITILE YOBUNINI BOMHLABA, UCANDO NGOKUTSHA NOTYESHELO
LWEMIQATHANGO NGOKOMGAQO NGOKUJOLISWE KWISIZA 6540, ESISE-BELLVILLE

Kukhutshwa isaziso ngokweCandelo-3(1) NgokoMthetho ongokuSuswa kweziThintelo onguNomb.84 wangowe-1967 nangkwamaCandelo-15 nele-17 loMpoposho woCwangciso lokuSetyenziswa koMhlaba onguNomb.15 wangowe-1985, sokuba iBhunga lisifumene isicelo esikhanakanywe ngezantsi apha, kwaye sivulelekile ukuba siphononongwe kwi-ofisi yoMphathi weSithili ekuMgangatho we-3, kwii-Ofisi zikaMasipala, e-Voortrekker Road, e-Parow. Imibuzo ingajoliswa kuMpho Dwangu, Private Bag X4, Parow 7499, Mpho.Dwangu@capetown.gov.za, umnxeba (021) 938-8421, ifeksi (021) 938-8509 kwiintsuku eziphakathi evekini ukususela kwintsimbi ye-08:00 ukuya kweye-14:30. Isicelo esi kwakhona sivulelekile ukuba siphononongwe kwi-ofisi yoMlawuli woLawuli lokuSingqongileyo ngokuHlangeneyo, iSebe leMicimbi yokuSingqongileyo noCwangciso loPhuhliso, ubuRhulumente bePhondo laseNtshona Kapa, kwiSakhiwo i-Uttilitas, 1 Dorp Street, eKapa, kwiintsuku eziphakathi evekini ukususela kwintsimbi ye-08.00 ukuya kweye-12.30 nokususela kweye-13.00 ukuya kweye-15.30. Imibuzo ngomnxeba ngokuphathelele nalo mbandela ingenziwa kwa-021 483-4173 nakwinombolo yefeksi yoMlawuli engu-021 483-3633. Naziphina izichaso, ukubangaba zikhona, ezinezizathu ezivakalayo, zingangeniswa kwi-ofisi yoMphathi weSithile ekhankanywe ngentla apha ngomhla okanye phambi komhla ongekho ngeneno kwentsuku ezingama-30 ukususela kumhla wokubhengezwa kwesaziso sesi-2, ngaphandle kokuba Umhla lowo ungempela-vekil okanye ngomhla weholidi yesizwe, iya kuthi ibengumhla ophakathi evekini olandelayo, kucatsulwe umhthetho ongentla ofanelekileyo, inombolo yesicelo, kunye nenombolo yesiza somchasi. Naziphina izichaso ezifunyenwe emva komhla wokuvawa okhankanywe ngentla apha, azisayi kuhojwa.

Ipropati: Isiza-6540, Bellville, njengoko kubonakalisiwe kwiplani yendawo eqhotyoshelweyo.

Umfaki-sicelo: Tommy Brümmer Town Planners

Umnini: Onse Kinders Trust & Janida Investments Trust

Inombolo yesicelo: 192027

Ubume besicelo: Isicelo sokususwa kwemiqathango engesithintelo setayitile yobunini ngokujoliswe kwiSiza-6540, esise-Bellville, ukuze umnini abenakho ukuguqula indawo yokuhLala elisele limiselwe kwiipropati ukuba ibengamacandelwana aziyunithi zokuHlala ezi-5.

Isaziso kwakhona sikhutshwa ngokocando ngokutsha kwisiza-6540, esise-Bellville, ukususela kwindawo yokuhLala umntu omnye ukuba ibenguMmandla wokuhLala ngokuphangaleleyo ukuze kuvumeleke ukuphuhlisa kweeyunithi zokuHlala ezi-5 notyeshelo lomgathango ngokoMgaqo ukuze kucuthwe umda wesitrato kwisakhiwo osi-7.5m ukubaubesi-4.5m kulungiselelwa indawo/isigqubuthelo sokugcina izithuthi kwakhona nokucuthwa komda wesakhiwo osecaleni ukususela kwi-4.5m ukuya kwisi-1.5m.

ACHMAT EBRAHIM, CITY MANAGER

CITY OF CAPE TOWN (TYGERBERG REGION)

REMOVAL OF RESTRICTIVE TITLE DEED CONDITIONS AND TEMPORARY LAND USE DEPARTURE

- Erven 8405 & 8407, Bellville (*second placement*)

Notice is hereby given in terms of Section 3(6) of the Removal of Restrictions Act, 1967 (Act 84 of 1967) and Section 15 of the Land Use Planning Ordinance, 1985 (No. 15 of 1985) that Council has received the undermentioned application, which is open to inspection at the office of the District Manager at 3rd Floor, Municipal Offices, Voortrekker Road, Parow. Enquiries may be directed to Roedolf Snyman, Private Bag X4, Parow, 7499, roedolf.snyman@capetown.gov.za (021) 938-8532 and fax (021) 938-8509 weekdays during the hours of 08:00 to 14:30. The application is also open to inspection at the office of the Director: Integrated Environmental Management, Provincial Government of the Western Cape at room 207, 1 Dorp Street, Cape Town weekdays from 08:00 to 12:30 and 13:00 to 15:30. Telephonic enquiries in this regard may be made at (021) 483-4225 and the Directorate's fax number (021) 483-3633. Any objections, if any, with reasons may be lodged at the office of the abovementioned Director, Integrated Environmental Management, Provincial Government at Private Bag X9086, Cape Town, 8000, with a copy to the above District Manager on or before a date not less than 30 days from the date of publication of this notice provided where it falls on a weekend or public holiday, it shall be the next working day thereafter, quoting the above applicable legislation, the application number, as well as the objectors erf number. Any objections received after aforementioned closing date may be disregarded.

Property: Erven 8405 & 8407, Bellville

Applicant: MA Smith Town Planners

Owner: Baren J Kellerman

Application No: 172576

Nature of application: Application for removal of restrictive Title Deed conditions applicable to Erven 8405 and 8407, Bellville as well as an application for Temporary Land Use Departure to permit the operation of a law practice from the existing dwelling on the subject properties.

ACHMAT EBRAHIM, CITY MANAGER

STAD KAAPSTAD (TYGERBERG-STREEK)

OPHEFFING VAN BEPERKENDE TITELAKTEVOORWAARDES EN TYDELIKE GRONDGEBRUIKAFWYKING

- Erwe 8405 & 8407, Bellville (*tweede plasing*)

Kennisgewing geskied hiermee ingevolge artikel 3(6) van die Wet op Opheffing van Beperkings, Wet 84 van 1967, en artikel 15 van die Ordonnansie op Grondgebruikbeplanning, nr. 15 van 1985, dat onderstaande aansoek ontvang is en ter insae beskikbaar is by die kantoor van die distriksbestuurder, 3e Verdieping, Munisipale Kantore, Voortrekkerweg, Parow. Navrae kan gerig word aan Roedolf Snyman, Privaat Sak X4, Parow 7499, e-posadres roedolf.snyman@capetown.gov.za, tel. (021) 938-8532 en faksnr. (021) 938-8509, weekdae gedurende 08:00 tot 14:30. Die aansoek is ook ter insae beskikbaar by die kantoor van die direkteur: geïntegreerde omgewingsbestuur, departement van omgewingsake en ontwikkelingsbeplanning, provinsiale regering van die Wes-Kaap, Utilitas-gebou, Kamer 207, Dorpstraat 1, Kaapstad, op weekdae van 08:00-12:30 en 13:00-15:30. Telefoniese navrae kan gerig word aan (021) 483-4225, en die direktoraat se faksnr. is (021) 483-3633. Enige besware, met volledige redes daarvoor, moet skriftelik aan die kantoor van bogenoemde direkteur: geïntegreerde omgewingsbestuur, departement van omgewingsake en ontwikkelingsbestuur, Privaat Sak X9086, Kaapstad 8000, gerig word, voor of op 'n datum nie minder as 30 dae van die datum van die publikasie van die 2e kennisgewing nie, met dien verstande dat waar dit oor 'n naweek of op 'n openbare vakansiedag val, dit die volgende werksdag daarna sal wees, met 'n afskrif aan bogenoemde distriksbestuurder, met vermelding van bogenoemde toepaslike wetgewing, die aansoeknommer sowel as die beswaarmaker se erfnummer. Enige besware wat na voormelde sluitingsdatum ontvang word, kan dalk buite rekening gelaat word.

Eiendom: Erwe 8405 & 8407, Bellville

Aansoeker: MA Smith Town Planners

Eienaar: Baren J Kellerman

Aansoeknr.: 172576

Aard van aansoek: Die opheffing van beperkende titelaktevoorwaardes wat op Erwe 8405 en 8407, Bellville, van toepassing is, sowel as 'n tydelike grondgebruikafwyking om toe te laat dat 'n regspraktik in die bestaande woning op die onderhawige eiendomme bedryf word.

ACHMAT EBRAHIM, STADSBESTUURDER

CITY OF CAPE TOWN (TYGERBERG REGION)

UKUSUSWA KWEMIQATHANGO YESITHINTELO SETAYTILE YOBUNINI NOTYESHELO LOMQATHANGO WOKUSETYENZISWA KOMHLABA OKWEXESHANA

- Isiza-8405 & 8407, ezise-Bellville, (*isibhengezo sesibini*)

Kukhutshwa isaziso ngokweCandelo-3(6) soMthetho wokuSuswa kweziThintelo onguNomb.84 wangowe-1967 nangokweCandelo-15 loMpoposho woCwangciso lokuSetyenziswa koMhlaba onguNomb.15 wangowe-1985, sokuba iBhunga lisifumene isicelo esikhankanywe ngezantsi apha, kwaye sivulelekile ukuba sihlolwe kwi-ofisi yoMphathi weSithili, kuMgangatho wesi-3, kwii-Ofisi zikaMasipala, ezise-Voortrekker Road, e-Parow. Imibuzo ingajoliswa ku-Roedolf Snyman, Private Bag X4, Parow, 7499, roedolf.snyman@capetown.gov.za (021) 938-8532 nakwifeksi engu (021) 938-8509 kwiintsuku eziphakathi evekini ukususela ngeye-08:00 ukuya kweye-14.30. Isicelo esi sikwavulelekile ukuba sihlolwe kwi-ofisi yoMlawuli woLawulo lokuSingqongileyo, ubuRhulumente bePhondo laseNtshona Kapa, kwiGumbi-207, 1 Dorp Street, eKapa, kwiintsuku eziphakathi evekini ukususela ngeye-08:00 ukuya kweye-12:30 nokususela ngeye-13:00 ukuya kweye-15:30. Imibuzo ngomnxeba ngokuphatelene nalo mbandela ingenziwa kwa-(021) 483-4225 nakwinombolo yefeksi yoMlawuli engu (021) 483-3633. Naziphina izichaso, ukubangaba zikhona, ezinezizathu ezivakalayo zingangeniswa ngokubhaliweyo kwi-ofisi yoMlawuli esele ikhankanywe ngentla apha, uLawulo lokuSingqongileyo ngokuHlangeneyo, ubuRhulumente bePhondo kwa Private Bag X9086, Cape Town, 8000, kunye nekopi kuMphathi weSithili okhankanywe ngentla apha ngomhla okanye phambi komhla ongekho ngaphantsi kwentsuku ezingama-30 ukususela kumhla wesi sibhengezo ngaphandle kokuba umhla lo ungempela-veki okanye ngoweholide yoluntu, kuya kuthi ibengumhla olandelayo wokusebenza, ucaphule lomthetho ufanelekileyo ungentla apha, inombolo yesicelo, kunye nenombolo yesiza somchasi. Nasiphina isichaso esithe safumaneka emva komhla wokuvalwa okhankanywe ngentla apha, siya kuthi singahoywa.

Ipropati: Isiza-8405 & 8407, ezise-Bellville.

Umfaki-sicelo: MA Smith Town Planners

Umnini: Baren J Kellerman

Inombolo yesicelo: 172576

Ubume besicelo: Isicelo sokususwa kwemiqathango yesithintelo setaytile yobunini ngokujoliswe kwiziza-8405 no-8407, ezise-Bellville kunye nesicelo sotyeshelo lomgathango wokuSetyenziswa koMhlaba okweXeshana ukuze kuvumeleke ukuqhutywa kweziko lezoMthetho kwindawo yokuhLala esele yakhiwe kwiiopropati ezichaphazelekayo.

ACHMAT EBRAHIM, CITY 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 1353,
SEDFIELD (31 DE WET STREET)

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, Church Street, Knysna, and at the Municipal Offices, Flamingo Avenue, Sedgfield 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 13:00-15h30 (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 Monday, 6 September 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 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: DAWIE FOURIE TRUST

Nature of application: Removal of restrictive title conditions applicable to Erf 1353 Sedgfield, to enable the owner to operate a guest house on the property.

File Reference: 1353 SED

JB DOUGLAS, MUNICIPAL MANAGER

TENDERS

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

NOTICES BY LOCAL AUTHORITIES

BERGRIVIER MUNICIPALITY

APPLICATION FOR SUBDIVISION: ERF 397 DWARSKERSBOS

Notice is hereby given in terms of section 24 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 2 AUGUST 2010, quoting the above Ordinance and the objector's farm/erf number.

Applicant: Hans Michael Karl Heinz Stoltzing

Nature of application: Subdivision of Erf 397 Dwarshersbos, Rocherpan Street, into two portions namely Portion A ($\pm 500\text{m}^2$) and Remainder ($\pm 500\text{m}^2$).

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

MN 65/2010

30 July 2010

22119

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
1353, SEDGFIELD (DE WETSTRAAT 31)

Kennis geskied hiermee ingevolge Artikel 3(6) van bogenoemde Wet, dat die onderstaande aansoek ontvang is en gedurende kantoorure by die Munisipale Stadsbeplanningskantore, Kerkstraat, Knysna en by die Munisipale kantore, Flamingolaan, Sedgfield 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 Maandag, 6 September 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) kan nader tydens normale kantoorure waar die Sekreteressee u sal verwys na die betrokke amptenaar wat u sal help om u kommentaar of besware op skrif te stel.

Aansoeker: DAWIE FOURIE TRUST

Aard van aansoek: Opheffing van beperkende titelvoorwaarde van toepassing op Erf 1353 Sedgfield, ten einde die eienaar in staat te stel om 'n gastehuis op die eiendom te bedryf.

Lêerverwysing: 1353 SED

JB DOUGLAS, MUNISIPALE BESTUURDER

TENDERS

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

KENNISGEWINGS DEUR PLAASLIKE OWERHEDE

BERGRIVIER MUNISIPALITEIT

AANSOEK OM ONDERVERDELING: ERF 397 DWARSKERSBOS

Kragtens artikel 24 van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie 15 van 1985) word hiermee kennis gegee dat die onderstaande aansoek ontvang is en ter insae lê by die 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 2 AUGUSTUS 2010 met vermelding van bogenoemde Ordonnansie en die beswaarmaker se plaas/erf nommer.

Aansoeker: Hans Michael Karl Heinz Stoltzing

Aard van Aansoek: Onderverdeling van Erf 397 Dwarshersbos, Rocherpanstraat, in twee gedeelte naamlik Gedeelte A ($\pm 500\text{m}^2$) en Restant ($\pm 500\text{m}^2$).

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

MK 65/2010

30 Julie 2010

22119

BERGRIVIER MUNICIPALITY

APPLICATION FOR REZONING, DEPARTURE, SUBDIVISION
AND CONSENT USE: PORTION 1 OF FARM DRAAIHOEK NO.
10, DIVISION PIKETBERG

Notice is hereby given in terms of sections 15, 17, 22 and 24 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) as well as in terms of Section 4.6 of Council's Zoning Scheme compiled in terms 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 6 September 2010, quoting the above Ordinance and the objector's farm/erf number.

Applicant: Creative Profile on behalf of Portion 1 Draaihoek (Pty) Ltd

Nature of application: Subdivision of Portion 1 of Farm Draaihoek No. 10, Division Piketberg into nine (9) portions and remainder (Portion A ± 300 ha, Portion B ± 91 ha, Portion C ± 250 m², Portion D ± 250 m², Portion E ± 250 m², Portion F ± 250 m², Portion G ± 250 m², Portion H ± 250 m², Portion I ± 5.2 ha and Remainder ± 2185 ha).

Rezoning of Portion A, B and Remainder from Agricultural Zone 1 to Open Space Zone 3 (Nature Reserve).

Rezoning of Remainder Portion 1 from Agricultural Zone to Resort Zone 1 to accommodate the existing tourist facilities, owner's and manager's houses, equestrian and conference facilities.

Rezoning of Portion C, D, E, F, G and H from Agricultural Zone to Resort Zone 2 to accommodate the 6 proposed holiday housing units.

Departure from the statutory size of 120m² per holiday housing unit to 240m² each.

EC LIEBENBERG, MUNICIPAL MANAGER, MUNICIPAL OFFICE,
13 CHURCH STREET, PIKETBERG 7320

MN 75/2010

30 July 2010

22117

BERGRIVIER MUNICIPALITY

APPLICATION FOR SUBDIVISION: PORTION 2 OF FARM
ZUUREFONTEIN NO. 139, DIVISION PIKETBERG

Notice is hereby given in terms of section 24 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 2 AUGUST 2010, quoting the above Ordinance and the objector's farm/erf number.

Applicant: Suurfontein Family Trust

Nature of application: Subdivision of Portion 2 of Farm Zuurefontein No. 139, Division Piketberg into two portions namely Portion A (± 717 ha) and Remainder (± 717 ha).

After subdivision Portion A will be consolidated with Farm No. 135, Division Piketberg and the Remainder will be consolidated with Remainder Farm No. 139, Division Piketberg.

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

MN 66/2010

30 July 2010

22118

BERGRIVIER MUNISIPALITEIT

AANSOEK OM HERSONERING, AFWYKING,
ONDERVERDELING EN VERGUNNING: GEDEELTE 1 VAN
PLAAS DRAAIHOEK NR. 10, AFDELING PIKETBERG

Kragtens artikels 15, 17, 22 en 24 van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie 15 van 1985) asook kragtens Regulasie 4.6 van die Raad se Soneringskema opgestel ingevolge 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 6 September 2010 met vermelding van bogenoemde Ordonnansie en die beswaarmaker se plaas/erf nommer.

Aansoeker: Creative Profile namens Portion 1 Draaihoek (Pty) Ltd

Aard van Aansoek: Onderverdeling van Gedeelte 1 van Plaas Draaihoek Nr. 10, Afdeling Piketberg in nege (9) gedeeltes en restant (Gedeelte A ± 300 ha, Gedeelte B ± 91 ha, Gedeelte C ± 250 m², Gedeelte D ± 250 m², Gedeelte E ± 250 m², Gedeelte F ± 250 m², Gedeelte G ± 250 m², Gedeelte H ± 250 m², Gedeelte I $\pm 5,2$ ha en Restant ± 2185 ha).

Hersonering van Gedeelte A, B en Restant vanaf Landbousone 1 na Oopruimtesone 3 (Natuurreservaat).

Hersonering van Restant Gedeelte 1 vanaf Landbousone 1 na Oordsone 1 ten einde die bestaande toeristefasiliteite, eienaar en bestuurders woning, perderuiter en konferensie fasiliteite te akkommodeer.

Hersonering van Gedeeltes C, D, E, F, G, H en I vanaf Landbousone 1 na Oordsone 2 ten einde die 6 voorgestelde vakansiehuusvestings te akkommodeer.

Afwyking van die statutêre grootte van 120m² per vakansiehuusvesting eenheid na 240m² elk.

EC LIEBENBERG, MUNISIPALE BESTUURDER, MUNISIPALE
KANTORE, KERKSTRAAT 13, PIKETBERG 7320

MK 75/2010

30 Julie 2010

22117

BERGRIVIER MUNISIPALITEIT

AANSOEK OM ONDERVERDELING: GEDEELTE 2 VAN PLAAS
ZUUREFONTEIN NR. 139, AFDELING PIKETBERG

Kragtens artikel 24 van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie 15 van 1985) word hiermee kennis gegee dat die onderstaande aansoek ontvang is en ter insae lê by die 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 2 AUGUSTUS 2010 met vermelding van bogenoemde Ordonnansie en die beswaarmaker se plaas/erf nommer.

Aansoeker: Suurfontein Familietrust

Aard van Aansoek: Onderverdeling van Gedeelte 2 van Plaas Zuurefontein Nr. 139, Afdeling Piketberg in twee gedeelte naamlik Gedeelte A (± 717 ha) en Restant (± 717 ha).

Na onderverdeling word Gedeelte A gekonsolideer met Plaas Nr. 135, Afdeling Piketberg en die Restant word gekonsolideer met Restant Plaas Nr 139, Afdeling Piketberg.

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

MK 66/2010

30 Julie 2010

22118

CAPE AGULHAS MUNICIPALITY

PROPOSED DEPARTURE: ERF 808, 9 WATERKANT STREET,
BREDASDORP

Notice is hereby given in terms of the Land Use Planning Ordinance 1985 (No 15 of 1985) that Council received the following application:

Departure on erf 808, Bredasdorp in order to operate a Mortuary from a Business Zone.

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

Further particulars are available for inspection in the office of the undersigned during office hours and written objections, if any, must reach him not later than 23 August 2010.

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

30 July 2010

22120

CITY OF CAPE TOWN (BLAAUWBERG DISTRICT)

PROPOSED AMENDMENT OF GUIDEPLAN & FOR LESS
FORMAL TOWNSHIP ESTABLISHMENT

- Portion (±6ha) of Cape Farm 101/5, R304/Morningstar Road, Wolwerivier

Notice is hereby given in terms of Chapter 1 of The Less Formal Township Establishment Act, No. 113 of 1991 that the undermentioned application is made to the Minister for Housing, Provincial Government Western Cape and is open to inspection at the office of the District Manager, Milpark Building, Ixia Street, Milnerton. Enquiries may be directed to AL Damonze, PO Box 35, Milnerton, 7435, e-mail to Anthony.Damonze@capetown.gov.za, tel (021) 550-7635 or fax (021) 550-7517, weekdays during the hours of 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 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: City of Cape Town: Directorate Housing

Application number: 195906

Address: R304/Morningstar Road, Wolwerivier

Nature of application:

- In terms of Section 4(7) of the Land Use Planning Ordinance, 1985 (Ord 15 of 1985) application for the amendment of the Atlantis and Environs Guide Plan to change the designation of a portion of Cape Farm 101/5, Wolwerivier from Agriculture to Urban Development.
- The designation of a portion (±6ha) of Cape Farm 101/5, Wolwerivier (see map below), to allow the property to be utilised as temporary relocation areas constituting residential purposes, associated community and other facilities. Once designated the land will be zoned appropriately in terms of the Cape Divisional Council Zoning Scheme Regulations.

It must be noted that, in terms of Act 113/1991, any servitude, closure of public place or road or any other restrictive condition in respect of the land may be suspended and includes the provisions of the Removal of Restrictions Act (Act 84/1967), Land Use Planning Ordinance (Ordinance 15/1985), Municipal Ordinance 20 of 1974, National Environmental Management Act, 1998), National Heritage Resources Act, Act 25 of 1999 & National Building Regulations Standards Act (Act 103/1977), and any other law pertaining to township establishment.

ACHMAT EBRAHIM, CITY MANAGER

30 July 2010

22121

KAAP AGULHAS MUNISIPALITEIT

VOORGESTELDE AFWYKING: ERF 808, WATERKANTSTRAAT
9, BREDASDORP

Kennis geskied hiermee ingevolge die Ordonnansie op Grondgebruik-beplanning 1985 (Nr. 15 van 1985) dat die Raad die volgende aansoek ontvang het, naamlik:

Afwyking op erf 808, Bredasdorp ten einde 'n begrafnisondernemingsbesigheid vanaf 'n Sake Sone te bedryf.

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

Verdere besonderhede van bogenoemde lê ter insae in die kantoor van die ondergetekende en skriftelike besware, indien enige, moet hom nie later as 23 Augustus 2010 bereik nie.

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

30 Julie 2010

22120

STAD KAAPSTAD (BLAAUWBERG-DISTRIK)

VOORGESTELDE WYSIGING VAN DIE GIDSPLAN & MINDER
INFORMELE DORPSTIGTING

- Gedeelte (±6 ha) van Kaapse Plaas 101/5, R304/Morningstarweg, Wolwerivier

Kennisgewing geskied hiermee ingevolge hoofstuk 1 van die Wet op Minder Formele Dorpstigting, Wet 113 van 1991, dat onderstaande aansoek by die minister vir behuising, provinsiale regering van die Wes-Kaap, ingedien 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 AL Damonze, Posbus 35, Milnerton 7435, e-posadres Anthony.Damonze@capetown.gov.za, tel (021) 550-7635 en faksnr. (021) 550-7517, weksdae van 08:00 tot 14:30. Enige besware, met volledige redes daarvoor, kan voor of op 30 Augustus 2010 skriftelik aan die kantoor van bogenoemde distriksbestuurder gerig word, met vermelding van bogenoemde toepaslike wetgewing, die aansoeknommer en die beswaarmaker se erf- en telefoonnummer/s en adres. Enige besware wat na voormelde sluitingsdatum ontvang word, kan dalk ongeldig geag word.

Aansoeker: Stad Kaapstad, direktoraat: behuising

Aansoeknr: 195906

Adres: R304/Morningstarweg, Wolwerivier

Aard van aansoek:

- Ingevolge artikel 4(7) van die Ordonnansie op Grondgebruik-beplanning, nr. 15 van 1985, om die wysiging van die gidsplan vir Atlantis en omgewing ten einde die bestemming van 'n gedeelte van Kaapse Plaas 101/5, Wolwerivier, van landbou na stedelike ontwikkeling te verander.
- Die bestemming van 'n gedeelte (±6ha) van Kaapse Plaas 101/5, Wolwerivier, Atlantis (sien kaart hieronder), ten einde toe te laat dat die eiendom as tydelike verskuiwingsgebied, bestaande uit residensiële doeleindes en gepaardgaande gemeenskaps- en ander fasiliteite, gebruik word. As die grond se gebruik eers bestem is, sal dit toepaslik gesoneer word ingevolge die Kaapse afdelingsraad se soneringskemaregulasies.

Daar dien op gelet te word dat, ingevolge Wet 113/1991, enige serwi-tuut, sluiting van openbare plek of pad of enige ander beperkende voorwaarde ten opsigte van die grond, opgeskort kan word, met inbegrip van die Wet op Opheffing van Beperkings, Wet 84 van 1967, die Ordonnansie op Grondgebruikbeplanning, nr. 15 van 1985, Munisipale Ordonnansie 20 van 1974, die Wet op Nasionale Omgewingsbestuur, 1998, Die Wet op Nasionale Erfenisulphonne, Wet 25 van 1999, en die Wet op Nasionale Bouregulasies en -Standaard Wet 103 van 1977, en enige ander wet wat op dorpsstigting betrekking het.

ACHMAT EBRAHIM, STADSBESTUURDER

30 Julie 2010

22121

CITY OF CAPE TOWN (BLAAUWBERG DISTRICT)

PROPOSED AMENDMENT OF GUIDEPLAN & FOR LESS FORMAL TOWNSHIP ESTABLISHMENT

- Cape Farm 32/5, Mission Express Road, Wesfleur, Atlantis

Notice is hereby given in terms of Chapter 1 of The Less Formal Township Establishment Act, No. 113 of 1991 that the undermentioned application is made to the Minister for Housing, Provincial Government Western Cape and is open to inspection at the office of the District Manager, Milpark Building, Ixia Street, Milnerton. Enquiries may be directed to AL Damonze, PO Box 35, Milnerton, 7435, e-mail to Anthony.Damonze@capetown.gov.za, tel (021) 550-7635 or fax (021) 550-7517, weekdays during the hours of 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 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: City of Cape Town Directorate: Housing

Application number: 195908

Application property: Portion (±6.01ha) of Cape Farm 32/5, Mission Express Road, Wesfleur, Atlantis

Address: Mission Express Road, Wesfleur, Atlantis

Nature of application:

- In terms of Section 4(7) of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) application for the amendment of the Atlantis and Environs Guide Plan to change the designation of a portion of Cape Farm 32/5, Wesfleur, Atlantis from Agriculture to Urban Development.
- The designation of a portion (±6.01ha) of Cape Farm 32/5, Wesfleur, Atlantis (see map below), to allow the property to be utilised as temporary relocation areas constituting residential purposes, associated community and other facilities. Once designated the land will be zoned appropriately in terms of the Cape Divisional Council Zoning Scheme Regulations.

It must be noted that, in terms of Act 113/1991, any servitude, closure of public place or road or any other restrictive condition in respect of the land may be suspended and includes the provisions of the Removal of Restrictions Act (Act 84/1967), Land Use Planning Ordinance (Ordinance 15/1985), Municipal Ordinance 20 of 1974, National Environmental Management Act, 1998, National Heritage Resources Act, Act 25 of 1999 & National Building Regulations Standards Act (Act 103/1977), and any other law pertaining to township establishment.

ACHMAT EBRAHIM, CITY MANAGER

30 July 2010

22122

STAD KAAPSTAD (BLAAUWBERG-DISTRIK)

VOORGESTELDE WYSIGING VAN DIE GIDSPLAN & MINDER INFORMELE DORPSTIGTING

- Kaapse Plaas 32/5, Mission Express-weg, Wesfleur, Atlantis

Kennisgewing geskied hiermee ingevolge hoofstuk 1 van die Wet op Minder Formele Dorpstigting, Wet 113 van 1991, dat onderstaande aansoek by die minister vir behuising, provinsiale regering van die Wes-Kaap, ingedien 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 AL Damonze, Posbus 35, Milnerton 7435, e-posadres Anthony.Damonze@capetown.gov.za, tel (021) 550-7635 en faksnr (021) 550-7517, weksdae van 08:00 tot 14:30. Enige besware, met volledige redes daarvoor, kan voor of op 30 Augustus 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: Stad Kaapstad, direktoraat: behuising

Aansoeknr.: 195908

Aansoek eiendom Gedeelte (±6.01ha) van Kaapse Plaas 32/5, Mission Express-weg, Wesfleur, Atlantis

Adres: Mission Express-weg, Wesfleur, Atlantis

Aard van aansoek:

- Ingevolge artikel 4(7) van die Ordonnansie op Grondgebruikbeplanning, nr. 15 van 1985, om die wysiging van die gidsplan vir Atlantis en omgewing ten einde die bestemming van 'n gedeelte van Kaapse Plaas 32/5, Wesfleur, Atlantis van landbou na stedelike ontwikkeling te verander.
- Die bestemming van 'n gedeelte (±6.01ha) van Kaapse Plaas 32/5, Wesfleur, Atlantis (sien kaart hieronder), ten einde toe te laat dat die eiendom as tydelike verskuiwingsgebied, bestaande uit residensiële doeleindes en gepaardgaande gemeenskaps- en ander fasiliteite, gebruik word. As die grond se gebruik eers bestem is, sal dit toepaslik gesoneer word ingevolge die Kaapse afdelingsraad se soneeringskema regulasies.

Daar dien op gelet te word dat, ingevolge Wet 113/1991, enige serwiittuut, sluiting van openbare plek of pad of enige ander beperkende voorwaarde ten opsigte van die grond, opgeskort kan word, met inbegrip van die Wet op Opheffing van Beperkings, Wet 84 van 1967, die Ordonnansie op Grondgebruikbeplanning, nr. 15 van 1985, Munisipale Ordonnansie 20 van 1974, die Wet op Nasionale Omgewingsbestuur, 1998, Die Wet op Nasionale Erfenisulphonbronne, Wet 25 van 1999, en die Wet op Nasionale Bouregulasies en -Standaarde, Wet 103 van 1977, en enige ander wet wat op dorpsstigting betrekking het.

ACHMAT EBRAHIM, STADSBESTUURDER

30 Julie 2010

22122

CITY OF CAPE TOWN (BLAAUWBERG DISTRICT)

SUBDIVISION, REZONING, CONDITIONAL USE & DEPARTURES

- Erf 2527, Eleventh Street, Melkbosstrand

Notice is hereby given in terms of Sections 24, 17 and 15 of the Land Use Planning Ordinance, No 15 of 1985 and Section 3(b) of the Divisional Council's Town Planning Scheme Regulations that the undermentioned application has been received and is open to inspection at the office of the District Manager at the Milpark Building, corner of Koeberg Rd and Ixia Street, Milnerton. Enquiries may be directed to Ms Lizanne Grey, PO Box 35, Milnerton, 7435, Milpark Building, corner of Koeberg Road and Ixia Street, Milnerton, 7441, Lizanne.Grey@capetown.gov.za, tel (021) 550-1193 or fax (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 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: Elco Property Development

Owner: Dutch Reformed Church

Application number: 164947

Address: Eleventh Street, Melkbosstrand

Nature of application: Subdivision of Erf 2527 into two portions 6308m² for the existing church (Portion A) and 2717m² for the proposed old age home (Portion B) respectively. Rezoning of Portion B from Civic or Community to General Residential with conditional use for an Institution to permit the erection of an old age home.

Departures from the Zoning Scheme Regulations for setbacks are also required.

ACHMAT EBRAHIM, CITY MANAGER

30 July 2010

22123

CITY OF CAPE TOWN (BLAAUWBERG DISTRICT)

REZONING

- Remainder Erf 19720 from General Residential (Gr. 11) to General Business (Gb. 1)

Notice is hereby given in terms of Section 17(2)(a) of the Land Use Planning Ordinance 15/1985 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, C Heyns, tel (021) 550-1088, Cheyns@capetown.gov.za and fax (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 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: Blackbird Trading 111 CC

Application number: 191917

Address: No 241 Koeberg Road, Brooklyn

Nature of application: The owner wishes to rezone a portion of Remainder Erf 19720 from General Residential (GR. 11) to General Business (GB 1) in terms of Section 17 of the Land Use Planning Ordinance 15/1985, so as to permit the erection of a motor vehicle mechanical workshop.

ACHMAT EBRAHIM, CITY MANAGER

30 July 2010

22125

STAD KAAPSTAD (BLAAUWBERG-DISTRIK)

ONDERVERDELING, HERSONERING, VOORWAARDELIKE GEBRUIK & AFWYKINGS

- Erf 2527, Elfde Straat, Melkbosstrand

Kennisgewing geskied hiermee ingevolge artikels 24, 17 en 15 van die Ordonnansie op Grondgebruikbeplanning, nr. 15 van 1985, en artikel 3(b) van die Kaapse afdelingsraad se stadsbeplanningskema-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 me. Lizanne Grey, Posbus 35, Milnerton 7435, of bogenoemde straatadres, e-posadres Lizanne.Grey@capetown.gov.za, tel (021) 550-1193 en faksnr. (021) 550-7517, weksdae van 08:00 tot 14:30. Enige besware, met volledige redes daarvoor, kan voor of op 30 Augustus 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 gegag word.

Aansoeker: Elco Property Development

Eienaar: Nederduits Gereformeerde Kerk

Aansoeknr.: 164947

Adres: Elfde Straat, Melkbosstrand

Aard van aansoek: Die onderverdeling van Erf 2527 in twee gedeeltes – 6308m² vir die bestaande kerk (Gedeelte A) en 2717m² vir die voorgestelde ouetehuis (Gedeelte B) onderskeidelik. Die hersonering van Gedeelte B van gemeenskaps- of burgerlike doeleindes na algemeenresidensieel met voorwaardelike gebruik vir 'n inrigting ten einde die oprigting van 'n ouetehuis toe te laat.

Afwykinge van die soneringskema-regulasies vir inspringings word ook verlang.

ACHMAT EBRAHIM, STADSBESTUURDER

30 Julie 2010

22123

STAD KAAPSTAD (BLAAUWBERG-DISTRIK)

HERSONERING

- Restant van Erf 19720 van algemeenresidensieel (GR 11) na algemeensakesone (GB 1)

Kennisgewing geskied hiermee ingevolge artikel 17(2)(a) 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, Milpark-gebou, h/v Koebergweg en Ixiastraat, Milnerton. Navrae kan gerig word aan C Heyns, Posbus 35, Milnerton 7435, Cheyns@capetown.gov.za, tel (021) 550-1088 en faksnr. (021) 550-7517, weksdae van 08:00 tot 14:30. Enige besware, met volledige redes daarvoor, kan voor of op 30 Augustus 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 gegag word.

Aansoeker: Blackbird Trading 111 BK

Aansoeknr.: 191917

Adres: Koebergweg 241, Brooklyn

Aard van aansoek: Die eienaar wil 'n gedeelte van die Restant van Erf 19720 van algemeenresidensieel (GR 11) na Algemeensakesone (GB 1) hersoneer ingevolge artikel 17 van die Ordonnansie op Grondgebruikbeplanning, nr. 15 van 1985, ten einde 'n werktuigkundige werkswinkel vir motorvoertuie op te rig.

ACHMAT EBRAHIM, STADSBESTUURDER

30 Julie 2010

22125

CITY OF CAPE TOWN (BLAAUWBERG DISTRICT)

REZONING AND REGULATION DEPARTURES

- Erf 8593, No 18 Hawston Road, Milnerton

Notice is hereby given in terms of Sections 15(1)(a)(i) & 17 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 Milpark Centre, cnr Koeberg & Ixia Streets, Milnerton. Enquiries may be directed to PO Box 35, Milnerton 7435, J Gelb, tel (021) 550-1093, j.ack.gelb@capetown.gov.za and fax (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 27 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: Stern & Ekermans on behalf of the Rapidough Trust

Application number: 192929

Address: 18 Hawston Road, Milnerton

Nature of application:

1. The Rezoning of Erf 8593, No 18 Hawston Road, Milnerton from Single Dwelling Residential (SD1) to General Residential (GR1) in terms of Section 17 of the Land Use Planning Ordinance (No. 15 of 1985) to permit a residential building.
2. Departures from the provisions of the Milnerton Proper Town Planning Scheme Regulations as follows:
 - the relaxation of the permissible coverage of 30% (442m²) as required to 40% (576m²);
 - the relaxation of the required minimum erf size for a General Residential (GR1) use zone from 1980m² to the existing erf size of 1474m².

ACHMAT EBRAHIM, CITY MANAGER

30 July 2010

22124

CITY OF CAPE TOWN (CAPE FLATS DISTRICT)

CALL FOR SUGGESTED NAMES FOR UNNAMED ROAD
REFERRED TO AS "NORTH SOUTH LINK ROAD",
MUIZENBERG

Notice is hereby given in terms Section 2 of the Policy on Street Naming and Numbering to facilitate the naming of the unnamed road referred to as the "North South Link Road", Muizenberg in terms of Section 129 of the Municipal Ordinance 20 of 1974. The locality and further details in this regard are 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 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. Any name suggestions, with full reasons therefor (in terms of the Policy on Street Naming and Numbering), may be lodged in writing at the office of the abovementioned District Manager on or before 20 August 2010 quoting the above proposal as well as your erf and contact phone number and address. Any suggestions received after aforementioned closing date may be considered invalid.

ACHMAT EBRAHIM, CITY MANAGER

30 July 2010

22126

STAD KAAPSTAD (BLAAUWBERG-DISTRIK)

HERSONERING EN REGULASIEAFWYKINGS

- Erf 8593, Hawstonweg 18, Milnerton

Kennisgewing geskied hiermee ingevolge artikels 15(1)(a)(i) en 17 van die Ordonnansie op Grondgebruikbeplanning, nr. 15 van 1985, en die bepalings 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) 550-1093 en faksnr. (021) 550-7517, weksdae van 08:00 tot 14:30. Enige besware, met volledige redes daarvoor, kan voor of op 27 Augustus 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: Stern & Ekermans namens die Rapidough Trust

Aansoeknr.: 192929

Adres: Hawstonweg 18, Milnerton

Aard van aansoek:

1. Die hersonering van Erf 8593, Hawstonweg 18 Milnerton, van enkelresidensiële (SD 1) na algemeenresidensiële (GR 1) ingevolge artikel 17 van die Ordonnansie op Grondgebruikbeplanning, nr. 15 van 1985, om 'n residensiële gebou toe te laat.
2. Die volgende afwykings van die bepalings van die eintlike Milnerton se stadsbeplanningskema regulasies:
 - die verslapping van die vereiste toegelate dekking van 30% (442m²) na 40% (576m²);
 - die verslapping van die vereiste minimum erfgrrootte vir 'n algemeenresidensiële (GR 1) gebruiksone van 1980m² tot die bestaande erfgrrootte van 1474m².

ACHMAT EBRAHIM, STADSBESTUURDER

30 Julie 2010

22124

STAD KAAPSTAD (KAAPSE VLAKTE-DISTRIK)

VERSOEK OM VOORGESTELDE NAME VIR NAAMLOSE PAD
WAT "NOORD-SUID-VERBINDINGSPAD", MUIZENBERG,
GENOEM WORD

Kennisgewing geskied hiermee ingevolge artikel 2 van die beleid oor straatname en -nommers om die benaming van die naamlose pad, wat die "Noord-Suid-verbindingspad", Muizenberg, genoem word, te fasiliteer ingevolge artikel 129 van Munisipale Ordonnansie 20 van 1974. Die ligging en nadere inligting is ter insae beskikbaar is by die kantoor van die distriksbestuurder, beplanning en bou-ontwikkelingsbestuur, Ledger House, h/v Adenlaan en Georgetraat, Athlone, en enige navrae kan gerig 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. Enige naamvoorstelle, met volledige redes daarvoor (ingevolge die beleid oor straatname en -nommers), kan voor of op 20 Augustus 2010 skriftelik by die kantoor van bogenoemde distriksbestuurder ingedien word, met vermelding van bogenoemde voorstel sowel as u erf- en kontaktelefoonnommer en adres. Enige voorstelle wat na voormelde sluitingsdatum ontvang word, kan dalk ongeldig geag word.

ACHMAT EBRAHIM, STADSBESTUURDER

30 Julie 2010

22126

CITY OF CAPE TOWN (KHAYELITSHA-/MITCHELLS PLAIN)

LESS FORMAL TOWNSHIP ESTABLISHMENT

- Bardale, Phases 5b, Erven

Notice is hereby given in terms of Chapter 2 of The Less Formal Township Establishment Act 1991 (Act 113 of 1991), that the undermentioned application is made to the Minister of Local Government & Housing, Provincial Government Western Cape is open to inspection at the office of the District Manager at Department: Planning & Building Development Management at Stocks & Stocks, Ntlazane Street, Ilitha Park, PO Box X93, Bellville 7535. Enquiries may be directed to G Hanekom, Department: Planning & Building Development Management at Stocks & Stocks, Ntlazane Street, Ilitha Park, PO Box X93, Bellville 7535 weekdays during 08:00-13:00. Written objection, if any, with reasons may be lodged at the office of the abovementioned District Manager on or before 16 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 disregarded.

Location address: Lerato Ponoane Road, Mfuleni

Owner: City of Cape Town

Applicant: NM & Associates

Nature of application: Application for Township Establishment in terms of Section 11 of the Less Formal Township Establishment Act No 113 of 1991 (LEFTE) to allow the property to be used for in situ upgrade for residential purposes, associated community and other urban facilities.

ACHMAT EBRAHIM, CITY MANAGER

30 July 2010

22128

CITY OF CAPE TOWN (KHAYELITSHA-/MITCHELLS PLAIN)

REZONING, DEPARTURES AND APPROVAL OF SITE DEVELOPMENT PLAN

- Erf 417 Philippi

Notice is hereby given in terms of Sections 17 and 15 of the Land Use Planning Ordinance (Ordinance 15 of 1985) and Section 3.13.1 of Section 8 Zoning Scheme that Council has received the undermentioned application, which is open to inspection at the office of the District Manager at Department: Planning & Building Development Management at E-Block, Stocks and Stocks Complex, Ntlazane Street, Ilitha Park, Khayelitsha. Enquiries may be directed to R Hanekom, Department: Planning & Building Development Management, PO Box X93, Bellville, 7535 or e-mail Reinier.Hanekom@capetown.gov.za or fax (021) 360-1113 weekdays during 08:00-12:00. Written objections, if any, with reasons may be lodged at the office of the abovementioned District Manager on or before 30 August 2010, quoting the above applicable legislation, the application number, as well as your erf and contact phone number and address.

Owner: Racec (Pty) Ltd

Applicant: J Olivier

Application no: 194862

Nature of application: Application for Rezoning in terms of Section 17 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) from Industrial General to Commercial Zone in order to permit retail and utility land uses.

Application in terms of Regulation Departure in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) to permit:

- 0.7m in lieu of 4.5m setback from the northern side boundary
- 67 parking bays in lieu of 186 bays

Approval of Site Development Plan No: PE/417, dated June 2010

ACHMAT EBRAHIM, CITY MANAGER

30 July 2010

22129

STAD KAAPSTAD (KHAYELITSHA-/MITCHELLS PLAIN-DISTRIK)

MINDER FORMELE DORPSTIGTING

- Bardale, fases 5b, Erwe

Kennisgewing geskied hiermee ingevolge hoofstuk 2 van die Wet op Minder Formele Dorpstigting, Wet 113 van 1991, dat onderstaande aansoek deur die minister van plaaslike regering en behuising, provinsiale regering van die Wes-Kaap, ontvang is en ter insae beskikbaar is by die kantoor van die distriksbestuurder, departement: beplanning en bou-ontwikkelingsbestuur, Blok E, Stocks & Stocks-kompleks, Ntlazanestraat, Ilitha Park, Khayelitsha. Navrae kan gerig word aan G Hanekom, departement: beplanning en bou-ontwikkelingsbestuur, Posbus X93, Bellville 7535, of faksnr (021) 360-1113, weksdae van 08:00-13:00. Skriftelike besware, as daar is, met redes, kan voor of op 16 Augustus 2010 aan die kantoor van bogenoemde distriksbestuurder 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.

Liggingsadres: Lerato Ponoane-weg, Mfuleni

Eienaar: Stad Kaapstad

Aansoeker: NM & Associates

Aard van aansoek: Aansoek om dorpsstigting ingevolge artikel 11 van die Wet op Minder Formele Dorpstigting, Wet 113 van 1991 (LEFTE), om toe te laat dat die eiendom vir in situ-opknapping vir residensiële doeleindes en gepaardgaande gemeenskaps- en ander stedelike fasiliteite gebruik word.

ACHMAT EBRAHIM, STADSBEURDER

30 Julie 2010

22128

STAD KAAPSTAD (KHAYELITSHA-/MITCHELLS PLAIN-DISTRIK)

HERSONERING, AFWYKINGS & GOEDKEURING VAN DIE TERREINONTWIKKELINGSPLAN

- Erf 417 Philippi

Kennisgewing geskied hiermee ingevolge artikels 17 en 15 van die Ordonnansie op Grondgebruikbeplanning nr. 15 van 1985, en artikel 3.13.1 van die artikel 8-soneringskema regulasies, dat die raad onderstaande aansoek ontvang het wat ter insae beskikbaar is by die kantoor van die distriksbestuurder, departement: beplanning en bou-ontwikkelingsbestuur, Blok E, Stocks & Stocks-kompleks, Ntlazanestraat, Ilitha Park, Khayelitsha. Navrae kan gerig word aan R Hanekom, departement: beplanning en bou-ontwikkelingsbestuur, Posbus X93, Bellville 7535, e-posadres Reinier.Hanekom@capetown.gov.za, of faksnr. (021) 360-1113, weksdae van 08:00-12:00. Skriftelike besware, as daar is, kan voor of op 30 Augustus 2010 aan die kantoor van bogenoemde distriksbestuurder gerig word, met vermelding van bogenoemde toepaslike wetgewing, die aansoeknommer sowel as u erf- en kontaktelefoonnommer en adres.

Eienaar: Racec (Edms.) Bpk.

Aansoeker: J Olivier

Aansoeknr.: 194862

Aard van aansoek: Hersonerering ingevolge artikel 17 van die Ordonnansie op Grondgebruikbeplanning, nr. 15 van 1985, van algemeenindustriële na kommersiële sone, ten einde kleinhandels- en nutsdiensgrondgebruike toe te laat.

Regulasieafwykings ingevolge artikel 15 van die Ordonnansie op Grondgebruikbeplanning, nr. 15 van 1985, ten einde die volgende toe te laat:

- Inspringing van 0.7m in plaas van 4.5m van die noordelike sygrens
- 67 parkeerplekke in plaas van 186

Goedkeuring van terreinontwikkelingsplannr. PE/417 van Junie 2010.

ACHMAT EBRAHIM, STADSBEURDER

30 Julie 2010

22129

CITY OF CAPE TOWN (NORTHERN DISTRICT)

REZONING AND SUBDIVISION

- Portion of Public Road Reserve, Eoan Street, Scottsdene, Brackenfell Area

Notice is hereby given in terms of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) that the undermentioned application has been received and is open for inspection at the office of the District Manager, Northern District, City of Cape Town, Brighton Road, Kraaifontein Municipal Offices. Enquiries may be directed to Ms J van de Merwe, PO Box 25, Kraaifontein, 7569, Joy.van_de_Merwe@capetown.gov.za, (021) 980-6002 and fax (021) 980-6083, during 08:00-14:30. Objections, with full reasons, must be lodged in writing at the office of the abovementioned District Manager on or before Monday 30 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.

Owner: City of Cape Town

Application Number: 195121

Road Reserve/Address: Eoan Street, Scottsdene, Brackenfell

Application/Development proposal:

- Subdivision of the Eoan Street road reserve (public road) into two portions namely Remainder Road and Portion 1, to acquire a portion of the public parking area as per Plan of Subdivision, in terms of Section 24 of the Land Use Planning Ordinance, No. 15 of 1985, and
- Rezoning of Portion 1 from Transport Zone III to Authority Zone to accommodate a proposed business hive and training facility on an existing portion of road reserve, Eoan Street, Scottsdene, Brackenfell area, in terms of Section 17 of the Land Use Planning Ordinance No. 15 of 1985.

ACHMAT EBRAHIM, CITY MANAGER

30 July 2010

22130

LANGEBERG MUNICIPALITY
McGregor Office

MN NO. 61/2010

PROPOSED REZONING AND CONSENT USE OF ERF 947, 25A
TINDALL STREET, MCGREGOR

(Ordinance 15 of 1985, Land use planning)

Notice is hereby given in terms of Sections 15 and 17 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985), that the Council has received an application from Du Bois De Vries De Wet & Krouwkam on behalf of MJ & L Stanfliet for the rezoning from Residential zone I to Business zone I (liquor store) with consent use for a flat (existing dwelling) on erf 947, McGregor.

The application will be open for inspection at the McGregor Office during normal office hours. Written legal and fully motivated objections/comments, if any, must be lodged with the undersigned before or on 3 September 2010. Further details are obtainable from Mr Jack van Zyl (023) 614-8000 during office hours. Any person who cannot write may come to the office mentioned above, during office hours where a staff member of the municipality will assist that person to transcribe his/her comments or representations.

SA MOKWENI, MUNICIPAL MANAGER, Municipal Office, Private Bag X2, ASHTON 6715 22150

STAD KAAPSTAD (NOORDELIKE DISTRIK)

HERSONERING EN ONDERVERDELING

- Gedeelte openbare-padreserwe, Eoanstraat, Scottsdene, Brackenfell-gebied

Kennisgewing geskied hiermee ingevolge die Ordonnansie op Grondgebruikbeplanning, nr. 15 van 1985, dat onderstaande aansoek ontvang is en by die kantoor van die distriksbestuurder, Noordelike Distrik, Stad Kaapstad, Munisipale Kantore, Brightonweg, Kraaifontein, ter insae beskikbaar is. Navrae kan gerig word aan me. J van de Merwe, Posbus 25, Kraaifontein 7569, of bogenoemde straatadres, tel (021) 980-6002, faksnr. (021) 980-6083 of e-posadres Joy.van_de_Merwe@capetown.gov.za, gedurende kantoorure (08:00-14:30). Enige besware, met volledige redes, moet voor of op Maandag 30 Augustus 2010 skriftelik aan die kantoor van bogenoemde distriksbestuurder gerig word, met vermelding van bogenoemde toepaslike wetgewing en die beswaarmaker se erf- en telefoonnommer/s en adres. Enige besware wat na voormelde sluitingsdatum ontvang word, kan dalk ongeldig geag word.

Eienaar: Stad Kaapstad

Aansoeknr.: 195121

Padreserwe/adres: Eoanstraat, Scottsdene, Brackenfell

Aansoek/ontwikkelingsvoorstel:

- Onderverdeling van die Eoanstraat-padreserwe (openbare pad) in twee gedeeltes, naamlik Restantpad en Gedeelte 1, om 'n gedeelte van die openbare parkeergebied ooreenkomstig die onderverdelingsplan te verkry ingevolge Artikel 24 van die Ordonnansie op Grondgebruikbeplanning, nr. 15 van 1985.
- Hersonering van Gedeelte 1 van vervoersone III na owerheidsone ten einde voorsiening te maak vir 'n voorgestelde sakekorf en opleidingsfasiliteit op 'n bestaande gedeelte padreserwe, Eoanstraat, Scottsdene, Brackenfell-gebied, ingevolge artikel 17 van die Ordonnansie op Grondgebruikbeplanning, nr. 15 van 1985.

ACHMAT EBRAHIM, STADSBESTUURDER

30 Julie 2010

22130

LANGEBERG MUNISIPALITEIT
McGregor Kantoor

MK NR. 61/2010

VOORGESTELDE HERSONERING EN VERGUNNINGSGEBRUIK
VAN ERF 947, TINDALLSTRAAT 25A, MCGREGOR

(Ordonnansie 15 van 1985, Grondgebruikbeplanning)

Kennis geskied hiermee ingevolge Artikels 15 en 17 van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie 15 van 1985) dat 'n aansoek ontvang is van Du Bois De Vries De Wet & Krouwkam namens MJ & L Stanfliet vir die hersonering vanaf Residensiële sone I na Sakesone I (drankwinkel) met vergunningsgebruik vir 'n woonstel (bestaande woning) van erf 947, McGregor.

Die aansoek lê ter insae gedurende kantoorure in die McGregor Kantoor en skriftelike regsgeldige en goed gemotiveerde besware/kommentaar, indien enige moet nie later as 3 September 2010 skriftelik by die ondergetekende ingedien word nie. Navrae kan gerig word aan mnr Jack van Zyl by telefoonnommer (023) 614-8000. 'n Persoon wat nie kan skryf nie kan gedurende kantoorure na bogenoemde kantoor kom waar 'n personeellid van die Munisipaliteit daardie persoon sal help om sy/haar kommentaar of verhoë af te skryf.

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

30 Julie 2010

22150

CITY OF CAPE TOWN (NORTHERN DISTRICT)

PROPOSED FOR LESS FORMAL TOWNSHIP ESTABLISHMENT

- Portion ($\pm 2,66$ ha) of Cape Farm 153 Vissershok, Old Malmesbury Road, Van Schoorsdrift

Notice is hereby given in terms of Chapter 1 of The Less Formal Township Establishment Act, No 113 of 1991 that the undermentioned application is made to the Minister of Local Government & Housing, Provincial Government Western Cape and is open to inspection at the office of the District Manager, First Floor, Municipal Offices, Brighton Road, Kraaifontein. Enquiries may be directed to Ms Melanie Louw, PO Box 25, Kraaifontein, 7569, e-mail to melanie.louw@capetown.gov.za, tel (021) 980-6206 or fax (021) 980-6083, weekdays during the hours of 08:00-14:30. Any objections, with full reasons therefor, must be lodged in writing at the office of the District Manager at First Floor, Municipal Offices, Brighton Road, Kraaifontein on or before 30 September 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: City of Cape Town: Directorate Housing

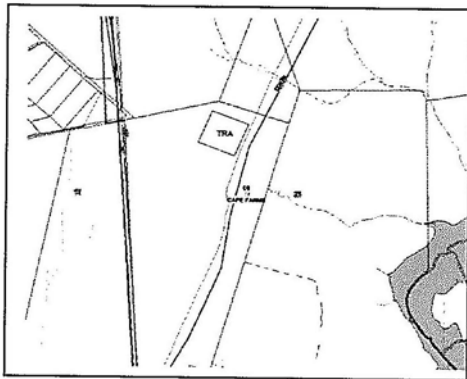
Owner: City of Cape Town

Application Number: 192724

Address: Old Malmesbury Road, Van Schoorsdrift

Nature of application:

- In terms of Section 4(7) of the Land Use Planning Ordinance, 1985 (Ord 15 of 1985) application for the amendment of the Cape Metropolitan Area: Peninsula Urban Structure Plan to change the designation of a portion of Cape Farm 153 from Buffer Area for Construction Materials to Urban Development
- The designation of a portion ($\pm 2,66$ ha) of Cape Farm 153 (see map below), to allow the property to be utilised as temporary relocation areas constituting residential purposes, associated community and other facilities. Once designated the land will be zoned appropriately in terms of the Cape Divisional Council Zoning Scheme Regulations.



It must be noted that, in terms of Act 113/1991, any servitude, closure of public place or road or any other restrictive condition in respect of the land may be suspended and includes the provisions of the Removal of Restrictions Act (Act 84/1967), Land Use Planning Ordinance (Ordinance 15/1985), Municipal Ordinance 20 of 1974, National Environmental Management Act, 1998), National Heritage Resources Act, Act 25 of 1999 & National Building Regulations Standards Act (Act 103/1977), and any other law pertaining to township establishment.

ACHMAT EBRAHIM, CITY MANAGER

30 July 2010

22131

STAD KAAPSTAD (NOORDELIKE DISTRIK)

VOORGESTELDE MINDER FORMELE DORPSTIGTING

- Gedeelte ($\pm 2,66$ ha) van Kaapse Plaas 153 Vissershok, Ou Malmesbury-pad, Van Schoorsdrift

Kennisgewing geskied hiermee ingevolge hoofstuk 1 van die Wet op Minder Formele Dorpstigting, Wet 113 van 1991, dat onderstaande aansoek by die minister vir behuising, provinsiale regering van die Wes-Kaap, ingedien is en ter insae beskikbaar is by die kantoor van die distriksbestuurder, Eerste Verdieping, Munisipale Kantore, Brightonweg, Kraaifontein. Navrae kan gerig word aan me. Melanie Louw, Posbus 25, Kraaifontein 7569, e-posadres melanie.louw@capetown.gov.za, tel (021) 980-6206, of faksnr. (021) 980-6083, weekdae gedurende 08:00-14:30. Enige besware, met volledige redes daarvoor, moet voor of op 30 September 2010 skriftelik aan die kantoor van die distriksbestuurder, Eerste Verdieping, Munisipale Kantore, Brightonweg, Kraaifontein, gerig word, met vermelding van bogenoemde toepaslike wetgewing en die beswaarmaker se erf- en telefoonnommer/s en adres. Enige besware wat na voormelde sluitingsdatum ontvang word, kan dalk ongedig geag word.

Aansoeker: Stad Kaapstad, direktoraat: behuising

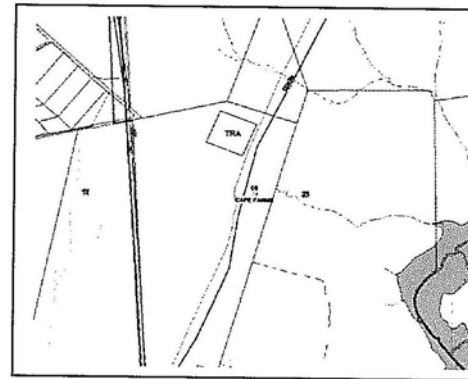
Eienaar: Stad Kaapstad

Aansoeknr.: 192724

Adres: Ou Malmesbury-pad, Van Schoorsdrift

Aard van aansoek:

- Ingevolge artikel 4(7) van die Ordonnansie op Grondgebruikbeplanning, nr. 15 van 1985, om die wysiging van die Kaapse metropolitaanse gebied – Skiereilandse stedelike strukturplan, ten einde die bestemming van 'n gedeelte van Kaapse Plaas 153 van buffergebied vir konstruksiemateriaal na stedelike ontwikkeling te verander
- Die bestemming van 'n gedeelte ($\pm 2,66$ ha) van Kaapse Plaas 153 (sien kaart hieronder), ten einde toe te laat dat die eiendom as tydelike verskuivingsgebied, bestaande uit residensiële doeleindes en gepaardgaande gemeenskaps- en ander fasiliteite, gebruik word. As die grond se gebruik eers bestem is, sal dit toepaslik gesoneer word ingevolge die Kaapse afdelingsraad se soneringskemaregulasies.



Daar dien op gelet te word dat, ingevolge Wet 113/1991, enige serwitut, sluiting van openbare plek of pad of enige ander beperkende voorwaarde ten opsigte van die grond, opgeskort kan word, met inbegrip van die Wet op Opheffing van Beperkings, Wet 84 van 1967, die Ordonnansie op Grondgebruikbeplanning, nr. 15 van 1985, Munisipale Ordonnansie 20 van 1974, die Wet op Nasionale Omgewingsbestuur, 1998, Die Wet op Nasionale Erfenishulpbronne, Wet 25 van 1999, en die Wet op Nasionale Bouregulasies en -Standaarde, Wet 103 van 1977, en enige ander wet wat op dorpsstigting betrekking het.

ACHMAT EBRAHIM, STADSBESTUURDER

30 Julie 2010

22131

CITY OF CAPE TOWN (SOUTHERN DISTRICT)

REZONING & DEPARTURES

- Erf 902 Simon's Town, 86 St Georges Street

Notice is hereby given in terms of Sections 17(2) and 15(2) of the Land Use Planning Ordinance 15 of 1985 that the undermentioned applications have been received and are 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 P Evard, from 08:30-13:00 Monday to Friday. Any objections and/or comments, with full reasons therefor, must be submitted in writing at the office of the District Manager, Department: Planning & Building Development Management, City of Cape Town, Private Bag X5, Plumstead, 7801 or fax (021) 710-8283 or e-mailed to dhilshaad.samaai@capetown.gov.za on or before the closing date, quoting the above Ordinance, the belowmentioned reference number, and the objector's erf and phone numbers and address. Objections and comments may also be hand-delivered to the abovementioned street address by no later than the closing date. If your response is not sent to 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 P Evard on (021) 710-8132. The closing date for objections and comments is 30 August 2010.

File Ref: LUM/67/902

Applicant: Biff Lewis Geomatics Inc.

Address: 86 St Georges Street, Simon's Town

Nature of applications:

1. Rezone from Undetermined Use Area to Business Use Area in order to facilitate the existing business and residential uses on the property.
2. Departure from the following sections of the Simon's Town Zoning Scheme in order to facilitate the existing structure:
 - Section 8.4.5.1.1 and 8.4.5.1.2 for the parking provision of 3 on-site parking bays in lieu of 4
 - Section 8.4.3.2 for the building setback 0m from the street boundary in lieu of 4.5m
 - Section 8.4.10 for residential buildings on the ground floor
 - Section 8.4.3.2.2 for buildings above the ground floor sited on the lateral boundary for a distance exceeding 12.5m

ACHMAT EBRAHIM, CITY MANAGER

30 July 2010

22135

STAD KAAPSTAD (SUIDELIKE DISTRIK)

HERSONERING EN AFWYKINGS

- Erf 902 Simonstad, St Georgesstraat 86

Kennis geskied hiermee ingevolge artikels 17(2) en 15(2) van die Ordonnansie op Grondgebruikbeplanning, nr. 15 van 1985, dat die 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. Navrae kan Maandag tot Vrydag tussen 08:30 en 13:00 aan Pierre Evard gerig word. Enige besware en/of kommentaar, met volledige redes daarvoor, moet skriftelik voor of op die sluitingsdatum by die kantoor van die distriksbestuurder, departement: beplanning en bouontwikkelingsbestuur, Stad Kaapstad, Privaat Sak X5, Plumstead 7801, faksnr. (021) 710-8283, e-posadres dhilshaad.samaai@capetown.gov.za ingedien word, met vermelding van bogenoemde Ordonnansie, onderstaande verwysingsnommer en die beswaarmaker se erf- en telefoonnommer en adres. Besware en kommentaar kan ook voor of op die sluitingsdatum per hand by bogenoemde straatadres afgelewer word. As u reaksie nie na dié adresse en/of faksnr. gestuur word nie en gevolglik laat ontvang word, sal dit ongeldig geag word. Verdere inligting is beskikbaar by Pierre Evard by (021) 710-8132. Die sluitingsdatum vir besware en kommentaar is 30 Augustus 2010.

Lêerverw: LUM/67/902

Aansoeker: Biff Lewis Geomatics Ing.

Adres: St Georgesstraat 86, Simonstad

Aard van aansoek:

1. Hersonerings van onbepaalde gebruikgebied na sakegebruikgebied met die oog op die bestaande onderneming en residensiële gebruike op die eiendom.
2. Afwyking van die volgende artikels van die Simonstadsoneringskema ten einde vir die bestaande struktuur voorsiening te maak:
 - Artikel 8.4.5.1.1 en 8.4.5.1.2 vir die parkeerveroorwaarde van drie parkeerplekke op die perseel in plaas van vier
 - Artikel 8.4.3.2 vir die gebou-inspringsing van 0m van die straatgrens in plaas van 4.5m
 - Artikel 8.4.10 vir residensiële geboue op die grondverdieping
 - Artikel 8.4.3.2.2 vir geboue bo die grondverdieping op die laterale grens op 'n afstand van meer as 12.5m

ACHMAT EBRAHIM, STADSBESTUURDER

30 Julie 2010

22135

CITY OF CAPE TOWN (TABLE BAY DISTRICT)

REZONING & SUBDIVISION

- Erf 48, Brinton Street, Langa

Notice is hereby given in terms of Regulation 19(5) of the Township Regulation No R1897 of 12 September 1986 (promulgated in terms of Act 4 of 1984) and in terms Regulation 5 of Provincial Notice 733 of 22 September 1989 (promulgated in terms of Act 4 of 1984) that the undermentioned application has been received and is open to inspection at the office of the District Manager: Planning & Building Development Management, 2nd floor, Media City, corner Hertzog Boulevard & Heerengracht, Cape Town. Enquiries may be directed to T Nyelele PO Box 4529, Cape Town, 8000, & Building Development Management, 2nd floor, Media City, corner Hertzog Boulevard & Heerengracht, Cape Town, tinus.nyelele@capetown.gov.za, tel (021) 400-6455 or fax (021) 421-1963 weekdays during 08:00-14:30.

Notice is also given in terms of Regulation 56(2) of the regulations published in Government Notice R385 in terms of Section 24(5) of the National Environmental Management Act, 1998 (Act 107 of 1998) that application is made for an environmental impact authorisation to undertake a listed activity as scheduled in Government Notice R386 (requiring a basic assessment procedure). A Basic Assessment process is underway to obtain environmental authorisation from the Department of Environmental Affairs and Development Planning to undertake Listed Activity 20 (GN No. R386). Application for exemption from:

- (1) appointing an environmental assessment practitioner,
- (2) the provision to erecting a site notice/inform adjacent landowners are also being applied for
- (3) the need to inform parties within a 100m radius of the site of the proposal.

Copies of the Application, draft Basic Assessment Report and Environmental Management Plan will be available for viewing at the offices of Mr Rashard Davids from 30 July 2010. Interested and Affected Parties (I&AP's) are invited to provide written comments. Any comments/objections may be forwarded to Mr R Davids (13th Floor, Civic Centre, 12 Hertzog Boulevard, Cape Town, tel (021) 400-4177, fax (021) 400-3001, Email: rashard.davids@capetown.gov.za), quoting the DEAD&P reference number, together with their name, contact details and an indication of any direct business, financial, personal or other interest which they have in the application.

Written comments must be lodged to the consultant within 40 days from the date of this Notice on or before 10 September 2010 (i.e 40 days from the date of the notice).

The abovementioned applications have been received. In addition to the two applications, a Basic (environmental) Assessment in terms of National Environmental Management Act is also required. You are therefore duly informed of aforementioned applications:

Owner/Applicant: City of Cape Town

Application no: 192495

Nature of application: It is proposed to subdivide the property into two portions. Portion 1 will be 787m² in extent, portion 2 will be 852m² in extent. It is further proposed to rezone portions 1 & 2 from an Open Space 1 Zone to an Institutional II Use Zone to permit a Place of Worship on said portions.

ACHMAT EBRAHIM, CITY MANAGER

30 July 2010

22136

STAD KAAPSTAD (TAFELBAAI-DISTRIK)

HERSONERING & ONDERVERDELING

- Erf 48, Brintonstraat, Langa

Kennisgewing geskied hiermee ingevolge regulasie 19(5) van Dorpsgebiedregulasie R1897 van 12 September 1986 (gepromulgeer ingevolge Wet 4 van 1984), en ingevolge regulasie 5 van Provinsiale Kennisgewingnr. 733 van 22 September 1989 (gepromulgeer ingevolge Wet 4 van 1985), dat onderstaande aansoek ontvang is en ter insae beskikbaar is by die kantoor van die distriksbestuurder, beplanning en bou-ontwikkelingsbestuur, 2e Verdieping, Media City, h/v Hertzog-boulevard en Heerengracht, Kaapstad, tinus.nyelele@capetown.gov.za, tel (021) 400-6455 of faksnr. (021) 421-1963, weekdae gedurende 08:00-14:30.

Kennisgewing geskied ook ingevolge regulasie 56(2) van die regulasies gepubliseer in Staatskoerant R385 ingevolge artikel 24(5) van die Wet op Nasionale Omgewingsbestuur, Wet 107 van 1998, dat daar om magtiging vir 'n omgewingsimpakbepaling aansoek gedoen is ten einde 'n gelyste aktiwiteit te onderneem soos geskeduleer in Staatskoerant R386 (wat 'n basiesebeplanningprosedure vereis). 'n Basiesebeplanningproses is aan die gang ten einde omgewingsmagtiging van die departement van omgewingsake en ontwikkelingsbeplanning te verkry om 'n gelyste aktiwiteit 20 (SK R386) te onderneem. Daar word om vrystelling van die volgende aansoek gedoen:

- (1) Aanstelling van 'n omgewingsbeplanningpraktisyn.
- (2) Die bepaling om 'n terreinkennisgewing op te rig/aanliggende grondeienaars in te lig.
- (3) Die bepaling dat partye binne 100m van die perseel van voorstel ingelig moet word.

Afskrifte van die aansoek, konsep-basiesebeplanningverslag en omgewingsbestuursplan sal van 30 Julie 2010 by die kantoor van mnr. Rashard Davids ter insae beskikbaar wees. Belanghebbendes en partye wat geraak word, word uitgenooi om skriftelike kommentaar voor te lê. Enige kommentaar/besware kan ook aan mnr R Davids (13e Verdieping, Burgersentrum, Hertzog-boulevard 12, Kaapstad, tel (021) 400-4177, faksnr. (021) 400-3001, of e-posadres rashard.davids@capetown.gov.za), gerig word, met vermelding van die DOS&OP-verwysingsnommer, tesame met die betrokke se naam, kontakbesonderhede en 'n aanduiding van enige regstreekse sake-, finansiële, persoonlike of ander belang wat hy/sy by die aansoek het.

Skriftelike kommentaar moet binne 40 dae van die datum van dié kennisgewing voor of op 10 September 2010 (d.w.s. binne 40 dae van die datum van die kennisgewing) voorgelê word.

Bogenoemde aansoeke is ontvang. Benewens die twee aansoeke word 'n basieseomgewingsbepaling ingevolge die Wet op Nasionale Omgewingsbestuur ook vereis. U is dus behoorlik van voormelde aansoeke in kennis gestel.

Eienaar/aansoeker: Stad Kaapstad

Aansoeknr.: 192495

Aard van aansoek: Daar word beoog om die eiendom in twee gedeeltes te onderverdeel. Gedeelte 1 sal 787m² groot wees, en Gedeelte 2 sal 852m² groot wees. Daar word verder beoog om Gedeeltes 1 & 2 van oopruimtesone 1 na institusionele gebruiksone II te hersoneer ten einde 'n plek van aanbidding op genoemde gedeeltes toe te laat.

ACHMAT EBRAHIM, STADSBESTUURDER

30 Julie 2010

22136

CITY OF CAPE TOWN (TYGERBERG REGION)

REZONING AND DEPARTURES

- Erf 18581, Kuilsrivier

Notice is hereby given in terms Sections 15 & 17 of Land Use Planning Ordinance No 15 of 1985 that the abovementioned application has been received and is open for inspection at the office of the District Manager: Tygerberg District. Any enquiries may be directed to Roedolf Snyman, Town Planner, Planning and Building Development Management, Third Floor, Civic Centre, Voortrekker Road, Parow, Postal address: Private Bag X4, Parow, 7499, e-mail: roedolf.snyman@capetown.gov.za, tel (021) 938-8532 and fax (021) 938-8509 weekdays during office hours 08:00-14:30. Any objections, with full reasons therefor, may be lodged in writing at the office of the abovementioned District Manager: Tygerberg District on or before 30 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: Terraplan Town and Regional Planners

Application number: 193221

Address: 124 Bishopscourt Crescent, Kuilsrivier

Nature of application: Application for Rezoning and Regulation Departures in respect of Erf 18581, Kuilsrivier.

It is proposed to rezone the subject property from Private Open Space to Business Zone B. Application for Regulation Departures are as follows:

- the relaxation of the side building line from 3.0m to 0.0m (Telkom Service Room abutting Group Housing Erf 22022)
- the relaxation of side building line from 1.0m to 0.0m (storeroom abutting Single Residential Erf 18577)
- the relaxation of the side building line 1.0m to 0.0m (refuse room abutting Single Residential Erf 18582).

The application for rezoning is made to permit a place of assembly (community hall) & associated administration office to be used by both Visual International (property developers) and the Stellendale Home Owners' Association.

Should your response not reach the above offices on or before the closing date, it may be considered invalid. Kindly clearly indicate in terms of which legislation your comments/objections are made. Should you be unable to provide written objection or representation, you may by appointment during office hours request a staff member to assist you with transcribing your objection or representation. Kindly note, any comment and/or objection submitted would be public record and be made available to the applicant for response as a matter of course.

ACHMAT EBRAHIM, CITY MANAGER

30 July 2010

22140

STAD KAAPSTAD (TYGERBERG-STREEK)

HERSONERING EN AFWYKINGS

- Erf 18581, Kuilsrivier

Kennisgewing geskied hiermee ingevolge artikels 15 en 17 van die Ordonnansie op Grondgebruikbeplanning, nr. 15 van 1985, dat onderstaande aansoek ontvang is en ter insae beskikbaar is by die kantoor van die distriksbestuurder, Tygerbergdistrik, Parow-burgersentrum, Voortrekkerweg, Parow, en dat navrae gerig kan word aan Roedolf Snyman, stadsbeplanner, beplanning en bou-ontwikkelingsbestuur, Private Bag X4, Parow 7499, of e-posadres Roedolf.Snyman@capetown.gov.za, tel (021) 938-8532 en faksnr. (021) 938-8509, weekdae tussen 08:00-14:30. Enige besware, met volledige redes daarvoor, moet voor of op 30 Augustus 2010 skriftelik aan die kantoor van bogenoemde distriksbestuurder, Tygerbergdistrik, gerig word, met vermelding van bogenoemde toepaslike wetgewing en die beswaarmaker se ernommer. Enige besware wat na voormelde sluitingsdatum ontvang word, kan dalk ongeldig geag word.

Aansoeker: Terraplan Stads- en Streeksbeplanners

Aansoeknr.: 193221

Adres: Bishopscourtsingel 124, Kuilsrivier

Aard van aansoek: Aansoek om hersonering en regulasieafwykings ten opsigte van Erf 18581, Kuilsrivier.

Daar word beoog om die onderhawige eiendom van privaat oop ruimte na sakesone B te hersoneer. Die regulasieafwykings is soos volg:

- die verslapping van die syboullyn van 3.0m tot 0.0m (Telkomdienskamer aanliggend aan groepsbehuising, Erf 22022)
- die verslapping van die syboullyn van 1.0m tot 0.0m (pakkamer aanliggend aan enkelresidensiële Erf 18577)
- die verslapping van die syboullyn van 1.0m tot 0.0m (vulliskamer aanliggend aan enkelresidensiële Erf 18582).

Die aansoek om hersonering word gedoen om 'n plek van samekoms (gemeenskapsaal) & gepaardgaande administratiewe kantoor toe te laat wat deur sowel Visual International (eiendomsontwikkelaars) as die Stellendale-huiseienaarsvereniging gebruik sal word.

As u respons bogenoemde kantoor nie voor of op die sluitingsdatum bereik nie, kan dit ongeldig geag word. Meld asseblief duidelik ingevolge welke wetgewing u kommentaar/besware voorgelê word. As u nie skriftelike kommentaar of versoë kan voorlê nie, kan u 'n afspraak gedurende kantoorure maak en versoek dat 'n personeelid u help om u besware of versoë neer te skryf. Let asseblief daarop dat enige kommentaar en/of beswaar wat voorgelê word, 'n openbare rekord sal wees wat uiteraard vir repliek aan die aansoeker beskikbaar gestel sal word.

ACHMAT EBRAHIM, STADSBESTUURDER

30 Julie 2010

22140

CITY OF CAPE TOWN (TYGERBERG REGION)

REZONING, SUBDIVISION AND
CONSENT USE

- Erf 12371, Kuilsrivier

Notice is hereby given in terms of Sections 17 & 24 of Ordinance 15 of 1985, as well as Regulation 2.4.4 of the Kuilsrivier Scheme Regulations that the abovementioned application has been received and is open for inspection at the office of the District Manager: Tygerberg District. Any enquiries may be directed to Jacques Loots, Town Planner, Planning and Building Development Management, Third Floor, Civic Centre, Voortrekker Road, Parow, Postal address: Private Bag X4, Parow, 7499, e-mail: jacques.loots@capetown.gov.za, tel (021) 938-8017 and fax (021) 938-8509 weekdays during office hours 08:00-14:30. Any objections, with full reasons therefor, may be lodged in writing at the office of the abovementioned District Manager: Tygerberg District on or before 30 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: Monique Kriel – Terraplan Town and Regional Planners.

Application number: 195567

Address: Erf 12371, c/o Langverwacht & Fisant Streets

Nature of application: Application for Rezoning, Subdivision and Consent Use in respect of Erf 12371, Kuilsrivier. It is proposed to rezone the subject property from Agricultural Zone to Business Zone B and to subdivide the subject property into 2 portions. Application is also made for consent use to operate a Service Station on the property.

Should your response not reach the above offices on or before the closing date, it may be considered invalid. Kindly clearly indicate in terms of which legislation your comments/objections are made. Should you be unable to provide written objection or representation, you may by appointment during office hours request a staff member to assist you with transcribing your objection or representation. Kindly note, any comment and/or objection submitted would be public record and be made available to the applicant for response as a matter of course.

ACHMAT EBRAHIM, CITY MANAGER

30 July 2010

22141

STAD KAAPSTAD (TYGERBERG-STREEK)

HERSONERING, ONDERVERDELING EN
TOESTEMMINGSGEBRUIK

- Erf 12371, Kuilsrivier

Kennisgewing geskied hiermee ingevolge artikels 17 en 24 van die Ordonnansie op Grondgebruikbeplanning, nr. 15 van 1985, sowel as regulasie 2.4.4 van die Kuilsrivierse skemaregulasies dat onderstaande aansoek ontvang is en ter insae beskikbaar is by die kantoor van die distriksbestuurder, Tygerbergdistrik, Parow-burgersentrum, Voortrekkerweg, Parow, en dat navrae gerig kan word aan Jacques Loots, stadsbeplanner, beplanning en bou-ontwikkelingsbestuur, Privaat Sak X4, Parow 7499, of e-posadres jacques.loots@capetown.gov.za, tel (021) 938-8017 en faksnr. (021) 938-8509, weekdae tussen 08:00-14:30. Enige besware, met volledige redes daarvoor, moet voor of op 30 Augustus 2010 skriftelik aan die kantoor van bogenoemde distriksbestuurder, Tygerbergdistrik, gerig word, met vermelding van bogenoemde toepaslike wetgewing en die beswaarmaker se ernommer. Enige besware wat na voormelde sluitingsdatum ontvang word, kan dalk ongeldig geag word.

Aansoeker: Monique Kriel – Terraplan Stads- en Streeksbeplanners

Aansoeknr.: 195567

Adres: Erf 12371, h/v Langverwacht- & Fisantstraat

Aard van aansoek: Hersonerig, onderverdeling en gebruikstoestemming ten opsigte van Erf 12371, Kuilsrivier. Daar word beoog om die onderhawige eiendom van landbousone na sakesone B te hersoneer, en om die onderhawige eiendom in twee gedeeltes te onderverdeel. Daar word ook om toestemmingsgebruik aansoek gedoen ten einde 'n diensstasie op die eiendom te bedryf.

As u respons bogenoemde kantoor nie voor of op die sluitingsdatum bereik nie, kan dit ongeldig geag word. Meld asseblief duidelik ingevolge welke wetgewing u kommentaar/besware voorgelê word. As u nie skriftelike kommentaar of vertoë kan voorlê nie, kan u 'n afspraak gedurende kantoorure maak en versoek dat 'n personeelid u help om u besware of vertoë neer te skryf. Let asseblief daarop dat enige kommentaar en/of beswaar wat voorgelê word, 'n openbare rekord sal wees wat uiteraard vir repliek aan die aansoeker beskikbaar gestel sal word.

ACHMAT EBRAHIM, STADSBESTUURDER

30 Julie 2010

22141

CITY OF CAPE TOWN (TYGERBERG REGION)

REZONING AND REGULATION DEPARTURES

- Erven 8112 and 8113, Kuilsrivier

Notice is hereby given in terms of Sections 15 & 17 of the Land Use Planning Ordinance, No 15 of 1985, that the undermentioned application has been received and is open for inspection at the office of the District Manager: Tygerberg District, Parow Civic Centre, Voortrekker Road, Parow. Please direct any enquiries to Roedolf Snyman, Town Planner, Planning and Building Development Management, Private Bag X4, Parow 7499, Roedolf.Snyman@capetown.gov.za, tel (021) 938-8532 and fax (021) 938-8509 weekdays 08:00-14:30. Any objections, with full reasons, may be lodged in writing at the office of the abovementioned District Manager on or before 30 August 2010, quoting the above legislation and the objector's erf number. Any objections received after aforementioned closing date may be considered invalid.

Applicant: P Syfert

Application number: 190440

Nature of Application:

Rezoning: Rezoning of Erven 8112 & 8113, Kuilsrivier, from Single Residential to Business Zone B to permit a car-dealership on the subject consolidated properties.

Departures: Departure from the street building line:

— from 5.0m to 0.0m for vehicle shadeports

Departure from side building line:

— from 2.5m to 0.0m for vehicle shadeports

ACHMAT EBRAHIM, CITY MANAGER

30 July 2010

22142

STAD KAAPSTAD (TYGERBERG-STREEK)

HERSONERING EN REGULASIEAFWYKINGS

- Erwe 8112 en 8113, Kuilsrivier

Kennisgewing geskied hiermee ingevolge artikels 15 en 17 van die Ordonnansie op Grondgebruikbeplanning, nr. 15 van 1985, dat onderstaande aansoek ontvang is en ter insae beskikbaar is by die kantoor van die distriksbestuurder, Tygerbergdistrik, Parow-burgersentrum, Voortrekkerweg, Parow, en dat navrae gerig kan word aan Roedolf Snyman, stadsbeplanner, beplanning en bou-ontwikkelingsbestuur, Privaat Sak X4, Parow 7499, of e-posadres Roedolf.Snyman@capetown.gov.za, tel (021) 938-8532 en faksnr. (021) 938-8509, weekdae tussen 08:00-14:30. Enige besware, met volledige redes daarvoor, moet voor of op 30 Augustus 2010 skriftelik aan die kantoor van bogenoemde distriksbestuurder gerig word, met vermelding van bogenoemde toepaslike wetgewing en die beswaarmaker se ernommer. Enige besware wat na voormelde sluitingsdatum ontvang word, kan dalk ongeldig geag word.

Aansoeker: P Syfert

Aansoeknr.: 190440

Aard van aansoek:

Hersonering: Die hersonering van Erwe 8112 & 8113, Kuilsrivier, van enkelresidensieel na sakesone B ten einde 'n motoragentskap op die onderhawige gekonsolideerde eiendom toe te laat.

Afwyking:

— van die straatboulyn van 5.0 m tot 0.0 m vir voertuigskadu-afdakke;

— van die syboulyn van 2.5 m tot 0.0 m vir voertuigskadu-afdakke.

ACHMAT EBRAHIM, STADSBESTUURDER

30 Julie 2010

22142

CITY OF CAPE TOWN (TYGERBERG REGION)

REZONING AND REGULATION DEPARTURES

- Erf 32088, Bellville

Notice is hereby given in terms of Sections 15 & 17 of the Land Use Planning Ordinance, No 15 of 1985, that the undermentioned application has been received and is open for inspection at the office of the District Manager: Tygerberg District, Parow Civic Centre, Voortrekker Road, Parow. Please direct any enquiries to Siwakhile Mba, Town Planner, Planning and Building Development Management Private Bag X4, Parow 7499, siwakhile.mba@capetown.gov.za, tel (021) 938-8434 and fax (021) 938-8509 weekdays between 08:00-14:30. Any objections, with full reasons, may be lodged in writing at the office of the abovementioned District Manager on or before 6 September 2010, quoting the above legislation and the objector's erf number. Any objections received after aforementioned closing date may be considered invalid.

Applicant: Arthur Johannes

Application number: 193940

Nature of Application: Rezoning of Erf 32088, Bellville, from Institutional 2 to Institutional 1 to permit an educational & skills training centre.

Departure from building lines:

Lateral from 10.0m to 4.0m

Lateral from 10.0m to 7.0m

Street from 10.0m to 7.0m

ACHMAT EBRAHIM, CITY MANAGER

30 July 2010

22143

STAD KAAPSTAD (TYGERBERG-STREEK)

HERSONERING EN REGULASIEAFWYKINGS

- Erf 32088, Bellville

Kennisgewing geskied hiermee ingevolge artikels 15 en 17 van die Ordonnansie op Grondgebruikbeplanning, nr. 15 van 1985, dat onderstaande aansoek ontvang is en ter insae beskikbaar is by die kantoor van die distriksbestuurder, Tygerbergdistrik, Parow-burgersentrum, Voortrekkerweg, Parow, en dat navrae gerig kan word aan Siwakhile Mba, stadsbeplanner, beplanning en bou-ontwikkelingsbestuur, Privaat Sak X4, Parow 7499, of e-posadres siwakhile.mba@capetown.gov.za, tel (021) 938-8434 en faksnr. (021) 938-8509, weekdae tussen 08:00-14:30. Enige besware, met volledige redes daarvoor, moet voor of op 6 September 2010 skriftelik aan die kantoor van bogenoemde distriksbestuurder gerig word, met vermelding van bogenoemde toepaslike wetgewing en die beswaarmaker se ernommer. Enige besware wat na voormelde sluitingsdatum ontvang word, kan dalk ongeldig geag word.

Aansoeker: Arthur Johannes

Aansoeknr.: 193940

Aard van aansoek: Die hersonering van Erf 32088, Bellville, van institusioneel 2 na institusioneel 1 ten einde 'n vaardighedsopleiding- en opvoedkundige sentrum toe te laat.

Afwyking van:

syboulyne van 10.0 m tot 4.0 m;

syboulyne van 10.0 m tot 7.0 m;

straatboulyne van 10.0 m tot 7.0 m.

ACHMAT EBRAHIM, STADSBESTUURDER

30 Julie 2010

22143

GEORGE MUNICIPALITY

NOTICE NO 075/2010

PROPOSED RECTIFICATION OF A CONTRAVENTION: ERF 536, HOEKWIL, DIVISION GEORGE

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

1. Application to rectify the following contraventions in terms of Section 40 of Ordinance 15 of 1985 for the unauthorised erection of:

- (a) a poolroom ±15m from the south-western boundary of the property;
- (b) a swimming pool ±21.5m from the south-western boundary of the property;
- (c) minor additions to the existing house;
- (d) 2 store rooms;
- (e) Carports ±13m from the north-eastern boundary of the property.

Details of the proposal are available for inspection at the Council's office 5th Floor, York Street, George, 6530, during normal office hours, Mondays to Fridays.

Enquiries: Marisa Arries

Reference: Erf 536, Hoekwil, Division George

Motivated objections, if any, must be lodged in writing with the Senior Manager: Planning, by not later than Monday, 30 August 2010. Please take note that no objections via e-mail will be accepted.

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

DG RAS, ACTING MUNICIPAL MANAGER

Civic Centre, York Street, George 6530

Tel: (044) 801-9473 Fax: (086) 570-1900

E-mail: marisa@george.org.za

30 July 2010

22144

HESSEQUA MUNICIPALITY

PROPOSED SUBDIVISION OF ERF 220, STILL BAY EAST

Notice is hereby given in terms of Section 24 of the Land-use Planning Ordinance 15 of 1985 (15 of 1985) that the Hessequa Municipality has received the following application:

Property: Erf 220 (44.0276ha), Still Bay East

Proposal: Subdivision of Erf 220 (44.0276ha) into:

- Portion 1 (3.91ha)
- Portion 2 (1.75ha)
- Portion 3 (1.13ha)
- Portion 4 (1.18ha)
- Portion 5 (1.08ha)
- Portion 6 (1.04ha)
- Portion 7 (1.03ha)
- Remainder (32.9076ha)

Applicant: Bekker & Houterman Land Surveyors and Town & Regional Planners on behalf of Still Bay Nature Resort cc

Details concerning the application are available at the Still Bay Municipal offices. Any objections to the proposed application should be submitted in writing to reach the office of the undersigned not later than 20 August 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,
PO BOX 29, RIVERSDAL 6670

30 July 2010

22145

GEORGE MUNISIPALITEIT

KENNISGEWING NR 075/2010

VOORGESTELDE REGSTELLING VAN 'N STRYDIGHEID: ERF 536, HOEKWIL, AFDELING GEORGE

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

1. Aansoek vir die regstelling van strydighede in terme van Artikel 40 van Ordonnansie 15 van 1985 vir die onwettige oprigting van:

- (a) 'n swemkamer ±15m vanaf die suid-westelike grens van die eiendom;
- (b) 'n swembad ±21.5m vanaf die suid-westelike grens van die eiendom;
- (c) Kleiner aanbouings aan die bestaande huis;
- (d) 2 stookkamers;
- (e) Motorafdakke ±13m vanaf die noord-oostelike grens van die eiendom.

Volledige besonderhede van die voorstel sal gedurende gewone kantoorure, Maandag tot Vrydag, ter insae wees by die Raad se kantoor te 5de Vloer, Yorkstraat, George, 6530.

Navrae: Marisa Arries

Verwysing: Erf 536, Hoekwil, Afdeling George

Gemotiveerde besware, indien enige, moet skriftelik by die Senior Bestuurder: Beplanning ingedien word nie later nie as Maandag, 30 Augustus 2010. Let asseblief daarop dat geen e-pos besware aanvaar sal word nie.

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

DG RAS, WAARNEMENDE MUNISIPALE BESTUURDER

Burgersentrum, Yorkstraat, George 6530

Tel: (044) 801-9473 Faks: (086) 570-1900

E-pos: marisa@george.org.za

30 Julie 2010

22144

HESSEQUA MUNISIPALITEIT

VOORGESTELDE ONDERVERDELING: ERF 220 STILBAAI-OOS

Kennis geskied hiermee ingevolge die bepalings van Artikel 24 van Ordonnansie 15 van 1985 (Ord 15 van 1985) dat die Hessequa Raad die volgende aansoek op bogenoemde eiendom ontvang het:

Eiendomsbeskrywing: Erf 220 (44.0276ha) Stilbaai-Oos

Aansoek: Onderverdeling van Erf 220 (44.0276ha) na:

- Gedeelte 1 (3.91ha)
- Gedeelte 2 (1.75ha)
- Gedeelte 3 (1.13ha)
- Gedeelte 4 (1.18ha)
- Gedeelte 5 (1.08ha)
- Gedeelte 6 (1.04ha)
- Gedeelte 7 (1.03ha)
- Remainder (32.9076ha)

Applikant: Bekker & Houterman Landmeters & Stad- en Streekbeplanners namens Still Bay Nature Resort cc

Besonderhede rakende die aansoek is ter insae by die Stilbaai kantoor. Enige besware teen die voorgenome aansoek moet skriftelik gerig word om die ondergetekende te bereik nie later as 20 Augustus 2010.

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

MUNISIPALE BESTUURDER, HESSEQUA MUNISIPALITEIT,
POSBUS 29, RIVERSDAL 6670

30 Julie 2010

22145

HESSEQUA MUNICIPALITY

PROPOSED REZONING OF ERF 841 SEEBRIES AVENUE —
STILBAAI WEST

Notice is hereby given in terms of the provisions of Section 17(2)(a) of Ordinance 15 of 1985 that the Hessequa Council has received the following application regarding the abovementioned property:

Property: Erf 841 Stilbaai West — 785m² — Residential I

Application: Rezoning in terms of Article 17(2)(a) of Ordinance 15 of 1985 of Erf 841 from Residential I to Residential II in order to establish a duet unit

Applicant: Impak Ontwerpers (on behalf of N Steenekamp).

Details concerning the application are available at the office of the undersigned as well as Riversdal Municipal Offices during office hours. Any objections to the proposed application should be submitted in writing to reach the office of the undersigned not later than 20 August 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,
PO BOX 29, RIVERSDAL 6670

30 July 2010

22146

HESSEQUA MUNISIPALITEIT

VOORGESTELDE HERSONERING: ERF 841 SEEBRIESLAAN —
STILBAAI WES

Kennis geskied hiermee ingevolge die bepalings van Artikels 17(2)(a) van Ordonnansie 15 van 1985 dat die Hessequa Raad, die volgende aansoek met betrekking tot bogenoemde eiendom ontvang het:

Eiendomsbeskrywing: Erf 841 Stilbaai Wes — 785m² — Residensieel I

Aansoek: Hersonering ingevolge Artikel 17(2)(a) van Ordonnansie 15 van 1985 van Erf 841 vanaf Residensieel I na Residensieel II ten einde 'n duetwoning te vestig

Applikant: Impak Ontwerpers (nms N Steenekamp)

Besonderhede rakende die aansoek is ter insae by die kantoor van die ondergetekende asook die Riversdal Munisipale Kantore gedurende kantoorure. Enige besware teen die voorgename aansoek moet skriftelik gerig word om die ondergetekende te bereik nie later as 20 Augustus 2010.

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

MUNISIPALE BESTUURDER, HESSEQUA MUNISIPALITEIT,
POSBUS 29, RIVERSDAL 6670

30 Julie 2010

22146

HESSEQUA MUNICIPALITY

PROPOSED SUBDIVISION OF PORTION 6 (WELTEVREDEN)
OF GROOT FONTEIN NO. 19 AND CONSOLIDATION WITH
MUISKOPPE NO. 564 RIVERSDALE DISTRICT

Notice is hereby given in terms of the Section 24(2) of Ordinance 15 of 1985 that the Hessequa Council has received the following application on the abovementioned property:

Property: Portion 6 (Weltevreden) of Groot Fontein No. 19 — 1359.8345ha — Agriculture Zone 1

Proposal: Subdivision of Portion 6 (Weltevreden) of the farm Groot Fontein No. 19 in two portions, nl

Portion A: 620 ha
Portion B: 770 ha

Consolidation as follows: Portion B: 770ha
Muiskoppe No. 564: 759.1937ha

Portion A will remain independently after subdivision

Applicant: Van der Walt & Visagie Professional Land Surveyors (on behalf of Jaco van Dyk Trust)

Details concerning the application are available at the office of the undersigned during office hours as well as the Riversdale Municipal office. Any objections, to the proposed application should be submitted in writing to reach the office of the undersigned not later than 20 AUGUST 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, PO BOX
29, RIVERSDALE 6670

30 July 2010

22147

HESSEQUA MUNISIPALITEIT

VOORGESTELDE ONDERVERDELING VAN GEDEELTE 6
(WELTEVREDEN) VAN GROOT FONTEIN NR. 19 EN KONSOLIDASIE
MET MUISKOPPE NR. 564 RIVERSDAL DISTRIK

Kennis geskied hiermee ingevolge Artikel 24(2) van Ordonnansie 15 van 1985 dat die Hessequa Raad die volgende aansoek op bogenoemde eiendom ontvang het:

Eiendomsbeskrywing: Gedeelte 6 (Weltevreden) van Groot Fontein Nr. 19 — 1359.8345ha — Landbousone 1

Aansoek: Onderverdeling van Gedeelte 6 (Weltevreden) van Groot Fontein Nr. 19 as volg:

Gedeelte A: 620 ha
Gedeelte B: 770 ha

Konsolidasie as volg: Gedeelte B: 770ha
Muiskoppe Nr. 564: 759.1937ha

Gedeelte A sal onafhanklik bly voortbestaan na onderverdeling.

Aansoeker: Van der Walt & Visagie Professionele Landmeters (nms Jaco van Dyk Trust)

Besonderhede rakende die aansoek is ter insae by die kantoor van die ondergetekende gedurende kantoorure sowel as Riversdal Munisipale Kantore. Enige besware teen die voorgename aansoek moet skriftelik gerig word om die ondergetekende te bereik nie later as 21 AUGUSTUS 2010.

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

MUNISIPALE BESTUURDER, HESSEQUA MUNISIPALITEIT,
POSBUS 29, RIVERSDAL 6670

30 Julie 2010

22147

KNYSNA MUNICIPALITY

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

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

PROPOSED REZONING AND DEPARTURE: KNYSNA ERF 1299
(2 QUEEN STREET)

Notice is hereby given in terms of Section 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 Town Planning Offices, 2nd floor, 3 Church Street, Knysna. Any objections, with full reasons therefor, should be lodged in writing with the Municipal Manager, PO Box 21, Knysna, 6570 on or before 15:00, on Monday 30 August 2010 quoting the above Ordinance and the objector's property description/erf number.

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

Objections via e-mail will not be accepted.

Nature of the application:

- (i) The rezoning of Knysna Erf 1299 from "Single Residential" zone to "Business" zone in terms of Section 17 of the Land Use Planning Ordinance;
- (ii) A Consent use on Knysna Erf 1299 in terms of Clause 4.5 of the Knysna Zoning Scheme Regulations to allow a motor vehicle showroom and the trading of motor vehicles on the "Business" zoned property.

Applicant: Marike Vreken Town Planners CC on behalf of HJ & M Bruwer PO Box 2180, KNYSNA 6570

Tel: (044) 382-0420 Fax: (044) 382-0438 e-mail: marike@vreken.co.za

Reference: 1299 KNY

JB DOUGLAS, MUNICIPAL MANAGER

30 July 2010

22160

KNYSNA MUNISIPALITEIT

ORDONNANSIE OP GRONDGEBRUIKBEPLANNING, 1985
(ORDONNANSIE 15 VAN 1985)

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

VOORGESTELDE HERSONERING: KNYSNA ERF 1299
(QUEENSTRAAT 2)

Kennis geskied hiermee ingevolge Artikel 17 van Ordonnansie 15 van 1985 dat die onderstaande aansoek deur die Munisipale Bestuurder ontvang is en gedurende kantoor ure ter insae lê by die Munisipale Stadsbeplannings Kantore, 2e vloer, Kerkstraat 3, Knysna. Enige besware met volledige redes daarvoor, moet skriftelik by die Munisipale Bestuurder, Posbus 21, Knysna, 6570 ingedien word op of voor 15:00 op Maandag 30 Augustus 2010 met vermelding van bogenoemde Ordonnansie en beswaarmaker se erfnummer/eiendomsbeskrywing.

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

Besware per e-pos sal nie aanvaarbaar wees nie.

Aard van aansoek:

- (i) Die hersonering van Erf 1299 Knysna vanaf "Enkelwoon" sone na "Besigheid", ingevolge Artikel 17 van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie 15 van 1985);
- (ii) 'n Vergunningsgebruik ingevolge Klousule 4.5 van die Knysna Soneringskema Regulasies om 'n motorhandelsaak en vertoon lokaal op die "Besigheid" gesoneerde eiendom toe te laat.

Aansoeker: Marike Vreken Town Planners CC namens HJ & M Bruwer Posbus 2180 KNYSNA 6570

Tel: (044) 382-0420 Faks: (044) 382-0438 e-pos: marike@vreken.co.za

Verwysing: 1299 KNY

JB DOUGLAS, MUNISIPALE BESTUURDER

30 Julie 2010

22160

LANGEBERG MUNICIPALITY

PROPOSED SUBDIVISION AND CONSOLIDATION:
REMAINDER OF PORTION 20 OF THE FARM KRUIS NO 123,
MONTAGU

In terms of section 24 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985), notice is hereby given that an application for subdivision and consolidation will be submitted to Council and will be available for scrutiny at the Town Planning Department (Montagu) at 3 Piet Retief Street, Montagu. Further details are obtainable from Jack van Zyl (023) 614-8000 during office hours.

Applicant: Gamsu & Houterman

Properties: Remainder of Portion 20 of the Farm Kruis No 123, Montagu

Owners: Corniel Suzanne Venter

Size: 147.5780ha

Proposal: Subdivision & Consolidation

Existing zoning: Agricultural zone

Written, legal and fully motivated objections/comments, if any, against the application must be lodged in writing with the undersigned or at any Langeberg municipal office on or before 3 September 2010. Any person who cannot write may come to the Montagu office during office hours where a staff member of the municipality, will assist that person to transcribe that person's comments or representations. Late objections will not be considered.

SA MOKWENI, MUNICIPAL MANAGER, Langeberg Municipality, Private Bag X2 ASHTON 6715

[Notice no: MK 62/2010]

30 July 2010

22149

MOSEL BAY MUNICIPALITY

ORDINANCE ON LAND USE PLANNING, 1985
(ORD. 15 OF 1985)

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

ERF 3684, KWANONQABA: PROPOSED REZONING TO
BUSINESS ZONE

It is hereby notified in terms of Section 17 above Ordinance that the undermentioned application has been received by the Municipal Manager and is open to inspection at the Section: Town planning, 4th floor, Montagu Place Building, Montagu Street, Mossel Bay. Any objections, with full reason therefor, should be lodged in writing to the Municipal Manager, PO Box 25, Mossel Bay, 6500 on or before Monday, 30 August 2010 quoting the above Ordinance and objector's erf number. Any comments received after the aforementioned closing date may be disregarded. 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.

Applicant: ZM Keswa, 95 Adriaans Avenue, Highway Park, Kwanonqaba 6506

Nature of Application: Proposed rezoning of Erf 3684, c/o Mooney and Adriaans Avenue, Highway Park, Kwanonqaba from 'Residential Zone I' to 'Business Zone' for the purposes of a double storey business building. The property is 318m² in extent.

File Reference: 15/4/31/15/5

DR M GRATZ, MUNICIPAL MANAGER

30 July 2010

22159

LANGEBERG MUNISIPALITEIT

VOORGESTELDE ONDERVERDELING EN KONSOLIDASIES:
REMAINDER VAN GEDEELTE 20 VAN DIE PLAAS KRUIS NR 123,
MONTAGU

Kennis geskied hiermee ingevolge die bepalings van artikel 24 van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie 15 van 1985) dat 'n aansoek om onderverdeling en konsolidasie by die Raad voorgelê gaan word en dat dit gedurende kantoorure ter insae lê by die Departement Stadsbeplanning (Montagu) te Piet Retiefstraat 3, Montagu. Nadere besonderhede is gedurende kantoorure by Jack van Zyl (023) 614-8000 beskikbaar.

Aansoeker: Gamsu & Houterman

Eiendomme: Restant van Gedeelte 20 van die Plaas Kruis Nr 123, Montagu

Eienaars: Corniel Suzanne Venter

Grootte: 147.5780ha

Voorstel: Onderverdeling & Konsolidasie

Huidige sonering: Landbousone

Skriftelike, regsgeldige en goed gemotiveerde besware/kommentaar, indien enige, kan by die ondergemelde adres of enige van die Langeberg munisipale kantore ingedien word voor of op 3 September 2010. 'n Persoon wat nie kan skryf nie kan gedurende kantoorure na bogenoemde Montagu kantoor kom waar 'n personeelid van die Munisipaliteit, daardie persoon sal help om die persoon se kommentaar of verhoë af te skryf. Geen laat besware sal oorweeg word nie.

SA MOKWENI, MUNISIPALE BESTUURDER, Langeberg Munisipaliteit, Privaatsak X2, ASHTON 6715

[Kennisgewing nommer: MK 62/2010]

30 Julie 2010

22149

MOSELBAAI MUNISIPALITEIT

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

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

ERF 3684 KWANONQABA: VOORGESTELDE HERSONERING
NA SAKESONE

Kragtens Artikel 17 van die bostaande Ordonnansie word hiermee kennis gegee dat die onderstaande aansoek deur die Munisipale Bestuurder ontvang is en ter insae lê by die Afdeling: Stadsbeplanning, 4de vloer, Montagu Plek Gebou, Montagustraat, Mosselbaai. Enige besware met volledige redes daarvoor, moet skriftelik by die Munisipale Bestuurder, Posbus 25, Mosselbaai, 6500 ingedien word op of voor Maandag, 30 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 telefoonnummer (044) 606-5074 of faksnummer (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.

Aansoeker: ZM Keswa Adriaanslaan 95, Highway Park, Kwanonqaba 6506

Aard van aansoek: Voorgestelde hersonering van Erf 3684, h/v Mooneystraat en Adriaanslaan, Highway Park, Kwanonqaba vanaf 'Residensiële Sone I' na 'Sakesone' vir die vestiging van 'n twee verdieping sakegebou. Die eiendom is 318m² groot.

Lêer Verwysing: 15/4/31/15/5

DR M GRATZ, MUNISIPALE BESTUURDER

30 Julie 2010

22159

OVERSTRAND MUNICIPALITY
(Hangklip-Kleinmond Administration)

PROPOSED APPLICATIONS FOR REZONING AND CONSENT
USE OF PORTION 4 OF FARM 473, SALANDRA, A DIVISION OF
CALEDON

Notice is hereby given that applications for the following have been received:

1. Rezoning of a portion (± 0.76 ha) of Portion 4 of Farm 473, Salandra, a division of Caledon, in terms of Section 17 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985), from Business Zone V to Industrial Zone I, in order to accommodate the existing transport business and cement and concrete works;
2. Rezoning of a portion (± 0.24 ha) of Portion 4 of Farm 473, Salandra, a division of Caledon, in terms of Section 17 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985), from Industrial Zone to Business Zone V, to legalize the existing coffee shop and farm stall;
3. Consent Use on the proposed rezoned Industrial Zone I in terms of Section 8 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985), in order to accommodate the existing transport business;
4. Consent Use in terms of Section 8 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) to allow a nursery (± 1.43 ha) on Agricultural Zone I; and
5. Rezoning of a portion of land adjacent to the R43 under jurisdiction of the District Roads Engineer in terms of Act 21 of 1940.

Further details are available for inspection during office hours at the Municipal offices, 37 Fifth Avenue, Kleinmond. (Enquiries: Ms A Cairns: Kleinmond, tel (028) 271-8400, fax (028) 271-8428, e-mail acairns@overstrand.gov.za). Any objections, with full reasons therefor, should be lodged in writing with the Municipal Manager, Private Bag X3, Kleinmond, 7195, on or before Friday, 30 September 2010.

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

W Zybrands, Municipal Manager

Notice no 017-2010

30 July 2010

22152

SWARTLAND MUNICIPALITY

NOTICE 13/2010/2011

CONFIRMATION OF ZONING: ERF 157, RIEBEEK WEST

Notice hereby given in terms of Section 14 of Ordinance 15 of 1985 that the zoning for erf 157 (3207m^2 in extent), situated in Hof Street, Riebeeck West is residential zone I.

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 30 August 2010 at 17:00.

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

30 July 2010

22153

MUNISIPALITEIT OVERSTRAND
(Hangklip-Kleinmond Administrasie)

VOORGESTELDE AANSOEKE VIR HERSONERING EN
VERGUNNINGSGEBRUIK VAN GEDEELTE 4 VAN PLAAS 473,
SALANDRA, 'N AFDELING VAN CALEDON

Kennis geskied hiermee dat die volgende aansoeke ontvang is:

1. Hersonerings van 'n gedeelte (± 0.76 ha) van Gedeelte 4 van Plaas 473, Salandra, 'n Afdeling van Caledon, vanaf Sakesone V na Industriële Sone I ingevolge Artikel 17 van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie 15 van 1985) ten einde die bestaande vervoerbesigheid en sementwerke daarop te akkommodeer;
2. Hersonerings van 'n gedeelte (± 0.24 ha) van Gedeelte 4 van Plaas 473, Salandra, 'n Afdeling van Caledon, vanaf Industriële Sone I na Sakesone V ingevolge Artikel 17 van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie 15 van 1985) ten einde die bestaande "coffee shop en farmstall" te wettig;
3. Vergunningsgebruik op die voorgestelde gehersoneerde Industriële Sone I ten einde die bestaande vervoerbesigheid daarop te akkommodeer, ingevolge Artikel 8 van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie 15 van 1985);
4. Vergunningsgebruik vir 'n kwekery op gedeelte (± 1.43 ha) wat as Landbousone I gehersoneer is ingevolge Artikel 8 van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie 15 van 1985); en
5. Hersonerings van gedeelte grond aangrensend aan die R43 wat onder jurisdiksie van die Distrikspadingenieur val, in terme van Wet 21 van 1940.

Nadere besonderhede lê ter insae by die Munisipale kantore, Vyfdelaan 37, Kleinmond, gedurende kantoorure (Navrae: Me A Cairns: Kleinmond, tel (028) 271-8400, faks (028) 271-8428, e-pos acairns@overstrand.gov.za). Enige besware met volledige redes daarvoor, moet skriftelik by die Munisipale Bestuurder, Privaatsak X3, Kleinmond, 7195, voor of op Vrydag, 03 September 2010 ingedien word.

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

W Zybrands, Munisipale Bestuurder

Kennisgewing nr 017-2010

30 Julie 2010

22152

SWARTLAND MUNISIPALITEIT

KENNISGEWING 13/2010/2011

BEVESTIGING VAN SONERING: ERF 157, RIEBEEK WES

Kennis geskied hiermee ingevolge Artikel 14 van Ordonnansie 15 van 1985 dat die sonering van erf 157 (3207m^2), geleë te Hofstraat, Riebeeck Wes, residensiële sone I is.

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

Enige kommentaar, hetsy beswaar of ondersteuning, kan skriftelik by die ondergetekende ingedien word nie later nie as 30 Augustus 2010 om 17:00.

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

30 Julie 2010

22153

SWELLENDAM MUNICIPALITY

APPLICATION FOR SUBDIVISION: ERF 1875 (C/O VAN EEDEN AND AANHUIZEN 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 Bekker and Houterman Land Surveyors on behalf of Mr JHP van Zyl for the subdivision of Erf 1875, Swellendam in Portion A (600m²), Portion B (12m²) and the Remainder (653m²).

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 30 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: 218/2010

30 July 2010

22154

SWELLENDAM MUNICIPALITY

APPLICATION FOR SUBDIVISION: ERF 346 (C/O VAN COLLER AND VAN RIEBEECK STREET), BARRYDALE

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 Arnold Theron Land Surveyors on behalf of L Crafford and JPD Van Coller for the subdivision of Erf 346, Barrydale in Portion A (1487m²) and the Remainder (1487m²).

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 30 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: 217/2010

30 July 2010

22155

SWELLENDAM MUNICIPALITY

APPLICATION FOR DEPARTURE: HOUSE 215, ERF 5198 (SQUATTER CAMP), 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 Lindiwe Chobeng for a departure on Erf 5198, 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 30 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: 216/2010

30 July 2010

22156

SWELLENDAM MUNISIPALITEIT

AANSOEK OM ONDERVERDELING: ERF 1875 (H/V VAN EEDEN EN AANHUIZENSTRATE), 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 Bekker en Houterman, Landmeters namens Mnr JHP van Zyl vir die onderverdeling van Erf 1875, Swellendam in Gedeelte A (600m²), Gedeelte B (12m²) en die Restant (653m²).

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 30 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: 218/2010

30 Julie 2010

22154

SWELLENDAM MUNISIPALITEIT

AANSOEK OM ONDERVERDELING: ERF 346 (H/V VAN COLLER EN VAN RIEBEECKSTRATE), BARRYDALE

Kennis geskied hiermee in terme van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie nr. 15 van 1985) dat die Raad 'n aansoek ontvang het van Arnold Theron Landmeters namens L Crafford en JPD Van Coller vir die onderverdeling van Erf 346, Barrydale in Gedeelte A (1487m²) en die Restant (1487m²).

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 30 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: 217/2010

30 Julie 2010

22155

SWELLENDAM MUNISIPALITEIT

AANSOEK OM AFWYKING: HUIS 215, ERF 5198 (PLAKKERSKAMP), 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 Lindiwe Chobeng vir 'n afwyking op Erf 5198, 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 30 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: 216/2010

30 Julie 2010

22156

HESSEQUA MUNICIPALITY

PROPOSED CONSENT USE: PORTION 18 OF THE FARM MASTERSTOCK NO. 488

Notice is hereby given in terms of Regulation 4.6 of P.N. 1048/1988 that the Hessequ Council has received the following application on the abovementioned property:

Property: Portion 18 of the farm Masterstock No. 488 (21.4561ha)

Proposal: Consent Use for two additional dwelling Units

Applicant: Vestsec Twenty (Pty) Ltd (ES Joubert)

Details concerning the application are available at the office of the undersigned during office hours as well as the Stilbaai Municipal Office. Any objections, to the proposed application should be submitted in writing to reach the office of the undersigned not later than 20 August 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, PO BOX 29, RIVERSDAL 6670

30 July 2010 22162

HESSEQUA MUNISIPALITEIT

VOORGESTELDE VERGUNNINGSGEBRUIK: GEDEELTE 18 VAN DIE PLAAS MASTERSTOCK NR. 488

Kennis geskied hiermee ingevolge Regulasie 4.6 van P.K. 1048/1988 dat die Hessequa Raad die volgende aansoek op bogenoemde eiendom ontvang het:

Eiendomsbeskrywing: GED 18 van die Plaas Masterstock Nr. 488 (21.4561ha)

Aansoek: Vergunningsgebruik vir twee addisionele wooneenhede

Applikant: Vestsec Twenty (Pty) Ltd (ES Joubert)

Besonderhede rakende die aansoek is ter insae by die kantoor van die ondergetekende gedurende kantoorure sowel as Stilbaai Munisipale Kantoor. Enige besware teen die voorgenome aansoek moet skriftelik gerig word om die ondergetekende te bereik nie later as 20 Augustus 2010.

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

MUNISIPALE BESTUURDER, HESSEQUA MUNISIPALITEIT, POSBUS 29, RIVERSDAL 6670

30 Julie 2010 22162

CITY OF CAPE TOWN

AIR QUALITY MANAGEMENT BY-LAW, 2010

To repeal the City of Cape Town: Air Pollution Control By-law, 2003; to provide for air quality management; 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 municipal health services 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 ensure management of air quality and the control of air pollution within the area of jurisdiction of the City and to ensure that air pollution is avoided or, where it cannot be altogether avoided, is minimized and remedied.

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

TABLE OF CONTENTS

CHAPTER I

INTERPRETATION AND FUNDAMENTAL PRINCIPLES

1. Definitions
2. Application of this By-law
3. Conflict with other laws

CHAPTER II

DUTY OF CARE

4. Reasonable measures to prevent air pollution

CHAPTER III

DESIGNATION OF AIR QUALITY OFFICERS AND ENVIRONMENTAL MANAGEMENT INSPECTORS

5. Designation or appointment of the air quality officer and environmental management inspectors
6. Duties and functions of the air quality officer and environmental management inspectors

CHAPTER IV

LOCAL EMISSIONS STANDARDS, NORMS AND STANDARDS AND SMOKE CONTROL ZONES

Part 1: Local Emission Standards

7. Legal Mandate

Part 2: Norms and Standards

8. Substances identification process

9. Publication of local emission standards
10. Declaration of air pollution control zone

CHAPTER V

SMOKE EMISSIONS FROM PREMISES OTHER THAN DWELLINGS

11. Application
12. Prohibition of dark smoke from premises
13. Installation of fuel-burning equipment
14. Operation of fuel-burning equipment
15. Presumption
16. Installation and operation of obscuration measuring equipment
17. Monitoring and sampling
18. Temporary exemption

CHAPTER VI

SMOKE EMISSIONS FROM DWELLINGS

19. Prohibition of emission of dark smoke from dwellings

CHAPTER VII

EMISSIONS CAUSED BY DUST EMISSIONS, OPEN BURNING AND BURNING OF MATERIAL

20. Authorisation of open burning and burning of material
21. Emissions caused by tyre burning and burning of rubber and other material for the recovery of metal
22. Dust Emissions

CHAPTER VIII

EMISSIONS FROM COMPRESSION IGNITION POWERED VEHICLES

23. Prohibition of dark smoke from compression ignition powered vehicles
24. Stopping of vehicles for inspection and testing
25. Testing procedure
26. Repair notice

CHAPTER IX

EMISSIONS THAT CAUSE A NUISANCE

27. Prohibition of emissions that cause nuisance
28. Abatement notice
29. Steps to abate nuisance

CHAPTER X

PESTICIDES AND CROP SPRAYING

30. Spraying of a pesticide

CHAPTER XI

LICENSING OF LISTED ACTIVITIES

31. Establishment of Atmospheric Emission Licensing System
32. Purpose of the Atmospheric Emission Licensing System
33. Application for Atmospheric Emission Licence
34. Factors to be taken into account
35. Decisions on applications for atmospheric emission licence
36. Terms and conditions of the atmospheric emission licence
37. Variation of atmospheric emission licences
38. Cessation of atmospheric emission licence

CHAPTER XII
OFFENCES AND PENALTIES

39. Offences and penalties

CHAPTER XIII
GENERAL MATTERS

40. Compliance Monitoring
41. Enforcement
42. Recognition programmes
43. Appeals
44. Exemptions
45. Indemnity
46. Repeal and savings
47. Short title

CHAPTER I
DEFINITIONS AND FUNDAMENTAL PRINCIPLES

Definitions

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

“**adverse effect**” means any actual or potential impact on the environment that impairs or would impair the environment or any aspect of it to an extent that is more than trivial or insignificant;

“**air pollutant**” includes dust, smoke, fumes and gas that causes or may cause air pollution;

“**air pollution**” means any change in the environment caused by any substance emitted into the atmosphere from any activity, where that change has an adverse effect on human health or well-being or on the composition, resilience and productivity of natural or managed ecosystems, or on materials useful to people, or will have such an effect in the future;

“**air pollution control zone**” means the geographical area to which Chapter IV of this By-law is declared to apply;

“**Air Quality Act**” means the National Environment Management: Air Quality Act, 2004(Act No. 39 of 2004);

“**air quality management plan**” means the air quality management plan referred to in section 15 of the Air Quality Act;

“**air quality officer**” means the air quality officer designated as such in terms of section 14(3) of the Air Quality Act;

“**ambient air**” means “**ambient air**” as defined in section 1 of the Air Quality Act;

“**atmosphere**” means air that is not enclosed by a building, machine, chimney or other similar structure;

“**atmospheric emission**” or “**emission**” means any emission or entrainment process emanating from a point, non-point or mobile source that results in air pollution;

“**authorised person**” means any employee of the City delegated by the Executive Director: City Health to implement any provision of this By-law;

“**best practicable environmental option**” means the option that provides the most benefit, or causes the least damage to the environment as a whole, at a cost acceptable to society in the long term as well as in the short term;

“**chimney**” means any structure or opening of any kind from which or through which air pollutants may be emitted;

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

“**City Manager**” means a person appointed by the Council in terms of section 82 of the Local Government: Municipal Structures Act, 1998 (Act No.117 of 1998);

“**compression ignition powered vehicle**” means a vehicle powered by an internal combustion, compression ignition, diesel or similar fuel engine;

“**Council**” means the Council of the City or any of the other political structures, political office bearers, councillors or staff members, of the City duly authorised by delegation;

“**dark smoke**” means —

- (a) in respect of Chapter V and Chapter VI of this By-law, smoke which when measured using a light absorption meter, obscuration measuring equipment or other similar equipment, has an obscuration of 20% or greater;
- (b) in respect of Chapter VIII of this By-law —
 - (i) smoke emitted from the exhaust outlets of naturally aspirated compression ignition engines which has a density of 50 Hartridge smoke units or more or a light absorption co-efficient of more than 1.6m-1;
 - (ii) smoke emitted from the exhaust outlets of turbo charged compression ignition engines which has a density of 56 Hartridge smoke units or more or a light absorption co-efficient of more than 1.10m-1;

“**dust**” means any solid matter in a fine or disintegrated form which is capable of being dispersed or suspended in the atmosphere;

“**dwelling**” means any building or structure, or part of a building or structure, used as a dwelling and any outbuildings ancillary to it, but excludes informal settlements;

“**environmental management inspector**” means an environmental management inspector referred to in section 5;

“**environment**” means the surroundings within which humans exist and that are made up of—

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

“**Executive Director: City Health**” means the Executive Director of the City responsible for health matters;

“**free acceleration test**” means the method described in section 25;

“**fuel-burning equipment**” means any furnace, boiler, incinerator, or other equipment, including a chimney —

- (a) designed to burn or capable of burning liquid, gas or solid fuel;
- (b) used to dispose of any material or waste by burning; or
- (c) used to subject liquid, gas or solid fuel to any process involving the application of heat;

“**light absorption meter**” means a measuring device that uses a light sensitive cell or detector to determine the amount of light absorbed by an air pollutant;

“**living organism**” means any biological entity capable of transferring or replicating genetic material, including sterile organisms and viruses;

“**nuisance**” means an unreasonable interference or likely interference caused by air pollution with —

- (a) the health or well-being of any person or living organism; or
- (b) the use and enjoyment by an owner or occupier of his or her property or environment;

“**obscuration**” means the ratio of visible light attenuated by air pollutants suspended in the effluent streams to incident visible light, expressed as a percentage;

“**open burning**” means the combustion of material by burning without a chimney to vent the emitted products of combustion to the atmosphere, and “**burning in the open**” has a corresponding meaning;

“**operator**” means a person who owns or manages an undertaking, or who controls an operation or process, which emits air pollutants;

“**proclaimed township**” means any land unit zoned and utilized for residential purposes;

“**person**” means a natural person or a juristic person;

“**premises**” includes—

- (a) any building or other structure;
- (b) any adjoining land occupied or used in connection with any activities carried on in that building or structure;
- (c) any vacant land;
- (d) any locomotive, ship, boat or other vessel which operates in the precincts of any harbour,

within the area of the jurisdiction of the City;

“**Province**” means the Province of the Western Cape;

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

“**smoke**” means the gases, particulate matter and products of combustion emitted into the atmosphere when material is burned or subjected to heat and includes the soot, grit and gritty particles emitted in smoke;

“**specialist study**” means any scientifically based study relating to air quality conducted by an expert or recognized specialist of appropriate qualifications and competency in the discipline of air quality management;

“**spray area**” means an area or enclosure referred to in section 27 and must be used for spray painting, and “**spray booth**” has a corresponding meaning;

“**Systems Act**” means the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000);

“**the NEMA**” means the National Environmental Management Act, 1998 (Act No.107 of 1998); and

“**vehicle**” means any motor car, motor carriage, motor cycle, bus, motor lorry or other conveyance propelled wholly or partly by any volatile spirit, steam, gas or oil, or by any means other than human or animal power.

Application of this By-law

2. This By-law applies to all properties or premises within the area of jurisdiction of the City.

Conflict with other laws

3. In the event of any conflict between this By-law and any other by-law or any policy which regulates air pollution, the provisions of this By-law shall prevail.

CHAPTER II DUTY OF CARE

Reasonable measures to prevent air pollution

4. (1) Any person who is wholly or partially responsible for causing air pollution or creating a risk of air pollution occurring must take all reasonable measures including the best practicable environmental option—

- (a) to prevent any potential significant air pollution from occurring; and

(b) to mitigate and, as far as reasonably possible, remedy any significant air pollution that has occurred.

(2) The Council may direct any person who fails to take the measures required under subsection (1) to—

- (a) investigate, evaluate and assess the impact of specific activities and report thereon;
- (b) take specific reasonable measures before a given date;
- (c) diligently continue with those measures; and
- (d) complete them before a specified reasonable date,

provided that prior to such direction the authorised person must give such person adequate notice and direct him or her to inform the authorised person of his or her relevant interests, and the authorised person may consult with any other organ of state.

(3) The authorised person may, if a person fails to comply or inadequately complies with a directive contemplated in subsection (2), take reasonable measures to remedy the situation.

(4) The authorised person may, if a person fails to carry out the measures referred to in subsection (1), recover all reasonable costs incurred as a result of him or her acting under subsection (3) from any or all of the following persons:

- (a) any person who is or was responsible for, or who directly or indirectly contributed to the air pollution or the potential air pollution;
- (b) the owner of the land at the time when the air pollution or the potential for air pollution occurred, or that owner's successor in title;
- (c) the person in control of the land or any person who has or had a right to use the land at the time when the —
 - (i) activity or the process in question is or was performed or undertaken; or
 - (ii) situation came about; or
- (d) any person who negligently failed to prevent the —
 - (i) activity or the process being performed or undertaken; or
 - (ii) situation from coming about.

(5) If more than one person is liable under subsection (4), the liability may be apportioned among the persons concerned according to the degree to which each person was responsible for the harm to the environment resulting from their respective failures to take the measures required under subsections (1) and (2).

CHAPTER III

DESIGNATION OF THE AIR QUALITY OFFICER AND ENVIRONMENTAL MANAGEMENT INSPECTORS

Designation or appointment of the air quality officer and environmental management inspectors

5. (1) The City Manager must, in consultation with the Executive Director: City Health, designate or appoint an employee of the City or any person as the air quality officer to be responsible for co-ordinating matters pertaining to air quality management in the City.

(2) The Executive Director: City Health may request the MEC responsible for environment in the Province to appoint environmental management inspectors in terms of section 31C of the NEMA.

Duties and functions of the air quality officer and environmental management officers

6. (1) The air quality officer must —

- (a) co-ordinate the development of the air quality management plan for inclusion in the Integrated Development Plan of the City, in accordance with Chapter 5 of the Systems Act;
- (b) prepare an annual report of the City on air quality;
- (c) exercise the duties and powers assigned to him or her under this By-law under the directions of the Executive Director: Health; and
- (d) submit the annual report referred to in paragraph (b) to the air quality officer appointed by the MEC responsible for environment in the Province.

(2) The annual report referred to in subsection (1)(b) must, amongst others, include the progress of the City towards the implementation of the air quality management plan.

(3) The air quality officer may require the holder of a provisional atmospheric emission licence or the holder of an atmospheric emission licence to designate an emission control officer as contemplated in section 48 of the Air Quality Act.

CHAPTER IV

LOCAL EMISSIONS STANDARDS, NORMS AND STANDARDS AND SMOKE CONTROL ZONES

Part 1: Local Emission Standards

Legal Mandate

7. (1) The authorised person may, by notice —

- (a) identify substances or mixtures of substances in ambient air which, through ambient concentrations, bioaccumulation, deposition or in any other way, present a threat to health, well-being or the environment in the City or which the air quality officer reasonably believes present such a threat; and
- (b) in respect of each of those substances or mixtures of substances, publish local standards for emissions from point, non-point or mobile sources in the City.

(2) The authorised person shall take the following factors into consideration in setting local emission standards:

- (a) health, safety and environmental protection objectives;
- (b) analytical methodology;

- (c) technical feasibility;
- (d) monitoring capability;
- (e) socio-economic consequences;
- (f) ecological role of fire in vegetation remnants; and
- (g) best practicable environmental option.

(3) Any person who is emitting substances or mixtures of substances as referred to in subsection(1) must comply with the local emission standards published in terms of this By-law.

Part 2: Norms and Standards

Substances identification process

8. (1) The authorised person must apply the following criteria when identifying and prioritising the substances in ambient air that present a threat to public health, well-being or the environment:

- (a) the possibility, severity and frequency of effects with regard to human health and the environment as a whole, with irreversible effects being of special concern;
- (b) ubiquitous and high concentrations of the substance in the atmosphere;
- (c) potential environmental transformations and metabolic alterations of the substance, as these changes may lead to the production of chemicals with greater toxicity or introduce other uncertainties;
- (d) persistence in the environment, particularly if the substance is not biodegradable and able to accumulate in humans, the environment or food chains;
- (e) the impact of the substance taking the following factors into consideration:
 - (i) size of the exposed population, living resources or ecosystems;
 - (ii) the existence of particularly sensitive receptors in the zone concerned; and
- (f) substances that are regulated by international conventions.

(2) The authorised person must, using the criteria set out in subsection (1), compile a list of substances in ambient air that present a threat to public health, well-being or the environment.

Publication of local emission standards

9. For the purposes of publication of the local emission standards, the City must follow a consultative process in terms of Chapter 4 of the Systems Act.

Declaration of air pollution control zone

10. (1) The whole area within the area of jurisdiction of the City is hereby declared an air pollution control zone.

(2) The Council may, within the air pollution control zone, from time to time by notice in the Provincial Gazette —

- (a) prohibit or restrict the emission of one or more air pollutants from all premises or certain premises;
- (b) prohibit or restrict the combustion of certain types of fuel;
- (c) declare smokeless zones, in which smoke with an obscuration of more than 10% may not be emitted;
- (d) prescribe different requirements in an air pollution control zone relating to air quality in respect of:
 - (i) different geographical portions;
 - (ii) specified premises;
 - (iii) classes of premises;
 - (iv) premises used for specified purposes; or
 - (v) mobile sources

(3) The Council may develop and publish policies and guidelines, including technical guidelines, relating to the regulation of activities which directly and indirectly cause air pollution within an air pollution control zone.

(4) Subject to section 44, the Council may in writing exempt certain premises, classes of premises or premises used for specified purposes from this section.

CHAPTER V

SMOKE EMISSIONS FROM PREMISES OTHER THAN DWELLINGS

Application

11. For the purposes of this Chapter “**premises**” does not include dwellings.

Prohibition of dark smoke from premises

12. (1) Subject to subsection (2), dark smoke must not be emitted from any premises for an aggregate period exceeding three minutes during any continuous period of thirty minutes.

(2) This section does not apply to dark smoke which is emitted from fuel-burning equipment which occurs while the equipment is being started or while the equipment is being overhauled or repaired, or awaiting overhaul or repair, unless such emission could have been prevented using the best practical environmental option.

(3) Subsections (1) and (2) do not apply to holders of atmospheric emission licences for activities listed in terms of section 21 of the Air Quality Act, and the emission standards listed in such licence shall apply.

Installation of fuel-burning equipment

13. (1) No person shall install, alter, extend or replace any fuel-burning equipment on any premises without the prior written authorisation of Council, which may only be given after consideration of the relevant plans and specifications.

(2) Any fuel-burning equipment installed, altered, extended or replaced on premises in accordance with plans and specifications submitted to and approved for the purposes of this section by the Council, shall be presumed until the contrary is proved to comply with the provisions of subsection (1).

(3) Where fuel-burning equipment has been installed, altered, extended or replaced on premises contrary to subsection (1), Council may, on written notice to the owner and occupier of the premises, order the removal of the fuel-burning equipment from the premises at the expense of the owner and operator and within the period stated in the notice.

(4) The Executive Director: City Health may take whatever steps he or she considers necessary in order to remedy the harm caused by the installation, alteration, extension or replacement on premises and prevent any further occurrence, and may recover the reasonable costs so incurred from the person responsible for causing such harm.

Operation of fuel-burning equipment

14. (1) No person may use or operate any fuel-burning equipment on any premises contrary to the authorisation referred to in section 13.

(2) Where fuel-burning equipment has been used or operated on the premises in contrary to subsection (1), Council may on written notice to the owner and occupier of the premises —

- (a) revoke his or her authorisation under section 13; and
- (b) order the removal of the fuel-burning equipment from the premises at the expense of the owner and operator within the period stated in the notice.

(3) The Council may, if the owner or occupier of the premises fails to comply with the notice referred to in subsection (2), remove the fuel burning equipment from the premises and may recover the reasonable costs incurred from such owner or occupier of such premises.

Presumption

15. Dark smoke shall be presumed to have been emitted from premises if it is shown that any fuel or material was burned on the premises and the circumstances were such that the burning was reasonably likely to give rise to the emission of dark smoke, unless the owner, occupier or operator, as the case may be, shows that no dark smoke was emitted.

Installation and operation of obscuration measuring equipment

16. (1) An authorised person may give notice to any operator of fuel-burning equipment or any owner or occupier of premises on which fuel-burning equipment is used or operated, or intended to be used or operated, to install, maintain and operate obscuration measuring equipment at his or her own cost, if —

- (a) unauthorised and unlawful emissions of dark smoke from the relevant premises have occurred consistently and regularly over a period of at least two days;
- (b) unauthorised and unlawful emissions of dark smoke from the relevant premises have occurred intermittently over a period of at least fourteen days;
- (c) fuel-burning equipment has been or is intended to be installed on the relevant premises which are reasonably likely to emit dark smoke;
- (d) the person on whom the notice is served has been convicted more than once under this Chapter and has not taken adequate measures to prevent further contravention of the provisions of this Chapter; or
- (e) the authorised person considers that the nature of the air pollutants emitted from the relevant premises is reasonably likely to create a hazard to human health or the environment.

(2) A notice referred to in subsection (1) must inform the person to whom it is addressed of —

- (a) that person's right to make written representations and to appear in person to present and dispute information and arguments regarding the notice, and must stipulate a reasonable period within which this must be done;
- (b) that person's right of appeal under section 43;
- (c) that person's right to request written reasons for the issuing of the notice; and
- (d) the measures that must be taken and the potential consequences if the notice is not complied with.

Monitoring and sampling

17. An occupier or owner of premises, and the operator of any fuel-burning equipment, who is required to install obscuration measuring equipment in terms of section 16(1) must —

- (a) record all monitoring and sampling results and maintain a copy of this record for at least four years after obtaining the results;
- (b) if requested to do so by an authorised person, produce the record of the monitoring and sampling results for inspection; and
- (c) if requested to do so by an authorised person, provide a written report, in a form and by a date specified by the authorised person, of part or all of the information in the record of the monitoring and sampling results.

Temporary exemption

18. (1) Subject to section 44 and on application in writing by the owner or occupier of premises or the operator of fuel-burning equipment, the Council may grant a temporary exemption in writing from one or all the provisions of this Chapter.

(2) Any exemption granted under subsection (1) must state at least the following:

- (a) a description of the fuel-burning equipment and the premises on which it is used or operated;
- (b) the reasons for granting the exemption;

- (c) the conditions attached to the exemption, if any;
- (d) the period for which the exemption has been granted; and
- (e) any other relevant information.

(3) The Council may not grant a temporary exemption under subsection (1) until the Council has —

- (a) taken reasonable measures to ensure that all persons whose rights may be significantly detrimentally affected by the granting of the temporary exemption, including adjacent land owners or occupiers, are aware of the application for temporary exemption and how to obtain a copy of it;
- (b) provided such persons with a reasonable opportunity to object to the application; and
- (c) duly considered and taken into account any objections raised.

CHAPTER VI

SMOKE EMISSIONS FROM DWELLINGS

Prohibition of emission of dark smoke from dwellings

19. (1) Subject to section 4(1), no person shall emit or permit the emission of dark smoke from any dwelling for an aggregate period exceeding three minutes during any continuous period of thirty minutes.

(2) Subject to section 44 and on application in writing by the owner or occupier of any dwelling, the Council may grant a temporary exemption in writing from one or all of the provisions of this Chapter.

CHAPTER VII

EMISSIONS CAUSED BY DUST EMISSIONS, OPEN BURNING AND BURNING OF MATERIAL

Authorisation of open burning and burning of material

20. (1) Subject to subsection (4), any person who intends to carry out open burning of any material on any land or premises, must apply for prior written authorisation of such open burning to the Council.

(2) The Council may, in the written authorisation referred to in subsection (1) impose conditions with which the person requesting authorisation must comply.

(3) The Council may not authorise open burning referred to in subsection (1) unless it is satisfied that the following requirements have been adequately addressed or fulfilled:

- (a) the material will be open burned on the land from which it originated;
- (b) that the person requesting authorisation has investigated and assessed every reasonable alternative for reducing, reusing or recycling the material in order to minimize the amount of material to be open burned, to the satisfaction of the Council;
- (c) that person requesting authorisation has investigated and assessed every reasonable alternative for removing the material from the land or premises to the satisfaction of the Council;
- (d) that person requesting authorisation has investigated and assessed the impact the open burning will have on the environment to the satisfaction of the Council;
- (e) that person requesting authorisation has notified in writing the owners and occupiers of all adjacent properties of —
 - (i) all known details of the proposed open burning; and
 - (ii) the right of owners and occupiers of adjacent properties to lodge written objections to the proposed open burning with the Council within 7 days of being notified; and
- (f) the prescribed fee has been paid to the Council.
- (g) a warning under section 10(1)(b) of the National Veld and Forest Fire Act, 1998 (Act No.101 of 1998) has not been published for the region;
- (h) the land on which that person intends to open burn the material is state land, a farm or small-holding, or land within a proclaimed township that is not utilised for residential purposes;
- (i) the open burning is conducted at least 100 metres from any buildings or structures; and
- (j) the open burning will not pose a potential hazard to human health or safety, private property or the environment.

(4) The provisions of this section shall not apply to —

- (a) recreational outdoor barbecue or braai activities on private premises;
- (b) small controlled fires in informal settlements for the purposes of cooking, heating water and other domestic purposes; or
- (c) any other defined area or defined activity to which the Council has declared this section not to apply.

Emissions caused by tyre burning and burning of rubber and other material for the recovery of metal

21. (1) No person may without authorisation in writing by Council —

- (a) carry out or permit the burning of any tyres or rubber or other synthetically coated, covered or insulated products and electronic or other equipment on any land or premises;
- (b) carry out or permit the burning of any tyres, rubber products, cables or any other products, on any land or premises for the purpose or recovering the scrap metal or fibre reinforcements, or of disposing of tyres, or the rubber products or cables as waste; or
- (c) possess, store, transport or trade in any burnt metal or fibre reinforcements referred to in paragraph (a) and (b).

(2) The Council may take whatever steps it considers necessary in order to remedy the harm caused by the burning referred to in paragraphs (a) and (b) and the possession referred to in paragraph (c), and prevent any occurrence of it, and may recover the reasonable costs incurred from the person responsible for causing such harm.

Dust Emissions

22. Any person who —

- (a) conducts any activity; or
- (b) causes or permits dust emissions to occur,

shall adopt the best practical environmental option to the satisfaction of the authorised person, to prevent and abate dust emissions into the atmosphere that may be harmful to public health and well-being or is likely to cause a nuisance to persons residing or present in the vicinity of such land, activity or premises.

CHAPTER VIII

EMISSIONS FROM COMPRESSION IGNITION POWERED VEHICLES AND POWER GENERATORS

Prohibition of dark smoke from compression ignition powered vehicles

23. (1) No Person may on a public or private road or any premises drive or use, or cause to be used, a compression ignition powered vehicle or power generator that emits dark smoke.

(2) For purposes of this section the registered owner of the vehicle shall be presumed to be the driver unless the contrary is proven.

Stopping of vehicles for inspection and testing

24. (1) In order to enable an authorised person to enforce the provisions of this Chapter, the driver of a vehicle must comply with any reasonable direction given by an authorised person —

- (a) to stop the vehicle; and
- (b) to facilitate the inspection or testing of the vehicle.

(2) When a vehicle has stopped in compliance with a direction given under subsection (1), the authorised person may —

- (a) inspect and test the vehicle at the roadside, in which case inspection and testing must be carried out —
 - (i) at or as near as practicable to the place where the direction to stop the vehicle is given; and
 - (ii) as soon as practicable, and in any case within one hour, after the vehicle is stopped in accordance with the direction; or
- (b) conduct a visual inspection of the vehicle and, if the authorised person reasonably believes that an offence has been committed under section 23(1), instruct the driver of the vehicle, who is presumed to be the owner of the vehicle unless he or she produces evidence to the contrary, in writing to take the vehicle to a testing station, within a specified period of time, for inspection and testing in accordance with section 25.

Testing procedure

25. (1) An authorised person must use the free acceleration test method in order to determine whether a compression ignition powered vehicle is being driven or used in contravention of section 23(1).

(2) The following procedure must be adhered to in order to conduct a free acceleration test:

- (a) when instructed to do so by the authorised person, the driver must start the vehicle, place it in neutral gear and engage the clutch;
- (b) while the vehicle is idling, the authorised person must conduct a visual inspection of the emission system of the vehicle;
- (c) the authorised person must rapidly, smoothly and completely depress the accelerator throttle pedal of the vehicle, or he may instruct the driver to do likewise under his supervision;
- (d) while the throttle pedal is depressed, the authorised person must measure the smoke emitted from the emission system of the vehicle in order to determine whether or not it is dark smoke;
- (e) the authorised person must release the throttle pedal when the engine reaches cut-off speed;
- (f) if the authorised person instructs the driver to depress the throttle, the driver may only release the throttle when it reaches cut-off speed or when instructed to do so by the authorised person.

(3) If, having conducted the free acceleration test, the authorised person is satisfied that the vehicle —

- (a) is not emitting dark smoke, he or she must furnish the driver of the vehicle with a certificate indicating that the vehicle is not being driven or used in contravention of section 23(1); or
- (b) is emitting dark smoke, he or she must issue the driver of the vehicle with a repair notice in accordance with section 26.

Repair notice

26. (1) The authorised person must with a written repair notice, direct the owner of the vehicle to repair the vehicle within a specified period of time, and to take the vehicle to a place identified in the notice for re-testing before the expiry of that period.

(2) The repair notice must contain the following information:

- (a) the make and registration number of the vehicle;
- (b) the name, address and identity number of the driver of the vehicle; and
- (c) if the driver is not the owner, the name and address of the vehicle owner.

(3) It shall not be a defence in proceedings relating to the non compliance of the repair notice and non re- testing of the vehicle referred to in subsection (1) to aver that the driver of the vehicle failed to bring the repair notice to the attention of the owner of that vehicle.

(4) If the owner of the vehicle fails to comply with the notice and the re-test referred to in subsection (1), the City may take whatever steps it considers necessary in order to remedy the harm including towing the vehicle away and may recover the costs incurred from the owner of the vehicle.

CHAPTER IX

EMISSIONS THAT CAUSE A NUISANCE

Prohibition of emissions that cause nuisance

27. (1) No person shall, within the area of jurisdiction of the City—

- (a) inside an approved spray area or spray booth, spray or apply any coat, plate or epoxy coat to any vehicle, article or object, so as to cause a nuisance; or
- (b) outside an approved spray area or spray booth, allow any spray, coat, plate or epoxy coat to be applied to any such vehicle, article or object.

(2) The spray area or spray booth referred to in subsection (1) must be constructed and equipped in such a manner that complies with the General Safety Regulations promulgated in terms of the Occupational Health and Safety Act, 1993 (Act No. 85 of 1993) and must be approved by the authorised person, for emissions, mechanical ventilation, noise and any other relevant Department as may be required by any other law.

(3) Any person conducting sand blasting, shot blasting, grinding, finishing or similar activity which customarily produce emissions of dust that may be harmful to public health or cause a nuisance shall take control measures to prevent emissions into the atmosphere.

(4) Any person undertaking an activity referred to in (3) must implement the following control measures:

- (a) dust extraction control measures;
- (b) any alternative control measure approved by the air quality officer or his or her delegated representative.

(5) An occupier or owner of any premises —

- (a) must prevent the existence in, or emission of any nuisance from, his or her premises.
- (b) from which a nuisance emanates, or where a nuisance exists, is guilty of an offence.

Abatement notice

28. (1) An authorised person may serve an abatement notice on any person whom he or she reasonably believes is likely to act in contrary or has acted in contrary of section 27, calling upon that person —

- (a) to abate the nuisance within a period specified in the notice;
- (b) to take all necessary steps to prevent a recurrence of the nuisance; and
- (c) to comply with any other conditions contained in the notice.

(2) An abatement notice under subsection (1) may be served —

- (a) upon the owner of any premises, by —
 - (i) delivering it to the owner or, if the owner cannot be traced or is living abroad, the agent of the owner;
 - (ii) transmitting it by registered post to the last known address of the owner or the last known address of the agent; or
 - (iii) delivering it to the address where the premises are situated, if the address of the owner and the address of the agent are unknown;
- (b) upon the occupier of the premises, by —
 - (i) delivering it to the occupier; or
 - (ii) transmitting it by registered post to the occupier at the address at which the premises are situated.

Steps to abate nuisance

29. At any time, the City may at its own cost take whatever steps it considers necessary in order to remedy the harm caused by the nuisance and prevent a recurrence of it, and may recover the reasonable costs incurred from the person responsible for causing the nuisance.

CHAPTER X

PESTICIDE AND CROP SPRAYING

Spraying of a pesticide, herbicide or other related material

30. (1) No person may carry out or permit the spraying of a pesticide, herbicide or other related material unless such pesticide, herbicide or material is registered in terms of section 3 of the Fertilizers, Farm Feeds, Agricultural Remedies and Stock Remedies Act, 1947 (Act No. 36 of 1947).

(2) Any person who contravenes subsection (1) of this By-law is guilty of an offence as set out in section 18(1)(c) of the Fertilizers, Farm Feeds, Agricultural Remedies and Stock Remedies Act, 1947 (Act No. 36 of 1947).

(3) A person who carries out or permits the spraying of pesticides, herbicides or other materials referred to in subsection (1), within the area of jurisdiction of the City, must comply with the following controlled measures:

- (a) obtain prior written authorisation of the City which may be granted by the City with conditions, including —
 - (i) the area of land on which the pesticide, herbicide or other material may be applied; and
 - (ii) the period of time in which the pesticide, herbicide or other material may be applied;
- (b) notify in writing the owners and occupiers of all adjacent properties within 150 metres of the proposed area of land, of —
 - (i) the details of such land;
 - (ii) the reason for use of pesticide, herbicide or other material;
 - (iii) the active ingredient of pesticide, herbicide or other material;
 - (iv) the date and approximate time of the use of pesticide, herbicide or other material;
 - (v) in the event of inclement weather conditions, an alternative date or dates on which the use of pesticide, herbicide or other material may occur;

- (vi) the time, if any, indicated on the product label specifying when the area can safely be re-entered after application of the pesticide, herbicide or other material;
 - (vii) the right of owners and occupiers of adjacent properties to lodge written objections to the proposed spraying of pesticides with the Council within seven days of being notified; and
 - (viii) the prescribed fee has been paid to the Council.
- (4) Any person who contravenes subsection (3) is guilty of an offence.
- (5) A person may apply to the City for an exemption if —
- (a) the spraying of the pesticide is for the management of pests that transmit human diseases or adversely impact agriculture or forestry;
 - (b) the spraying of the pesticide is for the management of pests that threaten the integrity of sensitive ecosystems; or
 - (c) the need for the use of the pesticide is urgent.
- (6) The provisions of this section are not applicable to —
- (a) residential areas of farms;
 - (b) buildings or inside of buildings; or
 - (c) any other defined area or defined activity to which the City has declared this section not to apply.

CHAPTER XI

LICENSING OF LISTED ACTIVITIES

Establishment of Atmospheric Emission Licensing System

31. The Council hereby establishes an Atmospheric Emission Licensing System as contemplated in Chapter 5 of the Air Quality Act.

Purpose of the Atmospheric Emission Licensing System

32. The purpose of the Atmospheric Emission Licensing System is to —

- (a) identify and register all sources of air pollution in the City;
- (b) regulate and ensure compliance with the licence conditions;
- (c) gather information for the purposes of compiling the air quality management plan of the City, as contemplated in section 15 of the Air Quality Act;
- (d) undertake strategic planning; and
- (e) provide information to any person in order to —
 - (i) facilitate monitoring of the performance of the City, and if applicable, a licensee;
 - (ii) stimulate research by acknowledged institutions; and
 - (iii) assist the City to achieve the main objectives of this By-law.

Application for atmospheric emission licence

33. (1) No person shall undertake a listed activity, as published in terms of section 21 of the Air Quality Act, without being in possession of an atmospheric emission licence issued by the air quality officer.

(2) An application for an atmospheric emission licence must be —

- (a) made in writing on the application form as prescribed by the air quality officer;
- (b) accompanied by documents or information as may be required by the air quality officer; and
- (c) on payment of the prescribed application fee.

(3) The air quality officer must on receipt of an application for an atmospheric emission licence —

- (a) acknowledge receipt, within 14 days, of the application together with the prescribed fee;
- (b) check whether the application is properly completed and contains the information required in the application form; and
- (c) is accompanied by the required information or documents required in terms of this By-law.

(4) Before considering an application made in terms of subsection (2), the air quality officer may require the applicant to furnish additional information or a specialist air quality impact study.

(5) Any person who undertakes a listed activity without an atmospheric emission licence is guilty of an offence and is subject to the penalties as set out in section 52 of the Air Quality Act.

Factors to be taken into account

34. The air quality officer must, in addition to the factors set out in section 39 of the Air Quality Act, consider each application having regard to the following factors:

- (a) compliance with the Air Quality Act and this By-law; and
- (b) the environmental, health and safety record of the applicant.

Decisions on applications for atmospheric emission licence

- 35.** (1) After considering the application in terms of section 33, the air quality officer must, within 60 days of receipt of the application, either —
- (a) approve the application by issuing a provisional atmospheric emission licence or an atmospheric emission licence, subject to such conditions as the air quality officer may impose; or
 - (b) reject the application.
- (2) If the air quality officer fails to grant or reject an application for an atmospheric emission licence within 60 days after considering the application in terms of section 33, he or she must inform the applicant in writing that the period for consideration is extended and must inform the applicant of the date by which a decision will be made.

Terms and conditions of the atmospheric emission licence

- 36.** (1) When issuing an atmospheric emission licence, the air quality officer may impose reasonable conditions as he or she may deem necessary.
- (2) An atmospheric emission licence issued under this section must —
- (a) comply with section 43 of the Air Quality Act;
 - (b) contain a requirement that the licence holder must comply with and ensure compliance by his or her employees, agents and sub-contractors with this By-law and other applicable national or provincial legislation.

Variation of atmospheric emission licences

- 37.** No building, plant or works used by a holder of a licence referred to in section 33 shall be —
- (a) materially extended; and
 - (b) altered or added to,

and no changes in process, procedures or significant production increases may be undertaken without the prior approval of the air quality officer.

Cessation of atmospheric emission licence

- 38.** The holder of a licence referred to in section 33 must on cessation of operations to which the licence relates notify the air quality officer of such cessation.

CHAPTER XII

OFFENCES AND PENALTIES

Offences and penalties

- 39.** (1) A person who contravenes sections 13(1), 14(1), 19(1), 20(1), 20(3), 21(1), 22, 23(1), 24(1), 26(1), (3) and (4), 27 (1), (3) and (4), 28(1), or 30(1) and (3), is guilty of an offence.
- (2) Any person who is guilty of an offence in terms of section 19(1), 23(1) or 27(1) is liable on conviction to imprisonment not exceeding 30 days or to a fine or to both a fine and imprisonment.
- (3) Any person who is guilty of an offence in terms of sections 13(1), 14(1), 20(1), 20(3), 21(1), 24(1), 26(1), 26(3) and (4), 28(1), 30(1) and (3), is liable on conviction to imprisonment for a period not exceeding two years or a fine or to both such fine and such imprisonment.
- (4) Any person who contravenes section 22 is liable on conviction to imprisonment not exceeding one year or a fine or both such fine and such imprisonment.
- (5) It is an offence to—
- (a) supply false information to an authorised person in respect of any issue pertaining to this By-law; or
 - (b) refuse to co-operate with the request of an authorised person made in terms of this By-law,
- and any person convicted of such offence is liable to imprisonment for a period not exceeding 30 days or a fine or both such fine and such imprisonment.
- (6) Where no specific penalty is provided, any person committing an offence in terms of this By-law is liable on conviction to imprisonment for a period not exceeding one (1) year or to a fine or to both such imprisonment and such a fine.
- (7) Failure to comply with a notice, direction or instruction referred to in this By-law constitutes a continuing offence.
- (8) Any person who commits a continuing offence shall be guilty of an offence for each day during which that person fails to comply with a notice, direction or instruction referred to in this By-law.
- (9) In addition to imposing a fine or imprisonment, a court may order any person convicted of an offence under this By-law —
- (a) to remedy the harm caused;
 - (b) to pay damages for harm caused to another person or to property, which order shall have the force and effect of a civil judgment; and
 - (c) to install and operate at the person's own expense obscuration reading equipment referred to in section 16.
- (10) In addition to any other penalty the court may impose, it may order a person convicted of an offence under this By-law to take such steps the court considers necessary within a period determined by the court in order to prevent a recurrence of the nuisance.

CHAPTER XIII
GENERAL MATTERS

Compliance Monitoring

40. (1) For the purposes of compliance monitoring, the designated environmental management inspectors must exercise the powers as set out in sections 31G to 31L of the NEMA.

(2) The environmental management inspectors may request from any polluter that significantly contributes or is likely to contribute to poor air quality, ambient and isokinetic monitoring and any other air quality related study, programs or reports to be conducted by a recognised and competent third party, at the cost of the polluter.

Enforcement

41. (1) The authorised person must take all lawful, necessary and reasonable practicable measures to enforce the provisions of this By-law.

(2) The City may develop enforcement procedures which should take into consideration any national or provincial enforcement procedures.

Recognition programmes

42. An air quality officer may establish a programme for the public recognition of significant achievements in the area of pollution prevention.

Appeals

43. Any person may appeal against a decision taken by an authorised person under this By-law by giving a written notice of the appeal in accordance with the provisions of section 62 of the Systems Act.

Exemptions

44. (1) Any person may, in writing, apply for exemption from the application of a provision of this By-law to the Council.

(2) An application in terms of subsection (1) must be accompanied by substantive reasons.

(3) The Council may require an applicant applying for exemption to take appropriate steps to bring the application to the attention of relevant interested and affected persons and the public.

(4) The steps contemplated in subsection (3) must include the publication of a notice in at least two newspapers, one circulating provincially and one circulating within the jurisdiction of the City —

(a) giving reasons for the application; and

(b) containing such other particulars concerning the application as the air quality officer may require.

(5) The Council may —

(a) from time to time review any exemption granted in terms of this section, and may impose such conditions as it may determine; and

(b) on good grounds withdraw any exemption.

(6) The Council may not grant an exemption under subsection (1) until he or she has —

(a) taken reasonable measures to ensure that all persons whose rights may be significantly detrimentally affected by the granting of the exemption, including adjacent land owners or occupiers, are aware of the application for exemption and how to obtain a copy of it;

(b) provided such persons with a reasonable opportunity to object to the application; and

(c) duly considered and taken into account any objections raised.

Indemnity

45. The City shall not be liable for any damage caused to any property or premises by any action or omission of the employees or officials of the City when exercising any function or performing any duty in terms of this By-law, provided that such employees or officials must, when exercising such function or performing such duty, take reasonable steps to prevent any damage to such property or premises.

Repeal and savings

46. (1) The City of Cape Town: Air Pollution Control By-law, 2003 is hereby repealed.

(2) Anything done or deemed to have been done under any other law remains valid to the extent that it is consistent with this By-law, or until anything done under this By-law overrides it.

Short title

48. This By-law is called the City of Cape Town: Air Quality Management By-law, 2010.

STAD KAAPSTAD**VERORDENING OP LUGGEHALTEBESTUUR, 2010**

Om die Stad Kaapstad: Verordening op Lugbesoedelingsbeheer, 2003, te herroep, en voorskrifte neer te lê vir luggehaltebestuur en sake bykomend daartoe.

AANHEF

NADEMAAL artikel 156(2) en (5) van die Grondwet bepaal dat 'n munisipaliteit verordeninge kan uitvaardig en administreer vir die doeltreffende administrasie van die aangeleenthede wat hy die reg het om te administreer, en voorts die reg het om enige bevoegdheid uit te oefen met betrekking tot 'n aangeleentheid wat redelikerwys nodig is vir, of verband hou met, die doeltreffende verrigting van sy funksies;

NADEMAAL deel B van bylae 4 by die Grondwet munisipale gesondheidsdienste as 'n plaaslikeregeringsfunksie lys in soverre dit in artikel 155(6)(a) en (7) uiteengesit word;

EN NADEMAAL die Stad Kaapstad na die bestuur van luggehalte en die beheer van lugbesoedeling in die Stad se regsgebied streef, en wil verseker dat lugbesoedeling voorkom word of, waar dit nie geheel en al voorkom kan word nie, beperk en reggestel word,

DAAROM VERORDEN ie raad van die Stad Kaapstad **NOU SOOS VOLG**:

INHOUDSOPGAWE**HOOFSTUK I****VERTOLKING EN GRONDBEGINSELS**

1. Woordomskrywing
2. Toepassing van hierdie verordening
3. Strydigheid met ander wetgewing

HOOFSTUK II**SORGSAAAMHEIDSPLIG**

4. Redelike maatreëls om lugbesoedeling te voorkom

HOOFSTUK III**AANWYSING VAN LUGGEHALTEBEAMPTTE EN OMGEWINGSBESTUURSINSPEKTEURS**

5. Aanwysing van die luggehaltebeampte en omgewingsbestuursinspekteurs
6. Pligte en funksies van die luggehaltebeampte en omgewingsbestuursinspekteurs

HOOFSTUK IV**PLAASLIKE VRYSTELLINGSTANDAARDE, NORME EN STANDAARDE, EN ROOKBEHEERSONES*****Deel 1: Plaaslike vrystellingstandaarde***

7. Wetlike mandaat

Deel 2: Norme en standaarde

8. Proses vir eiening van stowwe
9. Publikasie van plaaslike vrystellingstandaarde
10. Verklaring van lugbesoedelingsbeheersone

HOOFSTUK V**ROOKVRYSTELLINGS VAN PERSELE BUITEN WONINGS**

11. Toepassing
12. Verbod op donkerrookvrystelling van persele
13. Installering van brandstofverbrandingstoerusting
14. Hantering van brandstofverbrandingstoerusting
15. Veronderstelling
16. Installering en hantering van verduisteringsmeters
17. Monitering en toetsing
18. Tydelike kwytskelding

HOOFSTUK VI**ROOKVRYSTELLINGS VAN WONINGS**

19. Verbod op donkerrookvrystelling van wonings

HOOFSTUK VII**VRYSTELLINGS WEENS STOF, OOP VERBRANDING EN MATERIAALVERBRANDING**

20. Magtiging van oop en materiaalverbranding
21. Vrystellings weens die verbranding van bande, rubber en enige ander materiaal vir metaalherwinning
22. Stofvrystellings

HOOFSTUK VIII**VRYSTELLINGS VAN KOMPRESSIEONTSTEKINGSAAANGEDREWE VOERTUIE**

23. Verbod op donkerrookvrystelling van kompressieontstekingsaangedrewe voertuie
24. Die voorkeer van voertuie vir inspeksie en toetsing
25. Toetsprosedure
26. Herstelkennisgewing

HOOFSTUK IX**VRYSTELLINGS WAT 'N STEURNIS VEROORSAAK**

27. Verbod op vrystellings wat 'n steurnis veroorsaak
28. Verwyderingskennisgewing
29. Stappe om steurnis te verwyder

HOOFSTUK X**PLAAGDODER EN GEWASBESPUITING**

30. Die spuit van plaagdoder

HOOFSTUK XI**LISENSIERING VAN GELYSSTE WERKSAAMHEDE**

31. Instel van lisensiëringstelsel vir atmosferiese vrystellings
32. Doel van die lisensiëringstelsel vir atmosferiese vrystellings
33. Aansoek om lisensie vir atmosferiese vrystellings
34. Faktore wat in ag geneem moet word
35. Beslissing van aansoeke om lisensies vir atmosferiese vrystellings
36. Bepalings en voorwaardes van die lisensie vir atmosferiese vrystellings
37. Afwyking van lisensie vir atmosferiese vrystellings
38. Kansellasië van lisensie vir atmosferiese vrystellings

HOOFSTUK XII**OORTREDINGS EN STRAFMAATREËLS**

39. Oortredings en strafmaatreëls

HOOFSTUK XIII**ALGEMENE SAKE**

40. Nakomingsmonitering
41. Toepassing
42. Erkenningsprogramme
43. Appèlle
44. Kwytskeldings
45. Vrywaring
46. Herroeping en uitsonderingsbepalings
47. Kort titel

HOOFSTUK I VERTOLKING EN GRONDBEGINSELS

Woordomskrywing

1. In hierdie verordening, tensy uit die samehang anders blyk, beteken:

“**amptelike dorpsgebied**” enige grondeenheid wat vir residensiële doeleindes gesoneer en aangewend word;

“**atmosfeer**” lug wat nie deur ’n gebou, masjien, skoorsteen of ander soortgelyke struktuur ingesluit word nie;

“**atmosferiese vrystelling**” of “**vrystelling**” enige vrystellings- of meeslepingsproses uit ’n punt-, niepunt- of mobiele bron wat tot lugbesoedeling lei;

“**bes uitvoerbare omgewingskeuse**” die keuse wat die grootste voordeel of die minste skade vir die omgewing in sy geheel inhou, teen ’n koste wat op sowel lang as kort termyn vir die samelewing aanvaarbaar is;

“**brandstofverbrandingstoerusting**” enige smeltoond, stoomketel, verbrandingsoond of ander toerusting, wat ’n skoorsteen insluit, wat:

- (a) ontwerp of daartoe in staat is om vloeistof, gas of vaste brandstof te verbrand;
- (b) gebruik word om deur middel van verbranding met enige materiaal of afval weg te doen; of
- (c) gebruik word om vloeistof, gas of vaste brandstof aan enige proses waarby die aanwending van hitte betrokke is, te onderwerp;

“**donker rook**”

- (a) met betrekking tot hoofstuk V en hoofstuk VI van hierdie verordening, rook wat ’n verduistering van 20% of meer toon as dit met ’n ligabsorpsiemeter, verduisteringsmeter of ander soortgelyke toerusting gemeet word;
- (b) met betrekking tot hoofstuk VIII van hierdie verordening:
 - (i) rook uit die uitlaat van normaal geaspireerde kompressieontstekingsaangedrewe enjins met ’n digtheid van 50 of meer Hartridge-rookeenhede, of ’n ligabsorpsiekoëffisiënt van meer as 1,6m-1;
 - (ii) rook uit die uitlaat van turboaangejaagde kompressieontstekingsenjins met ’n digtheid van 56 of meer Hartridge-rookeenhede, of ’n ligabsorpsiekoëffisiënt van meer as 1,19m-1;

“**gemagtigde persoon**” enige werknemer van die Stad wat deur die uitvoerende direkteur: Stadsgesondheid gemagtig word om enige bepaling van hierdie verordening toe te pas;

“**kompressieontstekingsaangedrewe voertuig**” ’n voertuig wat deur binneverbranding, kompressieontsteking, of ’n diesel- of soortgelyke brandstofenjien aangedryf word;

“**lewende organisme**” enige biologiese entiteit wat genetiese materiaal, wat steriele organismes en virusse insluit, kan oordra of repliseer;

“**ligabsorpsiemeter**” ’n meettoestel wat ’n ligsensitiewe sel of vlekklipper gebruik om te bepaal hoeveel lig ’n lugbesoedelende stof absorbeer;

“**lugbesoedelende stof**” onder meer stof, rook, dampe en gas wat lugbesoedeling veroorsaak of kan veroorsaak;

“**lugbesoedeling**” enige verandering in die omgewing weens enige stof wat deur enige aktiwiteit in die atmosfeer vrygestel word, waar sodanige verandering ’n nadelige uitwerking het, of in die toekoms ’n nadelige uitwerking kan hê, op die mens se gesondheid of welstand; op die samestelling, weerstand en produktiwiteit van natuurlike of bestuurde ekosisteme; of op materiale wat nuttig is vir mense;

“**lugbesoedelingsbeheersone**” die geografiese gebied waarvoor hoofstuk IV van hierdie verordening geldig verklaar is;

“**luggehaltebeampte**” die luggehaltebeampte wat ingevolge artikel 14(3) van die Wet op Luggehalte as sodanig aangewys word;

“**luggehaltebestuursplan**” die luggehaltebestuursplan ingevolge artikel 15 van die Wet op Luggehalte;

“**nadelige uitwerking**” enige werklike of moontlike uitwerking op die omgewing wat die omgewing of enige aspek daarvan dermate sou kon benadeel dat dit nie as onbeduidend of onbelangrik beskou kan word nie;

“**NEMA**” die Wet op Nasionale Omgewingsbestuur, 1998 (nr. 107 van 1998);

“**omgewing**” die milieu waarin mense bestaan, en wat saamgestel is uit:

- (a) die grond, water en atmosfeer van die aarde;
- (b) mikro-organismes en plant- en dierelewe;
- (c) enige deel of samevoeging van (a) en (b) hier bo, en die onderlinge verhoudinge daartussen; en
- (d) die fisiese, chemiese, estetiese en kulturele eienskappe en toestande van voormelde wat mense se gesondheid en welstand raak;

“**omgewingsbestuursinspekteur**” ’n omgewingsbestuursinspekteur waarna artikel 5 verwys;

“**omringende lug**” dieselfde as in artikel 1 van die Wet op Luggehalte;

“**oop verbranding**” die verbranding van materiaal sonder ’n skoorsteen waardeur die produkte van verbranding in die atmosfeer vrygestel word, met “**verbranding in die ope lug**” as sinoniem;

“**openbare pad**” ’n pad met betrekking waartoe die publiek gebruiksreg het;

“**operateur**” ’n persoon wat ’n saak besit of bestuur, of ’n bedryf of proses beheer, wat lugbesoedelende stowwe vrystel;

“**perseel**” onder andere:

- (a) enige gebou of ander struktuur;
- (b) enige grond wat daaraan grens of wat met betrekking tot enige aktiwiteit in daardie gebou of struktuur beset of gebruik word,

(c) enige oop grond;

(d) enige lokomotief, skip, boot of ander tuig wat in die omgewing van enige hawe funksioneer;

in die regsgebied van die Stad;

“**persoon**” ’n natuurlike of regspersoon;

“**provinsie**” die provinsie van die Wes-Kaap;

“**raad**” die raad van die Stad of enige van die ander politieke strukture, politieke ampsdraers, raadslede of enige personeellede van die Stad wat ingevolge delegasie behoorlik gemagtig is;

“**rook**” die gasse, deeltjies en produkte van verbranding wat met die verbranding of verhitting van materiaal in die atmosfeer vrygestel word, en sluit die roet, grint en grinterige deeltjies in wat as deel van rook vrygestel word;

“**skoorsteen**” enige struktuur of opening van enige aard van waar of waardeur lugbesoedelende stowwe vrygestel kan word;

“**spesialisstudie**” enige wetenskaplik gegronde studie met betrekking tot luggehalte wat deur ’n kundige of erkende spesialis met toepaslike kwalifikasies en bevoegdheid in die dissipline van luggehaltebestuur uitgevoer word;

“**spuitgebied**” ’n gebied of ingeslote area waarna artikel 27 verwys, en wat vir spuitverfwerk gebruik word, met “**spuitkamer**” as sinoniem;

“**Stad**” die Stad Kaapstad soos ingevolge artikel 12 van die Wet op Plaaslike Regering: Munisipale Strukture, 1998 (nr. 117 van 1998), volgens Provinsiale Kennisgewing, nr. 479 van 2000, ingestel;

“**stadsbestuurder**” die persoon wat die raad as sodanig aanstel ingevolge artikel 82 van die Wet op Plaaslike Regering: Munisipale Strukture, 1998 (nr. 117 van 1998);

“**steurnis**” die verskynsel wanneer lugbesoedeling ’n onredelike of waarskynlike inbreuk maak op:

(a) die gesondheid of welstand van enige persoon of lewende organisme; of

(b) ’n eenaar of okkupeerder se gebruik en genieting van sy/haar eiendom of die omgewing;

“**stof**” enige vaste stof in ’n fyn of gedisintegreerde vorm wat in staat is om in die atmosfeer versprei of gesuspendeer te word;

“**Uitvoerende Direkteur: Stadsgesondheid**” die uitvoerende direkteur van die Stad verantwoordelik vir gesondheidsake;

“**verduistering**” die verhouding van sigbare lig verswak deur lugbesoedelende stowwe wat in die uitloeiostrome gesuspendeer is, tot die inval van sigbare lig, uitgedruk as ’n persentasie;

“**voertuig**” enige kar, motorwa, motorfiets, bus, vragmotor of ander vervoermiddel wat in sy geheel of gedeeltelik deur enige vlugtige spiritus, stoom, gas of olie, of enige ander middel buiten menslike of dierekrag aangedryf word;

“**vryeversnellingstoets**” die metode wat in artikel 25 beskryf word;

“**Wet op Luggehalte**” die Wet op Nasionale Omgewingsbestuur: Luggehalte, 2004 (nr. 39 van 2004);

“**Wet op Stelsels**” die Wet op Plaaslike Regering: Munisipale Stelsels, 2000 (nr. 32 van 2000); en

“**woning**” enige gebou of struktuur, of deel van ’n gebou of struktuur, wat as ’n woonplek gebruik word, sowel as enige buitegeboue daarby, maar wat informele nedersettings uitsluit.

Toepassing van hierdie verordening

2. Hierdie verordening geld alle eiendomme of persele in die regsgebied van die Stad.

Strydigheid met ander wetgewing

3. In geval van strydigheid tussen hierdie verordening en enige ander verordening of beleid wat lugbesoedeling reguleer, sal die bepalings van hierdie verordening geld.

HOOFSTUK II SORGSAAMHEIDSPLIG

Redelike maatreëls om lugbesoedeling te voorkom

4. (1) Enige persoon wat ten volle of gedeeltelik vir die ontstaan van lugbesoedeling of die skep van ’n lugbesoedelingsgevaar verantwoordelik is, moet alle redelike maatreëls tref, wat die bes uitvoerbare omgewingskeuse insluit—

(a) om te verhoed dat enige moontlik beduidende lugbesoedeling voorkom; en

(b) om enige beduidende lugbesoedeling wat voorkom, te temper en so ver redelik moontlik reg te stel.

(2) Die raad kan enigeen wat versuim om die maatreëls ingevolge subartikel (1) hier bo te tref, opdrag gee—

(a) om die impak van bepaalde werksaamhede te ondersoek, te evalueer en te beoordeel, en daaroor verslag te doen;

(b) om voor ’n sekere datum bepaalde redelike maatreëls te tref;

(c) om toegewyd met sodanige maatreëls vol te hou; en

(d) om die maatreëls voor ’n bepaalde redelike datum af te handel,

mits die gemagtigde persoon voor so ’n opdrag die betrokke persone voldoende kennis gee, en hulle versoek om die gemagtigde persoon van hulle tersaaklike belange in kennis te stel, met dien verstande dat die gemagtigde persoon enige ander staatsinstelling kan raadpleeg.

(3) Indien 'n persoon sou versuim om 'n opdrag ingevolge subartikel (2) hier bo uit te voer of voldoende uit te voer, kan die gemagtigde persoon redelike maatreëls tref om die situasie reg te stel.

(4) Indien 'n persoon sou versuim om aan die maatreëls ingevolge subartikel (1) hier bo uitvoering te gee, kan die gemagtigde persoon alle redelike koste wat vir optrede ingevolge subartikel (3) hier bo aangegaan word van enige van of al onderstaande persone verhaal:

- (a) enige persoon wat verantwoordelik is vir, of regstreeks of nieregstreeks bygedra het tot, die lugbesoedeling of moontlike lugbesoedeling;
- (b) die grondeienaar ten tyde van die voorkoms van lugbesoedeling of moontlike lugbesoedeling, of daardie eienaar se opvolger in titel;
- (c) die persoon in beheer van die grond, of enige persoon met die huidige of gewese reg om die grond te gebruik:
 - (i) toe die betrokke werksaamheid of proses uitgevoer of onderneem is; of
 - (ii) toe die situasie ontstaan het; en/of
- (d) enige persoon wat op nalatige wyse versuim om te voorkom:
 - (i) dat die werksaamheid of proses uitgevoer of onderneem word; of
 - (ii) dat die situasie ontstaan.

(5) Indien meer as een persoon ingevolge subartikel (4) hier bo aanspreeklik is, kan die aanspreeklikheid onder hulle verdeel word na gelang van die mate waarin elkeen, weens hulle onderskeie versuim om die vereiste maatreëls ingevolge subartikel (1) en (2) hier bo te tref, vir die omgewingskade verantwoordelik was.

HOOFSTUK III

AANWYSING VAN LUGGEHALTEBEAMPTTE EN OMGEWINGSBESTUURSINSPEKTEURS

Aanwysing van die luggehaltebeampte en omgewingsbestuursinspekteurs

5. (1) Die stadsbestuurder moet in oorleg met die Uitvoerende Direkteur: Stadsgeondheid 'n werknemer van die Stad of enige ander persoon as luggehaltebeampte aanwys, wat vir die koördinerende van sake met betrekking tot luggehaltebestuur in die Stad verantwoordelik sal wees.

(2) Ingevolge artikel 31C van NEMA, kan die uitvoerende direkteur: Stadsgeondheid die Lid van die Uitvoerende Raad (LUR) verantwoordelik vir omgewingsake in die provinsie versoek om omgewingsbestuursinspekteurs aan te stel.

Pligte en funksies van die luggehaltebeampte en omgewingsbestuursinspekteurs

6. (1) Die luggehaltebeampte moet—

- (a) die ontwikkeling van die luggehaltebestuursplan koördineer sodat dit ingevolge hoofstuk 5 van die Wet op Stelsels by die Stad se geïntegreerde ontwikkelingsplan ingesluit kan word;
- (b) 'n jaarverslag oor die stad se luggehalte voorberei;
- (c) die pligte en funksies vervul wat ingevolge hierdie verordening en die opdragte van die uitvoerende direkteur: Stadsgeondheid aan hom/haar toegewys word;
- (d) die jaarverslag waarna paragraaf (b) hier bo verwys by die luggehaltebeampte indien wat die LUR verantwoordelik vir omgewingsake in die provinsie aangewys het.

(2) Die jaarverslag waarna subartikel (1)(b) verwys, moet onder andere die Stad se vordering met die toepassing van die luggehaltebestuursplan bevat.

(3) Die luggehaltebeampte kan van die houer van 'n voorlopige lisensie vir atmosferiese vrystellings, of die houer van 'n lisensie vir atmosferiese vrystellings, verwag om ingevolge artikel 48 van die Wet op Luggehalte 'n vrystellingsbeheerbeampte aan te wys.

HOOFSTUK IV

PLAASLIKE VRYSTELLINGSTANDAARDE, NORME EN STANDAARDE, EN ROOKBEHEERSONES

Deel 1: Plaaslike vrystellingstandaarde

Wetlike mandaat

7. (1) Die gemagtigde persoon kan deur middel van 'n kennisgewing—

- (a) stowwe of vermengings van stowwe in die omringende lug eien wat deur omringende konsentrasies, bioakkumulاسie of afsetting, of op enige ander manier, 'n bedreiging vir gesondheid, welstand of die omgewing in die stad inhou, of wat na die luggehaltebeampte se redelike oordeel sodanige bedreiging inhou; en
- (b) met betrekking tot elkeen van dié stowwe of vermengings van stowwe, plaaslike standaarde vir vrystellings van punt-, niepunt- of mobiele bronne in die stad vasstel.

(2) In die vasstelling van die plaaslike vrystellingstandaarde, sal die gemagtigde persoon onderstaande faktore in ag neem:

- (a) gesondheids, veiligheids- en omgewingsbeskerminsdoelwitte;
- (b) die ontledingsmetode;
- (c) tegniese uitvoerbaarheid;
- (d) moniteringsvermoë;

- (e) sosio-ekonomiese gevolge;
- (f) die ekologiese rol van brande by plantegroei-oorblyfsels; en
- (g) die bes uitvoerbare omgewingskeuse.

(3) Enigeen wat stowwe of vermengings van stowwe waarna subartikel (1) hier bo verwys, vrystel, moet aan die plaaslike vrystellingstandaarde voldoen wat ingevolge hierdie verordening gepubliseer word.

Deel 2: Norme en standaarde

Proses vir eiening van stowwe

8. (1) Die gemagtigde persoon moet onderstaande maatstawwe gebruik wanneer hy of sy die stowwe in die omringende lug wat 'n bedreiging vir openbare gesondheid, welstand of die omgewing inhou, eien en volgens voorrang orden:

- (a) die moontlikheid, ergheidsgraad en gereeldheid van die uitwerking op mense se gesondheid en die omgewing in sy geheel, veral onomkeerbare uitwerkings;
- (b) alomteenwoordige en hoë konsentrasies van die stof in die atmosfeer;
- (c) moontlike omgewingstransformasies en metaboliese veranderinge in die stof, aangesien sodanige veranderinge tot die produksie van chemikalieë met groter toksisiteit kan lei, of ander onsekerhede tot gevolg kan hê;
- (d) nawerking in die omgewing, veral indien die stof nie bioafbreekbaar is nie, en in mense, die omgewing of voedselkettings kan opbou;
- (e) die impak van die stof, gedagtig aan onderstaande faktore:
 - (i) die grootte van die bevolking, lewende hulpbronne of ekosisteme wat daaraan blootgestel word;
 - (ii) die bestaan van bepaald sensitiewe reseptors in die betrokke sone; en
- (f) stowwe wat deur internasionale konvensies gereguleer word.

(2) Die gemagtigde persoon moet, met behulp van die maatstawwe soos in subartikel (1) hier bo uiteengesit, 'n lys opstel van die stowwe in die omringende lug wat 'n bedreiging vir openbare gesondheid, welstand of die omgewing inhou.

Publikasie van plaaslike vrystellingstandaarde

9. Vir die doeleindes van die publikasie van die plaaslike vrystellingstandaarde, moet die Stad 'n raadplegingsproses ingevolge hoofstuk 4 van die Wet op Stelsels volg.

Verklaring van lugbesoedelingsbeheersone

10. (1) Hiermee word die hele gebied binne die regsbevoegdheid van die Stad tot lugbesoedelingsbeheersone verklaar.

(2) Binne die lugbesoedelingsbeheersone kan die raad van tyd tot tyd deur middel van 'n kennisgewing in die Provinsiale Koerant—

- (a) die vrystelling van een of meer lugbesoedelende stowwe van alle of sekere persele verbied of beperk;
- (b) die verbranding van sekere soorte brandstof verbied of beperk;
- (c) rookvrye sones verklaar waarin rookvrystellings met 'n verduistering van meer as 10% verbode is;
- (d) verskillende vereistes vir luggehalte in 'n lugbesoedelingsbeheersone voorskryf, en wel met betrekking tot—
 - (i) verskillende geografiese gedeeltes;
 - (ii) bepaalde persele;
 - (iii) klasse persele;
 - (iv) persele wat vir bepaalde doeleindes gebruik word; of
 - (v) mobiele bronne.

(3) Die Stad kan beleid en riglyne ontwikkel en publiseer, wat tegniese riglyne insluit, met betrekking tot die regulering van werksaamhede wat regstreekse en nieregstreekse lugbesoedeling in 'n lugbesoedelingsbeheersone veroorsaak.

(4) Onderworpe aan artikel 44, kan die raad sekere persele, klasse persele, of persele wat vir bepaalde doeleindes gebruik word, skriftelik van hierdie artikel vrystel.

HOOFSTUK V

ROOKVRYSTELLINGS VAN PERSELE BUITEN WONINGS

Toepassing

11. Vir die doeleindes van hierdie hoofstuk, sluit '**perseel**' nie wonings in nie.

Verbod op donkerrookvrystelling van persele

12. (1) Onderworpe aan subartikel (2) hier onder, mag donker rook nie vir langer as drie minute in totaal in enige aaneenlopende tydperk van 30 minute van enige perseel vrygestel word nie.

(2) Hierdie artikel geld nie donker rook wat deur brandstofverbrandingstoerusting vrygestel word wanneer sodanige toerusting aangesit, nagesien of herstel word, of wag om nagesien of herstel te word nie, tensy sodanige vrystelling deur middel van die bes uitvoerbare omgewingskeuse voorkom kon word.

(3) Subartikels (1) en (2) hier bo geld nie die houers van lisensies vir atmosferiese vrystellings vir werksaamhede wat ingevolge artikel 21 van die Wet op Luggehalte gelys word nie, in welke geval die vrystellingstandaarde wat in sodanige lisensie bepaal word, sal geld.

Installering van brandstofverbrandingstoerusting

13. (1) Geen persoon sal sonder die vooraf- skriftelike toestemming van die raad enige brandstofverbrandingstoerusting op enige perseel installeer, wysig, uitbrei of vervang nie, welke toestemming slegs ná oorweging van die betrokke planne en spesifikasies verleen mag word.

(2) Enige brandstofverbrandingstoerusting wat op enige perseel geïnstalleer, gewysig, uitgebrei of vervang word ooreenkomstig planne en spesifikasies wat vir die doeleindes van hierdie artikel by die raad ingedien en deur hulle goedgekeur is, sal hanteer word in die veronderstelling dat dit aan die bepalings van subartikel (1) hier bo voldoen, tot en met teenbewys gelewer word.

(3) Waar brandstofverbrandingstoerusting strydig met subartikel (1) hier bo op enige perseel geïnstalleer, gewysig, uitgebrei of vervang word, kan die raad, deur skriftelike kennisgewing aan die eienaar en okkupeerder van die perseel, op die verwydering van die brandstofverbrandingstoerusting van die perseel aandring, op onkoste van die eienaar en operateur, en binne die tydperk soos in die kennisgewing bepaal.

(4) Die uitvoerende direkteur: Stadsgeondheid kan enige stappe doen wat hy/sy nodig ag ten einde die skade wat die installering, wysiging, uitbreiding of vervanging op die perseel aangerig het, te herstel, en enige verdere voorkoms daarvan te voorkom, en kan die redelike koste wat hiervoor aangegaan word van die persoon verhaal wat vir sodanige skade verantwoordelik was.

Hantering van brandstofverbrandingstoerusting

14. (1) Geen persoon sal enige brandstofverbrandingstoerusting op enige perseel in stryd met die toestemming ingevolge artikel 13 hier bo gebruik of hanteer nie.

(2) Waar brandstofverbrandingstoerusting op die perseel in stryd met subartikel (1) hier bo gebruik of hanteer word, kan die raad, deur skriftelike kennisgewing aan die eienaar en okkupeerder van die perseel—

- (a) die toestemming ingevolge artikel 13 intrek; en
- (b) op die verwydering van die brandstofverbrandingstoerusting van die perseel aandring, op onkoste van die eienaar en operateur, en binne die tydperk soos in die kennisgewing bepaal.

(3) Waar die eienaar of okkupeerder van die perseel versuim om aan die kennisgewing in subartikel (2) hier bo te voldoen, kan die raad die brandstofverbrandingstoerusting van die perseel verwyder, en die redelike koste wat hiervoor aangegaan word van sodanige perseeleienaar of -okkupeerder verhaal.

Veronderstelling

15. Daar sal veronderstel word dat donker rook van 'n perseel vrygestel is indien dit sou blyk dat enige brandstof of materiaal op die perseel verbrand is, en die omstandighede sodanig was dat die verbranding redelik waarskynlik tot die vrystelling van donker rook sou lei, tensy die eienaar, okkupeerder of operateur, na gelang van omstandighede, bewys dat geen donker rook vrygestel is nie.

Installering en hantering van verduisteringsmeters

16. (1) 'n Gemagtigde persoon kan aan enige operateur van brandstofverbrandingstoerusting, of enige eienaar of okkupeerder van 'n perseel waar brandstofverbrandingstoerusting gebruik of hanteer word, of veronderstel is om gebruik of hanteer te word, kennis gee om op sy of haar onkoste 'n verduisteringsmeter te installeer, in stand te hou en te hanteer indien—

- (a) ongemagtigde en onregmatige vrystellings van donker rook van die betrokke perseel aanhoudend en gereeld oor 'n tydperk van minstens twee dae voorkom;
- (b) ongemagtigde en onregmatige vrystellings van donker rook van die betrokke perseel met tussenposes oor 'n tydperk van minstens 14 dae voorkom;
- (c) brandstofverbrandingstoerusting op die betrokke perseel geïnstalleer is, of veronderstel is om geïnstalleer te word, wat redelik waarskynlik donker rook sal vrystel;
- (d) die persoon aan wie die kennisgewing bestel is meer as een keer ingevolge hierdie hoofstuk skuldig bevind is, en nie voldoende maatreëls getref het om verdere oortreding van die bepalings van hierdie hoofstuk te voorkom nie; of
- (e) die gemagtigde persoon van oordeel is dat die aard van die lugbesoedelende stowwe wat van die betrokke perseel vrygestel word, redelik waarskynlik 'n gevaar vir mense se gesondheid of die omgewing inhou.

(2) 'n Kennisgewing ingevolge subartikel (1) hier bo moet die persoon aan wie dit bestel word, in kennis stel—

- (a) van sy/haar reg om skriftelike versoë te rig en persoonlik te verskyn om inligting en betoë met betrekking tot die kennisgewing aan te bied en te betwis, en moet 'n redelike tydperk bepaal waarin voormelde moet geskied;
- (b) van sy/haar reg op appèl ingevolge artikel 43;
- (c) van sy/haar reg om skriftelike redes vir die uitreiking van die kennisgewing te versoek; en
- (d) van die maatreëls wat getref moet word, sowel as die moontlike gevolge indien die kennisgewing verontagsaam sou word.

Monitering en toetsing

17. 'n Okkupeerder of eienaar van 'n perseel, en die operateur van enige brandstofverbrandingstoerusting, van wie daar vereis word om ingevolge artikel 16(1) 'n verduisteringsmeter te installeer, moet—

- (a) alle moniterings- en toetsresultate boekstaaf, en vir minstens vier jaar nadat die resultate verkry is 'n afskrif van sodanige dokument bewaar;
- (b) indien 'n gemagtigde persoon so versoek, die dokument met moniterings- en toetsresultate vir inspeksie beskikbaar stel; en
- (c) indien 'n gemagtigde persoon so versoek, skriftelik verslag doen van 'n deel van of al die inligting in die dokument met die moniterings- en toetsresultate, en wel in 'n formaat en teen 'n datum wat die gemagtigde persoon bepaal.

Tydlike kwytskelding

18. (1) Onderworpe aan artikel 44, en op skriftelike versoek deur die eienaar of okkupeerder van die perseel, of die operateur van brandstofverbrandingstoerusting, kan die raad skriftelik tydelike kwytskelding van een van of al die bepalings van hierdie hoofstuk toestaan.

(2) Enige kwytskelding ingevolge subartikel (1) moet minstens onderstaande bevat:

- (a) 'n Beskrywing van die brandstofverbrandingstoerusting en die perseel waar dit gebruik of hanteer word;
- (b) die redes waarom die kwytskelding toegestaan word;
- (c) die voorwaardes verbonde aan die kwytskelding, indien enige;
- (d) die tydperk waarvoor die kwytskelding toegestaan word; en
- (e) enige ander tersaaklike inligting.

(3) Die raad mag nie 'n tydelike kwytskelding ingevolge subartikel (1) hier bo toestaan nie, totdat die raad—

- (a) redelike maatreëls getref het om te verseker dat alle persone wie se regte beduidend deur die toestaan van die tydelike kwytskelding benadeel kan word, wat aanliggende grondeienaars of okkupeerders insluit, bewus is van die aansoek om tydelike kwytskelding, sowel as hoe om 'n afskrif daarvan te bekom;
- (b) sodanige persone 'n redelike geleentheid gegun het om teen die aansoek beswaar te maak; en
- (c) enige besware wat ontvang is deeglik oorweeg en in ag geneem het.

HOOFSTUK VI

ROOKVRYSTELLINGS VAN WONINGS

Verbod op donkerrookvrystelling van wonings

19. (1) Onderworpe aan artikel 4(1), sal geen persoon vir langer as drie minute in totaal in enige aaneenlopende tydperk van 30 minute donker rook van enige woning vrystel of sodanige vrystelling toelaat nie.

(2) Onderworpe aan artikel 44, en op skriftelike versoek van die eienaar of okkupeerder van enige woning, kan die raad skriftelik tydelike vrystelling van een van of al die bepalings van hierdie artikel toestaan.

HOOFSTUK VII

VRYSTELLINGS WEENS STOF, OOP VERBRANDING EN MATERIAALVERBRANDING

Magtiging van oop en materiaalverbranding

20. (1) Onderworpe aan subartikel (4) hier onder, moet enige persoon wat op enige stuk grond of perseel enige materiaal in die ope lug verbrand vooraf skriftelike goedkeuring vir sodanige oop verbranding van die raad bekom.

(2) In die skriftelike toestemming waarna subartikel (1) hier bo verwys, kan die raad voorwaardes oplê waaraan die persoon wat toestemming versoek, moet voldoen.

(3) Die raad mag nie oop verbranding ingevolge subartikel (1) hier bo toelaat, tensy hulle tevrede is dat onderstaande vereistes voldoende nagekom word of hanteer is nie:

- (a) die materiaal sal in die ope lug verbrand word op die grond waar dit vandaan kom;
- (b) die persoon wat toestemming versoek, het tot die bevrediging van die raad alle redelike alternatiewe vir die vermindering, hergebruik of herwinning van die materiaal ondersoek en beoordeel ten einde die hoeveelheid materiaal wat in die ope lug verbrand word, te verminder;
- (c) die persoon wat toestemming versoek, het tot die bevrediging van die raad alle redelike alternatiewe vir die verwydering van die materiaal van die grond of perseel ondersoek en beoordeel;
- (d) die persoon wat toestemming versoek, het tot die bevrediging van die raad die impak van oop verbranding op die omgewing ondersoek en beoordeel;
- (e) die persoon wat toestemming versoek, het die eienaars en okkupeerders van alle aanliggende eiendomme in kennis gestel—
 - (i) van alle bekende besonderhede van die voorgestelde oop verbranding; en
 - (ii) van die eienaars en okkupeerders se reg om binne sewe dae nadat hulle in kennis gestel is skriftelike besware teen die voorgestelde oop verbranding by die raad in te dien;
- (f) die raad het die voorgeskrewe fooi ontvang;
- (g) 'n Waarskuwing ingevolge artikel 10(1)(b) van die Nasionale Wet op Veld- en Bosbrande, 1998 (nr. 101 van 1998) is nié vir die streek gepubliseer nie;

- (h) die grond waarop die persoon voornemens is om die materiaal in die ope lug te verbrand, is staatsgrond, 'n plaas of kleinhoeve, of grond in 'n amptelike dorpsgebied wat nie vir residensiële doeleindes gebruik word nie;
 - (i) die oop verbranding geskied minstens 100 meter vanaf enige geboue of strukture;
 - (j) die oop verbranding sal nie 'n moontlike gevaar vir mense se gesondheid of veiligheid, privaat eiendom óf die omgewing inhou nie;
- (4) Die bepalings van hierdie artikel is nie van toepassing nie op—
- (a) buitebraai-ontspanningsaktiwiteit op privaat grond;
 - (b) klein, beheerde brande in informele nedersettings vir kosmaak-, waterverhittings- en ander huishoudelike doeleindes; of
 - (c) enige ander omskrewe gebied of werksaamheid wat volgens die raad nie deur hierdie artikel geraak word nie.

Vrystellings weens die verbranding van bande, rubber en enige ander materiaal vir metaalherwinning

- 21.** (1) Geen persoon mag sonder die skriftelike toestemming van die raad—
- (a) enige bande of rubber of ander sinteties bedekte, omhulde of geïsoleerde produkte, en elektroniese of ander toerusting, op enige grond of perseel verbrand of laat verbrand nie;
 - (b) enige bande, rubberprodukte, kables of enige ander produkte op enige grond of perseel verbrand of laat verbrand ten einde die skrootmetaal of veselversterkings daarin te herwin, of met die bande, rubberprodukte of kables as afval weg te doen nie; of
 - (c) enige verbrande metaal of veselversterkings waarna daar in paragraaf (a) en (b) hier bo verwys word, besit, berg, vervoer of verhandel nie.
- (2) Die raad kan enige stappe doen wat dit nodig ag ten einde die skade weens die verbranding in subartikel 21(1)(a) en (b) en/of die besit in subartikel 21(1)(c) hier bo reg te stel, en enige verdere voorkoms daarvan te verhoed, en kan die redelike koste wat hiervoor aangegaan word van die persoon verhaal wat vir sodanige skade verantwoordelik was.

Stofvrystellings

- 22.** Enige persoon wat—
- (a) enige werksaamheid onderneem; of
 - (b) stofvrystellings veroorsaak of toelaat,

sal die bes uitvoerbare omgewingskeuse tot die bevrediging van die gemagtigde persoon uitvoer ten einde stofvrystellings in die atmosfeer wat openbare gesondheid en welstand kan skaad, of waarskynlik 'n steurnis sal veroorsaak vir persone wat in die omgewing van sodanige grond, werksaamheid of perseel woon of teenwoordig is, te voorkom en te verwyder.

HOOFSTUK VIII

VRYSTELLINGS VAN KOMPRESSIEONTSTEKINGSAAANGEDREWE VOERTUIE

Verbod op donkerrookvrystelling van kompressieontstekingsaangedrewe voertuie

- 23.** (1) Geen persoon mag 'n kompressieontstekingsaangedrewe voertuig of kragvoortbrenger wat donker rook vrystel op 'n openbare of privaat pad of enige perseel bestuur of gebruik, of laat bestuur of gebruik nie.
- (2) Vir die doeleindes van hierdie artikel, sal die geregistreerde eienaar van die voertuig as die bestuurder of operateur gereken word, tensy teenbewys gelever word.

Die voorkeer van voertuie vir inspeksie en toetsing

- 24.** (1) Ten einde 'n gemagtigde persoon in staat te stel om die bepalings van hierdie hoofstuk toe te pas, moet die bestuurder van 'n voertuig gehoor gee aan enige redelike opdrag van 'n gemagtigde persoon—
- (a) om die voertuig te stop; en
 - (b) om die inspeksie of toetsing van die voertuig moontlik te maak.
- (2) Wanneer 'n bestuurder 'n opdrag ingevolge subartikel (1) hier bo gehoorsaam en die voertuig gestop het, kan die gemagtigde persoon—
- (a) die voertuig langs die pad inspekteer en toets, in welke geval inspeksie en toetsing uitgevoer moet word—
 - (i) by of so na as moontlik aan die plek waar die opdrag om te stop aan die voertuig gegee is; en
 - (ii) so gou prakties uitvoerbaar, en in ieder geval binne 'n uur nadat die voertuig ooreenkomstig die opdrag gestop het; of
 - (b) 'n visuele inspeksie van die voertuig doen en, indien die gemagtigde persoon van redelike oordeel is dat 'n oortreding ingevolge artikel 23(1) hier bo begaan is, die bestuurder van die voertuig, wat as die eienaar van die voertuig gereken sal word tensy hy/sy teenbewys lewer, skriftelik versoek om die voertuig binne 'n bepaalde tydperk vir inspeksie en toetsing ingevolge artikel 25 na 'n toetsstasie te neem.

Toetsprosedure

- 25.** (1) 'n Gemagtigde persoon moet die vryeversnellingsstoetsmetode gebruik ten einde vas te stel of 'n kompressieontstekingsaangedrewe voertuig in stryd met artikel 23(1) bestuur of gebruik word.
- (2) Onderstaande prosedure moet nagekom word ten einde 'n vryeversnellingsstoets uit te voer:

- (a) wanneer die gemagtigde persoon so vra, moet die bestuurder die voertuig aansit, dit na vryrat (neutraal) oorskakel, en die koppelaar los;
 - (b) terwyl die voertuig luier, moet die gemagtigde persoon 'n visuele inspeksie van die voertuig se uitlaatstelsel doen;
 - (c) die gemagtigde persoon moet die voertuig se versnelpedaal vinnig, egalig en volledig intrap, óf kan die bestuurder opdrag gee om dit onder die gemagtigde persoon se toesig te doen;
 - (d) Terwyl die versnelpedaal ingetrap is, moet die gemagtigde persoon die rookvrystelling van die voertuig se uitlaatstelsel meet ten einde vas te stel of donker rook vrygestel word of nie;
 - (e) Die gemagtigde persoon moet die versnelpedaal los wanneer die enjin uitskakelsnelheid bereik;
 - (f) Indien die gemagtigde persoon die bestuurder vra om die versnelpedaal in te trap, kan die bestuurder die versnelpedaal los slegs wanneer die enjin uitskakelsnelheid bereik of wanneer die gemagtigde persoon so vra.
- (3) Indien die gemagtigde persoon na afloop van die vryeversnellingsstoets tevrede is dat die voertuig—
- (a) nié donker rook vrystel nie, moet hy/sy die bestuurder van die voertuig van 'n sertifikaat voorsien wat aandui dat die voertuig nie in stryd met artikel 23(1) bestuur of gebruik word nie; of
 - (b) wél donker rook vrystel, moet hy/sy ingevolge artikel 26 hier onder 'n herstelkennisgewing aan die bestuurder van die voertuig uitreik.

Herstelkennisgewing

26. (1) Die gemagtigde persoon moet deur middel van 'n herstelkennisgewing die eienaar van die voertuig opdrag gee om die voertuig binne 'n bepaalde tydperk te herstel, en die voertuig voor die verstryking van sodanige tydperk vir 'n tweede toets te neem na 'n plek wat in die kennisgewing bepaal word.

(2) Die herstelkennisgewing moet onderstaande inligting bevat:

- (a) die fabriek en registrasienommer van die voertuig;
- (b) die naam, adres en identiteitsnommer van die voertuigbestuurder; en
- (c) indien die bestuurder nie die eienaar is nie, die naam en adres van die voertuigeienaar.

(3) In 'n regsGEDING met betrekking tot die nienakoming van die herstelkennisgewing en versuim om die voertuig vir 'n tweede toets te neem ingevolge subartikel (1) hier bo, sal dit nie as verweer beskou word om te betuig dat die bestuurder van die voertuig nagelaat het om die herstelkennisgewing onder die voertuigeienaar se aandag te bring nie.

(4) Indien die eienaar van die voertuig versuim om aan die kennisgewing en versoek vir 'n tweede toets ingevolge subartikel (1) hier bo te voldoen, kan die Stad enige stappe doen wat dit nodig ag om die skade te herstel, wat die wegsleep van die voertuig insluit, en kan die Stad die koste wat hiervoor aangegaan word van die voertuigeienaar verhaal.

HOOFSTUK IX

VRYSTELLINGS WAT 'N STEURNIS VEROORSAAK

Verbod op vrystellings wat 'n steurnis veroorsaak

27. (1) Geen persoon sal in die regsgebied van die Stad—

- (a) in 'n goedgekeurde spuitgebied of -kamer enige deklaag, plateerlaag of epoksilaag op enige voertuig, item of voorwerp aanbring in so 'n mate dat dit 'n steurnis veroorsaak nie; of
- (b) toelaat dat enige sproei, deklaag, plateerlaag of epoksilaag buite 'n goedgekeurde spuitgebied of -kamer op enige sodanige voertuig, item of voorwerp aangebring word nie.

(2) Die spuitgebied of -kamer waarna subartikel (1) hier bo verwys, moet ingevolge die Algemene Veiligheidsregulasies gebou en toegerus word wat kragtens die Wet op Beroepsgesondheid en -veiligheid, 1993 (nr. 85 van 1993) uitgevaardig is, en moet met betrekking tot vrystellings, meganiese ventilasie en geraas, deur die gemagtigde persoon en enige ander tersaaklike departement wat enige ander wet kan vereis, goedgekeur word.

(3) Enige persoon wat sandstraling, haelstraling, slypwerk, skrynwerk of 'n soortgelyke aktiwiteit onderneem wat gewoonlik stofvrystellings tot gevolg het wat openbare gesondheid kan benadeel of 'n steurnis veroorsaak, sal beheermaatreëls tref om vrystellings in die atmosfeer te voorkom.

(4) Enige persoon wat 'n aktiwiteit waarna subartikel (3) hier bo verwys, onderneem, moet onderstaande beheermaatreëls in werking stel:

- (a) beheermaatreëls vir stofonttrekking;
- (b) enige alternatiewe beheermaatreël wat deur die luggehaltebeampte of sy of haar gedelegeerde verteenwoordiger goedgekeur is.

(5) 'n Okkupeerder of eienaar van enige perseel—

- (a) moet die voorkoms van enige steurnis op sy of haar perseel, of die vrystelling van 'n steurnis van die perseel, voorkom; en
- (b) van waar 'n steurnis vrygestel word, of waar 'n steurnis voorkom, is skuldig aan 'n oortreding.

Verwyderingskennisgewing

28. (1) 'n Gemagtigde persoon kan 'n verwyderingskennisgewing aan enige persoon bestel wat na die gemagtigde persoon se redelike oordeel waarskynlik 'n oortreding ingevolge artikel 27 hier bo begaan of begaan het, en kan in so 'n kennisgewing daardie persoon vra—

- (a) om die steurnis binne 'n tydperk soos die kennisgewing bepaal, te verwyder;
- (b) om alle nodige stappe te doen om 'n herhaling van die steurnis te voorkom; en

- (c) om aan enige ander voorwaardes in die kennisgewing te voldoen.
- (2) 'n Vrystellingskennisgewing ingevolge subartikel (1) hier bo kan bestel word—
 - (a) aan die eienaar van enige perseel deur middel van—
 - (i) aflewering by die eienaar of, indien die eienaar nie opgespoor kan word nie of in die buiteland woon, daardie persoon se agent;
 - (ii) versending per geregistreerde pos na die eienaar of die agent se mees onlangse bekende adres; of
 - (iii) aflewering by die adres waar die perseel geleë is indien nóg die eienaar nóg die agent se adres bekend is;
 - (b) aan die okkupeerder van die perseel deur middel van—
 - (i) aflewering by die okkupeerder; of
 - (ii) versending per geregistreerde pos aan die okkupeerder by die adres waar die perseel geleë is.

Stappe om sturnis te verwyder

29. Die Stad kan te eniger tyd op eie onkoste enige stappe doen wat dit nodig ag ten einde die skade vanweë die sturnis reg te stel en 'n herhaling daarvan te voorkom, en kan die redelike koste wat hiervoor aangegaan word van die persoon verhaal wat vir die ontstaan van die sturnis verantwoordelik was.

HOOFSTUK X

PLAAGDODER EN GEWASBESPUITING

Gewasbespuiting van plaagdoder, onkruidmiddel of ander verwante materiaal

30 (1) Geen persoon mag plaagdoder, onkruidmiddel of ander verwante materiaal spuit of laat spuit nie, tensy sodanige plaagdoder, onkruidmiddel of materiaal ingevolge artikel 3 van die Wet op Misstawwe, Veevoedsel, Landboumiddels en Veemiddels (nr. 36 van 1947) geregistreer is.

(2) Enige persoon wat subartikel (1) hier bo oortree, is skuldig aan 'n oortreding soos dit in artikel 18(1)(c) van die Wet op Misstawwe, Veevoedsel, Landboumiddels en Veemiddels (nr. 36 van 1947) uiteengesit word.

(3) 'n Persoon wat plaagdoder, onkruidmiddel of ander materiaal waarna subartikel (1) hier bo verwys in die regsgebied van die Stad spuit of laat spuit, moet onderstaande beheermaatreëls tref:

- (a) die verkryging van vooraf- skriftelike toestemming van die Stad, welke toestemming op sekere voorwaardes verleen kan word, wat insluit—
 - (i) die bepaalde grondgebied en -oppervlakte waarop plaagdoder, onkruidmiddel of ander materiaal aangewend mag word; en
 - (ii) die bepaalde tydperk waarbinne plaagdoder, onkruidmiddel of ander materiaal aangewend mag word.
- (b) skriftelike kennisgewing aan die eienaars en okkupeerdere van alle aanliggende eiendomme binne 150 meter van die voorgestelde grondgebied, met bepaalde vermelding van—
 - (i) die besonderhede van sodanige grond;
 - (ii) die rede vir die gebruik van plaagdoder, onkruidmiddel of ander materiaal;
 - (iii) die aktiewe bestanddeel van die plaagdoder, onkruidmiddel of ander materiaal;
 - (iv) die datum en geraamde tyd wanneer die plaagdoder, onkruidmiddel of ander materiaal gebruik sal word;
 - (v) in geval van gure weersomstandighede, 'n alternatiewe datum of datums waarop die gebruik van plaagdoder, onkruidmiddel of ander materiaal mag plaasvind;
 - (vi) die tyd, indien enige, wanneer die gebied volgens die produktiket weer sonder gevaar ná aanwending van die plaagdoder, onkruidmiddel of ander materiaal betree kan word;
 - (vii) die reg van die eienaars en okkupeerdere van aanliggende eiendomme om binne sewe dae nadat hulle kennis ontvang het skriftelike besware teen die voorgestelde spuit van plaagdoder by die raad in te dien; en
 - (viii) die voorgeskrewe fooi wat aan die raad betaal moet word.
- (4) Enige persoon wat subartikel (3) hier bo oortree, is skuldig aan 'n oortreding.
- (5) 'n Persoon kan by die Stad om vrystelling aansoek doen indien—
 - (a) die spuit van plaagdoder bedoel is vir die bestuur van plae wat menslike siektes oordra of 'n nadelige uitwerking op landbou of bosbou het;
 - (b) die spuit van plaagdoder bedoel is vir die bestuur van plae wat die integriteit van sensitiewe ekosisteme bedreig; of
 - (c) daar 'n dringende behoefte is aan die gebruik van plaagdoder.
- (6) Die bepalinge van hierdie artikel is nie van toepassing nie op—
 - (a) residensiële gedeeltes van plase;
 - (b) geboue of die binnekant van geboue; of
 - (c) enige ander omskrewe gebied of werksaamheid waarvoor hierdie artikel volgens amptelike verklaring deur die Stad nie geld nie.

HOOFSTUK XI LISENSIERING VAN GELYS TE WERKSAAMHEDE

Instel van lisensieringstelsel vir atmosferiese vrystellings

31. Hiermee stel die raad 'n lisensieringstelsel vir atmosferiese vrystellings in, soos dit in hoofstuk 5 van die Wet op Luggehalte beoog word.

Doel van die lisensieringstelsel vir atmosferiese vrystellings

32. Die doel van die lisensieringstelsel vir atmosferiese vrystellings is—

- (a) om alle lugbesoedelingsbronne in die stad uit te wys en te registreer;
- (b) om nakoming van lisensievoorwaardes te reguleer en te verseker;
- (c) om inligting te versamel ten einde die Stad se luggehaltebestuursplan op te stel, soos dit in artikel 15 van die Wet op Luggehalte beoog word;
- (d) om strategiese beplanning te doen; en
- (e) om aan enige persoon inligting te voorsien ten einde—
 - (i) prestasie-monitoring van die Stad en, indien van toepassing, 'n lisensiehouer moontlik te maak;
 - (ii) navorsing deur erkende instellings aan te moedig; en
 - (iii) die Stad by te staan om die hoofdoelwitte van hierdie verordening te verwesenlik.

Aansoek om lisensie vir atmosferiese vrystellings

33. (1) Geen persoon sal 'n gelyste werksaamheid ingevolge artikel 21 van die Wet op Luggehalte onderneem sonder dat hy/sy in besit is van 'n lisensie vir atmosferiese vrystellings wat deur die luggehaltebeampte uitgereik is nie.

(2) 'n Aansoek om 'n lisensie vir atmosferiese vrystellings moet—

- (a) skriftelik geskied op die aansoekvorm wat die luggehaltebeampte voorskryf;
- (b) van enige dokumente of inligting vergesel word wat die luggehaltebeampte kan vereis; en
- (c) van die voorgeskrewe aansoekgeld vergesel word.

(3) Die luggehaltebeampte moet by ontvangs van 'n aansoek om 'n lisensie vir atmosferiese vrystellings—

- (a) binne 14 dae ontvangs erken van die aansoek sowel as die voorgeskrewe aansoekgeld;
- (b) nagaan of die aansoekvorm behoorlik ingevul is en die vereiste inligting bevat soos dit op die aansoekvorm aangedui word; en
- (c) nagaan of die aansoek van die vereiste inligting of dokumente ingevolge hierdie verordening vergesel is.

(4) Voordat 'n aansoek ingevolge subartikel (2) hier bo oorweeg word, kan die luggehaltebeampte bykomende inligting of 'n spesialisstudie van die impak van luggehalte van die aansoeker vereis.

(5) Enige persoon wat sonder 'n lisensie vir atmosferiese vrystellings 'n gelyste werksaamheid onderneem, is skuldig aan 'n oortreding, en strafbaar met die maatreëls ingevolge artikel 52 van die Wet op Luggehalte.

Faktore wat in ag geneem moet word

34. Buiten die faktore ingevolge artikel 39 van die Wet op Luggehalte, moet die luggehaltebeampte elke aansoek met inagneming van onderstaande faktore oorweeg:

- (a) nakoming van die Wet op Luggehalte, en hierdie verordening
- (b) die omgewings-, gesondheids- en veiligheidsgeskiedenis van die aansoeker

Beslissing van aansoeke om lisensies vir atmosferiese vrystellings

35. Ná oorweging van die aansoek ingevolge artikel 33 hier bo, moet die luggehaltebeampte binne 60 dae ná ontvangs daarvan die aansoek hetsy—

- (a) goedkeur deur 'n voorlopige lisensie vir atmosferiese vrystellings, of 'n lisensie vir atmosferiese vrystellings, uit te reik, onderworpe aan sodanige voorwaardes as wat die luggehaltebeampte kan oplê; of
- (b) van die hand wys.

(2) Indien die luggehaltebeampte versuim om binne 60 dae ná oorweging van 'n aansoek ingevolge artikel 33 hier bo, 'n lisensie vir atmosferiese vrystellings uit te reik of van die hand te wys, moet die beampte die aansoeker skriftelik verwittig dat die oorwegingstydperk verleng word, met vermelding van die sperdatum vir 'n besluit.

Bepalings en voorwaardes van die lisensie vir atmosferiese vrystellings

36. (1) Met die uitreik van 'n lisensie vir atmosferiese vrystellings, kan die luggehaltebeampte sodanige redelike voorwaardes oplê as wat hy of sy nodig ag.

(2) 'n Lisensie vir atmosferiese vrystellings wat ingevolge hierdie artikel uitgereik word, moet—

- (a) aan artikel 43 van die Wet op Luggehalte voldoen; en
- (b) 'n vereiste bevat dat die lisensiehouer aan hierdie verordening en ander toepaslike nasionale of provinsiale wetgewing moet voldoen, en voorts moet verseker dat sy of haar werknemers, agente en subkontrakteurs daaraan voldoen.

Afwyking van lisensie vir atmosferiese vrystellings

37. Geen gebou, aanleg of werke wat deur 'n lisensiehouer waarna artikel 33 hier bo verwys, gebruik word, mag—

- (a) wesenlik uitgebrei word nie; of
- (b) verbouings of aanbouings ondergaan nie,

en geen proses, prosedurele veranderinge of wesenlike produksietoenames mag aangebring word of geskied, sonder die luggehaltebeampte se vooraftoestemming nie.

Kanselliasie van lisensie vir atmosferiese vrystellings

38. Die lisensiehouer waarna artikel 33 hier bo verwys, moet by die staking van werksaamhede waarop die lisensie betrekking het, die luggehaltebeampte van sodanige staking inlig.

HOOFSTUK XII

OORTREDINGS EN STRAFMAATREELS

Oortredings en strafmaatreëls

39. (1) 'n Persoon is skuldig aan 'n oortreding indien hy/sy artikel 13(1), 14(1), 19(1), 20(1), 20(3), 21(1), 22, 23(1), 24(1), 26(1), (3) en (4), 27(1), (3) en (4), (28(1) of 30(1) en (3) van hierdie verordening oortree.

(2) Enige persoon wat 'n oortreding ingevolge artikel 19(1), 23(1) of 27(1) begaan, is by skuldigbevinding strafbaar met tronkstraf van hoogstens 30 dae, of 'n boete, of sowel 'n boete as tronkstraf.

(3) Enige persoon wat 'n oortreding ingevolge artikel 13(1), 14(1), 20(1) en (3), 21(1), 24(1), 26(1), 26(1), (3) en (4), 28(1), 30(1) en (3) begaan, is by skuldigbevinding strafbaar met tronkstraf van hoogstens twee jaar, of 'n boete, of sowel 'n boete as tronkstraf.

(4) Enige persoon wat artikel 22 oortree, is by skuldigbevinding strafbaar met tronkstraf van hoogstens nie meer nie as 'n jaar, of 'n boete, of sowel 'n boete as tronkstraf.

(5) Dit is 'n oortreding om-

- (a) met betrekking tot enige kwessie wat met hierdie verordening verband hou valse inligting aan 'n gemagtigde persoon te verstrek; of
- (b) te weier om met die versoek van 'n gemagtigde persoon ingevolge hierdie verordening saam te werk;

en enige persoon wat aan sodanige oortreding skuldig bevind word, is strafbaar met tronkstraf van hoogstens 30 dae, of 'n boete, of sowel 'n boete as tronkstraf.

(6) Waar geen spesifieke straf bepaal word nie, is enige persoon wat ingevolge hierdie verordening 'n oortreding begaan, by skuldigbevinding strafbaar met tronkstraf van hoogstens 'n jaar, of 'n boete, of sowel tronkstraf as 'n boete.

(7) Versuim om aan 'n kennisgewing, opdrag of instruksie waarna hierdie verordening verwys, te voldoen, maak 'n voortgesette oortreding uit.

(8) Enige persoon wat 'n voortgesette oortreding begaan, sal skuldig wees aan 'n oortreding vir elke dag wat hy of sy versuim om aan 'n kennisgewing, opdrag of instruksie waarna hierdie verordening verwys, te voldoen.

(9) Buiten die oplegging van 'n boete of tronkstraf, kan 'n hof enige persoon wat ingevolge hierdie verordening aan 'n oortreding skuldig bevind word, beveel—

- (a) om die skade wat aangerig is, te herstel;
- (b) om vergoeding te betaal vir die skade wat aan 'n ander persoon of eiendom aangerig is, welke bevel van dieselfde krag en effek as 'n siviele vonnis sal wees; en
- (c) om op sodanige oortreder se onkoste 'n verduisteringsmeter waarna artikel 16 verwys, te installeer en te hanteer.

(10) Buiten enige ander strafmaatreël wat die hof kan oplê, kan dit ook 'n persoon wat aan 'n oortreding van hierdie verordening skuldig bevind word, beveel om binne 'n tydperk wat die hof bepaal sodanige stappe te doen as wat die hof nodig ag ten einde 'n herhaling van die steurnis te voorkom.

HOOFSTUK XIII

ALGEMENE SAKE

Nakomingsmonitering

40. (1) Vir die doeleindes van nakomingsmonitering, moet die aangewese omgewingsbestuursinspekteurs hulle bevoegdhede ingevolge artikel 31G tot 31L van NEMA uitoefen.

(2) Die omgewingsbestuursinspekteurs kan van enige besoedelaar wat wesenlik tot swak luggehalte bydra of waarskynlik daartoe bydra, verwag om op eie onkoste 'n erkende en bevoegde derde party opdrag te gee om omringendelug- en isokinetiese monitering uit te voer, sowel as om enige ander luggehalteverwante studie, program of verslag te voorsien.

Toepassing

41. (1) Die gemagtigde persoon moet alle regmatige, nodige en redelik uitvoerbare maatreëls tref om die bepalings van hierdie verordening toe te pas.

(2) Die Stad kan toepassingsprosedures ontwikkel wat enige nasionale of provinsiale toepassingsprosedures in ag behoort te neem.

Erkenningsprogramme

42. 'n Luggehaltebeampte kan 'n program vir openbare erkenning van beduidende prestasies op die gebied van besoedelingsvoorkoming instel.

Appèlle

43. Enige persoon kan teen 'n besluit deur 'n gemagtigde persoon ingevolge hierdie verordening appelleer, deur ooreenkomstig die bepalings van artikel 62 van die Wet op Stelsels skriftelike kennis van sodanige appèl te gee.

Kwytskeldings

44. (1) Enige persoon kan skriftelik by die raad om kwytskelding van 'n bepaling van hierdie verordening aansoek doen.

(2) 'n Aansoek ingevolge subartikel (1) hier bo moet van substantiewe redes vergesel word.

(3) Die raad kan van 'n aansoeker om kwytskelding verwag om toepaslike stappe te doen om die aansoek onder die aandag van tersaaklike belangstellende en geaffekteerde persone sowel as die publiek te bring.

(4) Die stappe wat in subartikel (3) hier bo beoog word, moet die publikasie van 'n kennisgewing in minstens twee koerante insluit, waarvan een provinsiaal en een in die regsgebied van die Stad verskyn—

(a) met vermelding van die redes vir die aansoek; en

(b) met sodanige ander besonderhede van die aansoek as wat die luggehaltebeampte kan vereis.

(5) Die raad kan—

(a) van tyd tot tyd enige kwytskelding hersien wat ingevolge hierdie artikel toegestaan is, en kan sodanige voorwaardes oplê as wat dit nodig ag; en

(b) enige kwytskelding op goeie gronde terugtrek.

(6) Die raad mag nie kwytskelding ingevolge subartikel (1) hier bo toestaan nie, tensy hulle—

(a) redelike maatreëls getref het om te verseker dat alle persone wie se regte beduidend deur die toestaan van die kwytskelding benadeel kan word, wat aanliggende grondeienaars en okkupeerders insluit, bewus is van die aansoek om kwytskelding, en van hoe om 'n afskrif daarvan te bekom;

(b) sodanige persone 'n redelike geleentheid gegun het om teen die aansoek beswaar te maak; en

(c) enige besware wat ontvang is deeglik oorweeg en in ag geneem het.

Vrywaring

45. Die Stad sal nie aanspreeklik wees vir enige skade aan enige eiendom of perseel weens enige optrede of versuim van die werknemers of amptenare van die Stad in die uitvoering van enige funksie of taak ingevolge hierdie verordening nie, mits sodanige werknemers of amptenare in die uitvoering van sodanige funksie of taak redelike stappe gedoen het om enige skade aan sodanige eiendom of perseel te voorkom.

Herroeping en uitsonderingsbepalings

46. (1) Hiermee word die Stad Kaapstad: Verordening op Lugbesoedelingsbeheer, 2003 herroep.

(2) Enigiets wat ingevolge enige ander wet gedoen is, of as sodanig geag word, bly geld in soverre dit met hierdie verordening strook, of totdat enige optrede ingevolge hierdie verordening dit neutraliseer.

Kort titel

47. Hierdie verordening staan bekend as die Stad Kaapstad: Verordening op Luggehaltebestuur, 2010.

ISIXEKO SASEKAPA**UMTHETHO KAMASIPALA WOLAWULO LONGCOLISEKO LOMOYA, 2010**

Ukubhangisa uMthetho kaMasipala woLawulo loNgcoliseko loMoya ka-2003 wesiXeko saseKapa; ukulungiselela ulawulo longcoliseko lomoya; kwakunye nokulungiselela imibandela engqamene noko.

IMBULAMBETHE

NGENXA YOKUBA icandelo 156(2) nelesi-(5) loMgaqo-siseko livumela ukuba umasipala angazenzela ze azilawulele imithetho kamasipala ukuze imicimbi yakhe ilawuleke ngempumelelo nangemfezeko, kwakunye nokusebenzisa igunya lakhe malunga nokwenza oko kuyimfuneko ukuphumeza imisebenzi yakhe;

YAYE NANGENXA YOKUBA iNxalenye B kaShedyuli 4 woMgaqo-siseko edwelisa iinkonzo zempilo zikamasipala njengomba ophantsi korhulumente wommandla njengoko uchaziwe kwicandelo 155(6) (a) nelesi-(7);

YAYE NANGENXA YOKUBA isiXeko saseKapa sifuna ukuqinisekisa ulawulo lomgangatho womoya osingqongileyo kwakunye nokulawula ungcoliseko lomoya osingqongileyo kummandla ophantsi kwesiXeko kwakunye nokuphepha ukungcoliseka komoya, okanye apho oku kungenakuphetshwa kuqinisekiswa ukuba noko kuyacuthwa okanye kuyalungiswa.

NGOKU KE, iBhunga lesiXeko saseKapa **LIPHUMEZA LO MTHETHO** ngolu hlobo lulandelayo:—

ISIQULATHO**ISIAHLUKO I****INKCAZO KUNYE NEMITHETHO-SISEKO ENGUNDOQO**

1. Iintsingiselo
2. Ukusetyenziswa kwalo Mthetho kaMasipala
3. Ungquzulwano neminye imithetho

ISIAHLUKO II**UMSEBENZI WENKATHALO**

4. Amanyathelo afanelekileyo okunqanda ungcoliseko lomoya

ISIAHLUKO III**UKONYULWA KWAMAGOSA OLAWULO LONGCOLISEKO LOMOYA KUNYE NABAHLOLI BOLAWULO BENDALO ESINGQONGILEYO**

5. Ulonyulo lweGosa loNgcoliseko loMoya kunye nabahloli bolawulo lokusingqongileyo
6. Imisebenzi yegosa lolawulo longcoliseko lomoya kunye nabahloli bolawulo lokusingqongileyo

ISIAHLUKO IV**IMIGAQO YENGINQI YEZINGCOLISI-MOYA, IMIGAQO EMISELWEYO, KUNYE NEMIDA YOLAWULO LOMSI*****Icandelo 1: Imigaqo yezingcolisi-moya***

7. Igunya elisemthethweni

Icandelo 2: Imigaqo emiselweyo

8. Inkqubo elandelwayo yokufumanisa izinto ezisemoyeni
9. Ukwazisa ngemigaqo yenginqi yezingcolisi-moya
10. Isibhengezo somda wolawulo longcoliseko lomoya

ISIAHLUKO V**UKUKHUTSHWA KOMSI KUMAZIKO ANGEZIZO IINDAWO ZOKUHLALA**

11. Usetyenziso
12. Ukuthintelwa komsi omnyama kwimida yezakhiwo
13. Ukufakelwa kwesixhobo esitshisa amafutha
14. Ukusetyenziswa kwesixhobo esitshisa amafutha
15. Ukucingela
16. Ukufakelwa kunye nokusetyenziswa kwesixhobo somlinganiselo wobumnyama
17. Ukubek' iliso kunye novavanyo
18. Ukukhululwa okwexeshana

ISIAHLUKO VI**UKUKHUTSHWA KOMSI KWIINDAWO EKHULALA KUZO ABANTU**

19. Uthintelo lokukhutshwa komsi omnyama kwiindawo ezihlala abantu

ISAPHLUKO VII**UMSI OKHUTSHWA LUTHULI, YIMILILO NOKUTSHISWA KWEZINTO**

20. Ugunyaziso lokubasa umlilo phandle nokutshisa izinto
21. Imisi ebangelwa kukutshiswa kwamatayari nokutshiswa kwerabha kunye nezinye izinto ukulungiselela ukufumana isinyithi
22. Ukukhupha uthuli

ISAPHLUKO VIII**UMSI OPHUMA KWIZITHUTHI EZISEBENZISA AMAFUTHA**

23. Ukuthintelwa komsi omnyama ophuma kwizithuthi ezihamba ngamafutha
24. Ukumiswa kweenqwelo-mafutha ukuze kwenziwe uhlolo novavanyo
25. Inkqubo yovavanyo
26. Isaziso solungiso

ISAPHLUKO IX**UKUKHUTSHWA KOMSI OBANGELA IINKATHAZO ELUNTWINI**

27. Uthintelo lokukhutshwa kothuli okanye ingxolo ebangela inkathazo eluntwini
28. Isaziso sopheliso
29. Amanyathelo okupheliswa kwezinto eziyinkathazo eluntwini

ISAPHLUKO X**IZIBULALI ZEZITSHABALALISI NOKUTSHIZWA KWEZITYALO**

30. Ukutshizwa kwezityalo ngeyeza lokubulala izitshabalalisi

ISAPHLUKO XI**UKUKHUTSHWA KWAMAPHEPHA-MVUME EMISEBENZI EDWELISIWEYO**

31. Ukumiselwa kwenkqubo yamaphepha-mvume olawulo longcoliseko lomoya
32. Injongo yeNkqubo yaMaphepha-mvume oLawulo loNgcoliseko loMoya
33. Isicelo sephepha-mvume lokukhupha isingcolisi-moya
34. Izinto ezifanele ukuthathelwa ingqalelo
35. Izigqibo malunga nezicelo zelayisenisi yokukhupha isingcolisi-moya
36. Imigaqo nemiqathango yephepha-mvume lokukhupha isingcolisi-moya
37. Ukwahlukahlukana kwamaphepha-mvume okukhupha isingcolisi-moya
38. Ukurhoxiswa kwephepha-mvume lokukhupha isingcolisi-moya

ISAPHLUKO XII**AMATYALA KUNYE NEZOHLWAYO**

39. Amatyala kunye nezohlwayo

ISAPHLUKO XIII**IMIBA GABALALA**

40. Uhlolo lokuthobela
41. Ukunyanzelisa ukulandelwa kwemigaqo
42. Iinkqubo zonakano
43. Izibheni
44. Ukungachaphazeleki
45. Ukungabi nabutyala
46. Ubhangiso nogcino
47. Isihloko esifutshane

ISAPHLUKO I**INKCAZO KUNYE NEMITHETHO-SISEKO ENGUNDOQO****Iintsingiselo**

1. Kulo Mthetho kaMasipala, ngaphandle kokuba umxholo uchaza ngenye indlela—

“**isiphumo esingalunganga**” sithetha nayiphi na impembelelo ekhoyo okanye enokuthi ibe khona kwindalo esingqongileyo nethi yonakalise okanye enokuthi yonakalise indalo esingqongileyo okanye nayiphi na imbonakalo yayo kangangokuba ide yenzeke imihla ngemihla okanye ngokungenamsebenzi;

“isingcolisi somoya” siquka uthuli, umsi, ukuqhuma kunye nerhasi ezibangela okanye ezinokuthi zibangele ungcoliseko lomoya;

“ungcoliseko lomoya” luthetha nakuphi na ukutshintsha okwenzeka kwindalo esingqongileyo okubangelwa yiyo nantoni na ekhutshelwa emoyeni ojikeleza umhlaba isuka kuwo nawuphi na umsebenzi, nalapho oku kutshintsha kunesiphumo esingalunganga kwimpilo yoluntu okanye kwimpilo jikelele okanye kulwakhiwo, ukomelela kwakhona ngokukhawuleza kunye nemveliso yendalo okanye ulawulo lwezinto eziphilayo, okanye kwizinto eziluncedo eluntwini, okanye eziyakuthi zibe noncedo olunjalo kwixesha elizayo;

“umda wolawulo longcoliseko lomoya” uthetha ummandla othile emhlabeni nalapho iSahluko IV salo mthetho kamasipala simiselwe ukuba sisebenze khona;

“UMthetho woLawulo loNgcoliseko loMoya” uthetha uMthetho weSizwe woLawulo loNgcoliseko loMoya, ka-2004 (uMthetho onguNomb. 39 ka-2004);

“isicwangciso solawulo longcoliseko lomoya” sithetha isicwangciso solawulo longcoliseko lomoya ekubhekiswa kuso kwicandelo 15 loMthetho woLawulo loNgcoliseko loMoyaka;

“igosa lolawulo longcoliseko lomoya” lithetha igosa lolawulo longcoliseko lomoya elimiselwe oku ngokwecandelo 14(3) loMthetho woLawulo loNgcoliseko loMoya;

“umoya osingqongileyo” uthetha umoya osingqongileyo njengoko uchaziwe kwicandelo 1 loMthetho woLawulo loNgcoliseko loMoya;

“umoya ojikeleza umhlaba” uthetha umoya ongavalelwanga sisakhiwo, umatshini, itshimini okanye ezinye ezinto ezinjalo;

Izinto ezikhutshelwa emoyeni okanye umsi ubhekisa kuyo nayiphi na into ephumela kumoya ojikeleze umhlaba isuka kwindawo ethile okanye kwisithuthi, nto ethi idale ungcoliseko lomoya;

“umntu ogunyazisiweyo” uthetha nawuphi na umntu ogunyaziswe nguMphathi weSixeko ukuba azalisekise nawaphi na amalungiselelo alo Mthetho kaMasipala;

“iindlela zokusebenza ezifanelekileyo” zithetha oko kukona kunika inzuzo okanye oko kubangela owona monakalo mncinane kuko konke oko kusingqongileyo, ngexabiso elamkelekileyo kuluntu kwisithuba sexesha elide nakwisithuba sexesha elifutshane;

“itshimini” ithetha nayiphi na into eyakhiweyo okanye evulekileyo elulo naluphi na uhlobo nalapho izinto ezingcolisa umoya zinokuthi ziphume khona;

“IsiXeko” sithetha iSixeko saseKapa esimiselwe ngokweSaziso sePhondo esinguNomb. 479 sika-2000 ngokwecandelo 12 loMthetho woBume bukaMasipala woRhulumente weNqila ka1998 (uMthetho onguNomb. 117 ka1998);

“UMphathi wesiXeko” uthetha umntu oqeshwe njengomanejala kamasipala liBhunga phantsi kwecandelo 82 le-Local Government: Municipal Structures Act, 1998 (uMthetho onguNomb. 117 ka1998);

“inqwelo-mafutha esebenzisa ucinezelo lwenjini” ithetha inqwelo-mafutha esebenzisa ukutshiswa kwangaphakathi, ucinezelo lwenjini, idizile okanye amafutha enjini anjalo;

“iBhunga” lithetha iBhunga lesiXeko saseKapa okanye nawaphi na amanye amacandelo ezopolitiko, abaphathi ababambe izikhundla zezopolitiko, ooceba okanye abaqeshwa abagunyazisiweyo beSixeko;

“umsi omnyama” uthetha—

- (a) ngokunxulumene neSahluko V neSahluko VI salo Mthetho kaMasipala, umsi othi xa kusetyenziswa umlinganiselo wawo kusetyenziswe imitha elula yokufunxa okanye isixhobo esenza umlinganiselo wobumnyama nesinobumnyama obungamashumi amabini ekhulwini (20%) okanye ngaphezulu;
- (b) ngokunxulumene neSahluko VIII salo Mthetho kaMasipala—
 - (i) umsi onokuxinana okungamashumi amahlanu (50) Hartridge eeyunithi zomsi okanye ngaphezulu, ngokunxulumene nokuphuma komsi osuka kwiinqwelo-mafutha ezisebenzisa injini yesiqhelo okanye onokufunxa okulula onenani elandisayo elingaphezulu kwe-1.16m-1;
 - (ii) umsi onokuxinana okungamashumi amathandathu (56) Hartridge eeyunithi zomsi okanye ngaphezulu, ngokunxulumene nokuphuma komsi osuka kwiinqwelo-mafutha ezisebenzisa injini yomsinga werhasiokanye ukufunxa okulula okunenani elandisayo elingaphezulu kwe-1.19m-1;

“uthuli” luthetha nayiphi na into engelolwelo nekwimo ecekileyo enakho ukusasazeka kwakunye nokubambeka emoyeni ojikeleza umhlaba;

“indawo yokuhlala” ithetha nasiphi na isakhiwo okanye into eyakhiweyo okanye inxenyane yesakhiwo esetyenziswa njengendawo yokuhlala, kwakunye naziphi na ezinye izakhiwo ezingaphandle ezisecaleni kwayo, kodwa akuquki amatyotyombe kunye nezinye iindawo zokuhlala ezingekho sesikweni;

“umhloli wolawulo lokusingqongileyo” uthetha ngomhloli wolawulo lokusingqongileyo ekubhekiswe kuye kwicandelo 5;

“indalo esingqongileyo” ithetha konke okusingqongileyo nalapho kukho khona abantu, kwaye kukho nezi zinto zilandelayo —

- (a) umhlaba, amanzi kunye nomoya ojikeleza umhlaba;
- (b) izinto eziphilayo, ubomi bezityalo nezilwanyana;
- (c) nayiphi na inxenyane okanye kokubini okuchazwe ku-(a) no-(b) kwakunye nolwalamano lwangaphakathi kubo naphakathi kwabo; kwakunye
- (d) nezinto zasemzimbeni, amachiza, ubuhle kunye nenkcubeko kwakunye neemeko eziqhubekayo ezithi zibe nempembelelo kwimpilo yoluntu nempilo jikelele;

“UMphathi oyintloko: Ezempilo” uthetha uMphathi oyintloko wesiXeko onoxanduva lwemicimbi yezempilo;

“uvavanyo lokuqhuba” luthetha inkqubo echazwe kwicandelo 25;

“isixhobo sokutshisa amafutha” sithetha naliphi na iziko lesinyithi, ibhoyila okanye imbiza yokubalisa amanzi, isitovu sokutshisa inkunkuma, okanye esinye isixhobo, kuquka netshimini—

- (a) esenzelwe ukutshisa okanye esinako ukutshisa izinto ezilulwelo, irhasi okanye amafutha angelolwelo;
- (b) esisetyenziswa ekutshabalaliseni nayiphi na into okanye inkunkuma ngokuyitshisa; okanye

(c) esisetyenziswa ekufakeni amanzi, irhasi okanye amafutha angelolwelo kuyo nayiphi na inkqubo equka ukusetyenziswa kobushushu;

“imitha yokufunxa ukukhanya” ithetha isixhobo sokulinganisa esisebenzisa iseli esebena ngokukhanya ekuchazeni ubungakanani bokukhanya obufunxwe sisingcolisi somoya;

“izinto eziphilayo” zithetha nayiphi na into engezilwanyana okanye izityalo enako ukugqithisa okanye ekhupha izinto zemveli ezifanayo, ukuquka izinto ezingenazintsholongwane kunye neentsholongwane ezincinane kakhulu;

“into eyinkathazo eluntwini” ithetha ukuphazamiseka okungafanelekanga okanye into enokubangela ukuphazamiseka okwenziwa lungcoliseko lomoya—

(a) kwezempilo okanye kwimpilo entle yakhe nawuphi na umntu okanye yezinto eziphilayo; okanye

(b) ukusetyenziswa kunye nokonwabela komnini okanye umhlali kwindawo yakhe okanye kwindawo emngqongileyo;

“ukusitheka” kuthetha umlinganiselo wokukhanya obonakalayo oncitsiswe zizingcolisi zomoya ezibambeke kwimilanjana busiya kukukhanya okubonakalayo nobuchazwe njengepesenti;

“ukutshisa kwindawo evulekileyo” kuthetha ukutshiswa kwezinto ungenayo itshimini yokungenisa nokukhupha umoya wezinto ezitshayo iwuse kumoya ojikeleze umhlaba kwaye **“ukutshisa endaweni evulekileyo”** kunentsingiselo efanayo;

“umsebenzisi” uthetha umntu ongumnini okanye olawula okuthile, okanye olawula umsebenzi okanye inkqubo ethi ikhuphe izinto ezingcolisa umoya;

“ukwaziswa kwehlo mela ledolophu” kuthetha nawuphi na umhlaba okwiyunithi yomda osetyenziswa njengendawo yokuhlala;

“umntu” uthetha umntu ngokwendalo okanye umntu ngokwezobulungisa;

“umda wesakhiwo” ubandakanya—

(a) nasiphi na isakhiwo okanye esinye isakheko;

(b) nawuphi na umhlaba odibana nawo nokuhlala kuwo abantu okanye osetyenziswa ngokunxulumene nawo nawuphi na umsebenzi ongomnye owenziwa kwelo ziko okanye kweso sakheko;

(c) kwaye ukwaquka umhlaba ongenaso nasiphi na isakhiwo;

(d) kwakunye nayiphi na into ehambayo, inqanawa, iphenyane okanye nayiphi na enye into esebenza okanye ekhoyo ngaphakathi kummandla ophantsi kolawulo lwesiXeko okanye kwindawo ebizelweyo yalo naliphi na izibuko elikulo mandla;

“iPhondo” lithetha iPhondo leNtshona Koloni;

“indlela kawonke-wonke” ithetha indlela apho uluntu jikelele okanye uwonke-wonke anelungelo lokuyisebenzisa;

“umsi” uthetha irhasi, izinto ezithile kunye nemveliso yokutsha ekhutshelwe kumoya ojikeleza umhlaba xa kutshiswe into ethile okanye ibekwe ebushushwini kuquka umle okanye umsizi, uhlalutye kunye nezinto ezinohlalutye eziphuma emsini;

“uphando lobungcaphephe” luthetha naluphi na uphando olusekelwe kubunzululwazi olunxulumene nolawulo longcoliseko lomoya olwenziwe yingcali okanye ingcaphephe evunyiweyo enemfundo efanelekileyo kwakunye nolwazi malunga nombandela wolawulo longcoliseko lomoya;

“ummandla wokuspreya” ubhekisa kummandla okanye isakhiwo ekubhekiswe kuso kwicandelo 27 emasisetyenziselwe ukuspreya izithuthi ukanti **“negunjana lokuspreya”** likwathetha kwa into efana nale;

“U姆thetho weeNkqubo” uthetha u姆thetho weeNkqubo zikaMasipala kaRhulumente weNqila, 2000 (u姆thetho onguNomb. 32 ka-2000);

u“NEMA” uthetha u姆thetho weSizwe woLawulo lwezeNdalo, ka1998 (u姆thetho onguNomb. 107 ka-1998); kunye

“isithuthi” sithetha nayiphi na imoto, isikhoji semoto, isithuthuthu, ibhasi, ilori okanye nasiphi na esinye isithuthi esisebenzisa xa sisonke okanye inxeny yaso isipirithi esinokutsha, umphunga, irhasi okanye i-oyile okanye nayiphi na enye indlela engengawo amandla omntu okanye esilwanyana.

Ukusebenza kwalo Mthetho kaMasipala

2. Lo Mthetho kaMasipala usebenza kuzo zonke iipropati okanye izakhiwo eziphantsi kolawulo lwesiXeko.

Ungqzulwano neminye imithetho

3. Xa kunokuvela uxambuliswano phakathi kwalo Mthetho kamasipala kunye nomnye umthetho kamasipala okanye nawo nawuphi na umgaqo-nkqubo olawula uncoliseko lomoya kummandla ophantsi kolawulo lwesiXeko, imihlathi okanye imimiselo yalo mthetho kaMasipala iyakuba yiyo eya kulandelwa.

ISAHLUKO II

UMSEBENZI WENKATHALO

Amanyathelo afanelekileyo okunqanda uncoliseko lomoya

4. (1) Nawuphi na umntu onoxanduva lulonke okanye inxeny yalo ekudaleni uncoliseko lomoya okanye ovulele ithuba lokuba kusenokwenzeka uncoliseko lomoya kufuneka athathe onke amanyathelo afanelekileyo—

(a) ukuthintela naluphi na uncoliseko lomoya olunokwenzeka ukuba lungabi senzeka; aze

(b) anciphise kangangoko anako athathe amanyathelo ukulungisa okanye xa kufanelekile, ukulungisa naluphi na uncoliseko lomoya oluthe lwenzeka.

(2) iBhunga lingayalela nabani na othe wasilela ukuthatha amanyathelo afanelekileyo phantsi kwecandelwana (1) —

(a) ukuba aphande, enze uvavanyo kunye nohlolo lwefuthe lwemisebenzi ethile ukuze anike ingxelo yoko;

(b) aqalise ukuthatha amanyathelo afanelekileyo ngaphambi komhla obekiweyo;

(c) aqhubekeke ngenyameko ngalo manyathelo; kwaye

(d) awagqibe ngaphambi kokufika komhla obekiweyo,

xa ngaba phambi kokukhutshwa kwaloo miyalelo, lowo ugunyazisiweyo uthe wanika ithuba eloneleyo lokubazisa abantu abachaphazelekayo malunga nezinto ezibachaphazelayo yaye lowo ugunyazisiweyo angabonisisana nalo naliphi na icandelo likarhulumente.

(3) Xa umntu ethe akakuthobela oku, okanye akakuthobela ngokwaneleyo, phantsi komyalelo ochazwe kwicandelwana (2), umntu lowo ugunyazisiweyo angathatha amanyathelo afanelekileyo okulungisa le meko.

(4) Ukuba umntu lowo uthe wasilela ukuthatha amanyathelo ekubhekiswa kuwo kwicandelwana (1), umntu ogunyazisiweyo unakho ukufuna intlawulo yayo yonke inkcitho ethe yenzeka ngokuthatha amanyathelo phantsi kwecandelwana (3) kuye nawuphi okanye kubo bonke aba bantu balandelayo:

- (a) nawuphi na umntu eluxanduva lakhe okanye ebiluxanduva lakhe, okanye obe negalelo ngokuthe ngqo okanye ngokungathanga ngqo okanye osenokuba ube negalelo kungcoliseko lomoya;
- (b) umntu womhlaba ngelo xesha lokwenzeka kongcoliseko lomoya okanye umntu olandela umntu lowo ngokwetayitile;
- (c) umntu ophetheyo kulo mhlaba okanye nawuphi na umntu onelungelo okanye owayenelungelo lokusebenzisa umhlaba lowo ngexesha —
 - (i) lokwenzeka komsebenzi lowo okanye inkqubo ekuthethwa ngayo; okanye
 - (ii) lokwenzeka kwale meko; okanye
- (d) nawuphi na umntu othe ngokungabi nankathalo wasilela ukuthintela —
 - (i) umsebenzi okanye inkqubo eyenziweyo okanye eqhubekileyo; okanye
 - (ii) imeko enjalo ukuba iqhubeka.

(5) Ukuba kungaphezulu komntu omnye onemfanelo ngokwasemthethweni phantsi kwecandelwana (4), imfanelo leyo ingohlulelwa abo bantu bachaphazelekayo ngokweqondo loxanduva lomntu ngamnye ekonakaliseni indalo esingqongileyo nokubangele ukusilela kwabo ekuthatheni amanyathelo afanelekileyo nafunekayo phantsi kwamacandelwana (1) kunye no-(2).

ISAHLUKO III

UKONYULWA KWAMAGOSA OLAWULO LONGCOLISEKO LOMOYA KUNYE NABAHLOLI BOLAWULO BENDALO ESINGQONGILEYO

Ulonyulo lweGosa loNgcoliseko loMoya kunye nabahloli bolawulo lokusingqongileyo

5. (1) UManejala wesiXeko kufuneka, ebonisene kunye noMphathi oyiNtloko: wezeMpilo onyule umsebenzi wesiXeko okanye nawuphi na umntu njengegosa lolawulo longcoliseko lomoya lokulungelelanisa imibandela enxulumene nolawulo longcoliseko lomoya kwiSixeko.

(2) UMlawuli weCandelo: lezeMpilo lesiXeko angacela uMphathiswa wePhondo onoxanduva lwezobume bendalo esingqongileyo ukuba onyule abahloli bolawulo lwendalo esingqongileyo ngokwecandelo 31C le-NEMA.

Imisebenzi yegosa lolawulo longcoliseko lomoya kunye nabahloli bolawulo lokusingqongileyo

6. (1) Igosa lolawulo longcoliseko lomoya kufuneka —

- (a) lilungelelanise uphuhliso lwesicwangciso solawulo longcoliseko lomoya ukuba siquke nje ngesahluko kwiSicwangciso soPhuhliso oluDityanisiweyo, ngokungqinelana nesahluko 5 soMthetho weeNkqubo zikaMasipala;
- (b) lilungise ingxelo yonyaka wesiXeko kulawulo longcoliseko lomoya;
- (c) lenze imisebenzi yalo elinikwe phantsi kwemiqathango yalo Mthetho kaMasipala phantsi kwemiyalelo yoMlawuli oyiNgqonyela: wezeMpilo; kwaye
- (d) kufuneka le ngxelo ekubhekiswe kuyo kumhlathi (b) liyifake kwigosa lolawulo longcoliseko lomoya elonyulwe nguMphathiswa wePhondo onoxanduva lezobume bendalo kunye nokusingqongileyo kuRhulumente wePhondoka-2;

(2) Ingxelo yonyaka ekubhekiswe kuy kwicandelwana (1) (b) kufuneka phakathi kwezinye zezinto, iquke inkqubela yeSixeko malunga nokusetyenziswa kwesicwangciso solawulo longcoliseko lomoya.

(3) Igosa lolawulo longcoliseko lomoya kusenokufuneka ukuba libe nephepha-mvume lephondo lwezincolisi-moya osingqongileyo okanye iphepha-mvume lezincolisi-moya ukuze libe nokonyula igosa lolawulo lezincolisi-moya njengoko kuchazwe kwicandelo 48 loMthetho woLawulo loNgcoliseko loMoya.

ISAHLUKO IV

IMIGAQO YENGINQI YEZINGCOLISI-MOYA, IMIGAQO EMISELWEYO, KUNYE NEMIDA YOLAWULO LOMSI

Icandelo 1: Imigaqo yezingcolisi-moya

Igunya elisemthethweni

7. (1) Umntu ogunyazisiweyo angakhupha isaziso —

- (a) esichaza izinto okanye imixube yezinto ezikumoya osingqongileyo ezinokuthi zibe nobungozi kwezempilo nakumoya osingqongileyo kwisiXeko ngenxa yokuqungana ndawonye okanye elithi iGosa loLawulo loNgcoliseko loMoya likholelwe ukuba zingaba nobungozi kwezempilo; kunye
- (b) ngokunxulumene nezinto okanye lo mixube yezinto amisele imigaqo yengingqi yezingcolisi-moya kwindawo ethile, kuyo yonke indawo okanye kwinto ejikelezayo kwisiXeko.

(2) Umntu ogunyazisiweyo uya kuthathela ingqalelo le miba ilandelayo xa emisela imigaqo yengingqi yezingcolisi-moya:

- (a) iinjongo zezempilo nokhuseleko kunye nokhuselo lwendalo esingqongileyo;
- (b) indlela esetyenziswayo yokuhlalutya;
- (c) inganakho naukwenzeka into ethile ngokobugcisa;

- (d) amandla nobuchule bokubeka phantsi koqwalaselo;
- (e) iziphumo kwezentlalo nezooqoqosho;
- (f) indima kwindalo yomlilo kwiintsalelo zezityalo; kunye
- (g) neyona nto inokukhetheka enokukwazi ukwenziwa.

(3) Wonke umntu onento ayikhuphela emoyeni okanye umxube wezinto njengoko kuchaziwe kwicandelwana (1) kufuneka athobele imigaqo epapashwe phantsi kwalo Mthetho kaMasipala.

Icandelo 2: Imigaqo emiselweyo

Inkqubo elandelwayo yokufumanisa izinto ezisemoyeni

8. (1) Umntu ogunyazisiweyo kufuneka alandele ezi nqobo zilandelayo xa efumanisa kwaye ezilandelelanisi ngokokubaluleka kwzo izinto ezikhoyo emoyeni ezinobungozi kwezempilo nakwimpilo yoluntu okanye kubume obusingqongileyo:

- (a) ubungakanani bamathuba, ubuzaza kwakunye nobuninzi bokwenzeka kweziphumo ezingafanelekanga ngokunxulumene nempilo yabantu kunye nobume bendalo iyonke, nekuthi iziphumo ezingafanelekanga ibe yeyona nkxalabo ingamandla;
- (b) ukuba sendaweni yonke nobungakanani bobuninzi ndaweni nye kwesingcolisi-moya;
- (c) ukuba nokutshintsha kobume bezendalo obusingqongileyo kunye nenguquko yokutshintsha kwesingcolisi-moya eso, njengoko ezi nguqu zinokukhokhelela ekuveliseni amachiza anetyhefu eyongezelekileyo okanye ziveze ezinye iingxaki;
- (d) ukuzingisa ukubakho emoyeni, ngokungakumbi ukuba isibi eso asiboliswa zintsholongwane kwaye siyakwazi ukukhula ebantwini, kubume bendalo esingqongileyo okanye ekutyeni;
- (e) ifuthe lesingcolisi-moya eso, kuthathelwa ingqalelo ezi zinto zilandelayo:
 - (i) ubungakanani babantu abasesichengeni, bezinto eziphilayo okanye kunye nendawo echaphazelekayo;
 - (ii) ubukho bezinto ekulula ngamandla ukuba zingene kuzo ezi zingcolisi-moya kulo mmandla uchaphazelekayo; kunye
- (f) nezingcolisi-moya ezilawulwa yimigaqo yamazwe ngamazwe.

(2) Umntu ogunyazisiweyo kufuneka avelise uluhlu lwezingcolisi-moya ezisemoyeni ezinobungozi kwezempilo, kwimpilo yoluntu nakubume bezendalo.

Ukwazisa ngemigaqo yenginqi yezingcolisi-moya

9. Ukulungiselela ukwazisa ngemigaqo yenginqi yezingcolisi-moya, iSixeko kufuneka silandele inkqubo yokubonisana njengoko kuchaziwe kwisahluko 4 soMthetho weeNkqubo zikaMasipala.

Isibhengezo somda wolawulo longcoliseko lomoya

10. (1) Wonke ummandla ophantsi kolawulo lweSixeko uchazwa nje ngommandla wolawulo longcoliseko lomoya.

(2) Ngaphakathi komda wolawulo longcoliseko lomoya, iBhunga lingathi kumaxesha ngamaxesha, likhuphe isaziso kwiGazethi yePhondo laseNtshona Koloni—

- (a) ukuthintela okanye ukunqanda ukukhutshwa kwesingcolisi-moya esinye okanye izingcolisi-moya ezininzi ezisuka kuwo onke amaziko okanye amaziko athile;
- (b) ukuthintela okanye ukunqanda ukutshiswa kweendidi ezithile zamafutha;
- (c) lazise iindawo ekufuneka kungekho msi kuzo, nalapho umsi onobumnyama obungaphezulu kweshumi ekhulwini (10%) lungasayi kuvunyelwa;
- (d) lichaze iimfuno ezohlukeneyo kumda wolawulo longcoliseko lomoya ezinxulumene nomgangatho wongcoliseko lomoya ngokunxulumene:
 - (i) nenxenye yeendawo ezithile ezohlukeneyo;
 - (ii) amaziko achaziweyo;
 - (iii) Iindidi zamaziko;
 - (iv) amaziko asetyenziswa kwiinjongo ezithile; okanye
 - (v) izithuthi.

(3) iBhunga lingaphuhlisa lize lipapashe imigaqo-nkqubo kunye nezikhokelo, kuquka izikhokhelo zobugcisa ezinxulumene nolawulo lwemisebenzi ethi ngokuthe ngqo okanye ngokungathanga ngqo ibangele ungcoliseko lomoya ngaphakathi komda wolawulo longcoliseko lomoya.

(4) Ngokwecandelo 44, iBhunga lingabhala phantsi likhulule amaziko athile, iindidi zamaziko okanye amaziko asetyenziselwa iinjongo ezithile phantsi kweli candelo.

ISAHLUKO V

KUKHUTSHWA KOMSI KUMAZIKO ANGEZIZO IINDAWO ZOKUHLALA

Usetyenziso

11. Kwiinjongo zesi Sahluko, “**izakhiwo**” aziquki iindawo zokuhlala.

Ukuthintelwa komsi omnyama kwimida yezakhiwo

12. (1) Ngokokwecandelwana (2), umsi omnyama akufunekanga ukhutshwe kulo naliphi na iziko kangangexesha elingaphezulu kwemizuzu emithathu kulo naliphi na ixesha eliqhubekayo lemizuzu engamashumi amathathu.

(2) Eli candelo alibhekiselelanga kumsi omnyama ophuma kwizixhobo ezisebenzisa amafutha nokuthi oku kwenzeke ngexa isixhobo esinjalo sidunyiswayo okanye ngexa esi sixhobo singcitywa okanye silungiswa, okanye silindele ukungcitywa okanye ukulungiswa, ngaphandle kokuba ukukhutshwa komsi okunjalo ngekuthintelwe kusetyenziswa ezona ndlela zifanelekileyo ezikhoyo.

(3) Amacandelwana (1) nele(2) akabachaphazeli abanini-zilayisensi abanegunya lokukhupha umsi wemisebenzi edweliswe kwicandelo 21 loMthetho woLawulo loNgcoliseko loMoya, kuya kuthi kusebenze kubo imiqathango yokukhutshwa komoywa edweliswe kulo layisenisi.

Ukufakelwa kwesixhobo esitshisa amafutha

13. (1) Akukho mntu oya kufakela, atshintshe, andise okanye afakele isixhobo esisesinye sokutshisa amafutha kuwo nawaphi na amaziko ngaphandle kokuqala ufumane imvume ebhaliweyo esuka kwiBhunga, neyakuthi inikwe kuphela emva kokuqwalaselwa kwezicwangciso ezifanelekileyo nezinto ezizodwa.

(2) Nasiphi na isixhobo esitshisa amafutha esifakelweyo, satshintshwa, sandiswa okanye kwafakelwa esinye endaweni yesinye ngokuhambelana nezicwangciso nezinto ezizodwa ezigqithisiweyo zaze zamkelwa njengeenjongo zeli candelo liBhunga, siya kusetyenziswa kude okuchasene noku kwamkelwe ukuba kuthobela amalungiselelo ecancelwana (1).

(3) Apho kufakelwe khona isixhobo esitshisa amafutha, satshintshwa, sandiswa okanye kwafakelwa esinye endaweni yesinye kumaziko ngokuchasene necancelwana (1), iBhunga lingabhala phantsi isaziso esiya kumnini kunye nomhlali kulo maziko limyalele ukuba akhuphe isixhobo sokutshisa amafutha kumaziko ngeendleko zomnini kunye nomsebenzisi kwaye oko kwenzeka kwixesha elichazwe kwisaziso eso.

(4) Umlawuli oyiNtloko: kwezeMpilo angathatha nawaphi na amanyathelo awabona eyimfuneko ukuze kulungiswe ubungozi obenziwe lufakelo, ulungiso, ukongezelela okanye utshintsho kwisakhiwo anqande nokuba lo nto ingaphinde yenzeke yaye usenokubiza zonke iindleko kumntu lowo ongunobangela waloo ngozi.

Ukusetyenziswa kwesixhobo esitshisa amafutha

14. (1) Akukho mntu oya kusebenzisa nasiphi na isixhobo sokutshisa amafutha kuwo nawaphi na amaziko ngokuchasene negunya elichazwe kwicandelo 13.

(2) Apho kuthe kwasetyenziswa isixhobo esitshisa amafutha kumaziko ngokuchasene necancelwana (1), iBhunga lingabhala isaziso esiya kumnini kunye nomhlali kulo maziko—

- (a) arhoxise igunya lalo phantsi kwecandelo 13; kwaye
- (b) ayalele ukususwa kwesixhobo sokutshisa amafutha kulo maziko ngeendleko zomnini okanye umsebenzisi kwaye lingadlulanga ithuba elichazwe kwesi saziso.

(3) Xa umnini-sakhiwo engathobeli isaziso ekubhekiswe kuso kwicancelwana (2), iBhunga linokususa eso sixhobo esitshisa amafutha kwisakhiwo eso ze libize iindleko zalo zokususa eso sixhobo kumnini-sakhiwo.

Ukucingela

15. Umsi omnyama kuya kucingelwa ukuba ukhutshwe kumaziko lawo xa kukho into ebonakalisa ukuba nawaphi na amafutha okanye okuthile bekutshisiwe kumaziko lawo kwaye neemeko bezibonisa ukuba olu tshiso bekufanele ukuba lukhuphe umsi omnyama ngaphandle kokuba umnini, umhlali okanye umsebenzisi, xa kunjalo, abonise ukuba akukho msi omnyama othe waphuma.

Ukufakelwa kunye nokusetyenziswa kwesixhobo somlinganiselo wobumnyama

16. (1) Umntu ogunyazisiweyo angakhupha isaziso kuye nawuphi na umsebenzisi wesixhobo sokutshisa amafutha okanye kuye nawuphi na umnini okanye umhlali kumaziko apho bekusetyenziswe khona isixhobo sokutshisa amafutha, okanye kukho injongo yokusisebenzisa, ukufakelwa, ukugcinwa kunye nokusetyenziswa kwesixhobo somlinganiselo wobumnyama ngexabiso lakhe, xa—

- (a) ukuphuma komsi omnyama okungagunyaziswanga nokungekho mthethweni kumaziko kuthe kwenzeka ngokulandelelanayo narhoqo kwixesha leentsuku ezimbini ubuncinane;
- (b) ukuphuma komsi omnyama okungagunyaziswanga nokungekho mthethweni kumaziko okuthe kwenzeka ngokulandelelanayo narhoqo kwixesha leentsuku ezilishumi elinesine ubuncinane;
- (c) isixhobo sokutshisa amafutha sifakelwe okanye kujongwe ukuba sifakelwe kula maziko nokunokuthi kwenzeka ngokwembono yegosa eligunyazisiweyo ukuba kukhutshwe umsi omnyama;
- (d) umntu okhutshelwe isaziso sele ebanjwe ngaphezulu kwesinye phantsi kwesi Sahluko kwaye akathathanga manyathelo afanelekileyo ukuthintela ukuchasana okungokunye namagatya esi Sahluko; okanye
- (e) umntu ogunyazisiweyo unoluvo lokuba uhlobo lwezi zingcolisi zomoya zikhutshiweyo kula maziko kusenokudala ubungozi kwimpilo yoluntu okanye kwindalo esingqongileyo.

(2) Isaziso ekubhekiswa kuso kwicancelwana (1) kufuneka sazise umntu esibhalelwe yena—

- (a) ilungelo lalo mntu lokwenza ingxelo ebhaliweyo okanye eze ngaphambili ukuza kunika ulwazi kwakunye nokuchasana noku kunye nokuphikisana okunxulumene nesaziso, kwaye kufuneka sichaze isithuba sexesha esifanelekileyo ekufuneka kwenziwe ngalo oku;
- (b) ilungelo lalo mntu lokubhala phantsi kwecandelo 43;
- (c) ilungelo lalo mntu lokucela izizathu ezibhaliweyo zokuba anikwe eso saziso; kunye
- (d) namanyathelo ekufuneka ethatyathiwe kunye neziphumo ezinokubakho xa isaziso eso singathotyelwanga.

Ukubeka iliso kunye novavanyo

17. Umhlali okanye umnini wezakhiwo kunye nomsebenzisi waso nasiphi na isixhobo sokutshisa amafutha ekufuneka efakele isixhobo sokulinganisa ubumnyama phantsi kwecandelo 16(1) kufuneka—

- (a) abhale ingxelo yeziphumo zizonke zokongamela kunye novavanyo aze agcine ikopi yale ngxelo kangangeminyaka emine ubuncinane emva kokufumana iziphumo;
- (b) xa ecelwe ngumntu ogunyazisiweyo aveze iziphumo zokongamela kunye novavanyo ukuze zihlolwe enze njalo; kwaye
- (c) xa ecelwe ngumntu ogunyazisiweyo abonelele ngengxelo ebhaliweyo epheleleyo okanye eyinxalenye yengcaciso ekwiziphumo zokongamela novavanyo kwifomu nangomhla ochaziweyo.

Ukukhululwa okwexeshana

18. (1) Ngokuxhomekeke kwicandelo 44 nangokwesicelo esibhaliweyo, ngumnini okanye ngumhlali weziko okanye umsebenzisi wesixhobo sokutshisa amafutha, iBhunga linganika ukhululo lwethutyana olubhalwe phantsi ngokomnye okanye ngokwayo yonke imihlathi ephantsi kwesi Sahluko.

(2) Naluphi na ukhululo olwenziwe phantsi kwecandelwana (1) kufuneka ubuncinane, luchaze oku kulandelayo:

- (a) inkcazelo ngesixhobo sokutshisa amafutha kunye namaziko apho sisetenziswa khona;
- (b) izizathu zovunyelo lolu khululo;
- (c) imiqathango ehamba nolu khululo, ukuba ikhona;
- (d) isithuba sexesha lolu khululo luvunyelweyo; kunye
- (e) nayo nayiphi na enye ingcaciso efanelekileyo.

(3) IBhunga alinakuvumela ukukhululelwa okwexeshana phantsi kwecandelwana-(1), kude kube iBhunga—

- (a) lithabathe amanyathelo afanelekileyo ukuqinisekisa ukuba bonke abantu apho baya kuthi amalungelo abo achaphazeleke ngakumbi ngokuthi kunikezelwe ukukhululelwa okwexeshana, kuquka nabanani abakufutshane bomhlaba okanye abo bahlala kuwo ukuba bathi baziswe ngesi sicelo sokukhululelwa kwakhona baziswe ngendlela ikopi efumaneka ngayo;
- (b) libonelele/linikezele abo bantu ngethuba elifanelekileyo lokuba bangenise isichaso kwisicelo eso; lize
- (c) liqwalasele kwaye lithathele ingqalelo Naziphina izichaso ezithe zaphakanyiswa.

ISIAHLUKO VI

UKUKHUTSHWA KOMSI KWIINDAWO EKHULALA KUZO ABANTU

19. (1) Ngokokwecandelo 4(1), akukho mntu oya kukhupha okanye avumele ukukhutshwa komsi omnyama kuyo nayiphi na indawo ekuhlala kuyo abantu kangangexesha elingaphezulu kwemizuzu emithathu kulo naliphi na ixesha eliqhubekayo kwimizuzu engamashumi amathathu.

(2) Ngokuxhomekeke kwicandelo 44 kwakunye nangokufaka isicelo esibhaliweyo ngumnini okanye umhlali waso nasiphi na isakhiwo, iBhunga lingavumela ukhululo olubhaliweyo lwethutyana phantsi komnye okanye kwayo yonke imihlathi yesi Sahluko.

ISIAHLUKO VII

UMSI OKHUTSHWA LUTHULI, YIMILILO NOKUTSHISWA KWEZINTO PHANDLE

Ugunyaziso lokubasa umlilo phandle nokutshisa izinto

20. (1) Ngokuxhomekeke kwicandelwana (4), nawuphi na umntu ophemba umlilo phandle kuwo nawuphi na umhlaba okanye iziko, uya kufunyanwa enetyala ngaphandle kokuba uqale wafumana imvume yeBhunga.

(2) IBhunga linokuthi xa linika imvume ekubhekiswe kuyo phantsi kwecandelwana (1), libeke imiqathango ekufuneka lowo ufake isicelo ayilande.

(3) IBhunga lingakuvumeli ukuphenjwa komlilo kwindawo ephandle phantsi kwecandelwana (1) ngaphandle kokuba lanelisekile kukuba ezi mfuno zilandelayo ziyafezekiswa ngokwaneleyo:

- (a) Into leyo iza kutshiselwa kumhlaba ovulekileyo apho iphuma khona;
- (b) lo mntu ucela ilungelo lokuvunyelwa ukubasa umlilo wenze uphando waze wavavanya konke okufanelekileyo okungokunye ekunciphiseni, ekusebenziseni kwakhona okanye ekulungiseni oko besele kusetyenzisiwe ukuze kube nokusetyenziswa kwakhona ekwenzeni into entsha ukuze kuncitshiswe izinto ekufuneka zitshiswe kumlilo ovulekileyo ngokwanelisekisa iBhunga;
- (c) lo mntu wenze isicelo selungelo lokubasa wenze uphando waze wavavanya konke okufanelekileyo okungokunye ekususeni okufuneka kutshiswe emhlabeni okanye kumaziko, ngokwanelisekisa iBhunga;
- (d) lo mntu wenze isicelo selungelo lokubasa wenze uphando waze wavavanya konke okunokuthi kube nempembelelo kolu tshiso kwindalo esingqongileyo, ngokwanelisekisa iBhunga;
- (e) lo mntu wenze isicelo selungelo lokubasa ubazisile ngokubabhalela abanini kunye nabo bahlala kwizakhiwo ezimelene nesakhe malunga —
 - (i) nazo zonke iinkcukcha ezazekayo zoku kubasa kwindawo evulekileyo; kunye
 - (ii) nelungelo labanini kunye nabahlali abakwimhlaba nezakhiwo ezisecaleni kwakhe ukuba bafake inkcaso ebhaliweyo kwesi sindululo sicetywayo sokutshisa kwindawo evulekileyo kwiBhunga kwiintsuku ezisixhenxe (7) emva kokuba baziswe;
- (f) umrhumo ochaziweyo sele uhlawuliwe kwiBhunga;
- (g) isilumkiso phantsi kwecandelo 10(1)(b) lomthetho obizwa ngokuba yi-National Veld and Forest Fire Act, 1998 (uMthetho 101 ka-1998) asikabhengezwa kulo mmandla;
- (h) umhlaba apho lo mntu unenjongo yokutshisa kuwo izinto kwindawo evulekileyo ingumhlaba kaRhulumente, yifama okanye yifama encinci okanye umhlaba okwihlomela ledolophu owazisiweyo nongasetyenziswayo njengendawo yokuhlala abantu;
- (i) ukutshisa kwindawo evulekileyo kwenziwa kangangeemitha ezili-100 ukusuka kuso nasiphi na isakhiwo; kwaye
- (j) ukutshisa kwindawo evulekileyo akusayi kubangela ukavela kwengozi kwimpilo yabantu okanye ukhuseleko, kumhlaba nezakhiwo zabucala okanye kwindalo esingqongileyo.

(4) Imihlathi yeli candelo ayisayi kusebenza —

- (a) kwiindawo zolonwabo lwangaphandle okanye imisebenzi yokojiwa kwenyama kumaziko abucala;
- (b) imililo emincinci ephantsi kolawulo kwiindawo zokuhlala ezingekho sikweni ngeenjongo zokupheka, ukushushubeza amanzi kunye nezinye izinto ezenziwa ekhaya; okanye
- (c) nakuyiphi na indawo eyenye echaziweyo okanye umsebenzi ochaziweyo nalapho iBhunga limise ukuba eli candelo alisayi kusebenza kuyo.

Imisi ebangelwa kukutshiswa kwamatayari nokutshiswa kwerabha kunye nezinye izinto ukulungiselelela ukufumana isinyithi

21. (1) Akukho bani ongenayo imvume ebhaliweyo evela kwiBhunga unakho —

- (a) ukutshisa okanye ukuvumela ukuba kutshiswe amatayari okanye irabha okanye ezinye iimveliso ezigqunywe ngenye imatiriyeli kunye nezinye izixhobo ezisebenza ngee-elektroni ngaphandle kokufumana imvume ebhaliweyo kumntu ogunyazisiweyo;

- (b) ukutshisa okanye ukuvumela ukuba kutshiswe amatayari okanye irabha okanye ezinye iimveliso ezigqunywe ngenye imatiriyeli kunye nezinye izixhobo ezisebenza ngee-elektroni ngenjongo yokufumana isinyithi okanye izinto ezingaphakathi kwezi matiriyeli okanye zokutshabalalisa amatayari okanye izinto ezenziwe ngerabha; okanye
- (c) ukuba naso nasiphi na isinyithi okanye izinto eziphuma kwimicu (fibre) ekubhekiswa kuzo kumhlathi (a) no-(b).

(2) IBhunga lingathatha nawaphi na amanyathelo elibona eyimfuneko ukuze kulungiswe ubungozi obenziwe kukutshisa okanye umlilo ekubhekiswe kuwo kwimihlathi (a) no (b) nokuba nezinto zabantu ekubhekiswe kuzo kumhlathi (c) kananjalo linganqanda nokuba lo nto ingaphinde yenzeke yaye lisenokubiza zonke iindleko kumntu lowo ongunobangela waloo ngozi.

Ukukhupha uthuli

22. Nawuphi na umntu —

- (a) owenza nantoni na; okanye
- (b) obangela okanye ovumela ukuphuma kothuli

uza kwenza konke anako, nokwanelisa umntu ogunyazisiweyo, ukuthintela ukuphuma kothuli lube kumoya osingqongileyo olunokuba yingcozi kwimpilo nasekuphileni ngokufanelekileyo koluntu nolunokuba yingxaki kubantu abahlala kufuphi naloo mhlaba, loo msebenzi okanye eso sakhiwo.

ISIAHLUKO VIII

UKUKHUTSHWA KOMSI KWIINQWELO-MAFUTHA EZISEBENZISA UCINEZELO LWENJINI

Ukuthintelwa komsi omnyama ophuma kwizithuthi ezihamba ngamafutha

23. (1) Akukho mntu oya kuthi kwindlela kawonke-wonke aqhube okanye asebenzise okanye abangele ukuba aqhutyelwe okanye asebenzise inqwelo-mafutha esebenzisa ucinezelo lwenjini nekhupha umsi omnyama.

(2) Ngokwenjongo yeli candela, umnini obhalisiweyo wenqwelo-mafutha kuya kuthathwa ukuba ngumqhubi ngaphandle kokuba oku kuqinisekiswa ukuba akunjalo.

Ukumiswa kweenqwelo-mafutha ukuze kwenziwe uhlolo novavanyo

24. (1) Ukuze umntu ogunyazisiweyo akwazi ukugunyazisa imihlathi yesi Sahluko, umqhubi wenqwelo-mafutha kufuneka athobele nawuphi na umyalelo ofanelekileyo onikwe ngumntu ogunyazisiweyo —

- (a) ukumisa inqwelo-mafutha; kunye
- (b) nokuqhuba uhlolo okanye uvavanyo lwenqwelo-mafutha.

(2) Xa inqwelo-mafutha itha yamisa ithobela umyalelo onikwe kwicandelwana (1), umntu ogunyazisiweyo anga —

- (a) hlola kwaye avavanye inqwelo-mafutha leyo ecaleni kwendlela, xa kunjalo ke kufuneka kuqhutywe uhlolo novavanyo-
 - (i) kulo ndawo okanye kufutshane kangangoko nendawo apho umyalelo wokuba kumiswe inqwelo-mafutha unikwe khona; aze
 - (ii) ngokukhawuleza kangangoko kunokwenzeka, phofu ke nje kwisithuba seyure enye emva kokuba inqwelo-mafutha imile ngokokuhambelana nomyalelo onikiweyo; okanye
- (b) ayihlale nje ngamehlo inqwelo-mafutha leyo, kwaye xa umntu ogunyazisiweyo ekholelwa ekubeni kukho ityala elenziweyo phantsi kwecandelo 23(1), angayalela umqhubi wenqwelo-mafutha leyo nekuthathwa ukuba ngumnini wenqwelo-mafutha ngaphandle kokuba avelise ubungqina obuphikisana noku, ngokubhala phantsi ukuba athathe inqwelo-mafutha leyo ayise kwisikhululo sovavanyo kwisithuba sexesha elichaziweyo ukuze ihlolwe kwaye ivavanywe ngokwecandelo 25.

Inkqubo yovavanyo

25. (1) Umntu ogunyazisiweyo kufuneka asebenzise indlela yovavanyo yokunyathela umcephe wokunyusa isantya ukuze abone ukuba kuqhutywa okanye kusetyenziswa inqwelo-mafutha esebenzisa ucinezelo lwenjini na ngokuchasene necandelo 23(1).

(2) Le nkqubo ilandelayo kufuneka ilandelwe ukuze kwenziwe uvavanyo lokunyathela umcephe:

- (a) xa eyalelwe ukuba enze njalo ligosa eligunyazisiweyo, umqhubi kufuneka adumise inqwelo-mafutha, ayifake kwigiya ephakathi aze anyathele iklathi;
- (b) ngexa inqwelo-mafutha iduma, igosa eligunyazisiweyo kufuneka lenze uhlolo ngokujonga indlela ophuma ngayo umsi kwinqwelo-mafutha;
- (c) ligosa eligunyazisiweyo kufuneka ngokukhawuleza linyathele ngononophelo nangamandla umcephe wokunyusa isantya wenqwelo-mafutha okanye liyalele umqhubi wenqwelo-mafutha ukuba enze o phantsi kweliso lelo gosa eligunyazisiweyo;
- (d) ngethuba kunyathelwe umcephe wokunyusa isantya, igosa eligunyazisiweyo kufuneka lenze umlinganiselo womsi ophuma kwinqwelo-mafutha ukuze libone ukuba kuphuma umsi omnyama okanye ongekho mnyama na;
- (e) igosa eligunyazisiweyo lingayeka ukunyathela umcephe wokunyusa isantya kuphela xa injini ifikelele apho kuphela khona isantya;
- (f) Ukuba igosa eligunyazisiweyo liyalele umqhubi wenqwelo-mafutha ukuba anyathele umcephe wokunyusa isantya, umqhubi lowo angayeka ukunyathela umcephe wokunyusa isantya kuphela xa injini ifikelele apho kuphela khona isantya okanye xa eyalelwe ligosa eligunyazisiweyo.

(3) kuba emva kwendlela yovavanyo yokunyathela umcephe igosa eligunyazisiweyo laniselisekile kukuba inqwelo-mafutha —

- (a) ayikhuphi umsi omnyama, igosa eligunyazisiweyo kengoko kufuneka linike umqhubi wenqwelo-mafutha leyo isiqinisekiso esibonisa ukuba inqwelo-mafutha yakhe ayiqhutywa okanye ayisetyenziswa ngokuchasene necandelo 23(1); okanye
- (b) ikhupha umsi omnyama, igosa eligunyazisiweyo kufuneka linike umqhubi wenqwelo-mafutha isaziso solungiso ngokuhambelana necandelo 26.

Isaziso solungiso

26. (1) Isaziso solungiso esibhalisiweyo kufuneka siyalele umnini wenqwelo-mafutha ukuba alungise inqwelo-mafutha leyo kwisithuba sexesha elibekiweyo, aze ayithathe inqwelo-mafutha ayise kwindawo echazwe kwisaziso eso ukuze ivavanywe kwakhona singadlulanga isithuba sexesha elibekiweyo.

(2) Isaziso solungiso kufuneka siqulathe le ngcaciso ilandelayo:

- (a) uhlobo kunye nenombolo yobhaliso yenqwelo-mafutha;
- (b) igama, idilesi kunye nenombolo yesazisi yomqhubi wenqwelo-mafutha; kwaye
- (c) ukuba umqhubi akanguye umnini wenqwelo-mafutha, igama nedilesi yomnini wenqwelo-mafutha;

(3) Ukungqina ukuba umqhubi wenqwelo-mafutha usilele ekwaziseni umnini wenqwelo-mafutha ngesaziso solungiso akusayi kuba kukuzikhusele kwisimangalo setyala elenziwe phantsi kwecandelwana (1).

(4) Ukuba umnini-sithuthi akasithobeli isaziso novavanyo ekubhekiswe kulo kwicandelwana (1), isiXeko singathatha nawaphi na amanyathelo esiwabona eyimfuneko ukulungisa obo bungozi, amanyathelo abandakanya ukusirhuqa asithathe eso sithuthi yaye iindleko zoko zisenokutsalwa kumnini wesithuthi eso.

ISIAHLUKO IX

UKUKHUTSHWA KOMSI OBANGELA IINKATHAZO ELUNTWINI

Uthintelo lokukhutshwa kothuli okanye ingxolo ebangela inkathazo eluntwini

27. (1) Kummandla olawulwa sisiXeko, akukho umntu uya kuthi —

- (a) kummandla ekuspreyela kuwo, aspreye umphandle wemoto, okanye aspreye nantoni na ngendlela apha eya kuchapahazela abanye abantu kakubi okanye enze ingxolo egqithisileyo, okanye ngedlela echaphazela impilo yabo; okanye
- (b) avumele nasiphi na ispreyi ukuba sisetyenziswe kwisithuthi okanye nantoni kummandla ekungavunyelwanga ukuba kuspreywe kuwo.

(2) Ummandla wokuspreya ekubhekiswe kuwo kwicandelwana (1) kufuneka wakhiwe ngendlela ethathela ingqalelo iMiqathango Gabalala yoKhuseleko eqononondiswe phantsi komthetho—ongezeMpilo kwiNdawo yokuXelengela noKhuseleko onguNomb.85 wangowe-1993 yaye kufuneka loo ndawo iphunyezwe ngumntu onegunya lokwenza oko ojongene nezinto ezikhutshwa apho, umoya, ingxolo nalo naliphi elinye iSebe elichaphazelekayo ngokwemiqathango yawo nawuphi na omnye umthetho.

(3) Nabani na owenza umsebenzi otsazisa isanti okanye ezinye izinto, umsebenzi wokusila okanye ukuguba, owukugudisa okanye nawuphi na osondele kulowo okhupha uthuli olunokuba nobungozi kwimpilo yoluntu okanye onxolayo okanye odala nje inkathazo, uya kuthi athathe amanyathelo olawulo ukunqanda ukuba ezo zinto ziphuma apho zingaphumeli kumoya osingqongileyo.

(4) Nawuphi na umntu owenza umsebenzi ochazwe ku(3), kufuneka ethathe la manyathelo alandelayo:

- (a) amanyathelo olawulo lokufunxwa kothuli;
- (b) naliphi na elinye inyathelo lolawulo elamkelwe ligosa lolawulo lomoya okanye umntu ogunyaziswe lelo gosa.

(5) Umhlali okanye umnini wamaziko —

- (a) kufuneka athintele ubukho okanye ukukhutshwa kwayo nayiphi na into eyinkathazo kuluntu ephuma kwimida yesakhiwo sakhe;
- (b) wendawo ekuphuma khona inkathazo enobungozi eluntwini okanye apho kukho khona inkathazo; uthi abe nobutyala.

Isaziso sopheliso

28. (1) Umntu ogunyazisiweyo anganika isaziso sopheliso kuye nawuphi na umntu akholelwa ukuba unetyala okanye wenze ityala phantsi kwecandelo 27, ze abize umntu onjalo ukuze—

- (a) aphelise lo nkathazo singadlulanga isithuba sexesha elibekwe kwisaziso;
- (b) athathe onke amanyathelo afanelekileyo ukuthintela ukwenzeka kwenkathazo ekwafana nale kwixesha elizayo; kunye
- (c) athobele nayiphi na imiqathango equlathwe kwisaziso.

(2) Isaziso sokupheliswa phantsi kwecandelwana (1) singenziwa —

- (a) kumnini walo naliphi na iziko —
 - (i) ngokuziswa kwaso kumnini okanye ukuba umnini akafumaneki okanye uhlala phesheya kolwandle, ithunyelwa kwiarhente yakhe;
 - (ii) ngokuthunyelwa ngeposi yerejistala kwidilesi yokugqibela yomnini eyaziwayo, okanye kwidilesi yearhente yokugqibela eyaziwayo; okanye
 - (iii) ngokuthunyelwa kwidilesi apho kume khona iziko, xa ingaziwa idilesi yomnini okanye idilesi yearhente;
- (b) kumhlali weziko elo —
 - (i) ngokusiwa kumhlali; okanye
 - (ii) ngokuthunyelwa ngeposi yerejistala kumhlali kwidilesi apho kume khona iziko.

Amanyathelo okupheliswa kwezinto eziyinkathazo eluntwini

29. Ngalo naliphi na ixesha, iBhunga lingahlawula ngokwalo inkcitho, lithathe nawaphi na amanyathelo elifumanisa ukuba afanelekile ukuze liphelise umonakalo owenziwe yinkathazo lize lithintele ukwenzeka koko kwakhona, zize iindleko ezo zibuyezwe ngulowo unoxanduva lokubangela inkathazo leyo.

ISIAHLUKO X

UKUBULALA, UKUTSHABALALISA KUNYE NOKUTSHIZA IZITYALO

Iyeza lokubulala izitshabalalisi kunye nokutshizwa kwezityalo

30. (1) Akukho mntu unokutshiza okanye avumele utshizo lwezityalo ngeyeza lokubulala izinambuzane ngezibulali-zinambuzane okanye ngezibulali-tyani (khula) okanye izinto ezifana nezi, ngaphandle kokuba olo hlobo lwechiza libhaliswe ngokwecandelo 3 le-Fertilizers, Farm Feeds, Agricultural Remedies and Stock Remedies Act, 1947 (uMthetho onguNomb. 36 ka-1947).

(2) Nawuphi na umntu owaphula icandelwana (1) lalo Mthetho kaMasipala ufanyanwa enetyala njengoko kuchazwe kwicandelo 18(1)(c) le-Fertilizers, Farm Feeds, Agricultural Remedies and Stock Remedies Act, 1947 (uMthetho onguNomb. 36 ka-1947).

(3) Umntu owenza okanye ovumela utshizo ngezibulali zinambuzane okanye ngezibulali khula (tyani) okanye izinto ezifana nezi, ekubhekiswe kuzo kwicandelana (1) kummandla ophantsi kwesiXeko, kufuneka athobele la manyathelo olawulo alandelayo, kuquka:

- (a) ukuqala afumane isigunyaziso esibhaliweyo seBhunga anokusinikwa kunye nemiqathango, kuquka —
 - (i) ummandla womhlaba apho isibulali sinambuzane, isibulali tyani namanye amachiza zinokuwasebenzisa khona; kunye
 - (ii) nesithuba sexesha onokuzisebenzisa ngaso;
- (b) ubhalele usazisa abanini nabahlali abakwizakhiwo ezisecaleni kwakho kangangomgama oli-150 leemitha somhlaba ondulula ukuwutshiza ngala machiza —
 - (i) iinkcukacha zalo mhlaba;
 - (ii) isizathu sokusebenzisa ezi zibulali zinambuzane, zibulali tyani okanye ezinye;
 - (iii) iimpawu eziphambili zala machiza;
 - (iv) umhla kunye noqikelelo lwexesha lokuwasebenzisa;
 - (v) xa inokuthi ibe mbi imozulu, omnye okanye eminye imihla ozakuthi uwasebenzise ngayo;
 - (vi) chaza ixesha ukuba likhona eliboniswe kwileyibhile ekunokuphinda kukhuseleke ngalo ukungena kulo mmandla emva kokuba kusetyenziswe la machiza;
 - (vii) ilungelo labanini kunye nabahlali bezakhiwo ezisecaleni kwakho lokufaka inkcaso ebhaliweyo kwibhunga malunga nokutshiza ngala machiza kwisithuba seentsuku ezisixhenxe emva kokuba bazisiwe; kunye
 - (viii) nokuhlululwa komrhumo omiselweyo kwiBhunga.

(4) Nawuphi na umntu owaphula icandelwana (3) ufunyanwa enetyala.

(5) Umntu angafaka kwiBhunga isicelo sokukhululwa ukuba —

- (a) ukutshizwa kwesibulali zinambuzane kukulawula izinambuzane ezihambisa izifo ezisulela abantu okanye ezinefuthe elibikwezolimo okanye kwezamahlathi;
- (b) ukutshizwa kwesibulali zinambuzane kukulawula izinambuzane ezinobungozi kwimo yezendalo; okanye
- (c) imfuneko yokusebenzisa isibulali zinambuzane ingxamisekile.

(6) Imihlathi yeli candelo ayisebenzi —

- (a) kwiindawo zokuhlala zasezifama;
- (b) kwizakhiwo okanye ngaphakathi kwezakhiwo; okanye
- (c) nakweyiphi na enye indawo echaziweyo okanye umsebenzi ochaziweyo apho isiXeko sithe sachaza ukuba eli candelo alisebenzi kuwo.

ISAPHLUKO XI

UKUKHUTSHWA KWAMAPHEPHA-MVUME EMISEBENZI EYENZA UNGCOLISEKO LOMOYA

Ukumiselwa kwenkqubo yamaphepha-mvume olawulo longcoliseko lomoya

31. Ibhunga limisela inkqubo yamaphepha-mvume olawulo longcoliseko lomoya njengoko ichaziwe kwiSahluko 5 soMthetho woLawulo loNgcoliseko loMoya.

Injongo yeNkqubo yaMaphepha-mvume oLawulo loNgcoliseko loMoya

32. Injongo yenkqubo yamaphepha-mvume olawulo longcoliseko lomoya ku—

- (a) kwazi nokubhalisa onke amajelo ongcoliseko lomoya kwisiXeko;
- (b) kukulawula nokuqinisekisa ukuthotyelwa kwemigaqo yephepha-mvume;
- (c) ukuqokelela ulwazi ngenjongo zokuqulunqa isicwangciso sikamasipala solawulo longcoliseko lomoya, njengoko kuchaziwe kwicandelo 15 loMthetho woLawulo loNgcoliseko loMoya;
- (d) kuqalisa ucwangciso olucetyiweyo; kunye
- (e) nokunikisa ngengcaciso nakuwuphi na umntu ukuze —
 - (i) kuncediswane nolongamelo lwendlela esiqhuba ngayo isXeko, kwaye ukuba kuyakwazeka, abo banamaphepha-mvume;
 - (ii) kukhuthazwe uphando olwenziwa ngamaziko anakanwayo; kwaye
 - (iii) kuncediswe isiXeko ekufezekiseni kwaso ezona njongo ziphambili zalo Mthetho kaMasipala.

Isicelo sephepha-mvume lokukhupha isingcolisi-moya

33.(1) Akukho mntu uza kwenza umsebenzi okuluhlu oludwelisiweyo ngaphandle kwephepha-mvume lokukhupha isingcolisi-moya njengoko kupapashiwe kwicandelo 21 loMthetho woLawulo loNgcoliseko loMoya.

(2) Isicelo sephepha-mvume lokukhupha isingcolisi-moya kufuneka —

- (a) sibhalwe kwifomu yokufaka isicelo echazwe ligosa lolawulo longcoliseko-moya;
- (b) sihambe kunye namaxwebhu okanye ingcaciso enokuthi ifunwe ligosa longcoliseko lomoya; kwaye
- (c) sihambe nentlawulo yomrhumo wokufaka isicelo.

(3) Ukufumana kwalo isicelo sephepha-mvume lokukhupha isingcolisi moyangcolisi-moya, igosa lolawulo longcoliseko-moya kufuneka —

- (a) likhuphe irisiti echaza ukuba lisifumene isicelo zingadlulanga iintsuku ezili-14 kunye naleyo yomrhumo omiselweyo;
- (b) likhangele ukuba ingaba isicelo eso sigwaliswe ngokupheleleyo kwaye siqulathe ingcaciso leyo ifunekayo kwifomu yesicelo; kwaye
- (c) ingaba sikhathiswa yingcaciso okanye amaxwebhu afunekayo ngokwalo Mthetho kaMasipala.

(4) Ngaphambi kokuqwalasela isicelo esenziwe ngokwecandelwana (2), iSixeko singafuna ukuba umfaki sicelo angenise enye ingcaciso eyongezelekileyo okanye uphando olulodwa.

(5) Nawuphi na umntu ofuna ukwenza umsebenzi okuluhlu lwemisebenzi oludwelisiweyo ngaphandle kwephepha-mvume lokukhupha isingcolisi somoya ufunyanwa enetyala kwaye angafumana izohlwayo njengoko kuchaziwe kwicandelo 52 loMthetho woLawulo loNgcoliseko loMoya.

Izinto ezifanele ukuthathelwa ingqalelo

34. Ukongeza kwizinto ezichazwe kwicandelo 39 loMthetho woLawulo loNgcoliseko loMoya, iSixeko kufuneka siqwalasele isicelo ngasinye sithathele ingqalelo ezi zinto zilandelayo:

- (a) uthotyelo loMthetho woLawulo loNgcoliseko loMoya kunye nalo Mthetho kaMasipala; kunye
- (b) nengxelo yomfaki sicelo kwezobume bendalo esingqongileyo, kwezempilo kunye nokhuseleko.

Izigqibo malunga nezicelo zelayisenisi yokukhupha isingcolisi-moya

35. (1) Emva kokuqwalasela isicelo ngokwecandelo 33, igosa lolawulo longcoliseko-moya kufuneka zingadlulanga iintsuku ezingama-60 lifumene isicelo —

- (a) lisamkele isicelo eso ngokukhupha iphepha-mvume lokhupha isingcolisi-moya, elinemiqathango enokuthi ibekwe ligosa lolawulo longcoliseko-moya; okanye
- (b) lisikhabe isicelo eso.

(2) Ukuba igosa lolawulo longcoliseko-moya alikwazi ukukhupha okanye ukukhaba iphepha-mvume lokukhupha isingcolisi-moya zingadlulanga iintsuku ezingama-60 emva kokuqwalasela isicelo eso ngokwecandelo 33, kufuneka libhalele umfaki sicelo, limazise ukuba isithuba sexesha loqwalaselo songeziwe kwaye simazise nangomhla esiza kuthathwa ngawo isigqibo.

Imigaqo nemiqathango yephepha-mvume lokukhupha isingcolisi-moya

36. (1) Xa igosa lolawulo longcoliseko-moya ikhupha iphepha-mvume lokukhupha isingcolisi-moya, lingabeka imiqathango esibona ukuba iyimfuneko.

(2) Iphepha-mvume elikhutshwe phantsi kweli candelo kufuneka —

- (a) livumelane necandelo 43 loMthetho woLawulo loNgcoliseko loMoya;
- (b) liqulathe imfuneko yokuba umnini phepha-mvume kufuneka athobe kwaye aqinisekise ukuba uthotyelo lwalo Mthetho kaMasipala ngabasebenzi bakhe, iarhente kunye nabo basebenza phantsi kwakhe bathobele nomthetho wesizwe kunye nowephondo ochaphazelekayo.

Ukwahlukahlukana kwamaphepha-mvume okukhupha isingcolisi-moya

37. Akukho sakhiwo, matshini wokusebenza, okanye misebenzi esetyenziswa ngumnini phepha-mvume ekubhekiswa kuye kwicandelo 33 eziza —

- (a) kwandiswa; kwaye
- (b) zitshintshwe okanye zongezelelwe,

kwaye kungazi kubakho zinguqu kwindlela yokusebenza, kwinkqubo okanye ukunyuka kungamandla kwimveliso ngaphandle kokuqala kufunyanwe imvume yegosa lolawulo longcoliseko-moya.

Ukuyekwa kwemisebenzi esebenzisa iphepha-mvume lokukhupha isingcolisi-moya

38. Umnini phepha-mvume ekubhekiswa kuye kwicandelo 33 kufuneka azise igosa lolawulo longcoliseko-moya xa aza kuyiyeka imisebenzi yakhe emayela nelo phepha-mvume.

ISIAHLUKO XII**AMATYALA KUNYE NEZOHLWAYO****Amatyala kunye nezohlwayo**

39. (1) Umntu ufunyanwa enetyala ukuba lo mntu wophule gatyala 13(1), 14(1), 19(1), 20(1), 20(3), 21(1), 22, 23(1), 24(1), 26(1), (3) no- (4), 27(1), (3) no-(4), 28(1) okanye 30(1) no- (3), alo Mthetho kaMasipala.

(2) Nabani na onetyala ngokwamacandelwana 19(1), 23(1) okanye elama-27(1) umntu ofunyenwe enetyala ekubhekiswa kulo kwicandelwana (1) unokufumana isohlwayo okanye avelwe entolongweni kangangethuba elingadlulanga kwiintsuku ezingama-30, okanye zombini ukufumana isohlwayo kwakunye nokuvalelwa entolongweni.

(3) Nawuphi na umntu ofunyenwe enetyala ngokwamacandelo 13(1), 14(1), 20(1), 20(3), 21(1), 24(1), 26(1),(3) no- (4),28(1)), 28(1), 30(1) no-(3) uya kuvalelwa entolongweni ithuba elingekho ngaphezulu kweminyaka emibini okanye afumane isohlwayo okanye afumane zombini isohlwayo kunye nokuvalelwa entolongweni.

(4) Nawuphi na umntu owophula icandelo 22, ukuba ufunyaniswe enetyala uya kuvalelwa entolongweni ithuba elingekho ngaphezulu konyaka omnye okanye afumane isohlwayo okanye afumane zombini isohlwayo kunye nokuvalelwa entolongweni.

(5) Lityala uku—

- (a) nika ingcaciso engeyonyaniso kumntu ogunyazisiweyo malunga nawo nawuphi na umbandela ophathelele kulo Mthetho kaMasipala; okanye
- (b) ukwala ukusebenzisana nesicelo somntu ogunyazisiweyo ngokwalo Mthetho kaMasipala,

nawuphi na umntu ofunyenwe enetyala uya kuvalelwa entolongweni ithuba elingekho ngaphezulu kweentsuku ezinga-30 okanye afumane isohlwayo okanye afumane zombini isohlwayo kunye nokuvalelwa entolongweni.

(6) Apho kungekho sohlwayo simiyo, nawuphi na umntu owenze ityala ngokwalo Mthetho kaMasipala uya kuvalelwa entolongweni ithuba elingekho ngaphezulu konyaka okanye afumane isohlwayo okanye afumane zombini isohlwayo kunye nokuvalelwa entolongweni.

(7) Ukungasithobeli isaziso okanye umyalelo ekubhekiswa kuwo kulo Mthetho kaMasipala kuthetha ukuqhubeka nokwaphula umthetho

(8) Nawuphi na umntu oqhubeka nokwaphula umthetho uza kuba netyala lokwaphula umthetho kusuku ngalunye lo mntu engasithobeli isaziso okanye umyalelo ekubhekiswa kuwo ngulo Mthetho kaMasipala.

(9) Ukongeza ngaphezu kokunika isohlwayo okanye nokuvalelwa entolongweni, inkundla ingayalela nawuphi na umntu ofunyaniswe enetyala phantsi kwalo Mthetho kaMasipala —

- (a) ukuba awulungise umonakalo lowo;
- (b) ukuba awuhlawule umonakalo lowo wenziwe komnye umntu okanye kwisakhiwo, myalelo lowo uya kuba negunya kunye neziphumo zesigwebo senkundla yamatyala; kunye
- (c) nokufakela kwaye asebenzise ngendleko zalo mntu isixhobo sokufunda ubumnyama ekubhekiswa kuso kwicandelo 16.

(10) Ngaphezu kwaso nasiphi na isohlwayo esikhutshwe yinkundla, isenokuyalela umntu ukuba athatha amanyathelo phantsi kwalo Mthetho kaMasipala ewabona yona eyimfuneko ngokwesithuba esiqqitywe yinkundla leyo ukunqanda ukuba le nkathazo ingabe iphinde ibe khona.

ISIAHLUKO XIII

IMIBA GABALALA

Ulongamelo lokuthobela

40. (1) Ukulungiselela ulongamelo lokuthobela, abahloli abamiselweyo bezolawulo zobume bezendalo beSixeko kufuneka basebenzise amagunya achazwe kumacandelo e-NEMA ukusuka ku-31G ukuya ku-31L.

(2) Abahloli bolawulo lokusingqongileyo bangacela nabani na okhupha isingcolisi somoya onegalelo elikhulu okanye ekulindeleke ukuba unegalelo kwimo embi yomgangatho womoya, ukuba kwenziwe uqwalaselo okanye uphando lwezongcoliseko lomoya, phando olo luza kwenziwa liqela elaziwayo nelithembekileyo kulo msebenzi, oko kuseenziwa ngendleko zalowo uchaphazelekayo.

Ukuqinisekisa ukulandelwa kwemigaqo

41. (1) Umntu ogunyazisiweyo kufuneka ukuba athathe onke amanyathelo asemthethweni, ayimfuneko nekukwazekayo ukuwathatha ukuqinisekisa ukuba iyalandelwa imigaqo yalo Mthetho kaMasipala.

(2) ISixeko singaphuhlisa inkqubo nemigaqo yokuqinisekisa ukulandelwa kwalo Mthetho kaMasipala, kwaye oko kufuneka kuthathele ingqalelo iinkqubo nemigaqo yesizwe kwakunye neyephondo.

Iinkqubo zonakano

42. Igosa longcoliseko lomoya lingamiselwa inkqubo yonakano luluntu lwezinto ezilulutho ezithe zazalisekiswa ngokumayela nothintelo longcoliseko lomoya.

Izibheno

43. Nawuphi na umntu angabhena kwisigqibo esithathwe ngumntu ogunyazisiweyo phantsi kwalo Mthetho kaMasipala ngokunika isaziso esibhaliweyo sesibheno ngokwamatyala eandelo 62 loMthetho weeNkqubo zikaMasipala.

Ukukhululwa

44. (1) Nawuphi na umntu angafaka kwiBhungaisicelo esibhaliweyo sokukhululwa ekubeni kusetyenziswe lo Mthetho kaMasipala.

(2) Isicelo ngokwecandelwana (1) kufuneka sihambe nezizathu ezivakalayo.

(3) IBhunga lingafuna ukuba umfaki sicelo sokukhululwa athathe amanyathelo afanelekileyo okuba isicelo eso sifikelele kubantu abachaphazelekayo nakuluntu.

(4) Amanyathelo alindelekileyo kwicandelwana (3) kufuneka aqube ukupapashwa kwesaziso kumaphepha-ndaba amabini ubuncinane, elinye ibe lejikeleza kwiphondo lize elinye libe kummandla ophantsi kwalo Masipala —

- (a) sinika izizathu sesicelo; kwaye
- (b) siqulathe nezinye iinkcukacha elinokuthi iBhunga lizifune malunga nesicelo.

(5) IBhunga —

- (a) kumaxesha ngamaxesha lisenokukuhlola ukukhululwa okuvunyelwe ngokweli candelo; lize
- (b) xa kukho izizathu ezivakalayo likurhoxise ukukhululwa.

(6) IBhunga alikwazi kukhulula umntu ukuba angachatshazelwa licandelwana (1) de libe —

- (a) lithathe amanyathelo afanelekileyo ukuqinisekisa ukuba bonke abantu abachaphazelekayo abamalungelo abo anokuchaphazeleka ngokukhululwa komntu kweli candelo, babe bayazi ngeso scelo siokhululo nangendlela yokusifumana eso sicelo;
- (b) linike abo bantu ithuba elaneleyo lokuba basikhabe eso sicelo; kananjalo
- (c) libe lithathele ingqalelo naziphi na izichaso ezinokuab zikhona.

Imbuyekezo

45. IsiXeko asinakubanaloxanduva lawo nawuphina umonakalo othe wenziwa kuyo nayiphina ipropati okanye kwizakhiwo, oye wenziwa ngenxa yenyathelo okanye ukhululelo olwenziwe ngabaqeshwa okanye amagosa esiXeko xa beqhuba nawuphina umsebenzi abawugunyaziselweyo ngokwalo Mthetho kaMasipala, ingakumbi ukuba abo baqeshwa okanye amagosa xa beqhuba loo msebenzi wabo baye bachule ukunyathela okanye bawenza ngobunono ukuze kuthinteleke nawuphina umonakalo kuloo propati okanye kweso sakhiwo.

Uhangiso nogcino

46. (1) UMthetho kaMasipala wesiXeko saseKapa ongoLawulo loNgcoliseko loMoya wangowe-2003, kengoko uyabhangiswa.

(2) Nantoni na ebisenziwa kuthotyelwa nawuphi na omnye umthetho ivumelekile ukuba ngaba ihambelana nalo Mthetho kaMasipala okanye ivumelekile de kubekho enye into eyenziweyo phantsi kwalo Mthetho kaMasipala ethatha indawo yaleyo ibiyenziwe ngaphambili.

Isihloko esifutshane

47. Lo Mthetho kaMasipala ubizwa ngokuba nguMthetho kaMasipala wesiXeko saseKapa woLawulo loNgcoliseko loMoya wangowama-2010.

DEPARTMENT OF HEALTH

GENERAL NOTICE

Notice in terms of sub-regulation 6(1)(a) and 6(2) of regulation 187 of 2001.

The Western Cape Provincial Minister responsible for Health hereby publishes notification of receipt of the following applications for the establishment of private health establishments in the Western Cape Province. Copies of the applications may be obtained at a nominal fee from the Directorate of Professional Support Services, Provincial Department of Health, PO Box 2060, Cape Town 8000, tel. (021) 483-5811.

Kindly note that all interested parties are invited to submit written comment on any of the applications mentioned below to the Western Cape Health Department within the following time frames: Acute general, non-acute and psychiatric private health establishments within 30 days of the publication of this notice. Community mental health facilities within 14 days of the publication of this notice. All comments must be addressed to: The Head, Department of Health, PO Box 2060, Cape Town 8000 (For attention: Ms Gaynore Isaacs).

| PRIVATE HEALTH ESTABLISHMENT | NAME AND ADDRESS OF PROPRIETOR | LOCATION | TOTAL NUMBER OF BEDS THEATRES | TYPE OF FACILITY |
|--------------------------------------|--|-------------------|---|-------------------------|
| Groot Brak Day Clinic | Ms M Warden PO Box 2380 Mossel Bay Tel: (044) 690-5228 Fax: (044) 691-3717 | Groot Brak Rivier | Application for the registration of a new day clinic with 20 (twenty) day beds and 2 major theatres. | Acute |
| Bergville Nursing Clinic | Ms EIC Deysel PO Box 214 George 6530 Tel: (044) 801-4198 Fax: (044) 801-4195 | George | Application for the registration of new sub-acute facility with 36 (thirty six) beds for frail, medium term rehabilitation, step-down and convalescent care. | Non-Acute |
| National Radiology Services—Hout Bay | Dr K Sneider/ Ms E Bosch PO Box 1075 Highlands North 2037 Tel: (011) 601-4900 Fax: 086 660-6259 | Hout Bay | Application for the registration of a new radio-diagnostic unit with 1 (one) bucky room. | Radio-Diagnostic |
| National Radiology Services—Atlantis | Dr K Sneider/ Ms E Bosch PO Box 1075 Highlands North 2037 Tel: (011) 601-4900 Fax: 086 660-6259 | Atlantis | Application for the registration of a new radio-diagnostic unit with 1 (one) bucky room. | Radio-Diagnostic |
| B Braun Avitum—George | Mr C Davidson PO Box Randburg 2125 Tel: (011) 548-5500 Fax: 086 523-7262 | George | Application for the registration of a new dialysis unit with 5 (five) standard treatment stations, 1 (one) peritoneal dialysis room and 1 (one) isolation haemodialysis station | Dialysis |
| B Braun Avitum—Worcester | Mr C Davidson PO Box Randburg 2125 Tel:(011) 548-5500 Fax: 086 523-7262 | Worcester | Application for the registration of a new dialysis unit with 5 (five) standard treatment stations, 1 (one) peritoneal dialysis room and 1 (one) isolation haemodialysis station | Dialysis |
| Tranquility Clinic | Dr D Lazarus 86 New Church Street Tamboerskloof 8001 Tel: (021) 424-1112 Fax (021) 424-1118 | Tamboerskloof | Application for the registration of a new plastic & reconstructive surgery practice with 2 (two) adult surgical beds, 2 (two) day beds and 1 (one) minor theatre. | Acute |
| Santa Margherita Care Centre | Mr CF Calitz PO Box 414 Parow 7500 Tel:(021) 948-9510 Fax: (021) 948-9520 | Durbanville | Application for the registration of a new residential facility with 15 (fifteen) beds for adult mental health care. | Community Mental Health |

DEPARTEMENT GESONDHEID

ALGEMENE KENNISGEWING

Kennisgewing ingevolge sub-regulasie 6(1) en 6(2) van regulasie 187 van 2001.

Die Wes-Kaapse Provinsiale Minister verantwoordelik vir Gesondheid gee hiermee kennis van die volgende aansoeke wat ontvang is vir die oprigting van private gesondheidsinrigtings in die Wes-Kaap. Afskrifte van die aansoeke kan teen 'n nominale bedrag bekom word van die Hoofdirektoraat: Professionele Ondersteuningsdienste, Provinsiale Departement van Gesondheid, Posbus 2060, Kaapstad 8000, tel: (021) 483-5811.

Let asseblief daarop dat alle belangstellendes uitgenooi word om skriftelike kommentaar oor enige van die aansoeke voor te lê aan die Wes-Kaapse Departement van Gesondheid. Kommentaar moet binne die volgende tydperke ingedien word: Algemene akute, nie-akute en psigiatrisse private gesondheids instellings binne 30 dae vanaf die uitreiking van hierdie publikasie. Gemeenskapspsigiatriegesondheidsorg-fasiliteite binne 14 dae vanaf die uitreiking van hierdie publikasie. Alle kommentaar moet geadresseer word aan: Die Hoof, Departement van Gesondheid, Posbus 2060, Kaapstad 8000 (Vir aandag: Me Gaynore Isaacs).

| PRIVATE GESONDHEIDS-INRIGTING | NAAM EN ADRES VAN EIENAAR | STANDPLAAS | TOTALE GETAL BEDDENS/ TEATERS | TIPE INRIGTING |
|--|---|------------------|--|--|
| Groot Brak Dag Kliniek | Me M Warden PO Box 2380 Mossel Bay Tel: (044) 690-5228 Faks: (044) 691-3717 | Groot Brakrivier | Aansoek om registrasie van 'n nuwe dag kliniek met 20 (twintig) dag beddens en 2 (twee) groot teaters. | Akute |
| Bergville Verpleeg Kliniek | Me EIC Deysel Posbus 214 George 6530 Tel: (044) 801-4198 Faks: (044) 801-4195 | George | Aansoek om registrasie van 'n nuwe sub-akute kliniek met 36 (ses en dertig) beddens vir verswakte, medium rehabilitasie, oorgang en herstel sorg. | Nie-Akute |
| Nasionale Radio diagnostiese Dienste—Hout Baai | Dr K Sneider/ Me E Bosch Posbus 1075 Highlands North 2037 Tel: (011) 601-4900 Faks: 086 660-6259 | Houtbaai | Aansoek om registrasie van 'n nuwe radio- diagnostiese eenheid met 1 (een) algemene diagnostiese kamer. | Radio- Diagnostiese |
| Nasionale Radio diagnostiese Dienste—Atlantis | Dr K Sneider/Me E Bosch Posbus 1075 Highlands North 2037 Tel: (011) 601-4900 Faks: 086 660-6259 | Atlantis | Aansoek om registrasie van 'n nuwe radio-diagnostiese eenheid met 1 (een) algemene diagnostiese kamer. | Radio- Diagnostiese |
| B Braun Avitum—George | Mnr C Davidson Posbus 1273 Randburg 2125 Tel: (011) 548-5500 Faks: 086 523-7262 | George | Aansoek om registrasie van 'n nuwe dialise eenheid met 5 (vyf) standaard behandeling stasies, 1 (een) peritoneaal dialise kamer en 1 (een) isolasie hemodialise stasie. | Dialise |
| B Braun Avitum—Worcester | Mnr C Davidson Posbus 1273 Randburg 2125 Tel: (011) 548-5500 Faks: 086 523-7262 | Worcester | Aansoek om registrasie van 'n nuwe dialise eenheid met 5 (vyf) standaard behandeling stasies, 1 (een) peritoneaal dialise kamer en 1 (een) isolasie hemodialise stasie. | Dialise |
| Tranquility Kliniek | Dr D Lazarus New Church Straat 86 Tamboerskloof 8001 Tel: (021) 424-1112 Faks: (021) 424-1118 | Tamboerskloof | Aansoek om registrasie van 'n nuwe plasties & rekonstruktiewe chirurgiese praktyk met 2 (twee) volwasse sjirurgiese beddens, 2 (twee) dag beddens en 1 (een) klein teater. | Akute |
| Santa Margherita Sorg Sentrum | Mnr CF Calitz Posbus 414 Parow 7500 Tel: (021) 948-9510 Faks: (021) 948-9520 | Durbanville | Aansoek om registrasie van 'n nuwe residensiële fasiliteit met 15 (vyftien) beddens vir volwasse geestesgesondheidsorg. | Gemeenskapsgeestes - gesondheidsorg |

CITY OF CAPE TOWN**CITY OF CAPE TOWN: TREATED EFFLUENT BY-LAW**

To control and regulate treated effluent in the City of Cape Town; and to provide for matters connected therewith.

Arrangement of Sections**Chapter 1****Definitions and General Provisions**

- 1 Definitions
- 2 Application and purpose of this by-law
- 3 Powers of the Director: Water and Sanitation and the Executive Director: City Health
- 4 Appointment of authorised officials
- 5 Delegation
- 6 Health risks and situations that require immediate action
- 7 Duties of the public
- 8 Recovery of costs
- 9 Compliance notices
- 10 Responsibility for compliance with this by-law.

Chapter 2**Provisions Relating to the Supply of Treated Effluent**

- 11 Unauthorised use of treated effluent
- 12 Application for supply of treated effluent
- 13 Agreements
- 14 Pipes in streets or public places
- 15 Termination of agreements
- 16 Interference with the water supply system
- 17 Obstruction of access to the treated effluent system
- 18 Servitudes
- 19 Interconnection between premises
- 20 Provision and position of isolating valves
- 21 Availability and Assurance of Supply
- 22 Restriction or cutting off supply
- 23 Metering of treated effluent supplied
- 24 Quantity of treated effluent supplied
- 25 Resale of treated effluent
- 26 Estimation of quantity of treated effluent supplied to consumer through defective meter
- 27 Special measurement

Chapter 3**General Treated Effluent Installation Requirements**

- 28 Provision and maintenance of treated effluent installations
- 29 Accepted pipes and treated effluent fittings
- 30 Signage
- 31 Design criteria for treated effluent installations

Chapter 4**Water Quality**

- 32 Disclaimer in respect of treated effluent quality
- 33 Regulations from the Department of Water Affairs and Forestry

Chapter 5

Health and Hygiene

34 Guide on Permissible Utilization and Disposal of Treated Sewage Effluent

Chapter 6

Plans approval procedure

35 Plans approval procedure

Chapter 7

Installation by Plumbers

36 Persons permitted to do installation and other work

37 Responsibilities of a property owner or consumer

Chapter 8

Good Use Practices

38 Management

39 Offences and penalties

40 Indemnity

41 Appeals

Schedule 1: Accepted Pipes and Fittings

Schedule 2: Signage

Schedule 3: Guide: Permissible utilization and disposal of treated sewage effluent.

Chapter 1

Definitions and General Provisions

Definitions

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

“**agreement**” means a signed contract agreement regarding the use and responsibilities of each party entered into between the City and a consumer;

“**authorised official**” means an authorised official of the City appointed by the Director: Water and Sanitation to enforce the provisions of this By-law;

“**borehole**” means a hole sunk into the earth for the purpose of locating, abstracting or using subterranean water; and includes a spring, well and well point;

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

“**City Manager**” means the person appointed by the Council in terms of section 82 of the Local Government: Municipal Structures Act, 1998(Act No. 117 of 1998);

“**consumer**” means a person approved by the Director: Water and Sanitation to use treated effluent from any installation connected to a connection pipe which is supplied with treated effluent from a main;

“**Council**” means the council of the City or any of the other political structures, political office bearers, councilors or staff members, of the City duly authorised by delegation;

“**Credit Control and Debt Collection By-Law**”, means the Credit Control and Debt Collection By-Law, adopted by the council and published in the **Provincial Gazette**;

“**Director: Water and Sanitation**” means the employee of the City in charge of the Water and Sanitation Services;

“**Executive Director: City Health**” means the Executive Director responsible for health matters in the City;

“**health nuisance**” means a situation or state of affairs that endangers life or health or adversely affects the well-being or mental well-being of a person or community, or creates an environmental risk, and “**health hazard**” has a similar meaning;

“**installation work**” means work in respect of the construction of, or carried out on, a treated effluent installation;

“**meter**” means a device which measures the quantity of treated effluent passing through it;

“**non potable water**” means water obtained from sources other than potable networks of the City and includes spring water, borehole water, groundwater and river extraction;

“**occupier**” means a person who occupies any premises or part thereof, without regard to the title under which he or she occupies;

“**owner**” means —

(a) the person in whom from time to time is vested the legal title to premises;

(b) in a case where the person in whom the legal title to premises is vested is insolvent or dead, or is under any form of legal disability whatsoever, the person in whom the administration and control of such premises is vested as curator, trustee, executor, administrator,

judicial manager, liquidator or other legal representative;

- (c) in any case where the City is unable to determine the identity of such person, a person who is entitled to the benefit of the use of such premises or a building or buildings thereon;
- (d) in the case of premises for which a lease agreement of 30 years or longer has been entered into, the lessee thereof;
- (e) the person who has purchased immovable property from the City, in terms of a scheme that allows for the purchase price to be paid in installments and who has not received transfer from the City;
- (f) 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), 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, and includes the lawfully appointed agent of such a person;

“**person**” includes a juristic person;

“**pollution**” means the direct or indirect alteration of the physical, chemical or biological properties of a water resource so as to make it—

- (a) less fit for any beneficial purpose for which it may reasonably be expected to be used; or
- (b) harmful or potentially harmful—
 - (i) to the welfare, health or safety of human beings;
 - (ii) to any aquatic or nonaquatic organisms;
 - (iii) to the resource quality; or
 - (iv) to property;

“**public notice**” means a notice published in a newspaper in the official languages in general use within the City ;

“**publish**” means—

- (a) to publish a notice in the **Provincial Gazette**,
- (b) to provide interested parties with copies of such publication, and
- (c) to post the notice so published on the notice boards of the City.

“**prescribed charge**” means a fee, charge or tariff determined and imposed by the Council in terms of the Tariff By-law;

“**SABS**” means the South African Bureau of Standards referred to in the Standards Act, No. 29 of 1993;

“**SANS**” means the South African National Standards and is a standard which has been set and issued by the SABS in terms of the provisions of the Standards Act, No. 29 of 1993;

“**storage tank**” means a tank forming part of a treated effluent installation and used for the storage of treated effluent;

“**Tariff By-law**” means the Tariff By-law promulgated by the Council in terms of section 75 of the Local Government: Municipal Systems Act, No 32 of 2000, or in terms of section 75A of that Act to levy and recover fees, charges or tariffs;

“**treated effluent**” means wastewater which has been treated;

“**treated effluent installation**” means the pipes and fittings which are situated on any premises and vested in the owner thereof and used or intended to be used in connection with the use of treated effluent on such premises, and includes a pipe and a fitting situated outside the boundary of the premises, which either connects to the communication pipe relating to such premises or is otherwise laid with the permission of the City;

“**treated effluent tracer**” means any dye or chemical approved by the Director: Water and Sanitation to clearly colour the treated effluent

“**water services facility**” means any land on which there is infrastructure installed or used by the City or a catchment area in connection with the supply of treated effluent;

“**well point**” means a small diameter pipe jetted into unconsolidated sandy or gravelly formations, with a pump situated at ground level to lift and distribute the water.

Application and purpose of this By-law

2. (1) This By-law binds all organs of state.

(2) Any provision in any other by-law dealing specifically with treated effluent, is subject to the provisions of this By-law.

(3) Unless the contrary is proved, a breach of this By-law committed on premises in respect of—

- (a) the treated effluent installation shall be deemed to be a breach by the owner of the premises and he or she can be held liable for all consequential damage; and
- (b) the use of treated effluent from a treated effluent installation shall be deemed to be a breach by the consumer.

Powers of the Director: Water and Sanitation and the Executive Director: City Health

3. (1) If the treated effluent installation or a part thereof on a premises is so defective or in such a condition or position as to cause, or be likely to cause waste or undue consumption, or a health or safety hazard, the Director: Water and Sanitation or the Executive Director: City Health may by notice in writing require the owner to comply with the provisions of this By-law within a specified period.

(2) The Director: Water and Sanitation must consult with the Executive Director: City Health on all matters where this service has an impact on health and in all matters where there is a likelihood of a health hazard or environmental pollution, provided that in cases of an emergency the Director: Water and Sanitation may only inform the Executive Director: City Health of such likelihood.

Appointment of authorised officials

4. The Director: Water and Sanitation may appoint authorised officials.

Delegation

5. (1) The City Manager may delegate any of his or her powers and duties in terms of this By-law to any official of the City.
- (2) The Director: Water and Sanitation may delegate any of his or her powers and duties in terms of this By-law to any official of the City.

Health risks and situations that require immediate action

6. (1) The Director: Water and Sanitation may, in cases of health risks or situations that require immediate action take any reasonable measures to prevent or eradicate such health risks or situations.
- (2) When a health risk or situation as contemplated in subsection (1) occurs on private property, the Director: Water and Sanitation may—
- (a) by written notice direct the owner or consumer to take such measures as may be deemed necessary to prevent or eradicate the health risk or situation; or
 - (b) in the event that the owner or consumer cannot be found or the owner or consumer fails to immediately comply with the requirements of the Director: Water and Sanitation, take such measures as may be deemed necessary to prevent or eradicate the health risk or situation.
- (3) In the event where the health risk emanates from a treated effluent installation the consumer supplied by such installation is liable for the costs incurred by the City.

Duties of the public

7. (1) Every member of the public must, on becoming aware of any health risk or imminent situation that requires immediate attention or a situation that may give rise to pollution, immediately inform the Director: Water and Sanitation who in turn must, in respect of emergencies relating to health hazards, inform the Executive Director: City Health.
- (2) Any person acting in terms of subsection (1) who does not wish to be identified, may request that his or her name not be disclosed in any subsequent action.

Recovery of costs

8. (1) Every person committing a breach of the provisions of this By-law is fully liable for the consequences of the breach and to compensate the City for any loss or damage suffered or sustained by it in consequence thereof.
- (2) The City may recover any costs reasonably incurred in taking any measures in terms of this By-law from any person who was under a legal obligation to take those measures, including—
- (a) a person on whom a compliance notice was served;
 - (b) the owner of the premises concerned; or
 - (c) the consumer.
- (3) The Director: Water and Sanitation may issue a cost order requiring a person who is liable to pay costs incurred in terms of subsection (1) to pay those costs by a date specified in the order and such order constitutes **prima facie** evidence of the amount due.

Compliance notices

9. (1) When an authorised official finds that a provision of this By-law is contravened or that a condition has arisen that has the potential to lead to a contravention of this By-law, such authorised official may issue a compliance notice to the consumer or owner concerned or person who is contravening the provisions of this By-law.
- (2) A notice issued in terms of subsection (1) must state —
- (a) the provision of the By-law that is being contravened or will be contravened if the condition is allowed to continue;
 - (b) the measures that must be taken to rectify the condition; and
 - (c) the time period in which the notice must be complied with.
- (3) If a person on whom notice was served in terms of subsection (2) fails to comply with the requirements of the notice, the Director: Water and Sanitation may take such steps as may be necessary to rectify the condition at the cost of the person responsible, or take any other action deemed necessary to ensure compliance.

- (4) The Director: Water and Sanitation, subject to the provisions of this By-law, retains the power to take any action including the immediate discontinuation of the water supply in appropriate circumstances.

Responsibility for compliance with this By-law

10. (1) The owner is responsible for ensuring compliance with this By-law in respect of all or any matters relating to the treated effluent installation and the maintenance thereof.
- (2) The consumer is responsible for compliance with this By-law in respect of matters relating to the use of any treated effluent.

Chapter 2

Provisions Relating to the Supply of Treated Effluent

Unauthorised use of treated effluent

11. No person may use treated effluent from the treated effluent supply system—
- (a) unless an agreement referred to in section 13 has been concluded;
 - (b) unless his or her potable water supply has a suitable backflow preventer to the satisfaction of the Director: Water and Sanitation installed; or
 - (c) except through a metered and backflow prevented treated effluent supply point specifically installed by the City for the supply of treated effluent.

Application for supply of treated effluent

12. (1) Treated effluent from the treated effluent supply system of the City will not be supplied to any premises unless the consumer, with the consent of the owner, has applied to the City for a supply and such application has been agreed to, subject to such conditions as may be imposed by the Director: Water and Sanitation.

(2) The consumer is liable for all the fees in respect of the supply of treated effluent, determined in terms of the Tariff By-law, until the supply has been interrupted at the request of the consumer or **the agreement** has been terminated in accordance with this By-law.

(3) An application must contain at least the following information -

- (a) a declaration that the applicant is aware of and understands the contents of the agreement;
- (b) acceptance of liability in terms of this By-law for the cost of the supply of treated effluent until the agreement is terminated;
- (c) the name of the applicant and his or her identity number;
- (d) the address or erf number of the premises to or on which treated effluent is to be supplied;
- (e) the address where accounts must be sent;
- (f) the purpose for which the treated effluent is to be used;
- (g) the agreed date on which the supply of treated effluent will commence;
- (h) the plumbing layout; and
- (i) an undertaking by the applicant to inform the City of any change in regard to the provisions of (a) to (h).

(4) Where the purpose for, or extent to which, the treated effluent applied for in subsection (3)(f) is changed, the consumer must promptly in addition to advising the City of the change, enter into a new agreement with the City.

(5) Treated effluent may only be supplied where reticulation exists.

Agreements

13. (1) All consumers of treated effluent are required to enter into an agreement with the City subject to the provisions of this By-law.

(2) The agreement contemplated in subsection (1) must contain all the information referred to in section 12(3)(a) to (i).

Pipes in streets or public places

14. No person may for the purpose of conveying treated effluent derived from whatever source, lay or construct a pipe or associated component on, in or under a street, public place or other land owned by or under the control of the City, except with the prior written permission of the Director: Water and Sanitation and subject to such conditions as he or she may impose.

Termination of agreements

15. (1) A consumer may terminate an agreement for the provision of treated effluent by giving the Director: Water and Sanitation not less than seven days' notice in writing of his or her intention to do so.

(2) The Director: Water and Sanitation may, by notice in writing of not less than fourteen days, advise a consumer of the termination of his or her agreement for the supply of treated effluent —

- (a) where the agreement has expired, that he or she has not made arrangements to the satisfaction of the Director: Water and Sanitation for the continuation of the agreement, or
- (b) where he or she has failed to comply with the provisions of this By-law or has failed to rectify such failure following the issue of a compliance notice; or
- (c) where he or she has failed to pay any fees due and payable in terms of the Tariff By-law.

(3) The Director: Water and Sanitation may terminate an agreement for the supply of treated effluent if the premises to which such agreement relates have been vacated.

Interference with the treated effluent supply system

16. No person other than the City may effect a connection to the treated effluent system of the City.

Obstruction of access to the treated effluent supply system

17. No person may prevent or restrict the access of officials of the City to the treated effluent system.

Servitudes

18. The consumer is responsible for obtaining at his or her cost, such servitudes over other property as may be necessary for the treated effluent system.

Interconnection between premises

19. A consumer must ensure that no interconnection exists between the treated effluent installation on the premises and the treated effluent installation on other premises, unless the consumer has obtained the prior written consent of the Director: Water and Sanitation and has complied with any conditions imposed by him or her.

Provision and position of isolating valves

20. (1) The Director: Water and Sanitation must install an isolating valve between every meter and the main.

(2) The consumer must, at own expense, and for his or her exclusive use, provide and install an isolating valve—

- (a) in the case of a meter installed on the premises, at a suitable point on his or her side of the meter;
- (b) in the case of a meter installed outside the premises, at a suitable point immediately inside the boundary of his or her premises,

provided that the Director: Water and Sanitation may, on failure of the consumer and at the consumer's expense, provide and so install an isolating valve.

(3) No person may without the approval of the Director: Water and Sanitation tamper with the isolating valve between the meter and the main.

Availability and assurance of supply

21. (1) The supply of treated effluent by the City does not constitute an undertaking to maintain at any time or at any point in its treated effluent system—

- (a) an uninterrupted supply;
- (b) a specific pressure or rate of flow in such supply; or
- (c) a specific standard of quality of the water.

(2) If a consumer requires an uninterrupted supply, a specific pressure or rate of flow or a specific standard of quality of water on the premises, the consumer must make his or her own arrangements for compliance with such requirements.

(3) The City may, for the purpose of this By-law, interrupt the supply of treated effluent without prior notice.

(4) If the consumption of treated effluent on a premises adversely affects the supply of treated effluent to another premises, the Director: Water and Sanitation may apply such restrictions as he or she may deem fit to the supply of treated effluent to the first-mentioned premises in order to ensure a reasonable supply of treated effluent to the other premises, and must inform the consumer of the first mentioned premises of such restrictions.

Restriction or cutting-off of supply

22. (1) Subject to any other right the City may have, the Director: Water and Sanitation may, if a consumer has failed to pay a sum due in terms of the Tariff By-law, by written notice inform him or her of the intention to restrict or cut off the supply of treated effluent on a specified date and to restrict or cut off such supply on or after that date.

(2) Subject to any other right the City may have, the Director: Water and Sanitation may by written notice, if a consumer has contravened this By-law and has failed to rectify such contravention within the period specified in a written notice served on him or her requiring him or her to do so, inform him or her of the intention to restrict or cut off his supply of treated effluent on a specified date and to restrict or cut off such supply on or after that date.

(3) The consumer or the owner must pay the fees for the cutting-off of supply and restoration of the treated effluent supply in terms of the Tariff By-law: Provided that all such fees are paid prior to the restoration of the treated effluent supply.

(4) A consumer whose access to treated effluent has been restricted or disconnected, who unlawfully reconnects it, must be disconnected.

Metering of treated effluent supplied

23. (1) Treated effluent supplied to premises must pass through a meter, installed in a position determined by the Director: Water and Sanitation.

(2) A meter and its associated apparatus is provided and installed by the City, remains its property, and may be replaced or removed when deemed necessary by the Director: Water and Sanitation.

(3) If the City installs a meter together with its associated apparatus in a treated effluent installation the consumer—

- (a) must provide an installation point approved by the Director: Water and Sanitation;
- (b) must ensure that unrestricted access is available to it at all times;
- (c) is responsible for its protection when situated inside the property and liable for the costs arising from damage thereto excluding damages arising from normal fair wear and tear;
- (d) must ensure that no connection is made to the pipe in which the meter is installed, between the meter and the main;
- (e) must make provision for the drainage of water which may be discharged from the pipe in which the meter is installed, in the course of work done by the City on the meter; and
- (f) may not use, nor permit to be used, on any treated effluent installation, any fitting, machine or appliance which causes damage or is likely to cause damage to the treated effluent supply system inclusive of the meter.

(4) Only the City may—

- (a) disconnect a meter and its associated apparatus from the pipe in which they are installed;
- (b) break a seal on a meter; or
- (c) in any other way interfere with a meter and its associated apparatus.

(5) Any person contravening subsection (4) must pay the City the cost of such quantity of treated effluent as was supplied.

(6) An occupier of a premises must, immediately upon detection of a leak in a service pipe or from the body of the meter or its associated fittings, inform the City.

(7) If access to a meter is denied for reading purposes, the Director: Water and Sanitation may—

- (a) upon written notice to the consumer on the premises, inform him or her of the intention to install at the consumer's cost, another meter;
- (b) render an account for the quantity of treated effluent consumed at such premises as measured on the meter installed.

(8) The owner of the premises is liable for all costs of the treated effluent supply system and apparatus inclusive of the meter where damaged as a result of negligence or installation of incorrect fittings or appliances.

Quantity of treated effluent supplied

24. For the purpose of assessing the quantity of treated effluent supplied through a meter over a specific period, it must be deemed, unless the contrary can be proved, that—

- (a) the quantity is represented by the difference between readings of the meter taken at the beginning and end of such period;

- (b) the meter was registering correctly during such period; and
- (c) the entries in the records of the City were correctly made;

provided that if treated effluent is supplied or taken without its passing through a meter where tampering has occurred, the estimate by the Director: Water and Sanitation of the quantity of such treated effluent shall be deemed to be correct.

Resale of treated effluent

25. (1) No person who is supplied with treated effluent in terms of this By-law may sell such treated effluent unless—

- (a) provision has been made therefore in an agreement referred to in section 13; or
- (b) he or she has obtained the prior written permission of the Director: Water and Sanitation.

(2) If the Director: Water and Sanitation grants the permission referred to in subsection (1)(b), he or she may stipulate the maximum price, determined by Council, at which the treated effluent may be sold and impose such other conditions as he or she may deem fit.

(3) Permission referred to in subsection (1)(b) may, due to failure to comply with the conditions imposed by the Director: water and Sanitation, be withdrawn at any time.

Estimation of quantity of treated effluent supplied to consumer through defective meter

26. (1) If a meter is found to be defective, the Director: Water and Sanitation may estimate the quantity of treated effluent supplied to the consumer concerned during the period in which such meter was defective, on the basis of the average daily quantity of treated effluent supplied over—

- (a) a period between two successive meter readings subsequent to the replacement of the meter; or
- (b) a period in the previous year corresponding to the period in which the meter was defective; or
- (c) the period between three successive meter readings prior to the meter becoming defective,

whichever the Director: Water and Sanitation considers the most appropriate.

(2) If the quantity of treated effluent supplied to a consumer during the period when the meter was defective cannot be estimated in terms of subsection (1), the Director: Water and Sanitation may estimate the quantity on any basis that is available.

(3) The consumer must be informed of the method used by the Director: Water and Sanitation to estimate the quantity of treated effluent supplied to him or her, as contemplated in subsection (1) and (2) and given an opportunity to make representations to the Director: Water and Sanitation before a final estimate is arrived at.

Special Measurement

27. (1) If the Director: Water and Sanitation requires, for purposes other than charging for treated effluent consumed, to ascertain the quantity of treated effluent which is used in a part of a treated effluent installation, may, by written notice, advise the consumer concerned of his or her intention to install a measuring device at any point in the treated effluent installation that he or she may specify.

(2) The installation and removal of a measuring device referred to in subsection (1) will be carried out at the expense of the City.

(3) The provisions of sections 23(3) (b) and 24(b) apply, insofar as they may be applicable, in respect of a measuring device that has been installed in terms of subsection (1).

(4) The City may on receipt of a written notice from the consumer and subject to arrangement of payment of the relevant prescribed charge for water meters, read the meter to ascertain the quantity of treated effluent supplied at a time, or on a day, other than upon which the meter would normally be read.

Chapter 3

General Treated Effluent Installation Requirements

Provision and maintenance of treated effluent installations

28. (1) A consumer must provide and maintain the treated effluent installation at own cost and, except—

- (a) in the case of a connection to a communication pipe; or
- (b) where permitted in terms of section 14, and

must ensure that the installation is within the boundary of the premises.

(2) Before work is commenced in connection with the maintenance of a portion of the treated effluent installation which is situated outside the boundary of the premises, a consumer must obtain the written consent of the Director: Water and Sanitation or the owner of the land on which such portion is situated, as the case may be.

Accepted pipes and treated effluent fittings

29. (1) No person may install or use a pipe or treated effluent fitting in a treated effluent installation unless it complies with Schedule 1.

(2) Notwithstanding the provision of subsection (1), the Director: Water and Sanitation may for a specific use in a specific installation, permit the installation or use of a pipe or treated effluent fitting which is not included in Schedule 1.

(3) The Director: Water and Sanitation may, in respect of any pipe or treated effluent fitting included in Schedule 1, impose such conditions as he or she may deem necessary in respect of the use or method of installation thereof.

(4) The Director: Water and Sanitation may at any time remove a pipe or treated effluent fitting from Schedule 1 if the pipe or treated effluent fitting no longer suitable for the purpose for which its use was accepted or included.

(5) The Director: Water and Sanitation must ensure that copies of Schedule 1 are available at the office of the City during working hours.

Signage

30. (1) An owner of premises, on which non-potable water is used, must ensure that every terminal water fitting and every appliance which supplies or uses the water is clearly marked with a weatherproof notice indicating that such water is unsuitable for domestic purposes.

- (2) In an area where treated sewage effluent is used, the consumer shall erect weatherproof notices in prominent positions warning that such water is not suitable for domestic purposes.
- (3) Every warning notice prescribed in terms of subsections (1) and (2) must be in the three official languages used in the City.
- (4) Signage must comply with the minimum standard set in the signage of the City as contained in Schedule 2.
- (5) Prominent notices indicating that non potable water is being used is to be erected in a position clearly visible from a public thoroughfare, at positions determined by the City.
- (6) The Director: Water and Sanitation may subject to national legislation or any other law substitute Schedule 2 to this By-law and issue revised or new signage applicable in terms of this section.

Design criteria for treated effluent installations

31. (1) A consumer must ensure that—

- (a) treated effluent installations comply with SANS 10252: 2004 Part 1, or as it may be amended; and
- (b) no interconnection between treated effluent and potable water supplies exist.

(3) If a pipe or treated effluent fitting of a particular type is unsuitable for use in a particular situation or any connection between treated effluent and potable water supplies are made, the Director: Water and Sanitation may by written notice to the owner—

- (a) prohibit the use thereof; or
- (b) require acceptable protective measures to be applied.

(4) No person may connect to a treated effluent installation a treated effluent fitting or apparatus which causes or is likely to cause damage to the treated effluent supply system or another water installation as a result of pressure surges.

(5) Premises that require feeds from both the treated effluent and potable supply schemes must comply with the following minimum standard:

- (a) Where both treated effluent and potable supply is to feed into a storage tank with separate lines without connection,—
 - (i) the feeds should be into the top of such a storage tank and close with manual or float ball valves;
 - (ii) the potable supply pipe must pass over the rim of the tank, not through the sidewall and end at least 100mm above the top of the maximum possible water level in the tank to ensure an air gap is always present and no feedback is possible; and
 - (iii) distribution from the tank can then take place with a pump or other reticulation system.
- (b) Feed into an irrigation system or other distribution may take place through a switchover chamber that allows only one connection at a time through a flexible hose installation.
- (c) The flexible hose installation referred to in paragraph (b) shall include the following safety systems:
 - (i) the connection of the flexible hose to the discharge or downstream side shall be fixed and unremovable;
 - (ii) a vacuum break air valve shall be installed on the discharge or downstream side; and
 - (iii) the covers to the chamber shall be lockable for controlled access.

(6) The connection details of the chosen standard as described in subsection (5) must be submitted to the Director: Water and Sanitation for approval and the approved copy will form part of the signed agreement in section 13.

(7) Any consumer with both a treated effluent and a potable water supply on the premises, must install a Reduced Pressure Zone Backflow Preventer (RPZ) in accordance with SANS 10252-1: 2004 Part 1 in all the potable water supply points entering the premises, downstream of his or her isolating valve which is situated downstream of the water meter.

(8) The treated effluent tracer of the City with text and SABS non-potable sign must be installed—

- (a) for the full length of all pipelines, including all distribution lines within the property;
- (b) directly over the pipeline; and
- (c) at a depth not greater than 500 mm below ground level.

(9) All exposed pipelines shall be painted orange and suitably designated.

Chapter 4

Water Quality

Disclaimer in respect of treated effluent quality

32. (1) The City does not warrant, expressly or impliedly, the purity of any treated effluent supplied by it or its suitability for the purpose for which the supply was granted.

(2) The quality of the treated effluent may vary and the consumer must take this into account.

(3) The use of treated effluent is entirely at the risk of the consumer and the City is not liable for any consequential damage or loss arising directly or indirectly therefrom.

(4) The City is under no obligation to test the quality of the treated effluent.

(5) Should a consumer require the quality parameters, he or she must have it analysed at own cost and the onus is on him or her to monitor the quality of the water supplied.

Regulations from the Department of Water Affairs and Forestry

33. Notices issued in terms of section 39 of the National Water Act, 1998 (Act No. 36 of 1998) are applicable within the area of jurisdiction of the City.

Chapter 5

Health and Hygiene

Guide on permissible utilization and disposal of treated sewage effluent

34. (1) The guide on permissible utilisation and disposal of treated effluent set in Schedule 3 to this By-law is applicable within the area of jurisdiction of the City.

(2) The Director: Water and Sanitation may subject to national legislation or any other law substitute Schedule 3 to this By-law and issue a revised or new guide applicable in terms of this section.

Chapter 6

Plans approval procedure

35. If a consumer wishes to install a new treated effluent installation, he or she must, in terms of applicable legislation, first obtain the written approval of the building plan for such installation.

Chapter 7

Installation by Plumbers

Persons permitted to do installation and other work

36. (1) No person, who is not qualified and accredited in terms of the South African Qualifications Authority Act, 1995 (Act No. 58 of 1995) may do installation work for which approval is required in terms of section 35;

(2) The Director: Water and Sanitation may maintain a register of such qualified plumbers.

Responsibilities of a property owner or consumer

37. (1) A property owner or consumer must ensure that the installation work done on his or her premises is carried out by a qualified plumber and complies with this By-law.

(2) If installation work is being done in contravention of section 36, the Director: Water and Sanitation may by written notice require the owner of the premises concerned to cease such work until he or she has employed a qualified plumber to—

- (a) inspect such work and rectify any part of it which does not comply with this By-law; and
- (b) ensure that a certificate of compliance stating that the work carried out complies with this By-law is submitted to the Director: Water and Sanitation.

Chapter 8

Good Use Practices

Management

38. A consumer should assign the responsibility for the use of treated effluent to a person suitably qualified to manage use of treated effluent.

Offences and penalties

39. (1) Any person who—

- (a) contravenes any provision of this By-law;
- (b) fails to comply with the terms of any notice issued in terms of this By-law;
- (c) threatens, resists, hinders or obstructs or uses foul, abusive or insulting language towards or at a councilor or an employee or contractor of the Council in the exercise of any powers or performance of any duties or function in terms of this By-law, or falsely holds himself or herself to be a councilor or an employee or a contractor of the Council,

shall be guilty of an offence and be liable, on conviction, to a term of imprisonment or a fine or to both such imprisonment and such a fine.

Indemnity

40. The Council shall not be liable for any damages or compensation arising from anything done in good faith in the course of implementation of this By-law.

Appeals

41. A person whose rights are affected by a decision taken in terms of a power or duty delegated or sub-delegated in terms of this By-law, may appeal against that decision in accordance with section 62 of the Local Government: Municipal Systems Act, 2000 (Act No 32 of 2000).

Schedule 1

Accepted Pipes and Fittings

1. The piping used for treated effluent must be orange to be identified from the piping used for drinking water in respect of colour.
2. The taps, valves and sprayers of the irrigation system must be so designed that only authorised persons can open them or bring them into operation.
3. bears the standardization mark of the SABS in respect of the relevant SANS specification issued by the Bureau;
4. bears a certification mark issued by the SABS to certify that the pipe or treated effluent fitting complies with an SABS Mark specification or a provisional specification issued by the SABS, provided that no certification marks shall be issued for a period exceeding two years;

Schedule 2

Signage



Irrigation Notice

THESE PREMISES ARE IRRIGATED WITH TREATED WASTEWATER WHICH IS NOT SUITABLE FOR HUMAN CONSUMPTION

ISaziso esingokuNkcenkceshela

LE NDAWO INKCEKNCESHELWA NGAMANZI ASELE ESETYENZISIWE ACOCIWEYO EKUNGFANELEKANGA UKUBA ASELWE/ASETYENZISWE LULUNTU

Besproeiing kennisgewing

HIERDIE PERSEEL WORD MET BEHANDELDE AFVALWATER BESPROEI WAT NIE VIR MENSLIKE VERBRUIK GESKIK IS NIE

Schedule 3

Guide: Permissible utilization and disposal of treated sewage effluent



REFERENCE: 11/2/5/3

30 MAY 1978

GUIDE: PERMISSIBLE UTILISATION AND DISPOSAL OF TREATED SEWAGE EFFLUENT

This guide sets out the present policy of the Department and replaces all previous relevant guides. Any person intending to use treated effluent must obtain prior permission to do so from the Regional Director concerned.

This guide is applicable only to treated sewage effluent which is mainly of domestic origin and contains little or no industrial effluent.

The Regional Directors have been empowered to relax the requirements specified in this guide or to impose additional or more stringent requirements in the light of special circumstances in specific cases.

This guide defines the following:

- A. Classification of treated effluents
- B. Directives for the use of treated effluent for irrigation purposes.
- C. Directives for other uses of treated effluents.
- D. Methods of disposal and discharge of treated effluents.
- E. General directives and precautionary measures.

| CLASSIFICATION OF TREATED EFFLUENTS (SEWAGE PURIFICATION WORKS) | | A |
|--|--|---|
| <p>PS—PRIMARY AND SECONDARY TREATMENT — HUMUS TANK EFFLUENT Conventional sewage purification according to accepted design criteria#. This includes screening and primary settling followed by biological purification such as the biological filterbed process or activated sludge process. Secondary treatment also includes the settling or clarification after biological or alternative purification methods.</p> <p>PST—PRIMARY, SECONDARY AND TERTIARY TREATMENT Final effluent complies with the GENERAL STANDARD*, with the E.coli count relaxed to a maximum of 1000 E. coli /100 ml</p> <p>In addition to the above-mentioned primary and secondary or equivalent treatment one or more tertiary treatments, viz. land treatment, maturation pond, filtration, chlorination or other types of disinfection, etc., should be applied.</p> <p>STD—PRIMARY, SECONDARY AND TERTIARY TREATMENT (Compare with PST) Final effluent complies with the GENERAL STANDARD* viz. inter alia NIL E. coli/100 ml</p> <p>SP-STD — ADVANCED PURIFICATION Final effluent complies with at least the SPECIAL STANDARD* and the quality compares favourably with that recommended for drinking water</p> <p>In addition to the above-mentioned primary, secondary and tertiary treatment, advanced purification also includes special physico-chemical purification or other advanced techniques.</p> | <p>OD — OXIDATION POND SYSTEM Final effluent contains a maximum of 1 000 E. coli/100ml</p> <p>The pond system should be designed according to a recognised standard# and operated in a nuisance-free manner. The combined retention time of the primary pond and approximately 4 secondary ponds should usually be at least 45 days. This system should drain into an irrigation dam of which the reserve storage capacity during dry weather conditions is at least 12 days. Unless sufficient space is available and the ponds are sufficiently remote from built-up areas, this system is not recommended for communities with a population exceeding 5 000.</p> <p>Every oxidation pond system which is not able to deliver effluent of the above-mentioned quality should, for the purpose of this guide, be regarded on its merits as no more than equivalent to PS.</p> <p>SEPTIC TANK EFFLUENT (Primary settling and limited biological purification)</p> <p>This effluent must undergo further secondary and tertiary or equivalent treatment before it may be utilised for the purposes indicated in this guide.</p> <p>For the direct use or disposal, only nuisance-free land treatment or irrigation of fenced-in plantations will be permitted on its merits.</p> | |

| | |
|---|--|
| <p>*GENERAL AND SPECIAL STANDARD Quality requirements for purified sewage effluent as laid down by the Department of Water Affairs — see Government Pollution Notice R553 in <i>Government Gazette Extraordinary</i> of April (November 1973). 1962, and any amendments thereto. (E. coli = typical faecal coli).</p> | <p># DESIGN CRITERIA Design criteria such as those set out in A Guide to the Design of Sewage Purification Works of the Institute of Water Control (I.W.P.C.), Southern African Branch</p> |
|---|--|

THE ABOVE CLASSIFICATION OF TREATED SEWAGE EFFLUENT TYPES IS USED IN THE FOLLOWING TABLES

| DIRECTIONS FOR THE UTILISATION OF TREATED EFFLUENTS FOR IRRIGATION | | | | | | | B |
|--|--|---|--|--|--|--|---|
| IRRIGATION OF | | PS — PRIMARY AND SECONDARY | PST — PRIMARY, SECONDARY AND TERTIARY | STD — GENERAL STANDARD | SP-STD — ADVANCED PURIFICATION | OD — OXIDATION POND SYSTEM | |
| 1 | <ul style="list-style-type: none"> • VEGETABLES AND CROPS CONSUMED RAW BY MAN (3 EXCLUDED) • LAWNS AT SWIMMING POOLS, NURSERY SCHOOLS, CHILDREN'S PLAYGROUNDS | <ul style="list-style-type: none"> • NOT PERMISSIBLE | <ul style="list-style-type: none"> • NOT PERMISSIBLE | <ul style="list-style-type: none"> • NOT PERMISSIBLE | <ul style="list-style-type: none"> • ANY TYPE OF IRRIGATION PERMISSIBLE | <ul style="list-style-type: none"> • NOT PERMISSIBLE | |
| 2 | <ul style="list-style-type: none"> • CROPS FOR HUMAN CONSUMPTION WHICH ARE NOT EATEN RAW (VEGETABLES, FRUIT, SUGAR-CANE) • CULTIVATION OF CUT FLOWERS (SEE ALSO 6) | <ul style="list-style-type: none"> • NOT PERMISSIBLE | <ul style="list-style-type: none"> • ANY TYPE OF IRRIGATION PERMISSIBLE • EFFECTIVE DRAINING AND DRYING BEFORE HARVESTING IS ESSENTIAL | <ul style="list-style-type: none"> • ANY TYPE OF IRRIGATION PERMISSIBLE | <ul style="list-style-type: none"> • ANY TYPE OF IRRIGATION PERMISSIBLE | <ul style="list-style-type: none"> • ANY TYPE OF IRRIGATION PERMISSIBLE ON ITS MERITS • EFFECTIVE DRAINING AND DRYING BEFORE HARVESTING IS ESSENTIAL | |

| IRRIGATION OF | PS — PRIMARY AND SECONDARY | PST — PRIMARY, SECONDARY AND TERTIARY | STD — GENERAL STANDARD | SP-STD — ADVANCED PURIFICATION | OD — OXIDATION POND SYSTEM |
|--|---|--|---|---|---|
| <p>3</p> <ul style="list-style-type: none"> • FRUIT TREES AND VINEYARDS: FOR THE CULTIVATION OF FRUIT WHICH IS EATEN RAW BY MAN (SEE 2 — FRUIT WHICH IS NOT EATEN RAW) | <ul style="list-style-type: none"> • NOT PERMISSIBLE | <ul style="list-style-type: none"> • FLOOD IRRIGATION PERMISSIBLE • DRIP AND MICRO-IRRIGATION PERMISSIBLE ON THEIR MERITS PROVIDED FRUITS ARE NOT DIRECTLY EXPOSED TO SPRAY • EFFECTIVE DRAINING AND DRYING BEFORE HARVESTING • FALLEN FRUIT IS UNSUITABLE FOR HUMAN CONSUMPTION | <ul style="list-style-type: none"> • ANY TYPE OF IRRIGATION PERMISSIBLE | <ul style="list-style-type: none"> • ANY TYPE OF IRRIGATION PERMISSIBLE | <ul style="list-style-type: none"> • FLOOD, DRIP AND MICRO-IRRIGATION PERMISSIBLE ON THEIR MERITS PROVIDED FRUITS ARE NOT DIRECTLY EXPOSED TO SPRAY • EFFECTIVE DRAINING AND DRYING BEFORE FRUITS ARE HARVESTED • FALLEN FRUIT IS UNSUITABLE FOR HUMAN CONSUMPTION |
| <p>4</p> <ul style="list-style-type: none"> • GRAZING FOR CATTLE EXCLUDING MILK PRODUCING ANIMALS (SEE 5) | <ul style="list-style-type: none"> • NOT PERMISSIBLE | <ul style="list-style-type: none"> • ANY TYPE OF IRRIGATION PERMISSIBLE BUT NOT DURING GRAZING • GRAZING ONLY PERMISSIBLE AFTER EFFECTIVE DRAINING AND DRYING — NO POOLS • NOT PERMISSIBLE AS DRINKING WATER FOR ANIMALS | <ul style="list-style-type: none"> • ANY TYPE OF IRRIGATION PERMISSIBLE • PERMISSIBLE AS DRINKING WATER FOR ANIMALS | <ul style="list-style-type: none"> • ANY TYPE OF IRRIGATION PERMISSIBLE • PERMISSIBLE AS DRINKING WATER FOR ANIMALS | <ul style="list-style-type: none"> • ANY TYPE OF IRRIGATION PERMISSIBLE BUT NOT DURING GRAZING • GRAZING ONLY PERMISSIBLE AFTER EFFECTIVE DRAINING AND DRYING — NO POOLS • NOT PERMISSIBLE AS DRINKING WATER FOR ANIMALS |
| <p>5</p> <ul style="list-style-type: none"> • GRAZING FOR MILK PRODUCING ANIMALS (DEFINITION OF MILK — SECTION I(XV) OF THE HEALTH ACT 1977 (ACT 63 OF 1977)) | <ul style="list-style-type: none"> • NOT PERMISSIBLE | <ul style="list-style-type: none"> • NOT PERMISSIBLE | <ul style="list-style-type: none"> • ANY TYPE OF IRRIGATION PERMISSIBLE • PERMISSIBLE AS DRINKING WATER FOR ANIMALS | <ul style="list-style-type: none"> • ANY TYPE OF IRRIGATION PERMISSIBLE • PERMISSIBLE AS DRINKING WATER FOR ANIMALS | <ul style="list-style-type: none"> • NOT PERMISSIBLE |
| <p>6</p> <ul style="list-style-type: none"> • CROPS NOT FOR GRAZING, BUT UTILISED AS DRY FODDER • CROP CULTIVATED FOR SEED PURPOSES ONLY • TREE PLANTATIONS • NURSERIES — CUT FLOWERS EXCLUDED (SEE 2) • ANY PARK OR SPORTSFIELD ONLY DURING DEVELOPMENT AND BEFORE OPENING THEREOF | <ul style="list-style-type: none"> • ANY TYPE OF IRRIGATION PERMISSIBLE ON ITS MERITS • NO OVER-IRRIGATION OR POOL FORMING • NO SMELL NUISANCE • PROPERLY FENCED • NO PUBLIC ALLOWED • NO MEAT ANIMALS, MILK PRODUCING ANIMALS OR POULTRY ALLOWED | <ul style="list-style-type: none"> • ANY TYPE OF IRRIGATION PERMISSIBLE (SEE ALSO 4 AND 5) | <ul style="list-style-type: none"> • ANY TYPE OF IRRIGATION PERMISSIBLE | <ul style="list-style-type: none"> • ANY TYPE OF IRRIGATION PERMISSIBLE | <ul style="list-style-type: none"> • ANY TYPE OF IRRIGATION PERMISSIBLE (SEE ALSO 4 AND 5) |

| IRRIGATION OF | PS — PRIMARY AND SECONDARY | PST — PRIMARY, SECONDARY AND TERTIARY | STD — GENERAL STANDARD | SP-STD — ADVANCED PURIFICATION | OD — OXIDATION POND SYSTEM |
|---|--|---|---|--|--|
| 7 <ul style="list-style-type: none"> • PARKS AND SPORTSFIELDS (SEE 6) • LAWNS AT SWIMMING POOL EXCLUDED (SEE 1) • (i) PARKS, ONLY FOR BEAUTIFYING FLOWERBEDS, TRAFFIC ISLANDS ETC. — I.E.. NOT A RECREATION AREA • (ii) SPORTSFIELDS WHERE LIMITED CONTACT IS MADE WITH THE SURFACE EG. GOLF COURSES, CRICKET, HOCKEY AND SOCCER FIELDS, ETC. | <ul style="list-style-type: none"> • ONLY FLOOD IRRIGATION PERMISSIBLE • NO SPRINKLER IRRIGATION PERMISSIBLE • NO PUBLIC DURING IRRIGATION • NOT PERMISSIBLE | <ul style="list-style-type: none"> • FLOOD IRRIGATION PERMISSIBLE • SPRINKLER IRRIGATION PERMISSIBLE ON ITS' MERITS • NO PUBLIC DURING IRRIGATION • ANY TYPE OF IRRIGATION PERMISSIBLE • NO OVER-IRRIGATION AND NO POOL FORMING • NO PUBLIC OR PLAYERS DURING IRRIGATION • PUBLIC AND/OR PLAYERS ADMITTED ONLY AFTER EFFECTIVE DRAINING AND DRYING | <ul style="list-style-type: none"> • ANY TYPE OF IRRIGATION PERMISSIBLE • NO PUBLIC DURING IRRIGATION • ANY TYPE OF IRRIGATION PERMISSIBLE • NO OVER-IRRIGATION AND NO POOL FORMING • NO PUBLIC AND/OR PLAYERS DURING IRRIGATION | <ul style="list-style-type: none"> • ANY TYPE OF IRRIGATION PERMISSIBLE • ANY TYPE OF IRRIGATION PERMISSIBLE • NO PUBLIC AND/OR PLAYERS DURING IRRIGATION | <ul style="list-style-type: none"> • FLOOD IRRIGATION PERMISSIBLE • SPRINKLER IRRIGATION PERMISSIBLE ON ITS' MERITS • NO PUBLIC DURING IRRIGATION • FLOOD IRRIGATION PERMISSIBLE • SPRINKLER IRRIGATION PERMISSIBLE ON ITS' MERITS • NO OVER-IRRIGATION AND NO POOL FORMING • NO PUBLIC AND/OR PLAYERS DURING IRRIGATION • PUBLIC AND/OR PLAYERS ADMITTED ONLY AFTER EFFECTIVE DRAINING AND DRYING |
| <ul style="list-style-type: none"> • (iii) SPORTSFIELDS WHERE CONTACT IS OFTEN MADE WITH THE SURFACE , EG. RUGBY FIELDS, ATHLETICS TRACKS, ETC. • SCHOOL GROUNDS • PUBLIC PARKS — SPECIAL CHILDREN'S PLAYGROUNDS EXCLUDED (SEE 1) | <ul style="list-style-type: none"> • NOT PERMISSIBLE | <ul style="list-style-type: none"> • FLOOD IRRIGATION PERMISSIBLE • SPRINKLER IRRIGATION PERMISSIBLE ON ITS' MERITS • NO OVER-IRRIGATION AND NO POOL FORMING | <ul style="list-style-type: none"> • ANY TYPE OF IRRIGATION PERMISSIBLE • NO OVER-IRRIGATION AND NO POOL FORMING | <ul style="list-style-type: none"> • ANY TYPE OF IRRIGATION PERMISSIBLE | <ul style="list-style-type: none"> • ONLY FLOOD IRRIGATION PERMISSIBLE • SPRINKLER IRRIGATION NOT PERMISSIBLE • NO OVER-IRRIGATION AND NO POOL FORMING |
| | | | <ul style="list-style-type: none"> • NO PUBLIC OR PLAYERS DURING IRRIGATION • PUBLIC AND/OR PLAYERS ADMITTED ONLY AFTER EFFECTIVE DRAINING AND DRYING | | |

IRRIGATION — GENERAL REMARKS AND PRECAUTIONS

| | |
|--|--|
| <p>(a) In order to obviate the irrigation system causing a nuisance in time, evidence must be produced that the type of soil and the size of the surface as well as the type of crop concerned are suitable for irrigation with the proposed quantity and quality of effluent.</p> <p>(b) The piping used for effluent be markedly different from the piping used for drinking water in respect of colour, type of material and construction. This precaution is necessary in order to obviate accidental cross-coupling of piping.</p> <p>(c) In order to prevent persons from unwittingly drinking effluent water or washing with it, the taps, valves and sprayers of the irrigation system must be so designed that only authorised persons can open them or bring them into operation.</p> <p>(d) Every water point where uninformed persons could possibly drink effluent water must be provided with a notice in clearly legible English, Afrikaans and any other appropriate official languages, indicating that it is potentially dangerous to drink the water.</p> | <p>(e) The expression 'after effective draining and drying' in the above-mentioned table means that the particular act may take place only when no pools or drops of effluent are evident in the irrigation area concerned.</p> <p>(f) All possible precautions should be taken to ensure that no surface or underground water is contaminated by the irrigation water, especially where the latter does not comply with the General Standard. Excessive irrigation must therefore be avoided and the irrigation area protected against stormwater by means of suitable contours and screening walls.</p> <p>(g) Sprinkler irrigation shall be permitted only if <i>no</i> spray is blown over to areas where, such irrigation is forbidden. In this connection the quality of the effluent, the use of such adjoining area and its distance from the irrigation area must be taken into consideration before sprinkler irrigation is permitted.</p> |
|--|--|

| DIRECTIVES FOR OTHER USES OF TREATED EFFLUENTS | | | | | | C |
|---|---|---|------------------------|--|---|---|
| OTHER USES OF EFFLUENTS | PS — PRIMARY AND SECONDARY | PST — PRIMARY, SECONDARY AND TERTIARY | STD — GENERAL STANDARD | SP-STD — ADVANCED PURIFICATION | OD — OXIDATION POND SYSTEM | |
| • INDUSTRIAL AND SUNDRY USES NOT MENTIONED BEFORE | • PERMISSIBLE ON MERITS IN EXCEPTIONAL CASES ONLY | • EACH CASE WILL BE TREATED ON ITS MERITS • THE EMPHASIS WILL BE ON THE <i>E. COLI</i> COUNT • IN GENERAL THE EFFLUENT MUST BE FREE FROM PARASITIC OVA, PATHOGENIC ORGANISMS, TOXIC SUBSTANCE, ETC. | | | PERMISSIBLE ON MERITS IN EXCEPTIONAL CASES ONLY | |
| • FOOD INDUSTRY (ALSO COOLING WATER) | • NOT PERMISSIBLE | • NOT PERMISSIBLE | • NOT PERMISSIBLE | • NOT PERMISSIBLE | • NOT PERMISSIBLE | |
| • MINES AND INDUSTRIES: ORE TREATMENT, DUST CONTROL ETC. | • PERMISSIBLE ON MERITS IN EXCEPTIONAL CASES ONLY | • PERMISSIBLE ON MERITS PROVIDED HUMAN CONTACT IS EXCLUDED. | • PERMISSIBLE | • PERMISSIBLE | • PERMISSIBLE ON MERITS IN EXCEPTIONAL CASES ONLY | |
| | | • ALL TAPS AND WATER DRAW-OFF POINTS IN THE EFFLUENT DISTRIBUTION SYSTEM MUST BE PROVIDED WITH CLEARLY LEGIBLE NOTICES IN ENGLISH, AFRIKAANS AND ANY OTHER APPROPRIATE OFFICIAL LANGUAGES, INDICATING THAT THE WATER IS <i>NOT</i> SUITABLE FOR HUMAN CONSUMPTION. | | | | |
| • HUMAN WASHING PURPOSES | • NOT PERMISSIBLE | • NOT PERMISSIBLE | • NOT PERMISSIBLE | • PERMISSIBLE ON MERITS • CLEARLY LEGIBLE NOTICES MUST BE DISPLAYED INDICATING THAT THE WATER IS <i>NOT</i> FIT FOR HUMAN CONSUMPTION OR FOOD PREPARATION | • NOT PERMISSIBLE | |
| • FLUSH TOILETS | • NOT PERMISSIBLE | • PERMISSIBLE ON MERITS • IN ORDER TO PREVENT THE USE OF EFFLUENT FOR UNAUTHORISED PURPOSES, NO OTHER DRAW-OFF BIB-COCKS SHALL BE AFFIXED TO EFFLUENT MAINS | | | • NOT PERMISSIBLE | |
| • DUST CONTROL ON ROADS | • NOT PERMISSIBLE | • PERMISSIBLE • EXCESSIVE SPRAYING AND POOL FORMING MUST BE AVOIDED • NO SURFACE OR UNDERGROUND WATER MAY BE POLLUTED • NO SMELL NUISANCE MAY BE CREATED • ANY DIRECT HUMAN CONTACT WITH THE SPRAY MUST BE PREVENTED AS FAR AS IS PRACTICABLE • STEPS MUST BE TAKEN TO ENSURE THAT NO EFFLUENT IS USED DIRECTLY OR INDIRECTLY FOR DOMESTIC PURPOSES • CONTAINERS USED FOR THE TRANSPORTATION OF EFFLUENT MUST NOT BE USED THEREAFTER FOR THE TRANSPORTATION OF DRINKING WATER BEFORE THEY HAVE BEEN EFFECTIVELY CLEANED OUT AND DISINFECTED | | • PERMISSIBLE | • NOT PERMISSIBLE | |
| GENERAL REMARKS: IT IS COMPULSORY THAT THE NECESSARY PRECAUTIONARY MEASURES BE TAKEN WITH EACH OF THE ABOVE-MENTIONED USES IN ORDER TO PREVENT THE USE OF THE TREATED EFFLUENT FOR DRINKING OR DOMESTIC PURPOSES. IN ADDITION, IT IS ALSO COMPULSORY THAT THE MATERIAL AND/OR THE COLOUR OF THE EFFLUENT PIPELINE BE SUCH AS TO PREVENT ACCIDENTAL CROSS-COUPPLING WITH DRINKING WATER PIPELINES. SEE ALSO (b) UNDER THE HEADING "IRRIGATION — GENERAL REMARKS AND PRECAUTIONS ON PAGE 7. | | | | | | |

| METHODS OF DISPOSAL AND DISCHARGE OF TREATED EFFLUENTS | | | | | | D |
|---|--|---|--|--------------------------------|---|---|
| METHODS OF DISPOSAL AND DISCHARGE OF EFFLUENTS | PS — PRIMARY AND SECONDARY | PST — PRIMARY, SECONDARY AND TERTIARY | STD — GENERAL STANDARD | SP-STD — ADVANCED PURIFICATION | OD — OXIDATION POND SYSTEM | |
| 1) DISCHARGE INTO RIVERS AND WATER COURSES, EXCLUDING ESTUARIES, DAMS AND LAGOONS — SEE 2 | • NOT PERMISSIBLE | <ul style="list-style-type: none"> • PERMISSIBLE ON MERITS WITH DUE REGARD TO LOCAL CIRCUMSTANCES SUCH AS THE DILUTION FACTOR IN THE RIVER OR STREAM, RAINFALL ETC. • THE PERMISSIBILITY OF DISCHARGE MUST BE DETERMINED WITH DUE REGARD TO THE USE OF THE RIVER WATER DOWNSTREAM • THE DISCHARGE POINT MUST BE DETERMINED WITH DUE REGARD TO THE POSITION OF WATER ABSTRACTION POINT(S) FOR DOMESTIC PURPOSES LOWER DOWN THE RIVER • THE EFFLUENT MUST CONTAIN NO HARMFUL SUBSTANCES IN CONCENTRATIONS DANGEROUS TO HEALTH | <ul style="list-style-type: none"> • PERMISSIBLE, PROVIDED THE EFFLUENT CONTAINS NO HARMFUL SUBSTANCES IN CONCENTRATIONS DANGEROUS TO HEALTH | • NOT PERMISSIBLE | • NOT PERMISSIBLE | |
| 2) DISCHARGE INTO ESTUARIES, DAMS, LAKES, LAGOONS OR OTHER MASSES OF WATER (SEA EXCLUDED — SEE 3) | • NOT PERMISSIBLE | <ul style="list-style-type: none"> • PERMISSIBLE ON MERITS IF REASONABLE ASSURANCE EXISTS THAT THE QUALITY AND VOLUME ARE SUCH AS NOT TO CAUSE NUISANCES OR HEALTH HAZARDS • ONCE MIXED WITH THE EFFLUENT THE WATER MUST NOT BECOME LESS SUITABLE FOR DOMESTIC USE AND/OR RECREATION • THE EFFLUENT MUST CONTAIN NO HARMFUL SUBSTANCES IN CONCENTRATIONS DANGEROUS TO HEALTH | <ul style="list-style-type: none"> • PERMISSIBLE, PROVIDED THE EFFLUENT CONTAINS NO HARMFUL SUBSTANCES IN CONCENTRATIONS DANGEROUS TO HEALTH | • PERMISSIBLE | NOT PERMISSIBLE | |
| 3) DISCHARGE INTO THE SEA | <ul style="list-style-type: none"> • ONLY PERMISSIBLE BEYOND THE SURF ZONE • THE DISCHARGE POINT MUST BE DETERMINED WITH DUE REGARD TO THE QUALITY AND VOLUME OF EFFLUENT, THE SEA CURRENTS, THE DISTRIBUTION AND DILUTION OF EFFLUENT, AND THE PROXIMITY OF PRESENT AND FUTURE BATHING AREAS. | | <ul style="list-style-type: none"> • PERMISSIBLE • DISCHARGE INTO THE SURF ZONE MUST BE DETERMINED WITH DUE REGARD TO THE PROXIMITY OF PRESENT AND FUTURE BATHING AREAS AND THE EFFECT ON THE QUALITY OF SEAWATER IN SUCH AREA | • PERMISSIBLE | • PERMISSIBLE ON MERITS AS FOR PS AND PST | |

| METHODS OF DISPOSAL AND DISCHARGE OF EFFLUENTS | PS — PRIMARY AND SECONDARY | PST — PRIMARY, SECONDARY AND TERTIARY | STD — GENERAL STANDARD | SP-STD — ADVANCED PURIFICATION | OD — OXIDATION POND SYSTEM |
|---|---|---------------------------------------|------------------------|--------------------------------|----------------------------|
| | <ul style="list-style-type: none"> • NO COASTAL AREA MAY BE POLLUTED WITH EFFLUENTS CONTAINING SUBSTANCES WHICH ARE POTENTIALLY HARMFUL TO HEALTH • THE DISCHARGE OF EFFLUENT MUST NOT CAUSE ANY NUISANCE OR HAVE ANY EFFECT ON MARINE LIFE WHICH MAY ADVERSELY AFFECT MAN DIRECTLY OR INDIRECTLY | | | | |
| <p>IN MOST CASES THE INFLUENCE OF THE ABOVE-MENTIONED DISCHARGES IS NOT DIRECTLY PREDICTABLE. IT WOULD THEREFORE USUALLY BE REQUIRED THAT THE NECESSARY INVESTIGATIONS BE MADE TO DETERMINE SUCH INFLUENCE WITH REASONABLE CERTAINTY.</p> | | | | | |

| GENERAL DIRECTIONS AND PRECAUTIONARY MEASURES | | E |
|--|--|---|
| <p>(a) The sewage purification works must be efficiently operated by adequately trained personnel at all times and must, as far as is reasonably practicable, not be overloaded.</p> <p>(b) The person or authority in charge of the purification works must satisfy himself that the quality of the final effluent will at all times be in accordance with the directives as set out in this guide.</p> <p>(c) Regular control tests of representative final effluent samples must be made at least quarterly and records must be kept of such tests.</p> <p>(d) The person or authority in charge of the works must ensure that the quality of the final effluent and the use thereof comply with the directives set out in this guide — also when such effluent is utilised by another person or body. The supply and utilisation of effluent must be terminated if the directives set out in this guide are not complied with.</p> | <p>(e) A person or body using the final sewage effluent for a purpose set out in this guide, but not undertaking the purification himself, must satisfy himself that only permissible utilisation practices are maintained and must forthwith discontinue the use thereof should he become aware of any deviation from the directive contained in this guide.</p> <p>(f) Compliance with the requirements for the utilisation of purified sewage effluent as set out in this guide is the individual and joint responsibility of both the supplier and the user of the final effluent.</p> <p>(g) In the case of a use qualified in this guide as permissible on merit, it will be necessary for the relevant uses and methods of use to be thoroughly motivated and investigated. The majority of such cases, stricter supervision and control of the system as well as the quality of the effluent will be required in order to prevent the development of any nuisance or conditions dangerous to health.</p> | |

30 July 2010

22158

STAD KAAPSTAD

VERORDENING OP BEHANDELDE UITVLOEIWATER

Om behandelde uitvloeiwat in die Stad Kaapstad te beheer en te reguleer, en voorskrifte neer te lê vir sake bykomend daartoe

Indeling van artikels

Hoofstuk 1

Woordomsywing en algemene bepalings

1. Woordomsywing
2. Toepassing en doel van hierdie verordening
3. Magte en verantwoordelikhede van die direkteur: water en sanitasie, en die uitvoerende direkteur: stadsgesondheid
4. Aanstelling van gemagtigde amptenare
5. Oordrag van bevoegdhe
6. Gesondheidsrisiko's en situasies wat onmiddellike optrede verg
7. Pligte van die publiek
8. Kosteverhaling
9. Nakomingskennisgewings
10. Verantwoordelikheid om hierdie verordening na te kom

Hoofstuk 2

Bepalings met betrekking tot die verskaffing van behandelde uitvloeiwat

11. Ongemagtigde gebruik van behandelde uitvloeiwat
12. Aansoek om verskaffing van behandelde uitvloeiwat
13. Ooreenkomste
14. Pype in strate of openbare plekke
15. Beëindiging van ooreenkomste
16. Inmenging in die toevoerstelsel vir behandelde uitvloeiwat
17. Belemmering van toegang tot die behandelde-uitvloeiwatstelsel

18. Serwitute
19. Aansluitings tussen persele
20. Voorsiening en plasing van isoleerklappe
21. Beskikbaarheid en versekering van toevoer
22. Beperking of afsluiting van toevoer
23. Meting van verskafte behandelde uitvloeiwat
24. Hoeveelheid verskafte behandelde uitvloeiwat
25. Herverkoop van behandelde uitvloeiwat
26. Raming van hoeveelheid behandelde uitvloeiwat deur onklaar meter aan kliënt verskaf
27. Spesiale meting

Hoofstuk 3

Algemene vereistes vir behandelde-uitvloeiwatinstallasies

28. Verskaffing en instandhouding van behandelde-uitvloeiwatinstallasies
29. Aanvaarde pype en behandelde-uitvloeiwat toebehore
30. Tekens
31. Ontwerpmaatstawwe vir behandelde-uitvloeiwatinstallasies

Hoofstuk 4

Gehalte van behandelde uitvloeiwat

32. Vrywaring met betrekking tot gehalte van behandelde uitvloeiwat
33. Regulasies van die departement waterwese en bosbou Departement water en omgewingsake sedert aankondiging van nuwe kabinetstruktuur ná afloop van nasionale verkiesing op 22 April 2009.

Hoofstuk 5

Gesondheid en higiëne

34. Gids vir die toelaatbare aanwending van en wegdoening met behandelde rioolwat

Hoofstuk 6

Goedkeuring van planne

35. Vereiste goedkeuring van planne

Hoofstuk 7

Installasies deur loodgieters

36. Persone by magte om installasie- en ander werk te verrig
37. Verantwoordelikhede van 'n eiendomseienaar/verbruiker

Hoofstuk 8

Goeie gebruikspraktyk

38. Bestuur
39. Oortredings en strafmaatreëls
40. Vrywaring
41. Appëlle

Bylae 1: Aanvaarde pype en toebehore

Bylae 2: Tekens

Bylae 3: Gids: Toelaatbare aanwending van en wegdoening met behandelde rioolwat Uitgereik deur destydse departement nasionale gesondheid en bevolkingsontwikkeling.

Hoofstuk 1

Woordomskrywing en algemene bepalings

Woordomskrywing

1. In hierdie verordening, tensy uit die samehang anders blyk, beteken:

“**behandelde uitvloeiwater**” afvalwater wat aan ’n behandelingsproses onderwerp is;

“**behandelde-uitvloeiwaterinstallasie**” die pype en toebehore op enige perseel wat aan die eienaar van die perseel behoort, en wat met betrekking tot die gebruik van behandelde uitvloeiwater op sodanige perseel aangewend word of aangewend behoort te word, wat ’n pyp en toebehoorsel buite die grense van die perseel insluit wat hetsy aan die verbindingspyp met betrekking tot sodanige perseel gekoppel is, of wat op ’n ander manier sonder die Stad se toestemming geïnstalleer is;

“**behandelde-uitvloeiwaternaspoorder**” enige kleurstof of chemikalie wat deur die direkteur water en sanitasie goedgekeur is om die behandelde uitvloeiwater te kleur;

“**besoedeling**” die regstreekse of nieregstreekse wysiging van die fisiese, chemiese of biologiese eienskappe van ’n waterhulpbron:

- (a) wat dit minder geskik maak vir enige voordelige doel waarvoor dit na alle redelike verwagting gebruik moes word; of
- (b) wat dit skadelik of moontlik skadelik maak vir:
 - (i) die welstand, gesondheid of veiligheid van mense;
 - (ii) enige water- of ander organisme;
 - (iii) die hulpbrongehalte; of
 - (iv) eiendom;

“**boorgat**” ’n gat wat in die grond gesink word ten einde grondwater op te spoor, te onttrek of te gebruik, en wat ’n fontein, put en sandwaterpen insluit;

“**direkteur: water en sanitasie**” die werknemer van die Stad verantwoordelik vir water- en sanitasiedienste;

“**eienaar**”:

- (a) die persoon wat van tyd tot tyd oor die wettige eiendomsreg op ’n perseel beskik;
- (b) waar die persoon met die wettige eiendomsreg op ’n perseel bankrot of oorlede is, of op enige manier hoegenaamd wetlik ongeskik verklaar is, die persoon aan wie die administrasie en beheer van sodanige perseel toevertrou is as kurator, trustee, eksekuteur, administrateur, geregtelike bestuurder, likwiedeerder of ander regsvertegenwoordiger;
- (c) in enige geval waar die Stad nie die identiteit van sodanige persoon kan vasstel nie, ’n persoon wat geregtig is op die gebruiksvoordeel van sodanige perseel of ’n gebou of geboue daarop;
- (d) in die geval van ’n perseel waarvoor ’n huurooreenkoms van 30 jaar of langer aangegaan is, die huurder daarvan;
- (e) die persoon wat vaste eiendom van die Stad gekoop het ingevolge ’n skema wat daarvoor voorsiening maak dat die koopsom in paaielemente betaal kan word, en wat nog nie oordrag van die Stad ontvang het nie; of
- (f) met betrekking tot—
 - (i) ’n stuk grond afgebeeld op ’n deeltitelplan wat ingevolge die Wet op Deeltitels, 1986 (nr. 95 van 1986) geregistreer is, die ontwikkelaar of die beheerliggaam met betrekking tot die gemeenskaplike eiendom; of
 - (ii) ’n gedeelte soos in bostaande wet omskryf, die persoon in wie se naam sodanige gedeelte ingevolge ’n deeltitelakte geregistreer is, wat die regmatig aangestelde agent van sodanige persoon insluit;

“**gemagtigde amptenaar**” ’n gemagtigde amptenaar van die Stad, aangestel deur die direkteur: water en sanitasie om die bepalings van hierdie verordening toe te pas;

“**gesondheidsoorlas**” ’n situasie of stand van sake wat lewe of gesondheid bedreig; die fisieke of geestelike welstand van ’n persoon of gemeenskap benadeel; of ’n omgewingsgevaar skeep, met “**gesondheidsgevaar**” as sinoniem;

“**installasiewerk**” werk met betrekking tot die bou van, of wat uitgevoer word op, ’n behandelde-uitvloeiwaterinstallasie;

“**meter**” ’n toestel wat die hoeveelheid behandelde uitvloeiwater meet wat daardeur vloei;

“**niedrinkbare water**” water uit bronne buiten drinkwaternetwerke van die Stad, wat bronwater, boorgatwater, grondwater en rivieronttrekking insluit;

“**okkupeerder**” ’n persoon wat enige perseel of deel daarvan beset, ongeag die eiendomsreg ingevolge waarvan hy/sy dit beset;

“**ooreenkoms**” ’n ondertekende kontrak tussen die Stad en ’n verbruiker wat gebruiksvorskrifte sowel as die verantwoordelikhede van elke party tot die ooreenkoms omskryf;

“**openbare kennisgewing**” ’n kennisgewing gepubliseer in ’n koerant in die amptelike tale wat algemeen binne die regsgebied van die Stad gebruik word;

“**opgaartenk**” ’n tenk wat deel uitmaak van ’n behandelde-uitvloeiwaterinstallasie, en wat vir die berging van behandelde uitvloeiwater gebruik word;

“**persoon**” ook ’n regspersoon;

“**publiseer**”:

- (a) om ’n kennisgewing in die Provinsiale Koerant te publiseer;
- (b) om afskrifte van sodanige publikasie aan belangstellende partye te voorsien; en

(c) om die kennisgewing wat op sodanige wyse gepubliseer is op die kennisgewingsborde van die Stad aan te bring;

“**raad**” die raad van die Stad, of enige van die ander politieke strukture, politieke ampsdraers, raadslede of personele van die Stad aan wie tersaaklike bevoegdhede behoorlik oorgedra is;

“**SABS**” die Suid-Afrikaanse Buro vir Standaarde soos na verwys in die Wet op Standaarde, nr. 29 van 1993;

“**sandwaterpen**” ’n pyp met ’n klein deursnee wat in nie-vasgeslaande sand- of gruisformasies geplaas word, met ’n pomp op grondvlak om water daardeur te onttrek en te versprei;

“**SANS**” Suid-Afrikaanse Nasionale Standaarde, synde standaard wat die SABS ingevolge die bepalings van die Wet op Standaarde, nr. 29 van 1993, vasgestel en uitgereik het;

“**Stad**” die Stad Kaapstad soos ingevolge artikel 12 van die Wet op Plaaslike Regering: Munisipale Strukture, 1998 (nr. 117 van 1998) volgens Provinsiale Kennisgewing nr. 479 van 22 Desember 2000 ingestel;

“**stadsbestuurder**” die persoon as sodanig deur die raad aangestel ingevolge artikel 82 van die Wet op Plaaslike Regering: Munisipale Strukture, 1998 (nr. 117 van 1998);

“**uitvoerende direkteur: stadsgesondheid**” die uitvoerende direkteur verantwoordelik vir gesondheidsake in die Stad;

“**verbruiker**” ’n persoon wat van die direkteur: water en sanitasie goedkeuring ontvang het om behandelde uitvloeiwatertoevoer te gebruik van enige installasie wat aan ’n aansluitingspyp verbind is, wat op sy beurt uit ’n hoofwaterpyp van behandelde uitvloeiwatertoevoer verskaf word;

“**Verordening op Kredietbeheer en Skuldinvordering**” die Verordening op Kredietbeheer en Skuldinvordering soos deur die raad aanvaar en in die Provinsiale Koerant gepubliseer;

“**Verordening op Tariewe**” die Verordening op Tariewe wat die raad ingevolge artikel 75 of artikel 75A van die Wet op Plaaslike Regering: Munisipale Stelsels, nr. 32 van 2000, uitgevaardig het ten einde fooie, heffings en tariewe te hef en te verhaal;

“**voorgeskrewe heffing**” ’n fooi, heffing of tarief wat die raad ingevolge die Verordening op Tariewe vasgestel en opgelê het; en

“**waterdienstefasiliteit**” enige grond waarop die Stad infrastruktuur geïnstalleer het of gebruik, of ’n opvanggebied met betrekking tot die verskaffing van behandelde uitvloeiwatertoevoer.

Toepassing en doel van hierdie verordening

2. (1) Hierdie verordening is bindend vir alle staatsinstellings.

(2) Enige bepaling in enige ander verordening wat bepaald oor behandelde uitvloeiwatertoevoer handel, is onderworpe aan die bepalings van hierdie verordening.

(3) Tensy teenbewys gelewer word, sal ’n oortreding van hierdie verordening op ’n perseel met betrekking tot:

- (a) die behandelde-uitvloeiwatertoevoerinstallasie as ’n oortreding deur die eienaar van die perseel beskou word, en kan hy/sy dus vir alle voortvloeiende skade aanspreeklik gehou word; en
- (b) die gebruik van behandelde uitvloeiwatertoevoer uit ’n behandelde-uitvloeiwatertoevoerinstallasie as ’n oortreding deur die verbruiker beskou word.

Magte en verantwoordelikhede van die direkteur: water en sanitasie, en die uitvoerende direkteur: stadsgesondheid

3. (1) Indien die behandelde-uitvloeiwatertoevoerinstallasie of ’n deel daarvan op ’n perseel dermate onklaar of in só ’n swak toestand of posisie is dat dit vermorsing, onbehoorlike gebruik of ’n gesondheids- of veiligheidsgevaar veroorsaak of waarskynlik sal veroorsaak, kan die direkteur: water en sanitasie, of die uitvoerende direkteur: stadsgesondheid deur skriftelike kennisgewing die eienaar versoek om binne ’n vasgestelde tydperk aan die bepalings van hierdie verordening te voldoen.

(2) Die direkteur: water en sanitasie moet die uitvoerende direkteur: stadsgesondheid oor alle sake raadpleeg waar hierdie diens ’n uitwerking op gesondheid het, sowel as oor alle sake waar daar ’n waarskynlike gesondheids- of omgewingsbesoedelingsgevaar bestaan, met dien verstande dat die direkteur: water en sanitasie in nood gevalle die uitvoerende direkteur: stadsgesondheid slegs van sodanige gevaar kan verwittig.

Aanstelling van gemagtigde amptenare

4. Die direkteur: water en sanitasie kan gemagtigde amptenare aanstel.

Oordrag van bevoegdhede

5. (1) Die stadsbestuurder kan enige van sy/haar magte en bevoegdhede ingevolge hierdie verordening aan enige amptenaar van die Stad oordra.

(2) Die direkteur: water en sanitasie kan enige van sy/haar magte en bevoegdhede ingevolge hierdie verordening aan enige amptenaar van die Stad oordra.

Dreigende nood gevalle en situasies wat onmiddellike optrede verg

6. (1) Die direkteur: water en sanitasie kan in geval van dreigende nood gevalle of situasies wat onmiddellike optrede verg enige redelike maatreëls tref om sodanige dreigende nood geval of situasie te voorkom of uit die weg te ruim.

(2) Wanneer ’n dreigende nood geval of situasie soos in subartikel (1) hier bo beoog op privaat eiendom ontstaan, kan die direkteur: water en sanitasie:

- (a) deur skriftelike kennisgewing die eienaar of verbruiker versoek om sodanige maatreëls te tref as wat nodig kan wees om die dreigende nood geval of situasie te voorkom of uit die weg te ruim; of
- (b) indien die eienaar of verbruiker nie opgespoor kan word nie of versuim om onmiddellik aan die versoek van die direkteur: water en

sanitasie gehoor te gee, sodanige maatreëls tref as wat nodig kan wees om die dreigende noodgeval of situasie te voorkom of uit die weg te ruim.

(3) Waar die noodgeval uit 'n behandelde-uitvloeiwaterrinstallasie spruit, is die verbruiker wat deur sodanige installasie van behandelde uitvloeiwaterr verskaf word aanspreeklik vir die koste wat die Stad moes aangaan.

Pligte van die publiek

7. (1) Wanneer lede van die publiek van enige noodgeval of dreigende situasie wat onmiddellike optrede verg, of 'n situasie wat tot besoedeling kan lei, bewus word, moet hulle onverwyld die direkteur: water en sanitasie daarvan verwittig, wat op sy beurt in noodgevallle wat moontlike gesondheidsgevaare behels die uitvoerende direkteur: stadsgesondheid moet inlig.

(2) Enigeen wat ingevolge subartikel (1) hier bo optree, maar naamloos wil bly, kan versoek dat sy/haar naam nie in enige daaropvolgende optrede bekend gemaak word nie.

Kosteverhaling

8. (1) Enigeen wat die bepalings van hierdie verordening oortree, is ten volle aanspreeklik vir die gevolge van die oortreding, en om die Stad vir enige verlies of skade wat as gevolg van die oortreding gely word te vergoed.

(2) Die Stad kan enige redelike koste van enige stappe ingevolge hierdie verordening van enigeen verhaal wat onder 'n wetlike verpligting was om sodanige stappe te doen, wat insluit:

- (a) 'n persoon aan wie 'n nakomingskennisgewing bestel is;
- (b) die eienaar van die betrokke perseel; of
- (c) die verbruiker.

(3) Die direkteur: water en sanitasie kan 'n kostebevel uitreik waarin daar by 'n persoon wat vir koste ingevolge subartikel (1) hier bo aanspreeklik is, daarop aangedring word om sodanige koste teen 'n bepaalde datum te betaal. Sodanige bevel dien as prima facie-bewys van die verskuldigde bedrag.

Nakomingskennisgewings

9. (1) Indien 'n gemagtigde amptenaar sou vind dat 'n bepaling van hierdie verordening oortree word, of dat 'n toestand ontstaan het wat moontlik tot 'n oortreding van hierdie verordening kan lei, kan sodanige gemagtigde amptenaar 'n nakomingskennisgewing aan die betrokke verbruiker of eienaar of persoon wat die bepalings van hierdie verordening oortree, uitreik.

(2) 'n Kennisgewing uitgereik ingevolge subartikel (1) hier bo moet onderstaande inligting bevat:

- (a) die bepaling van die verordening wat oortree word of oortree sal word indien die toestand onveranderd voortduur;
- (b) die maatreëls wat getref moet word ten einde die toestand reg te stel; en
- (c) die tydperk waarin daar aan die kennisgewing voldoen moet word.

(3) Indien 'n persoon aan wie 'n kennisgewing ingevolge subartikel (2) hier bo bestel is, versuim om aan die vereistes van die kennisgewing te voldoen, kan die direkteur: water en sanitasie sodanige stappe doen as wat nodig blyk te wees om die toestand op onkoste van die verantwoordelike persoon reg te stel, of enige ander stappe wat nodig blyk te wees om nakoming te verseker.

(4) Onderworpe aan die bepalings van hierdie verordening, behou die direkteur: water en sanitasie die reg om enige stappe te doen, wat die onmiddellike afsluiting van die watertoevoer in toepaslike omstandighede insluit.

Verantwoordelikheid om hierdie verordening na te kom

10. (1) Die eienaar is daarvoor verantwoordelik om hierdie verordening met betrekking tot alle of enige sake rakende die behandelde-uitvloeiwaterrinstallasie en die instandhouding daarvan na te kom.

(2) Die verbruiker is daarvoor verantwoordelik om hierdie verordening met betrekking tot sake rakende die gebruik van enige behandelde uitvloeiwaterr na te kom.

Hoofstuk 2

Bepalings met betrekking tot die verskaffing van behandelde uitvloeiwaterr

Ongemagtigde gebruik van behandelde uitvloeiwaterr

11. Geen persoon mag behandelde uitvloeiwaterr uit die toevoerstelsel vir behandelde uitvloeiwaterr gebruik nie:

- (a) tensy 'n ooreenkoms waarna daar in artikel 13 hier onder verwys word, aangegaan is;
- (b) tensy sy/haar drinkwatertoevoer oor 'n geskikte terugslagklep beskik wat die goedkeuring van die direkteur: water en sanitasie wegdra; of
- (c) buiten deur 'n terugvloeibeskermdde metertoevoerpunt vir behandelde uitvloeiwaterr wat die Stad bepaald vir dié doel geïnstalleer het.

Aansoek om verskaffing van behandelde uitvloeiwaterr

12. (1) Behandelde uitvloeiwaterr uit die Stad se toevoerstelsel vir behandelde uitvloeiwaterr sal nie aan enige perseel verskaf word tensy die verbruiker, mét die eienaar se toestemming, by die Stad om sodanige toevoer aansoek gedoen het, en die aansoek op sodanige voorwaardes as wat die direkteur: water en sanitasie kan oplê, goedgekeur is nie.

(2) Die verbruiker is aanspreeklik vir al die heffings met betrekking tot die verskaffing van behandelde uitvloeiwat, soos vasgestel ingevolge die Verordening op Tariewe, totdat die toevoer op die verbruiker se versoek onderbreek, of die ooreenkoms ingevolge hierdie verordening beëindig word.

(3) 'n Aansoek moet minstens onderstaande inligting bevat:

- (a) 'n verklaring dat die aansoeker bewus is van die inhoud van die ooreenkoms, én dit verstaan;
- (b) aanvaarding van aanspreeklikheid ingevolge hierdie verordening vir die koste van die verskaffing van behandelde uitvloeiwat totdat die ooreenkoms beëindig word;
- (c) die naam en identiteitsnommer van die aansoeker;
- (d) die adres of erfnummer van die perseel waar die behandelde-uitvloeiwat toevoer verlang word;
- (e) die adres waarheen rekeninge gestuur moet word;
- (f) die doel waarvoor die behandelde uitvloeiwat gebruik sal word;
- (g) die ooreengekome datum waarop die verskaffing van behandelde uitvloeiwat 'n aanvang sal neem;
- (h) die loodgieters-uitleg; en
- (i) 'n verbintenis deur die aansoeker om die Stad van enige verandering met betrekking tot punt (a) tot (h) hier bo in te lig.

(4) Waar die doel of bestek waarvoor daar soos per subartikel 3(f) hier bo om behandelde uitvloeiwat aansoek gedoen word, verander, moet die verbruiker, behalwe om die Stad van die verandering te verwittig, boonop onverwyld 'n nuwe ooreenkoms met die Stad aangaan.

(5) Behandelde uitvloeiwat mag slegs voorsien word waar daar 'n netwerk is.

Ooreenkomste

13. (1) Alle gebruikers van behandelde uitvloeiwat moet onderworpe aan die bepalings van hierdie verordening 'n ooreenkoms met die Stad aangaan.

(2) Die ooreenkoms soos in subartikel (1) hier bo beoog, moet al die inligting bevat waarna daar in artikel 12(3)(a) tot (i) verwys word.

Pype in strate of openbare plekke

14. Geen persoon mag as geleiding vir behandelde uitvloeiwat uit watter bron ook al 'n pyp of verwante onderdeel op, in of onder 'n straat, openbare plek of ander grond in besit of onder beheer van die Stad lê of bou nie, tensy met die vooraf- skriftelike toestemming van die direkteur: water en sanitasie, en onderworpe aan sodanige voorwaardes as wat die direkteur: water en sanitasie kan oplê.

Beëindiging van ooreenkomste

15. (1) 'n Verbruiker kan 'n ooreenkoms vir die verskaffing van behandelde uitvloeiwat deur minstens sewe dae skriftelike kennisgewing van sy/haar voorneme in hierdie verband aan die direkteur: water en sanitasie beëindig.

(2) Op sy/haar beurt kan die direkteur: water en sanitasie deur minstens 14 dae skriftelike kennisgewing 'n verbruiker van die beëindiging van sy/haar ooreenkoms vir die verskaffing van behandelde uitvloeiwat verwittig:

- (a) waar die ooreenkoms verstryk het en die verbruiker nie tot bevrediging van die direkteur: water en sanitasie reëlins vir die verlenging van die ooreenkoms getref het nie; of
- (b) waar die verbruiker versuim het om aan die bepalings van hierdie verordening te voldoen, of om sodanige versuim ná ontvangs van 'n nakomingskennisgewing reg te stel; of
- (c) waar die verbruiker versuim het om enige verskuldigde en betaalbare bedrae ingevolge die Verordening op Tariewe te betaal.

(3) Die direkteur: water en sanitasie kan 'n ooreenkoms vir die verskaffing van behandelde uitvloeiwat beëindig indien die perseel waarop sodanige ooreenkoms betrekking het, ontruim is.

Inmenging in die toevoerstelsel vir behandelde uitvloeiwat

16. Geen persoon buiten die Stad mag 'n aansluiting by die Stad se behandelde-uitvloeiwatstelsel in werking stel nie.

Belemmering van toegang tot die behandelde-uitvloeiwatstelsel

17. Geen persoon mag amptenare van die Stad se toegang tot die behandelde-uitvloeiwatstelsel voorkom of belemmer nie.

Serwitute

18. Die verbruiker is daarvoor verantwoordelik om op sy/haar eie onkoste sodanige serwitute oor ander eiendomme te bekom as wat vir die behandelde-uitvloeiwatstelsel nodig blyk te wees.

Aansluitings tussen persele

19. 'n Verbruiker moet verseker dat daar geen aansluiting tussen die behandelde-uitvloeiwatinstallasie op die betrokke perseel en dié op ander persele bestaan nie, tensy die verbruiker die vooraf- skriftelike toestemming van die direkteur: water en sanitasie bekom het, en aan enige voorwaardes wat sodanige direkteur opgelê het, voldoen.

Voorsiening en plasing van isoleerkleppe

20. (1) Die direkteur: water en sanitasie moet tussen elke meter en hoofwaterpyp 'n isoleerklep installeer.

(2) Die verbruiker moet op eie onkoste, en vir sy/haar uitsluitlike gebruik, 'n isoleerklep voorsien en installeer:

- (a) in geval van 'n meterinstallasie op die perseel, op 'n geskikte punt aan sy/haar kant van die meter; en
- (b) in geval van 'n meterinstallasie buite die perseel, op 'n geskikte punt onmiddellik binne die grens van sy/haar perseel,

met dien verstande dat die direkteur: water en sanitasie by versuim deur die verbruiker, en op die verbruiker se onkoste, 'n isoleerklep kan voorsien en so kan laat installeer.

(3) Geen persoon mag sonder die goedkeuring van die direkteur: water en sanitasie met die isoleerklep tussen die meter en die hoofwaterpyp peuter nie.

Beskikbaarheid en versekering van toevoer

21. (1) Die verskaffing van behandelde uitvloeiwatervoorvoer deur die Stad dien geensins as verbintenis dat die Stad in enige stadium van, of op enige punt in sy behandelde-uitvloeiwatervoorvoerstelsel onderstaande sal handhaaf nie:

- (a) 'n ononderbroke toevoer;
- (b) 'n bepaalde druk of vloeitempo in sodanige toevoer; of
- (c) 'n bepaalde watergehaltestandaard.

(2) Indien 'n verbruiker 'n ononderbroke toevoer, 'n bepaalde druk of vloeitempo, of 'n bepaalde watergehaltestandaard op die perseel vereis, moet hy/sy sy/haar eie reëlings tref vir voldoening aan sodanige vereistes.

(3) Die Stad kan vir die doel van hierdie verordening die toevoer van behandelde uitvloeiwatervoorvoer sonder enige voorafkennisgewing onderbreek.

(4) Indien die gebruik van behandelde uitvloeiwatervoorvoer op 'n perseel die toevoer van behandelde uitvloeiwatervoorvoer na ander persele benadeel, kan die direkteur: water en sanitasie sodanige beperkings aan die toevoer van behandelde uitvloeiwatervoorvoer na eersgenoemde perseel opleë as wat nodig blyk te wees om 'n redelike toevoer van behandelde uitvloeiwatervoorvoer na die ander persele te verseker, en moet sodanige direkteur die verbruiker van eersgenoemde perseel van voormelde beperkings verwittig.

Beperking of afsluiting van toevoer

22. (1) Indien 'n verbruiker versuim om 'n verskuldigde bedrag ingevolge die Verordening op Tariewe te betaal, kan die direkteur: water en sanitasie, onderworpe aan enige ander reg waarvoor die Stad kan beskik, sodanige verbruiker skriftelik van die voorneme in kennis stel om die toevoer van behandelde uitvloeiwatervoorvoer op 'n bepaalde dag te beperk of af te sluit, en kan die direkteur: water en sanitasie dit dan op of ná daardie dag doen.

(2) Indien 'n verbruiker hierdie verordening oortree, en versuim om sodanige oortreding reg te stel binne die tydperk ingevolge 'n skriftelike kennisgewing met dié strekking wat aan hom/haar bestel is, kan die direkteur: water en sanitasie, onderworpe aan enige ander reg waarvoor die Stad kan beskik, sodanige verbruiker skriftelik van die voorneme in kennis stel om die toevoer van behandelde uitvloeiwatervoorvoer op 'n bepaalde dag te beperk of af te sluit, en kan die direkteur: water en sanitasie dit dan op of ná daardie dag doen.

(3) Die verbruiker of eienaar moet die heffing vir die af- en aansluiting van die behandelde-uitvloeiwatervoorvoerstelsel ingevolge die Verordening op Tariewe betaal, met dien verstande dat ál sodanige heffings betaal moet wees voordat die behandelde-uitvloeiwatervoorvoer weer aangesluit word.

(4) 'n Verbruiker wie se toegang tot behandelde uitvloeiwatervoorvoer beperk of afgesluit word, en wat dit dan onregmatig heraanluit, sal deur afsluiting in die gesig gestaar word.

Meting van verskafte behandelde uitvloeiwatervoorvoer

23. (1) Behandelde uitvloeiwatervoorvoer wat aan persele verskaf word, moet deur 'n meter vloei wat ooreenkomstig die direkteur: water en sanitasie se voorskrifte geïnstalleer word.

(2) 'n Meter en sy verwante apparate word deur die Stad voorsien en geïnstalleer; bly dus die Stad se eiendom, en kan slegs na die goeddunke van die direkteur: water en sanitasie vervang of verwyder word.

(3) Indien die Stad 'n meter en sy verwante apparate in 'n behandelde-uitvloeiwatervoorvoerstelsel installeer:

- (a) moet die verbruiker 'n installasiepunt voorsien wat die direkteur: water en sanitasie se goedkeuring wegdra;
- (b) moet die verbruiker verseker dat daar te alle tye onbeperkte toegang tot die installasie is;
- (c) is die verbruiker verantwoordelik vir die beskerming van die installasie indien dit op sy/haar eiendom geleë is, en is die verbruiker dus aanspreeklik vir die koste wat uit skade daaraan sal spruit, wat skade vanweë gewone slytasie uitsluit;
- (d) moet die verbruiker verseker dat geen aansluiting by die pyp waarin die meter geïnstalleer is, tussen die meter en die hoofpypleiding, gemaak word nie;
- (e) moet die verbruiker in die loop van enige werk wat die Stad aan die meter uitvoer voorsorg tref vir waterdreinerig uit die pyp waarin die meter geïnstalleer is; en
- (f) mag die verbruiker nie enige apparaat, masjien of toestel op enige behandelde-uitvloeiwatervoorvoerstelsel gebruik of laat gebruik wat die behandelde-uitvloeiwatervoorvoerstelsel, wat die meter insluit, beskadig of kan beskadig nie.

(4) Slegs die Stad kan:

- (a) 'n meter en sy verwante apparate van die pyp waarin dit geïnstalleer is, ontkoppel;
- (b) 'n seël op 'n meter breek; of
- (c) op enige ander manier in 'n meter en sy verwante apparate inmeng.

- (5) Enige persoon wat subartikel (4) hier bo oortree, moet die Stad met die koste van die hoeveelheid onregmatig verskafte behandelde uitvloeiwatervergoed.
- (6) Wanneer die okkupeerder van 'n perseel 'n lekplek in 'n dienspyp of op die kern van die meter of sy verwante apparate opmerk, moet hy/sy die Stad onmiddellik daarvan verwittig.
- (7) Indien gemagtigde amptenare toegang tot 'n meter geweier word wanneer hulle die meterlesing wil afneem, kan die direkteur: water en sanitasie:
- die verbruiker op die perseel deur skriftelike kennisgewing van die voorneme verwittig om 'n ander meter op die verbruiker se onkoste te installeer; en/of
 - 'n rekening lewer vir die hoeveelheid behandelde uitvloeiwatervat op sodanige perseel gebruik is, soos per die lesing op die geïnstalleerde meter.
- (8) Die eienaar van die perseel is aanspreeklik vir alle koste van die toevoerstelsel vir behandelde uitvloeiwatervan en verwante apparate, wat die meter insluit, in geval van skade weens nalatigheid of die installasie van verkeerde toebehore of toestelle.

Hoeveelheid verskafte behandelde uitvloeiwaterv

24. Ten einde vas te stel hoeveel behandelde uitvloeiwatervoor 'n bepaalde tydperk deur 'n meter verskaf is, moet daar, tensy teenbewys gelewer word, aanvaar word dat:

- dié hoeveelheid verteenwoordig word deur die verskil in meterlesings aan die begin en einde van sodanige tydperk;
- die meter gedurende sodanige tydperk korrek geles het; en
- die korrekte inskrywings in die Stad se rekords gemaak is;

met dien verstande dat indien daar met 'n meter gepeuter is en behandelde uitvloeiwaterverskaf of gebruik word sonder dat dit eers deur 'n meter vloei, die direkteur: water en sanitasie se raming van sodanige hoeveelheid behandelde uitvloeiwatervas korrek beskou sal word.

Herverkoop van behandelde uitvloeiwaterv

25. (1) Geen persoon wat ingevolge hierdie verordening van behandelde uitvloeiwaterverskaf word, mag sodanige behandelde uitvloeiwatervverkoop nie, tensy:

- daar daarvoor voorsiening gemaak word in 'n ooreenkoms ingevolge artikel 13; of
- hy/sy vooraf- skriftelike toestemming van die direkteur: water en sanitasie bekom het.

(2) Indien die direkteur: water en sanitasie die toestemming verleen waarna daar in subartikel 1(b) hier bo verwys word, kan hy/sy die maksimum prys neerlê, soos deur die raad bepaal, waarteen die behandelde uitvloeiwatervverkoop mag word, en kan hy/sy sodanige ander voorwaardes op lê as wat nodig blyk te wees.

(3) Die toestemming ingevolge subartikel 1(b) hier bo kan weens versuim om aan die voorwaardes wat deur die direkteur: water en sanitasie opgelê is te voldoen, te eniger tyd teruggetrek word.

Raming van hoeveelheid behandelde uitvloeiwatervdeur onklaar meter aan klient verskaf

26. (1) Indien 'n meter onklaar blyk te wees, kan die direkteur: water en sanitasie 'n raming maak van die hoeveelheid behandelde uitvloeiwatervwat gedurende die tydperk wat sodanige meter onklaar was aan die betrokke verbruiker verskaf is, en wel op grond van die gemiddelde daaglikse hoeveelheid verskafte behandelde uitvloeiwatervoor:

- die tydperk tussen twee opeenvolgende meterlesings nadat die meter vervang is; of
- 'n tydperk in die vorige jaar wat met die tydperk wat die meter onklaar was, ooreenstem; of
- die tydperk tussen drie opeenvolgende meterlesings voordat die meter onklaar geraak het,

watter tydperk ook al na die direkteur: water en sanitasie se goëddunke die toepaslikste is.

(2) Indien die hoeveelheid behandelde uitvloeiwatervwat gedurende die tydperk wat die meter onklaar was aan die verbruiker verskaf is nie ingevolge subartikel (1) hier bo geraam kan word nie, kan die direkteur: water en sanitasie die raming op enige beskikbare grondslag maak.

(3) Die verbruiker moet in kennis gestel word van die metode wat die direkteur: water en sanitasie gebruik het om die hoeveelheid behandelde uitvloeiwatervaan die verbruiker verskaf is te raam, soos in subartikel (1) en (2) hier bo beoog, en moet voorts geleentheid ontvang om vertoë tot die direkteur: water en sanitasie te rig voordat daar op 'n finale raming besluit word.

Spesiale meting

27. (1) Indien die direkteur: water en sanitasie om enige ander rede as heffings vir verskafte behandelde uitvloeiwatervwil bepaal hoeveel behandelde uitvloeiwatervin 'n bepaalde gedeelte van 'n behandelde-uitvloeiwatervinstallasie gebruik word, kan hy/sy deur skriftelike kennisgewing die betrokke verbruiker van die voorneme verwittig om 'n metingstoestel op enige punt wat die direkteur: water en sanitasie in die behandelde-uitvloeiwatervinstallasie uitwys te installeer.

(2) Die installasie en verwydering van 'n metingstoestel waarna daar in subartikel (1) hier bo verwys word, sal op die Stad se onkoste geskied.

(3) Die bepalinge van artikel 23(3)(b) en 24(b) geld in soverre dit toepaslik is met betrekking tot 'n metingstoestel wat ingevolge subartikel (1) hier bo geïnstalleer is.

(4) Die Stad kan by ontvangs van 'n skriftelike kennisgewing van die verbruiker, en onderworpe aan 'n betaalreëling met betrekking tot die toepaslike voorgeskrewe heffing vir watermeters, die meter lees op 'n tyd of dag anders as dié waarop die meter gewoonlik geles sou word, om te bepaal hoeveel behandelde uitvloeiwaterverskaf is.

Hoofstuk 3

Algemene vereistes vir behandelde-uitvloeiwaterrinstallasies

Verskaffing en instandhouding van behandelde-uitvloeiwaterrinstallasies

28. (1) 'n Verbruiker moet die behandelde-uitvloeiwaterrinstallasie op eie onkoste verskaf en in stand hou, en moet verseker dat die installasie binne die grense van die betrokke perseel geleë is, buiten:

- (a) in die geval van koppeling aan 'n aansluitingspyp; of
- (b) waar toestemming ingevolge artikel 14 verleen is.

(2) Voordat werk met betrekking tot die instandhouding van 'n gedeelte van die behandelde-uitvloeiwaterrinstallasie buite die grense van die perseel 'n aanvang neem, moet 'n verbruiker na gelang van omstandighede skriftelike toestemming van die direkteur: water en sanitasie, of die eienaar van die grond waarop sodanige gedeelte geleë is, bekom.

Aanvaarde pype en behandelde-uitvloeiwatertoehore

29. (1) Geen persoon mag 'n pyp of behandelde-uitvloeiwatertoehore in 'n behandelde-uitvloeiwaterrinstallasie installeer of gebruik nie, tensy dit ingevolge bylae 1 geskied.

(2) Nieteenstaande die bepaling van subartikel (1) hier bo, kan die direkteur: water en sanitasie vir 'n bepaalde doel in 'n bepaalde installasie die installasie of gebruik van 'n pyp of behandelde-uitvloeiwatertoehore toelaat wat nie by bylae 1 ingesluit is nie.

(3) Met betrekking tot enige pyp of behandelde-uitvloeiwatertoehore wat by bylae 1 ingesluit is, kan die direkteur: water en sanitasie enige sodanige voorwaardes opleë as wat hy/sy nodig kan ag met betrekking tot die gebruik of installasie metode daarvan.

(4) Die direkteur: water en sanitasie kan te eniger tyd 'n pyp of behandelde-uitvloeiwatertoehore van bylae 1 verwyder indien die betrokke pyp of toehore nie meer geskik is vir die doel waarvoor die gebruik daarvan aanvanklik aanvaar of by die bylae ingesluit is nie.

(5) Die direkteur: water en sanitasie moet verseker dat afskrifte van bylae 1 gedurende werksure beskikbaar is by die kantoor van die Stad.

Tekens

30. (1) 'n Eienaar van 'n perseel waar behandelde uitvloeiwaterr gebruik word, moet verseker dat elke eindpunt-watertoehore en elke toestel wat behandelde uitvloeiwaterr verskaf of gebruik duidelik met 'n weerbestande teken gemerk is wat aandui dat sodanige water nie vir huishoudelike doeleindes geskik is nie.

(2) In 'n gebied waar behandelde rioolwater gebruik word, sal die verbruiker op opvallende plekke weerbestande tekens aanbring wat waarsku dat sodanige water nie vir huishoudelike doeleindes geskik is nie.

(3) Elke waarskuwingsteken wat ingevolge subartikel (1) en (2) hier bo voorgeskryf word, moet in die drie amptelike tale van die Stad wees.

(4) Tekens moet aan die minimum standaard van die Stad voldoen, soos in bylae 2 vervat.

(5) Opvallende tekens wat aandui dat behandelde uitvloeiwaterr gebruik word, moet só aangebring word dat dit duidelik van 'n openbare deurpad sigbaar is op plekke soos deur die Stad bepaal.

(6) Onderworpe aan nasionale of enige ander wetgewing, kan die direkteur: water en sanitasie bylae 2 by hierdie verordening vervang, en hersiene of nuwe tekenstandaarde met betrekking tot hierdie artikel uitreik.

Ontwerpmaatstawwe vir behandelde-uitvloeiwaterrinstallasies

31. (1) 'n Verbruiker moet verseker dat:

- (a) behandelde-uitvloeiwaterrinstallasies aan SANS 10252: 2004 deel 1, sowel as enige moontlike wysigings daaraan, voldoen; en
- (b) daar geen aansluitings tussen verskillende behandelde-uitvloeiwaterr- en drinkwatertoehore bestaan nie.

(3) Indien 'n bepaalde pyp of behandelde-uitvloeiwatertoehore nie vir 'n bepaalde situasie geskik is nie, of indien enige aansluiting tussen verskillende behandelde-uitvloeiwaterr- en drinkwatertoehore gemaak word, kan die direkteur: water en sanitasie deur skriftelike kennisgewing:

- (a) die eienaar verbied om sodanige pyp, toehore of aansluiting te gebruik; of
- (b) die eienaar opdrag gee om aanvaarbare beskermingsmaatreëls te tref.

(4) Geen persoon mag 'n behandelde-uitvloeiwatertoehore of -apparaat aan 'n behandelde-uitvloeiwaterrinstallasie koppel wat as gevolg van drukstuwings die toevoerstelsel vir behandelde uitvloeiwaterr of enige ander waterrinstallasie beskadig of waarskynlik sal beskadig nie.

(5) Persele wat sowel 'n behandelde-uitvloeiwaterr- as 'n drinkwatertoehore benodig, moet aan onderstaande minimum standaard voldoen:

- (a) Waar sowel behandelde uitvloeiwaterr as drinkwater met afsonderlike pypleidings sonder enige tussenverbinding by 'n opgaartenk ingevoer moet word:
 - (i) behoort sodanige toehore aan die bokant van sodanige opgaartenk geleë te wees, en moet dit met behulp van 'n hand- of vlotterklep beheer word;
 - (ii) moet die drinkwatervoorsieningspyp oor die rand van die tenk loop, nie deur die sywand daarvan nie en minstens 100mm bo die maksimum moontlike watervlak in die tenk, om te verseker dat daar altyd 'n luggaping is en geen terugvloei moontlik is nie; en
 - (iii) kan verspreiding vanuit die tenk met behulp van 'n pomp of ander verspreidingsstelsel geskied.
- (b) Toevoer na 'n besproeiingsstelsel of ander verspreidingsnetwerk kan met behulp van 'n oorskakelkamer geskied wat slegs een aansluiting op 'n keer deur 'n slapslanginstallasie toelaat.
- (c) Die slapslanginstallasie waarna daar in paragraaf (b) hier bo verwys word, sal onderstaande veiligheidsstelsels insluit:

- (i) Die verbinding tussen die slapslang en die afvoer- of afvloeikant sal vas en nieverwyderbaar wees.
 - (ii) 'n Vakuumbreker-lugklep sal aan die afvoer- of afvloeikant geïnstalleer word.
 - (iii) Die deksels van die kamer sal kan sluit om beheerde toegang moontlik te maak.
- (6) Die aansluitingsbesonderhede van die gekose standaard soos in subartikel (5) hier bo beskryf, moet vir goedkeuring by die direkteur: water en sanitasie ingedien word, en die goedgekeurde afskrif sal deel uitmaak van die ondertekende ooreenkoms in artikel 13.
- (7) Enige verbruiker met sowel 'n behandelde-uitvloeiwatervoorvoer- as 'n drinkwatervoorvoer op die perseel, moet al die drinkwatervoorvoerpunte na die perseel met 'n kleinerdruksone- (RPZ-)terugslagklep ooreenkomstig SANS 10252-1: 2004 deel 1 toerus, en wel stroomaf van die isoleerplek, wat op sy beurt stroomaf van die watermeter geleë is.
- (8) Die behandelde-uitvloeiwatervoorvoer van die Stad, met teks sowel as die SABS-goedgekeurde teken vir nedrinkbare water, moet geïnstalleer word:
- (a) oor die volle lengte van alle pypleidinge, wat alle verspreidingspype op die eiendom insluit;
 - (b) direk oor die pypleiding; en
 - (c) tot en met 500mm onder grondvlak.
- (9) Alle onbedekte pypleidinge sal oranje geverf en van 'n toepaslike ontwerp wees.

Hoofstuk 4

Gehalte van behandelde uitvloeiwatervoorvoer

Vrywaring met betrekking tot gehalte van behandelde uitvloeiwatervoorvoer

32. (1) Die Stad bied geen waarborg, hetsy uitdruklik of geïmpliseer, vir die suiwerheid van enige behandelde uitvloeiwatervoorvoer wat dit verskaf, of vir die geskiktheid daarvan vir die doel waarvoor die voorvoer toegestaan is nie.
- (2) Die gehalte van die behandelde uitvloeiwatervoorvoer kan wissel, welke veranderlike deur die verbruiker in aanmerking geneem moet word.
- (3) Die gebruik van behandelde uitvloeiwatervoorvoer geskied geheel en al op die verbruiker se risiko, en die Stad is nie aanspreeklik vir enige regstreekse of nieregstreekse voortvloeiende skade of verlies nie.
- (4) Die Stad staan onder geen verpligting om die gehalte van die behandelde uitvloeiwatervoorvoer te toets nie.
- (5) Indien 'n verbruiker die gehalteparameters verlang, moet hy/sy dit op eie onkoste laat ontleed, en berus dit by hom/haar om die gehalte van die verskafte water te monitor.

Regulasies van die departement waterwese en bosbou

33. Die kennisgewings uitgereik ingevolge artikel 39 van die Nasionale Waterwet, 1998 (nr. 36 van 1998) geld binne die regsgebied van die Stad.

Hoofstuk 5

Gesondheid en higiëne

Gids vir die toelaatbare aanwending van en wegdoening met behandelde rioolwater

34. (1) Die gids vir die toelaatbare aanwending van en wegdoening met behandelde rioolwater, soos in bylae 3 by hierdie verordening vervat, geld binne die regsgebied van die Stad.
- (2) Onderworpe aan nasionale of enige ander wetgewing, kan die direkteur: water en sanitasie bylae 3 by hierdie verordening vervang, en 'n hersiene of nuwe gids met betrekking tot hierdie artikel uitreik.

Hoofstuk 6

Goedkeuring van planne

Vereiste goedkeuring van planne

35. Indien 'n verbruiker 'n nuwe behandelde-uitvloeiwatervoorvoerinstallasie wil installeer, moet hy/sy ingevolge toepaslike wetgewing eers skriftelike goedkeuring vir die bouplan vir sodanige installasie bekom.

Hoofstuk 7

Installasies deur loodgieters

Persone by magte om installasie- en ander werk te verrig

36. (1) Geen persoon sonder die nodige kwalifikasies en akkrediasie ingevolge die Wet op die Suid-Afrikaanse Kwalifikasieowerheid, 1995 (nr. 58 van 1995) mag installasiewerk verrig waarvoor daar ingevolge artikel 35 hier bo toestemming vereis word nie.
- (2) Die direkteur: water en sanitasie kan 'n register van sodanig gekwalifiseerde loodgieters hou.

Verantwoordelikhede van 'n eiendommeienaar/verbruiker

37. (1) 'n Eiendommeienaar of verbruiker moet verseker dat die installasiewerk wat op sy/haar perseel verrig word, deur 'n gekwalifiseerde loodgieter uitgevoer word en aan hierdie verordening voldoen.

(2) Indien installasiewerk in stryd met artikel 36 uitgevoer word, kan die direkteur: water en sanitasie deur skriftelike kennisgewing die eienaar van die perseel versoek om sodanige werk te staak totdat hy/sy 'n gekwalifiseerde loodgieter aangestel het om:

- (a) sodanige werk te inspekteer en enige deel daarvan reg te stel wat nie aan hierdie verordening voldoen nie; en
- (b) te verseker dat 'n nakomingsertifikaat, wat bevestig dat die betrokke werk aan hierdie verordening voldoen, by die direkteur: water en sanitasie ingedien word.

Hoofstuk 8

Goeie gebruikspraktyk

Bestuur

38. 'n Verbruiker behoort die verantwoordelikheid vir die gebruik van behandelde uitvloeiwatertoe aan 'n persoon toe te vertrou wat oor geskikte kwalifikasies beskik om sodanige gebruik te bestuur.

Oortredings en strafmaatreëls

39. (1) Enige persoon wat:

- (a) enige bepaling van hierdie verordening oortree;
- (b) versuim om aan die bepalings van enige kennisgewing te voldoen wat ingevolge hierdie verordening uitgereik word;
- (c) 'n raadslid of werknemer of kontrakteur van die raad dreig, teëstaan, verhinder of belemmer, of wat vuil, skel- of beledigende taal teenoor 'n raadslid of werknemer of kontrakteur van die raad gebruik wanneer die raadslid of werknemer of kontrakteur van die raad ingevolge hierdie verordening sy/haar magte uitoefen of pligte uitvoer; of wat hom/haar valslik as raadslid of werknemer of kontrakteur van die raad voordoen,

sal skuldig wees aan 'n oortreding, en sal by skuldigbevinding strafbaar wees met tronkstraf, 'n boete, of sowel tronkstraf as 'n boete.

Vrywaring

40. Die raad sal nie aanspreeklik wees vir enige skade of vergoeding wat ontstaan vanweë enige optrede in goeder trou in die loop van die toepassing van hierdie verordening nie.

Appèlle

41. 'n Persoon wie se regte deur 'n besluit ingevolge 'n gedelegeerde of gesubdelegeerde bevoegdheid of plig ooreenkomstig hierdie verordening geraak word, kan ingevolge artikel 62 van die Wet op Plaaslike Regering: Munisipale Stelsels, 2000 (nr. 32 van 2000) teen sodanige besluit appelleer.

Bylae 1

Aanvaarde pype en toebehore

1. Die pypmateriaal wat vir behandelde uitvloeiwatertoe gebruik word, moet oranje wees om maklik van die pypmateriaal vir drinkwater onderskei te kan word.
2. Die krane, kleppe en sproeiers van die besproeiingstelsel moet só ontwerp wees dat slegs gemagtigde persone dit kan oopmaak of in werking stel.
3. Pype en toebehore moet oor die standaardiseringsmerk van die SABS beskik wat die SABS met betrekking tot die tersaaklike SANS-spesifikasie uitgereik het.
4. Pype en toebehore moet oor 'n SABS-sertifiseringsmerk beskik wat bevestig dat die pyp of behandelde-uitvloeiwatertoebehoorsel aan 'n SABS-merkspesifikasie of 'n voorlopige SABS-spesifikasie voldoen, met dien verstande dat geen sertifiseringsmerk vir langer as twee jaar sal geld nie.

Bylae 2

Tekens



CITY OF CAPE TOWN | ISIXEKO SASEKAPA | STAD KAAPSTAD

Irrigation notice

THESE PREMISES ARE IRRIGATED WITH TREATED WASTEWATER WHICH IS NOT SUITABLE FOR HUMAN CONSUMPTION.

ISaziso esingokuNkcenkceshela

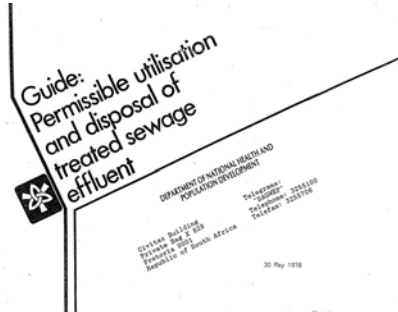
LE NDAWO INKCEKESHELWA NGAMANZI ASELE ESETYENZISIWE ACOCIWEYO EKUNGFANELEKANGA UKUBA ASELWE/ASETYENZISWE LULUNTU.

Besproeiingstekes

HIERDIE PERSEEL WORD MET BEHANDELDE AFVALWATER BESPROEI WAT NIE VIR MENSLIKE GEBRUIK GESKIK IS NIE.

Bylae 3

Gids: Toelaatbare aanwending van en wegdoening met behandelde rioolwater



VERWYSING: 11/2/53

30 MEI 1978

GIDS: TOELAATBARE AANWENDING VAN EN WEGDOENING MET BEHANDELDE RIOOLWATER

Hierdie gids lê die huidige beleid van die departement neer, en vervang alle vorige tersaaklike gidse. Enige persoon wat voornemens is om behandelde uitvloeiwatert te gebruik, moet vooraftoestemming daarvoor van die betrokke streeksdirekteur bekom.

Hierdie gids is slegs van toepassing op behandelde rioolwater uit hoofsaaklik huishoudelike bronne sonder enige noemenswaardige nywerheidsuitvloeiing.

Die streeksdirekteur is by magte om, in die lig van spesiale omstandighede in bepaalde gevalle, die vereistes hierin neergelê te verslap, of om bykomende of strengere vereistes op te lê.

Hierdie gids omskryf onderstaande:

- Die klassifikasie van behandelde uitvloeiwatert
- Direktiewe vir die gebruik van behandelde uitvloeiwatert vir besproeiing
- Direktiewe vir ander gebruike van behandelde uitvloeiwatert
- Metodes vir die wegdoening met en afvoer van behandelde uitvloeiwatert
- Algemene direktiewe en voorsorgmaatreëls

| KLASSIFIKASIE VAN BEHANDELDE UITVLOEIWATER (RIOOLSUIWERINGSAAANLEGTE) | | A |
|---|--|---|
| <p>PS-PRIMERE EN SEKONDERE BEHANDELING-HUMUSTENK-UITVLOEIWATER</p> <p>Konvensionele rioolsuiwering aan die hand van aanvaarde ontwerpmaatstawwe.# Dit sluit sifting en primêre afsakking in, gevolg deur biologiese suiwering, soos die biologiese-filtreerbedproses of die geaktiveerde-slykproses. Sekondêre behandeling sluit ook afsakking of verheldering ná biologiese of alternatiewe suiweringsmetodes in.</p> <p>PST-PRIMERE, SEKONDERE EN TERSIERE BEHANDELING</p> <p>Eindpunt-uitvloeiwatert voldoen aan die ALGEMENE STANDAARD,* met die E. coli-telling verslap tot 'n maksimum van 1 000 E. coli/100ml. Bo en behalwe bogenoemde primêre en sekondêre of gelykstaande behandeling, behoort een of meer tersiêre behandelings, bv. grondbehandeling, verouderingsdamme, filtrasie, chloorbehandeling of ander soorte ontsmetting, toegepas te word.</p> <p>STD-PRIMÊRE, SEKONDÊRE EN TERSIÊRE BEHANDELING (Vergelyk met PST)</p> <p>Eindpunt-uitvloeiwatert voldoen aan die ALGEMENE STANDAARD,* d.w.s. onder andere NUL E. coli/100ml.</p> <p>SP-STD-GEVORDERDE SUIWERING</p> <p>Eindpunt-uitvloeiwatert voldoen aan minstens die SPESIALE STANDAARD,* en die gehalte daarvan vergelyk goed met dié van drinkwater. Bo en behalwe bogenoemde primêre, sekondêre en tersiêre behandeling, sluit gevorderde suiwering ook spesiale fisiko-chemiese suiwering of ander gevorderde tegnieke in.</p> | <p>OD-OKSIDASIEDAMSTELSEL</p> <p>Eindpunt-uitvloeiwatert bevat 'n maksimum van 1 000 E. coli/100ml. Die damstelsel behoort volgens 'n erkende standaard # ontwerp te word, en moet plaagvry bedryf word. Die gesamentlike retensietyd van die hoofdam en ongeveer vier sekondêre damme behoort minstens 45 dae te wees. Hierdie stelsel behoort in 'n besproeiingsdam uit te loop waarvan die reserwebergingsvermoë gedurende droë weersomstandighede minstens 12 dae is. Tensy voldoende ruimte beskikbaar is en die damme ver genoeg van beboude gebiede is, word hierdie stelsel nie vir gemeenskappe met 'n bevolkingstal van meer as 5 000 aanbeveel nie. Elke oksidasiedamstelsel wat nie uitvloeiwatert van bostaande gehalte kan lewer nie, behoort vir die doel van hierdie gids op meriete as gelykstaande aan PS-gehalte beskou te word.</p> <p>VERTEERPUTWATER (Primêre afsakking en beperkte biologiese suiwering)</p> <p>Hierdie uitvloeiwatert moet verdere sekondêre en tersiêre of gelykstaande behandeling ondergaan voordat dit vir die doel soos in hierdie gids vervat, aangewend kan word.</p> <p>Vir direkte gebruik of wegdoening, sal slegs plaagvrye grondbehandelingsbesproeiing</p> <p>van omheinde plantasies op meriete toegelaat word.</p> | |

*ALGEMENE EN SPESIALE STANDAARD

#ONTWERPMAATSTAWWE

Gehaltevereistes vir gesuiwerde rioolwater soos neergelê deur die departement waterwese-sien Regerings- kennisgewing R553 in Buitengewone Staatskoeraant van April 1962, en enige wysigings daaraan. (E. coli = tipiese fekale coli)

Ontwerpmaatstawwe soos dié neergelê in die gids vir die ontwerp van rioolsuiweringsaanlegte van die Instituut vir Waterbesoedelingsbeheer, Suider-Afrikaanse tak (November 1973)

BOSTAANDE KLASSIFIKASIE VAN BEHANDELDE UITVLOEIWATER WORD IN DIE VOLGENDE TABEL GEBRUIK.

| DIREKTIEWE VIR DIE GEBRUIK VAN BEHANDELDE UITVLOEIWATER VIR BESPROEIING | | | | | | B |
|---|---|---|--|--|--|--|
| BESPROEIING VAN | PS-PRIMER EN SEKONDER | PST-PRIMER, SEKONDER EN TERSIER | STD-ALGEMENE STANDAARD | SP-STD-GEVORDERDE SUIWERING | OD-OKSIDASIED-AMSTELSEL | |
| 1 | <ul style="list-style-type: none"> GROENTE EN GEWASSE WAT ROU DEUR MENSE INGENEEM WORD (WAT NR. 3 UITSLUIT) GRASPERKE BY SWEMBADDENS, KLEUTERSKOLE, SPEELPARKE | <ul style="list-style-type: none"> VERBODE | <ul style="list-style-type: none"> VERBODE | <ul style="list-style-type: none"> VERBODE | <ul style="list-style-type: none"> ENIGE SOORT BESPROEIING TOELAATBAAR | <ul style="list-style-type: none"> VERBODE |
| 2 | <ul style="list-style-type: none"> GEWASSE VIR MENSLIKE GEBRUIK WAT NIE ROU INGENEEM WORD NIE (GROENTE, VRUGTE, SUIKERRIET) KWEEK VAN SNYBLOMME (SIEN OOK NR. 6) | <ul style="list-style-type: none"> VERBODE | <ul style="list-style-type: none"> ENIGE SOORT BESPROEIING TOELAATBAAR DOELTREFFENDE DREINERING EN DROGING VOOR OESTING NOODSAAKLIK | <ul style="list-style-type: none"> ENIGE SOORT BESPROEIING TOELAATBAAR | <ul style="list-style-type: none"> ENIGE SOORT BESPROEIING TOELAATBAAR | <ul style="list-style-type: none"> ENIGE SOORT BESPROEIING TOELAATBAAR OP MERIETE DOELTREFFENDE DREINERING EN DROGING VOOR OESTING NOODSAAKLIK |
| 3 | <ul style="list-style-type: none"> VRUGTEBOME EN WINGERDE: VIR DIE VERBOUING VAN VRUGTE WAT ROU DEUR MENSE INGENEEM WORD (SIEN NR. 2-VRUGTE WAT NIE ROU INGENEEM WORD NIE) | <ul style="list-style-type: none"> VERBODE | <ul style="list-style-type: none"> VLOEDBESPROEIING TOELAATBAAR DRUP- EN MIKRO-BESPROEIING TOELAATBAAR OP MERIETE, MITS VRUGTE NIE DIREK AAN SPROEI BLOOTGESTEL WORD NIE DOELTREFFENDE DREINERING EN DROGING VOOR OESTING VRUGTE WAT AFVAL, IS NIE VIR MENSLIKE GEBRUIK GESKIK NIE | <ul style="list-style-type: none"> ENIGE SOORT BESPROEIING TOELAATBAAR | <ul style="list-style-type: none"> ENIGE SOORT BESPROEIING TOELAATBAAR | <ul style="list-style-type: none"> DRUP- EN MIKRO-BESPROEIING TOELAATBAAR OP MERIETE, MITS VRUGTE NIE DIREK AAN SPROEI BLOOTGESTEL WORD NIE DOELTREFFENDE DREINERING EN DROGING VOOR OESTING VRUGTE WAT AFVAL, IS NIE VIR MENSLIKE GEBRUIK GESKIK NIE |
| 4 | <ul style="list-style-type: none"> WEIVELD VIR BEESTE, WAT MELKDIERE UITSLUIT (SIEN NR. 5) | <ul style="list-style-type: none"> VERBODE | <ul style="list-style-type: none"> ENIGE SOORT BESPROEIING TOELAATBAAR, MAAR NIE GEDURENDE WEIDING NIE WEIDING SLEGS TOELAATBAAR NA DOELTREFFENDE DREINERING EN DROGING-GEEN WATERPOELE VERBODE AS DRINKWATER VIR DIERE | <ul style="list-style-type: none"> ENIGE SOORT BESPROEIING TOELAATBAAR TOELAATBAAR AS DRINKWATER VIR DIERE | <ul style="list-style-type: none"> ENIGE SOORT BESPROEIING TOELAATBAAR TOELAATBAAR AS DRINKWATER VIR DIERE | <ul style="list-style-type: none"> ENIGE SOORT BESPROEIING TOELAATBAAR, MAAR NIE GEDURENDE WEIDING NIE WEIDING SLEGS TOELAATBAAR NA DOELTREFFENDE DREINERING EN DROGING-GEEN WATERPOELE VERBODE AS DRINKWATER VIR DIERE |
| 5 | <ul style="list-style-type: none"> WEIVELD VIR MELKDIERE (OMSKRYWING VAN MELK-ARTIKEL I(XV) VAN DIE GESONDHEIDSWET, 1977 (NR. 63 VAN 1977) | <ul style="list-style-type: none"> VERBODE | <ul style="list-style-type: none"> VERBODE | <ul style="list-style-type: none"> ENIGE SOORT BESPROEIING TOELAATBAAR TOELAATBAAR AS DRINKWATER VIR DIERE | <ul style="list-style-type: none"> ENIGE SOORT BESPROEIING TOELAATBAAR TOELAATBAAR AS DRINKWATER VIR DIERE | <ul style="list-style-type: none"> VERBODE |

| BESPROEING VAN | PS-PRIMER EN SEKONDER | PST-PRIMER, SEKONDER EN TERSIER | STD-ALGEMENE STANDAARD | SP-STD-GEVORDERDE SUIWERING | OD-OKSIDASIED-AMSTELSEL |
|---|--|---|---|---|--|
| 6 <ul style="list-style-type: none"> • GEWASSE: NIE VIR WEIVELD NIE, MAAR VIR DROE VOER • GEWASSE SLEGS VIR SAADDOELEINDES VERBOU • BOOMPLANTASIES • KWEKERYE-WAT SNYBLOMME UITSLUIT (SIEN NR. 2) ENIGE PARK OF SPORTVELD, SLEGS TEN TYDE VAN ONTWIKKELING EN VOOR AMPTELIKE OPENING | <ul style="list-style-type: none"> • ENIGE SOORT BESPROEING TOELAATBAAR OP MERIETE • OORBESPROEING OF WATERPOEL-VORMING VERBODE • GEEN REUKSTEURNIS • BEHOORLIK OMHEIN • OPENBARE TOEGANG VERBODE • GEEN VLEIS- EN MELKDIERE OF PLUIMVEE TOEGELAAT | <ul style="list-style-type: none"> • ENIGE SOORT BESPROEING TOELAATBAAR (SIEN OOK NR. 4 EN 5) | <ul style="list-style-type: none"> • ENIGE SOORT BESPROEING TOELAATBAAR | <ul style="list-style-type: none"> • ENIGE SOORT BESPROEING TOELAATBAAR | <ul style="list-style-type: none"> • ENIGE SOORT BESPROEING TOELAATBAAR (SIEN OOK NR. 4 EN 5) |
| 7 <ul style="list-style-type: none"> • PARKE EN SPORTVELDE (SIEN NR. 6) • GRASPERKE BY SWEMBADDENS UITGESLUIT (SIEN NR. 1) • (i) PARKE, SLEGS VIR VERFRAAIENDE BLOMBEDDINGS, VERKEER-SEILANDE, ENS.-D.W.S. NIE IN ONTSPANNINGS- GEBIEDE NIE • (ii) SPORTVELDE MET BEPERKTE KONTAK MET OPPERVLAK, BV. GHOLFBANE, KRIEKET-, HOKKIE- EN SOKKERVERDELDE, ENS. | <ul style="list-style-type: none"> • SLEGS VLOED-BESPROEING TOELAATBAAR • SPRINKEL-BESPROEING VERBODE • OPENBARE TOEGANG VERBODE • GEDURENDE BESPROEING • VERBODE | <ul style="list-style-type: none"> • VLOEDBESPROEING TOELAATBAAR • SPRINKEL-BESPROEING TOELAATBAAR OP MERIETE • OPENBARE TOEGANG VERBODE • GEDURENDE BESPROEING • ENIGE SOORT BESPROEING TOELAATBAAR • OORBESPROEING EN WATERPOEL-VORMING VERBODE • GEEN TOEGANG VIR PUBLIEK OF SPELERS GEDURENDE BESPROEING • PUBLIEK EN/OF SPELERS SLEGS TOEGELAAT NA DOELTREFFENDE DREINERING EN DROGING | <ul style="list-style-type: none"> • ENIGE SOORT BESPROEING TOELAATBAAR • OPENBARE TOEGANG VERBODE • GEDURENDE BESPROEING • ENIGE SOORT BESPROEING TOELAATBAAR • OORBESPROEING EN WATERPOEL-VORMING VERBODE • GEEN TOEGANG VIR PUBLIEK EN/OF SPELERS GEDURENDE BESPROEING | <ul style="list-style-type: none"> • ENIGE SOORT BESPROEING TOELAATBAAR • ENIGE SOORT BESPROEING TOELAATBAAR • GEEN TOEGANG VIR PUBLIEK EN/OF SPELERS GEDURENDE BESPROEING | <ul style="list-style-type: none"> • VLOED-BESPROEING TOELAATBAAR • SPRINKEL-BESPROEING TOELAATBAAR OP MERIETE • OPENBARE TOEGANG VERBODE • GEDURENDE BESPROEING • VLOEDBESPROEING TOELAATBAAR • SPRINKEL-BESPROEING TOELAATBAAR OP MERIETE • OORBESPROEING EN WATERPOEL-VORMING VERBODE • GEEN TOEGANG VIR PUBLIEK EN/OF SPELERS GEDURENDE BESPROEING • PUBLIEK EN/OF SPELERS SLEGS TOEGELAAT NA DOELTREFFENDE DREINERING EN DROGING |
| <ul style="list-style-type: none"> • (iii) SPORTVELDE MET GEREELDE KONTAK MET OPPERVLAK, BV. RUGBYVELDE, ATLETIEKBANE, ENS. • SKOOLTERREINE • OPENBARE PARKE-SPEZIALE SPEELPARKE UITGESLUIT (SIEN NR. 1) | <ul style="list-style-type: none"> • VERBODE | <ul style="list-style-type: none"> • VLOEDBESPROEING TOELAATBAAR • SPRINKEL-BESPROEING TOELAATBAAR OP MERIETE • OORBESPROEING EN WATERPOELVORMING VERBODE | <ul style="list-style-type: none"> • ENIGE SOORT BESPROEING TOELAATBAAR • OORBESPROEING EN WATERPOEL-VORMING VERBODE | <ul style="list-style-type: none"> • ENIGE SOORT BESPROEING TOELAATBAAR | <ul style="list-style-type: none"> • SLEGS VLOED-BESPROEING TOELAATBAAR • SPRINKEL-BESPROEING VERBODE • OORBESPROEING EN WATERPOEL-VORMING VERBODE |
| | | <ul style="list-style-type: none"> • GEEN TOEGANG VIR PUBLIEK EN SPELERS GEDURENDE BESPROEING • PUBLIEK EN/OF SPELERS SLEGS TOEGELAAT NA DOELTREFFENDE DREINERING EN DROGING | | | |

| BESPROEING–ALGEMENE OPMERKINGS EN VOORSORGMAATREËLS | |
|--|---|
| (a) Ten einde betyds te voorkom dat die besproeiingstelsel 'n steurnis veroorsaak, moet bewyse aangevoer word dat die soort grond, die grootte van die oppervlak, en die betrokke soort gewas geskik is vir besproeiing met die voorgestelde hoeveelheid en gehalte uitvloeiwat. | (e) Die frase “ná doeltreffende dreinerings en droging” in bostaande tabel beteken dat die bepaalde handeling slegs mag plaasvind wanneer geen waterpoele of -druppels meer in die betrokke besproeiingsgebied voorkom nie. |
| (b) Die pypmateriaal wat vir uitvloeiwat gebruik word, moet in kleur, materiaalsoort en formaat van die pypmateriaal vir drinkwat onderskei kan word. Hierdie voorsorgmaatreël is nodig ten einde onvoorsiene kruiskoppeling van pype te voorkom. | (f) Alle moontlike voorsorgmaatreëls behoort getref te word om te verseker dat geen oppervlak- of grondwat deur die besproeiingswat besmet word nie, veral waar laasgenoemde nie aan die algemene standaard voldoen nie. Uitermatige besproeiing moet voorkom word, en die besproeiingsgebied moet met behulp van toepaslike kontoere en afskermingsmure teen stormwat beskerm word. |
| (c) Ten einde te voorkom dat persone onwetend uitvloeiwat drink of daarmee was, moet die krane, kleppe en sproeiers van die besproeiingstelsel só ontwerp word dat slegs gemagtigde persone dit kan oopmaak en in werking stel. | (g) Sprinkelbesproeiing sal slegs toegelaat word indien geen sproei na gebiede oorgewaa word waar sodanige besproeiing verbode is nie. In hierdie verband moet die gehalte van die uitvloeiwat, die doel waarvoor sodanige aanliggende gebied gebruik word, en die aanliggende gebied se afstand van die besproeiingsgebied in aanmerking geneem word voordat sprinkelbesproeiing toegelaat word. |
| (d) Elke waterpunt waar oningeligte persone moontlik uitvloeiwat kan drink, moet oor 'n teken in duidelik leesbare Engels, Afrikaans en enige ander toepaslike amptelike tale beskik wat waarsku dat dit moontlik gevaarlik is om die wat te drink. | |

| DIREKTIEWE VIR ANDER GEBRUIKE VAN BEHANDELDE UITVLOEIWATER | | | | | | C |
|---|---|--|-------------------------------|---|---|---|
| ANDER GEBRUIKE VAN UITVLOEIWATER | PS-PRIMÊR EN SEKONDÊR | PST-PRIMÊR, SEKONDÊR EN TERSIER | STD-ALGEMENE STANDAARD | SP-STD-GEVORDERDE SUIWERING | OD-OXIDASIE-DAMSTELSEL | |
| • NYWERHEIDS- EN DIVERSE GEBRUIKE NIE HIER BO GENOEM NIE | • SLEGS IN UITSONDERLIKE GEVALLE TOELAATBAAR OP MERIETE | • ELKE GEVAL SAL OP MERIETE HANTEER WORD. • DIE KLEM SAL OP DIE E. COLI-TELLING VAL. • IN DIE ALGEMEEN MOET DIE UITVLOEIWATER VRY WEES VAN PARASITIESE OVA, PATOGENIESE ORGANISMES, TOKSIESE STOWWE, ENS. | | | | SLEGS IN UITSONDERLIKE GEVALLE TOELAATBAAR OP MERIETE |
| • VOEDSEL-BEDRYF (OOK VERKOEL-WATER) | • VERBODE | • VERBODE | • VERBODE | • VERBODE | • VERBODE | |
| • MYNE EN NYWERHEDE: ERTS-BEHANDELING, STOFBEHEER, ENS. | • SLEGS IN UITSONDERLIKE GEVALLE TOELAATBAAR OP MERIETE | • TOELAATBAAR OP MERIETE, MITS MENSLIKE KONTAK UITGESLUIT WORD. | • TOELAATBAAR | • TOELAATBAAR | • SLEGS IN UITSONDERLIKE GEVALLE TOELAATBAAR OP MERIETE | |
| | | • ALLE KRANE EN WATERTAPPUNTE IN DIE VERSPREIDINGSTELSEL VIR UITVLOEIWATER MOET MET DUIDELIK LEESBARE TEKENS IN ENGELS, AFRIKAANS EN ENIGE ANDER TOEPASLIKE AMPTELIKE TALE GEMERK WORD WAT AANDUI DAT DIE WATER <u>NIE</u> VIR MENSLIKE GEBRUIK GESKIK IS NIE. | | | | |
| • MENSLIKE WAS-DOELEINDES | • VERBODE | • VERBODE | • VERBODE | • TOELAATBAAR OP MERIETE • DUIDELIK LEESBARE TEKENS MOET AANGEBRING WORD WAT AANDUI DAT DIE WATER NIE VIR MENSLIKE GEBRUIK OF VOEDSEL-VOORBEREIDING GESKIK IS NIE. | • VERBODE | |
| • SPOELTOILETTE | • VERBODE | • TOELAATBAAR OP MERIETE • TEN EINDE DIE GEBRUIK VAN UITVLOEIWATER VIR ONGEMAGTIGDE DOELEINDES TE VOORKOM, SAL GEEN ANDER TAPKRANE AAN HOOFUITVLOEI-WATERPYPE GEKOPPEL WORD NIE. | | | • VERBODE | |
| • STOFBEHEER OP PAAIE | • VERBODE | • TOELAATBAAR • UITERMATIGE SPROEI EN POELVORMING MOET VOORKOM WORD. • GEEN OPPERVLAKE- OF GRONDWATER MAG BESOEDEL WORD NIE. | | • TOELAATBAAR | • VERBODE | |
| | | • GEEN REUKSTEURNIS MAG VOORKOM NIE. • ENIGE DIREKTE MENSLIKE KONTAK MET DIE SPROEI MOET SO VER PRAKTIES MOONTLIK VOORKOM WORD. • STAPPE MOET GEDOEN WORD OM TE VERSEKER DAT GEEN UITVLOEIWATER DIREK OF INDIREK VIR HUISHOUDELIKE DOELEINDES GEBRUIK WORD NIE. • HOUERS VIR DIE VERVOER VAN UITVLOEIWATER MAG NIE DAARNA VIR DIE VERVOER VAN DRINKWATER GEBRUIK WORD VOORDAT DIT DOELTREFFEND SKOONGEMAAK EN ONTSMET IS NIE. | | | | |
| ALGEMENE OPMERKINGS: DIT IS VERPLIGTEND DAT DIE NODIGE VOORSORGMAATREËLS MET ELK VAN BOGENOEMDE GEBRUIKE GETREF WORD TEN EINDE DIE GEBRUIK VAN BEHANDELDE UITVLOEIWATER VIR DRINK- OF HUISHOUDELIKE DOELEINDES TE VOORKOM. VOORTS IS DIT VERPLIGTEND DAT DIE MATERIAAL EN/OF DIE KLEUR VAN DIE UITVLOEIWATERPYP VAN SO 'N AARD IS DAT DIT NIE PER ABUIS AAN DRINKWATERPYPE GEKOPPEL WORD NIE. SIEN OOK (b) ONDER DIE OPSKRIF “BESPROEING–ALGEMENE OPMERKINGS EN VOORSORGMAATREËLS” HIER BO. | | | | | | |

| METODES VIR DIE WEGDOENING MET EN AFVOER VAN BEHANDELDE UITVLOEIWATER | | | | | D |
|---|-----------------------|---|--|-----------------------------|-------------------------|
| METODES VIR WEGDOENING MET EN AFVOER VAN UITVLOEIWATER | PS-PRIMÊR EN SEKONDÊR | PST-PRIMÊR, SEKONDÊR EN TERSIER | STD-ALGEMENE STANDAARD | SP-STD-GEVORDERDE SUIWERING | OD-OKSIDASIE-DAMSTELSEL |
| 1) AFVOER IN RIVIERE EN WATERLOPE, WAT RIVIER-MONDINGE, DAMME EN STRANDMERE UITSLUIT-SIEN NR. 2 | • VERBODE | <ul style="list-style-type: none"> • TOELAATBAAR OP MERIETE, MET INAGNEMING VAN PLAASLIKE OMSTANDIGHEDE, SOOS DIE VERDUNNINGS-FAKTOR IN DIE RIVIER OF STROOM, REENVAL, ENS. • DIE TOELAATBAARHEID VAN AFVOER MOET BEPAAL WORD MET INAGNEMING VAN DIE GEBRUIK VAN DIE RIVIERWATER LAER AF. • DIE AFVOERPUNT MOET BEPAAL WORD MET INAGNEMING VAN DIE POSISIE VAN DIE WATERONTTREK-KINGSPUNT(E) VIR HUISHOUDELIKE DOELEINDES LAER AF LANGS DIE RIVIER. • DIE UITVLOEIWATER MAG NIE ENIGE SKADELIKE STOWWE BEVAT IN KONSENTRASIES WAT 'N GESONDHEIDSGEVAAR INHOU NIE. | • TOELAATBAAR, MITS DIE UITVLOEIWATER GEEN SKADELIKE STOWWE BEVAT IN KONSENTRASIES WAT 'N GESONDHEIDSGEVAAR INHOU NIE. | • VERBODE | • VERBODE |
| 2) AFVOER IN RIVIERMONDINGE, DAMME, MERE, STRANDMERE OF ANDER WATER (WAT DIE SEE UITSLUIT-SIEN NR. 3) | • VERBODE | <ul style="list-style-type: none"> • TOELAATBAAR OP MERIETE INDIEN DIE REDELIKE VERSEKERING BESTAAN DAT DIE GEHALTE EN VOLUME SODANIG IS DAT DIT NIE STEURNISSE OF GESONDHEIDSGEVARE SAL VEROORSAAK NIE. • VERMENGING MET DIE UITVLOEIWATER MAG NIE DIE WATER MINDER GESKIK VIR HUISHOUDELIKE GEBRUIK EN/OF ONTSPANNING MAAK NIE. • DIE UITVLOEIWATER MAG NIE ENIGE SKADELIKE STOWWE BEVAT IN KONSENTRASIES WAT 'N GESONDHEIDSGEVAAR INHOU NIE. | • TOELAATBAAR, MITS DIE UITVLOEIWATER GEEN SKADELIKE STOWWE BEVAT IN KONSENTRASIES WAT 'N GESONDHEIDSGEVAAR INHOU NIE. | • TOELAATBAAR | VERBODE |

| METODES VIR WEGDOENING MET EN AFVOER VAN UITVLOEIWATER | PS-PRIMÊR EN SEKONDÊR | PST-PRIMÊR, SEKONDÊR EN TERSIER | STD-ALGEMENE STANDAARD | SP-STD-GEVORDERDE SUIWERING | OD-OKSIDASIE-DAMSTELSEL |
|---|---|--|---|---|-------------------------|
| 3) AFVOER IN DIE SEE | <ul style="list-style-type: none"> • SLEGS TOELAATBAAR BUIE DIE STRANDSONE. • DIE AFVOERPUNT MOET BEPAAL WORD MET INAGNEMING VAN DIE GEHALTE EN VOLUME UITVLOEIWATER, DIE SEESTROME, DIE VERSPREIDING EN VERDUNNING VAN UITVLOEIWATER, EN DIE NABYHEID VAN HUIDIGE EN TOEKOMSTIGE SWEMGEBIEDE. | <ul style="list-style-type: none"> • TOELAATBAAR • AFVOER IN STRANDSONE MOET BEPAAL WORD MET INAGNEMING VAN DIE NABYHEID VAN HUIDIGE EN TOEKOMSTIGE SWEMGEBIEDE, EN DIE UITWERKING VAN DIE SEEWATER-GEHALTE OP SODANIGE GEBIEDE. | <ul style="list-style-type: none"> • TOELAATBAAR | <ul style="list-style-type: none"> • TOELAATBAAR OP MERIETE SOOS VIR PS EN PST | |
| | <ul style="list-style-type: none"> • GEEN KUSGEBIED MAG MET UITVLOEIWATER BESOEDEL WORD WAT STOWWE BEVAT WAT 'N MOONTLIKE GESONDHEIDSGEVAAR INHOU NIE. • DIE AFVOER VAN UITVLOEIWATER MAG NIE ENIGE STEURNIS VEROORSAAK, OF ENIGE UITWERKING OP DIE SEELEWE HE WAT DIE MENS HETSY REGSTREEKS OF NIEREGSTREEKS KAN BENADEEL NIE. | | | | |
| <p>IN DIE MEESTE GEVALLE KAN DIE INVLOED VAN BOGENOEMDE AFVOER NIE DIREK VOORSPEL WORD NIE. DIT IS DAAROM GEWOONLIK RAADSAAM OM DIE NODIGE ONDERSOEKE TE DOEN OM SODANIGE INVLOED MET REDELIKE SEKERHEID TE BEPAAL.</p> | | | | | |

| ALGEMENE DIREKTIEWE EN VOORSORGMATREËLS | E |
|--|--|
| <p>(a) Die rioolsuiweringaanlegte moet te alle tye doeltreffend deur behoorlik opgeleide personeel bedryf word, en moet so ver prakties moontlik nie oorlaai word nie.</p> <p>(b) Die persone of owerhede in beheer van die suiweringaanlegte moet hulle te alle tye ooreenkomstig die direktiewe in hierdie gids van die gehalte van die eindpunt-uitvloeiwat vergewis.</p> <p>(c) Gereelde kontroletoetse van verteenwoordigende eindpunt-uitvloeiwatmonsters moet minstens kwartaalliks gedoen word, en die resultate daarvan moet geboekstaaf word.</p> <p>(d) Die persone of owerhede in beheer van die aanlegte moet verseker dat die gehalte van die eindpunt-uitvloeiwat en die gebruik daarvan aan die direktiewe in hierdie gids voldoen—ook wanneer sodanige uitvloeiwat deur 'n ander persoon of liggaam gebruik word. Die verskaffing en gebruik van uitvloeiwat moet gestaak word indien daar nie aan die direktiewe in hierdie gids voldoen word nie.</p> | <p>(e) 'n Persoon of liggaam wat die eindpunt-uitvloeiwat vir 'n doel gebruik soos in hierdie gids neergelê, maar nie die suiwering daarvan self behartig nie, moet hom/haar daarvan vergewis dat slegs toelaatbare gebruikspraktyke gehandhaaf word, en moet voorts die gebruik daarvan staak indien hy/sy van enige afwyking van die direktiewe in hierdie gids bewus word.</p> <p>(f) Nakoming van die vereistes in hierdie gids vir die gebruik van gesuiwerde rioolwater is die individuele en gesamentlike verantwoordelikheid van sowel die verskaffer as die gebruiker van die eindpunt-uitvloeiwat.</p> <p>(g) Gebruike en gebruiksmetodes wat in hierdie gids as “toelaatbaar op meriete” aangedui word, moet behoorlik gemotiveer en ondersoek word. Die meeste sodanige gevalle verg strengere toesig en strengere beheer oor die stelsel en die uitvloeiwatgehalte ten einde te voorkom dat enige steurnis of gesondheidsgevaar ontstaan.</p> |

The “Provincial Gazette” of the Western Cape

appears every Friday, or if that day is a public holiday, on the last preceding working day.

Subscription Rates

R187,10 per annum, throughout the Republic of South Africa.

R187,10 + postage per annum, Foreign Countries.

Subscriptions are payable in advance.

Single copies are obtainable at Room M21, Provincial Legislature Building, 7 Wale Street, Cape Town 8001.

Advertisement Tariff

First insertion, R26,40 per cm, double column.

Fractions of cm are reckoned as a cm.

Notices must reach the Director-General not later than 10:00 on the last working day but one before the issue of the *Gazette*.

Whilst every effort will be made to ensure that notices are published as submitted and on the date desired, the Administration does not accept responsibility for errors, omissions, late publications or failure to publish.

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.

Die “Provinsiale Koerant” van die Wes-Kaap

verskyn elke Vrydag of, as die dag ’n openbare vakansiedag is, op die laaste vorige werkdag.

Tarief van Intekengelde

R187,10 per jaar, in die Republiek van Suid-Afrika.

R187,10 + posgeld per jaar, Buiteland.

Intekengeld moet vooruitbetaal word.

Los eksemplare is verkrygbaar by Kamer M21, Provinsiale Wetgewing-gebou, Waalstraat 7, Kaapstad 8001.

Advertensietarief

Eerste plasing, R26,40 per cm, dubbelkolom.

Gedeeltes van ’n cm word as een cm beskou.

Kennisgewings moet die Direkteur-generaal uiterlik om 10:00 op die voorlaaste werkdag voor die uitgawe van die *Koerant* bereik.

Hoewel alle pogings aangewend sal word om te sorg dat kennisgewings soos ingedien en op die verlange datum gepubliseer word, aanvaar die Administrasie nie verantwoordelikheid vir foute, weglatings, laat publikasies of versuim om dit te publiseer nie.

Alle briefwisseling moet aan die Direkteur-generaal, Posbus 659, Kaapstad 8000, gerig word en tjeks, bankwissels, posorders en poswissels moet aan die Departement van die Premier betaalbaar gemaak word.

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

| | Page |
|--|------|
| City of Cape Town: (Khayelitsha/Mitchells Plain): Rezoning, departures and approval of site development plan | 1211 |
| City of Cape Town: (Northern District): Rezoning and subdivision | 1212 |
| City of Cape Town: (Northern District): Proposed for less formal township establishment..... | 1213 |
| City of Cape Town: (Southern District): Rezoning and Departures | 1214 |
| City of Cape Town: (Table Bay District): Rezoning and subdivision | 1215 |
| City of Cape Town: (Tygerberg Region): Rezoning and departures | 1216 |
| City of Cape Town: (Tygerberg Region): Rezoning, subdivision and consent use..... | 1217 |
| City of Cape Town: (Tygerberg Region): Rezoning and regulations departures | 1218 |
| City of Cape Town: (Tygerberg Region): Rezoning and regulations departures | 1218 |
| City of Cape Town: Air Quality Management By-Law | 1225 |
| City of Cape Town: Treated Effluent By-Law | 1267 |
| George Municipality: Proposed rectification of a contravention .. | 1219 |
| Hessequa Municipality: Subdivision | 1219 |
| Hessequa Municipality: Rezoning..... | 1220 |
| Hessequa Municipality: Consent Use..... | 1225 |
| Hessequa Municipality: Subdivision | 1220 |
| Knysna Municipality: Rezoning and Departure..... | 1221 |
| Langeberg Municipality: Subdivision and consolidation | 1222 |
| Langeberg Municipality: Rezoning and consent use..... | 1212 |
| Mossel Bay Municipality: Rezoning | 1222 |
| Overstrand Municipality: Rezoning and consent use | 1223 |
| Swartland Municipality: Confirmation of zoning | 1223 |
| Swellendam Municipality: Subdivision..... | 1224 |
| Swellendam Municipality: Subdivision..... | 1224 |
| Swellendam Municipality: Departure..... | 1224 |
| Western Cape Department of Health: General notice | 1265 |

| | Bladsy |
|--|--------|
| Stad Kaapstad: (Khayelitsha/Mitchells Plain): Hersonerig, afwykings en goedkeuring van die terreinontwikkelingsplan .. | 1211 |
| Stad Kaapstad: (Noordelike Distrik): Hersonerig en onderverdeling | 1212 |
| Stad Kaapstad: (Noordelike Distrik): Voorgestelde minder formele dorpsstigting | 1213 |
| Stad Kaapstad: (Suidelike Distrik): Hersonerig en afwykings..... | 1214 |
| Stad Kaapstad: (Tafelbaai Distrik): Hersonerig en onderverdeling | 1215 |
| Stad Kaapstad: (Tygerberg Distrik): Hersonerig en onderverdeling | 1216 |
| Stad Kaapstad: (Tygerberg Distrik): Hersonerig, onderverdeling en vergunningsgebruik..... | 1217 |
| Stad Kaapstad: (Tygerberg Distrik): Hersonerig en regulasie afwykings..... | 1218 |
| Stad Kaapstad: (Tygerberg Distrik): Hersonerig en regulasie afwykings..... | 1218 |
| Stad Kaapstad: Verordening op Luggehaltebestuur | 1238 |
| Stad Kaapstad: Verordening op Behandelde Uitvloeiwater | 1282 |
| George Munisipaliteit: Regstelling van 'n strydigheid | 1219 |
| Hessequa Munisipaliteit: Onderverdeling..... | 1219 |
| Hessequa Munisipaliteit: Hersonerig..... | 1220 |
| Hessequa Munisipaliteit: Vergunningsgebruik | 1225 |
| Hessequa Munisipaliteit: Onderverdeling..... | 1220 |
| Knysna Munisipaliteit: Hersonerig en Afwyking..... | 1221 |
| Langeberg Munisipaliteit: Onderverdeling en konsolidasie | 1222 |
| Langeberg Munisipaliteit: Hersonerig | 1212 |
| Mosselbaai Munisipaliteit: Hersonerig | 1222 |
| Overstrand Munisipaliteit: Hersonerig en vergunningsgebruik .. | 1223 |
| Swartland Munisipaliteit: Bevestiging van sonering | 1223 |
| Swellendam Munisipaliteit: Onderverdeling | 1224 |
| Swellendam Munisipaliteit: Onderverdeling | 1224 |
| Swellendam Munisipaliteit: Afwyking | 1224 |
| Wes-Kaapse Departement van Gesondheid: Algemene kennisgewing | 1266 |