



# Western Cape Government • Wes-Kaapse Regering

PROVINCE OF WESTERN CAPE

PROVINSIE WES-KAAP

## Provincial Gazette

## Provinsiale Koerant

6970

6970

Friday, 23 March 2012

Vrydag, 23 Maart 2012

Registered at the Post Office as a Newspaper

As 'n Nuisblad by die Poskantoor Geregistreer

### CONTENTS

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

No.		Page
<b>Provincial Notices</b>		
71	Knysna Municipality: Removal of Restrictions Act.....	322
72	City of Cape Town Municipality (Tygerberg Region): Removal of Restrictions Act.....	322
73	City of Cape Town Municipality (Southern District): Removal of Restrictions Act.....	322
74	City of Cape Town Municipality (Southern District): Removal of restrictions Act.....	323
75	Swellendam Municipality: Removal of Restrictions Act.....	323
76	Correction Notice .....	395
<b>Tenders:</b>		
Notices.....		323
<b>Local Authorities</b>		
Beaufort West Municipality: Rezoning, subdivision and depar- ture.....		324
City of Cape Town Municipality: Re-appointment of members of the Valuation Appeal Board.....		326
City of Cape Town Municipality (Khayelitsha/Mitchells Plain District): Rezoning, Subdivision, special consent, departures, amendment, road closures and deviation.....		327
City of Cape Town Municipality (Helderberg District): Special consent and deviation.....		329
City of Cape Town Municipality (Southern District): Removal of restrictions and subdivision .....		330
City of Cape Town Municipality: Removal of restrictive title conditions .....		340
Hessequa Municipality: By-law relating to the prevention of public nuisances .....		342
Hessequa Municipality: Consent use and departure .....		332
Hessequa Municipality: Consent use .....		329
Langeberg Municipality: Consent use .....		326

(Continued on page 396)

### INHOUD

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

No.		Bladsy
<b>Provinsiale Kennisgewings</b>		
71	Knysna Munisipaliteit: Wet op Opheffing van Beperkings.	322
72	Stad Kaapstad Munisipaliteit (Tygerberg-streek): Wet op Opheffing van Beperkings .....	322
73	Stad Kaapstad Munisipaliteit (Suidelike Distrik): Wet op Opheffing van Beperkings .....	322
74	Stad Kaapstad Munisipaliteit (Suidelike Distrik): Wet op Opheffing van Beperkings .....	323
75	Swellendam Munisipaliteit: Wet op Opheffing van Beperkings .....	323
76	Regstellende Kennisgewing .....	395
<b>Tenders:</b>		
Kennisgewings:.....		323
<b>Plaaslike Owerhede</b>		
Beaufort-Wes Munisipaliteit: Hersonering, onderverdeling en afwyking.....		325
Stad Kaapstad Munisipaliteit: Heraanstelling van lede van die Waardasie-appèlraad .....		326
Stad Kaapstad Munisipaliteit (Khayelitsha/Mitchells Plein- distrik): Hersonering, onderverdeling, spesiale toestemming, afwykings, padsluiting en afwyking .....		328
Stad Kaapstad Munisipaliteit (Helderberg-distrik): Spesiale Toestemming en afwyking.....		329
Stad Kaapstad Munisipaliteit (Suidelike Distrik): Opheffing van beperkings en onderverdeling .....		330
Stad Kaapstad Munisipaliteit: Opheffing van beperkende titelvoorwaardes .....		341
Hessequa Munisipaliteit: Verordening insake openbare oor- laste .....		356
Hessequa Munisipaliteit: Vergunningsgebruik en afwyking .....		332
Hessequa Munisipaliteit: Vergunningsgebruik.....		329
Langeberg Munisipaliteit: Vergunningsgebruik.....		326

(Vervolg op bladsy 396)

## PROVINCIAL NOTICES

The following Provincial Notices are published for general information.

ADV. B. GERBER,  
DIRECTOR-GENERAL

Provincial Building,  
Wale Street,  
Cape Town.

P.N. 71/2012

23 March 2012

## KNYSNA MUNICIPALITY

## REMOVAL OF RESTRICTIONS ACT, 1967

I, Bulelwa Nkwatani, in my capacity as Chief Land Use Management in the Department of Environmental Affairs & 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 1846, Knysna, amend condition (b) on page 4 as contained in Deed of Transfer No. T. 25818 of 1975, to read as follows:

“That no more than one dwelling, together with the necessary outbuildings, which may include an additional dwelling unit in accordance with the provision of the Knysna Zoning Scheme, and appurtenances be erected on any residential erf or business erf, or on Erf No. 357, if subdivided and used for residential purposes. No flats or tenement houses to be erected on any erf”.

P.N. 72/2012

23 March 2012

CITY OF CAPE TOWN  
(TYGERBERG DISTRICT)REMOVAL OF RESTRICTIONS ACT, 1967  
(ACT 84 OF 1967)

I, Jeremy Benjamin, in my capacity as Chief Land Use Management Regulator in the Department of Environmental Affairs and Development Planning: Western Cape, acting in terms of the powers contemplated by section 2(1) of the Removal of Restrictions Act, 1967 (Act 84 of 1967), duly delegated to me in terms of section 1 of the Western Cape Delegation of Powers Law, 1994, and on application by the owner of Erf 2818, Durbanville, remove conditions B. 6, 7.(i) and (ii) as contained in Deed of Transfer No. T. 74669 of 1994.

P.N. 73/2012

23 March 2012

CITY OF CAPE TOWN  
(SOUTHERN DISTRICT)

## REMOVAL OF RESTRICTIONS ACT, 1967

Notice is hereby given that André John Lombaard, Chief Land Use Management Regulator in the Department of Environmental Affairs and Development Planning, properly designated as Competent Authority in terms of paragraph (a) of State President Proclamation No. 160 of 31 October 1994, in terms of section 2(1) of the Removal of Restrictions Act, 1967 (Act 84 of 1967), and on application by the owner of Erf 90033, Cape Town at Kalk Bay, removes conditions I. (b) and II. C. (b) contained in Deed of Transfer No. T. 60971 of 2007.

## PROVINSIALE KENNISGEWINGS

Die volgende Provinsiale Kennisgewings word vir algemene inligting gepubliseer.

ADV. B. GERBER,  
DIREKTEUR-GENERAAL

Provinsiale-gebou,  
Waalstraat,  
Kaapstad.

P.K. 71/2012

23 Maart 2012

## KNYSNA MUNISIPALITEIT

## WET OP OPHEFFING VAN BEPERKINGS, 1967

Ek, Bulelwa Nkwatani, in my hoedanigheid as Hoof Grondgebruiksbestuur Reguleerder in die Departement Omgewing Sake en Ontwikkelings Beplanning: Wes-Kaap, handelende ingevolge die bevoegdheid beoog in artikel 2(1) van die Wet op Opheffing van Beperrings, 1967 (Wet 84 van 1967), behoortlik aan my gedelegeer ingevolge artikel 1 van die Wes-Kaapse Wet op die Delegasie van Bevoegdhede, 1994, en op aansoek van die eienaar van Erf 1846, Knysna, gewysig (b) op bladys 4 by soos vervat in Transportakte Nr. T. 25818 van 1975, soos volg lees:

“That no more than one dwelling, together with the necessary outbuildings, which may include an additional dwelling unit in accordance with the provision of the Knysna Zoning Scheme and appurtenances be erected on any residential erf or business erf, or on Erf No. 357, if subdivided and used for residential purposes. No flats or tenement houses to be erected on any erf”.

P.K. 72/2012

23 Maart 2012

STAD KAAPSTAD  
(TYGERBERG DISTRIK)WET OP OPHEFFING VAN BEPERKINGS, 1967  
(WET 84 VAN 1967)

Ek, Jeremy Benjamin, in my hoedanigheid as Hoof Grondgebruiksbestuur Reguleerder in die Departement van Omgewingsake en Ontwikkelingsbeplanning: Wes-Kaap, handelende ingevolge die bevoegdheid beoog in artikel 2(1) van die Wet op Opheffing van Beperrings, 1967 (Wet 84 van 1967), behoortlik aan my gedelegeer ingevolge artikel 1 van die Wes-Kaapse Wet op die Delegasie van Bevoegdhede, 1994, en op aansoek van die eienaar van Erf 2818, Durbanville, hef voorwaardes B. 6, 7. (i) en (ii) soos vervat in Akte van Transport No. T. 74669 van 1994, op.

P.K. 73/2012

23 Maart 2012

STAD KAAPSTAD  
(SUIDELIKE DISTRIK)

## WET OP OPHEFFING VAN BEPERKINGS, 1967

Kennis geskied hiermee dat André John Lombaard, Hoof Grondgebruiksbestuur Reguleerder in die Departement van Omgewingsake en Ontwikkelingsbeplanning, behoortlik aangewys as Bevoegde Gesag ingevolge paragraaf (a) van Staatspresident Proklamasie Nr. 160 van 31 Oktober 1994, kragtens artikel 2(1) van die Wet op Opheffing van Beperrings, 1967 (Wet 84 van 1967), en op aansoek van die eienaar van Erf 90033, Kaapstad te Kalkbaai, voorwaardes I. (b) and II. C. (b) vervat in Transportakte No. T. 60971 van 2007, ophef.

P.N. 74/2012

23 March 2012

CITY OF CAPE TOWN  
(SOUTHERN DISTRICT)

REMOVAL OF RESTRICTIONS ACT, 1967

I, André John Lombaard, 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 923, Sandbaai, remove conditions B.2.(a) and (c) contained in Deed of Transfer No. T. 25355 of 2008.

P.N. 75/2012

23 March 2012

SWELLENDAM MUNICIPALITY

REMOVAL OF RESTRICTIONS ACT, 1967

I, André John Lombaard, 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 183, Infanta, remove conditions C.(c) and D.4(b) contained in Deed of Transfer No. T. 64274 of 1997.

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.

P.K. 74/2012

23 Maart 2012

STAD KAAPSTAD  
(SUIDELIKE DISTRIK)

WET OP OPHEFFING VAN BEPERKINGS, 1967

Ek, André John Lombaard, in my hoedanigheid as Hoof Grondgebruiksbestuur Reguleerder in die Departement van Omgewingsake en Ontwikkelingsbeplanning: Wes-Kaap, handelende ingevolge die bevoegdheid beoog in artikel 2(1) van die Wet op Opheffing van Beperkings, 1967 (Wet 84 van 1967), behoortlik aan my gedelegeer ingevolge artikel 1 van die Wes-Kaapse Wet op die Delegasie van Bevoegdhede, 1994, en op aansoek van die eienaar van Erf 923, Sandbaai, hef voorwaardes B.2.(a) en (c) vervat in Transportakte Nr. T. 25355 van 2008, op.

P.K. 75/2012

23 Maart 2012

SWELLENDAM MUNISIPALITEIT

WET OP OPHEFFING VAN BEPERKINGS, 1967

Ek, André John Lombaard, in my hoedanigheid as Hoof Grondgebruiksbestuur Reguleerder in die Departement van Omgewingsake en Ontwikkelingsbeplanning: Wes-Kaap, handelende ingevolge die bevoegdheid beoog in artikel 2(1) van die Wet op Opheffing van Beperkings, 1967 (Wet 84 van 1967), behoortlik aan my gedelegeer ingevolge artikel 1 van die Wes-Kaapse Wet op die Delegasie van Bevoegdhede, 1994, en op aansoek van die eienaar van Erf 183, Infanta, hef voorwaardes C.(c) en D.4(b) vervat in Transportakte Nr. T. 64274 van 1997, op.

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.

## NOTICES BY LOCAL AUTHORITIES

## KENNISGEWING DEUR PLAASLIKE OWERHEDE



## BEAUFORT WEST MUNICIPALITY

Notice No. 34/2012



**PROPOSED REZONING, SUBDIVISION OF A PORTION OF THE REMAINDER OF FARM 185  
AND DEPARTURE OF BUILDING LINES, BEAUFORT WEST**

Notice is hereby given in terms of Sections 15, 17, 22 and 24 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) and Regulation 4.7.1 of the Scheme Regulations applicable to Beaufort West that the Beaufort West Municipality is contemplating the development of abovementioned property.

<b>Property:-</b>	Portion of the Remainder of Farm 185, Beaufort West ( $\pm$ 8.03 ha) : Undetermined Zone										
<b>Proposal:-</b>	<p>The rezoning of a portion of the Remainder of Farm 185, Beaufort West from Undetermined Zone to Subdivisional Area in terms of Section 17 read with Section 22(1)(a) of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) for Residential Zone I, Open Space Zone I, Institutional Zone II and III and Transport Zone II purposes;</p> <p>The subdivision of the portion of the Remainder of Farm 185 in terms of Section 24 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) to allow for the following:-</p> <table> <tr> <td>Residential Zone I</td> <td>273 erven of <math>\pm</math>150 m<sup>2</sup> each</td> </tr> <tr> <td>Open Space Zone I</td> <td>4 Erven</td> </tr> <tr> <td>Institutional Zone II</td> <td>1 Erf</td> </tr> <tr> <td>Institutional Zone III</td> <td>1 Erf</td> </tr> <tr> <td>Transport Zone II</td> <td>Roads</td> </tr> </table> <p>Building Line Departures in terms of Section 15(1)(a)(i) of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) to allow a lateral building line of 0 m for one of the lateral boundaries of the Single Residential erven.</p> <p>A consent use for a place of assembly with regard to the Institutional Zone III erf.</p>	Residential Zone I	273 erven of $\pm$ 150 m <sup>2</sup> each	Open Space Zone I	4 Erven	Institutional Zone II	1 Erf	Institutional Zone III	1 Erf	Transport Zone II	Roads
Residential Zone I	273 erven of $\pm$ 150 m <sup>2</sup> each										
Open Space Zone I	4 Erven										
Institutional Zone II	1 Erf										
Institutional Zone III	1 Erf										
Transport Zone II	Roads										
<b>Applicant:-</b>	Urban Dynamics Western Cape Inc. (Asla Devco Pty) Ltd										

Details concerning the application are available for inspection at the Offices of the Municipal Manager, Beaufort West Municipality, 112 Donkin Street, Beaufort West, during office hours. Enquiries may be directed to the Municipal Manager, Beaufort West Municipality, Private Bag 582, Beaufort West, 6970, or faxed to 023-415 1373. Written objections, if any, with reasons may be lodged at the office of the abovementioned Municipal Manager on or before **Friday, 13 April 2012**, quoting the notice number, as well as your erf and contact phone number and address.

Should your response not reach the above offices on or before the closing dated, it may be considered invalid. 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 objections or representation.

Any queries in the above regard should be directed to the Senior Manager: Corporate Services at phone number 023-414 8020.

Municipal Office  
112 Donkin Street  
Private Bag 582  
**Beaufort West**  
6970

[12/4/4/2; 12/4/5/2; 12/3/2]

**J. Booysen**  
**Municipal Manager**



**BEAUFORT-WES MUNISIPALITEIT**

**Kennisgewing No. 34/2012**



**VOORGESTELDE HERSONERING, ONDERVERDELING VAN 'n GEDEELTE VAN DIE RESTANT VAN PLAAS 185 EN AFWYKING VAN BOULYNE, BEAUFORT-WES**

Kennis geskied hiermee ingevolge Artikels 15, 17, 22 en 24 van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie 15 van 1985) en Regulasie 4.7.1 van die Skemaregulasies van toepassing op Beaufort-Wes dat Beaufort-Wes Munisipaliteit van voornemens is om bogemelde eiendom te ontwikkel.

<b>Eiendomsbeskrywing</b>	Gedeelte van die Restant van Plaas 185, Beaufort-Wes (± 8.03 ha) : Onbepaalde Sone
<b>Aansoek:-</b>	<p>Hersonering van 'n gedeelte van die Restant van Plaas 185 van Onbepaalde Sone na Onderverdelingsgebied in terme van Artikel 17 gelees saam met Artikel 22(1)(a) van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie 15 van 1985) vir Residensiële Sone I, Oopruimte Sone I, Institusionele Sone II en III en Vervoersone II doeleindes.</p> <p>Onderverdeling van die gedeelte van die Restant van Plaas 185 in terme van Artikel 24 van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie 15 van 1985) ten einde vir die volgende voorsiening te maak:-</p> <ul style="list-style-type: none"> <li>* Residensiële Sone I 273 erwe van ± 150 m<sup>2</sup> elk</li> <li>* Oopruimte Sone I 4 Erwe</li> <li>* Institusionele Sone II 1 Erf</li> <li>* Institusionele Sone III 1 Erf</li> <li>* Vervoersone II Paaie</li> </ul> <p>Boulyn afwykings in terme van Artikel 15(1)(a)(i) van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie 15 van 1985) vir 'n kantboulyn van 0 m langs een van die kantboulyne van die Residensiële Sone I erwe.</p> <p>'n Vergunningsgebruik vir 'n vergaderplek ten opsigte van Institusionele Sone III erf.</p>
<b>Aansoeker:-</b>	Urban Dynamics Western Cape Inc. (Asla Devco Pty) Ltd

Besonderhede rakende die aansoek is gedurende kantoorure ter insae by die Kantoor van die Munisipale Bestuurder, Beaufort-Wes Munisipaliteit, Donkinstraat 112, Beaufort-Wes, 6970. Navrae/kommentaar kan aan die Munisipale Bestuurder, Beaufort-Wes Munisipaliteit, Privaatsak 582, Beaufort-Wes, 6970 gerig word, of gefaks word na 023-415 1373. Enige besware moet skriftelik en gemotiveerd aan die Munisipale Bestuurder gerig word om die ondergetekende voor of op **Vrydag, 13 April 2012** te bereik. Meld asseblief die kennisgewingsnommer, u telefoonnommer en adres.

Indien u kommentaar nie die bogemelde kantoor voor die sluitingsdatum bereik nie, sal die kommentaar as ongeldig beskou word. Indien u nie in staat is om geskrewe kommentaar te lewer nie, kan 'n afspraak gedurende kantoorure gereël word sodat 'n amptenaar u kan assisteer om kommentaar en/of besware op skrif te stel.

Enige navrae met betrekking tot bogemelde aansoek kan aan die Senior Bestuurder: Korporatiewe Dienste by telefoon 023-414 8020 gerig word.

Munisipale Kantore  
Donkinstraat 112  
Privaatsak 582  
**Beaufort-Wes**  
6970

[12/4/4/2; 12/4/5/2; 12/3/2]

**J. Booysen**  
**Munisipale Bestuurder**

## CITY OF CAPE TOWN MUNICIPALITY

RE-APPOINTMENT OF MEMBERS OF THE VALUATION  
APPEAL BOARD

In terms of Section 60 of the Municipal Property Rates Act, 2004 (Act 6 of 2004) notice is hereby given for the re-appointment of the members for the Valuation Appeal Board for the area of jurisdiction of the City of Cape Town.

The members re-appointed for the valuation appeal board, are as follows:

*Chairpersons:*

Mr Martin Coetzee;  
Mr Paul Smorenberg; and  
Ms Phumzile Phala

*Valuer/members:*

Mr G Wilkinson; and  
Mr H Wiggins

*Members:*

Mr N Pillay;  
Ms F Abrahams;  
Mr E Miller;  
Mr F Gabriel;  
Ms G Woods; and  
Mr P Arendse

Dated at Cape Town this 8th day of March 2012.

MR A BREDELL, MINISTER

23 March 2012

24385

## LANGEBERG MUNICIPALITY

PROPOSED CONSENT USE OF THE FARM NR 251,  
ROBERTSON

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

*Applicant:* TPS Land Use Planners

*Property:* Farm No 251, Robertson

*Owner:* Charles Barnard

*Locality:* Between Robertson and Ashton

*Size:* 12.294ha

*Proposal:* Additional Dwelling Unit (Klaas Voogds Farm Cottage)

*Existing zoning:* Agricultural zone I

Written, legal and fully motivated objections/comments, if any, against the application must be lodged in writing with the undersigned or at any Langeberg municipal office on or before 26 April 2012. 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 MN 28/2012]

23 March 2012

24393

## STAD KAAPSTAD MUNISIPALITEIT

HERAANSTELLING VAN LEDE VAN DIE WAARDASIE-  
APPELRAAD

Kennis word gegee kragtens Artikel 60 van die "Municipal Property Rates Act, 2004 (Act 6 of 2004)" op Eiendomswaardering, vir die heraanstelling van die waardasie-appelraadlede vir die regsgebied van die Stad Kaapstad.

Die lede wat aangestel is vir die waardasie-appelraad is soos volg:

*Voorsitters:*

Mnr M Coetzee;  
Mnr P Smorenberg; en  
Me Phumzile Phala

*Waardeerders:*

Mnr G Wilkinson; en  
Mnr H Wiggins

*Lede:*

Mnr N Pillay;  
Me F Abrahams;  
Mnr E Miller;  
Mnr F Gabriel;  
Me G Woods; en  
Mnr P Arendse

Gedateer te Kaapstad op hierdie 8ste dag van Maart 2012.

MNR A BREDELL, MINISTER

23 Maart 2012

24385

## LANGEBERG MUNISIPALITEIT

VOORGESTELDE VERGUNNINGSGEBRUIK VAN DIE PLAAS  
NR. 251, ROBERTSON

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

*Aansoeker:* TPS Grondgebruik Beplanners

*Eiendom:* Plaas Nr 251, Robertson

*Eienaar:* Charles Barnard

*Ligging:* Tussen Robertson en Ashton

*Grootte:* 12.294ha

*Voorstel:* Addisionele Woonheid (Klaas Voogds Farm Cottage)

*Huidige sonering:* Landbousone I

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 26 April 2012. '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 vertoë af te skryf. Geen laat besware sal oorweeg word nie.

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

[Kennisgewingnr.: MK 28/2012]

23 Maart 2012

24393

## CITY OF CAPE TOWN

## (KHAYELITSHA/MITCHELLS PLAIN DISTRICT)

## REZONING, SUBDIVISION, SPECIAL CONSENT, DEPARTURES, AMENDMENT, ROAD CLOSURES &amp; DEVIATION

- Portions 31, 32 & 33 of Farm 691, Remainder Portions 14, 27 & 28 of Farm 691, Portions of Remainder Portions 12, 13, 22 & 30 of Farm 691 & Portion of Remainder Farm 691, Mandalay

Notice is hereby given in terms of Sections 15, 17, 24(1) & 30(1) of the Land Use Planning Ordinance No 15 of 1985, Section 2 of the Divisional Council Scheme Regulations, Section 37(2) of the Land Survey Act 8 of 1997 & the Municipal Ordinance 20 of 1974, 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, Stocks & Stocks, c/o Ntlakohlaza & Ntlazane Street, Ilitha Park, Khayelitsha 7784, PO Box X93, Bellville 7535. Enquiries of a technical nature may be directed to Mr N Bassadien, e-mail address: Nabeel.Bassadien@capetown.gov.za, tel (021) 360-1265 and fax 086 576 0782 weekdays during 08:00-14:30. Written objections, if any, with reasons may be lodged at the office of the abovementioned District Manager, or e-mailed to: Objections.Khayemitch@capetown.gov.za, on or before 16 April 2012 quoting the above applicable legislation, the application number, as well as your erf, contact phone number and address.

*Location address:* Cape Flats Freeway (R300), Mandalay

*Owner:* Commercial Dynamics (PTY) Ltd

*Applicant:* First Plan Town & Regional Planners

*Application no:* 213051

*Nature of Application:*

1. Application for Rezoning from Rural to Subdivisional Area (Single Residential, Public Open Space & Public Road) in terms of Section 17 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985).
2. Application for Subdivision into 248 Single Residential Erven, 4 Public Open Spaces & Remainder Public Road in terms of Section 24(1) of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) as per Subdivision Plan No: FP/0307/562/House/Final dated 28 September 2011.
3. Application for Special Consent to permit Erf sizes less than 650m<sup>2</sup> (i.e. ±120m<sup>2</sup> to 230m<sup>2</sup> for single residential dwellings) & have a street frontage of less than 22.5m for the Single Residential Erven in terms of Part VI Section 2 of the Divisional Council Scheme Regulations.
4. Application for Departures in terms of Section 15 of the Land Use Planning Ordinance, No 15 of 1985 to permit:
  - Street Building Lines from 4.0m in lieu of 4.5m in general for all single residential erven, but in the case of corner stands and residential erven to 1.0m in lieu of 4.5m from a short section of the erf boundary as indicated on plan no: FP/0307/562/House/Final dated 28 September 2011;
  - Rear Building Lines from 1.0m in lieu of 3.0m for all single residential erven in centre blocks as indicated on plan no: FP/0307/562/House/Final dated 28 September 2011;
  - Lateral Building Lines from 0m in lieu of 1.5m for the row houses and 1.0 in lieu of 1.5m on due side of freestanding houses for all single residential erven as indicated on plan no: FP/0307/562/House/Final dated 28 September 2011; and
  - Aggregate Side Space of 1.0m in lieu of 3.0m for all single residential erven as indicated on plan no: FP/0307/562/House/Final dated 28 September 2011.
5. Application for closure of public & undeveloped roads over Portions 31, 32 & 33 of Farm 691, Remainder Portions 14, 27 & 28 of Farm 691, Portions of Remainder Portions 12, 13, 22 & 30 of Farm 691 & Portion of Remainder Farm 691, Mandalay, in terms of the Municipal Ordinance, 1974 (Ordinance 20 of 1974) as indicated on diagram no: 411/1884 dated 5 May 1986 and as per Subdivision Plan No: 5 dated 17 March 2011.
6. Amendment of General Plan No. F.26 (2635) Felix Park Estate in terms of Section 30(1) of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) & Section 37(2) of the Land Survey Act, 1997 (Act 8 of 1997) for Portions 31, 32 & 33 of Farm 691, Remainder Portions 14, 27 & 28 of Farm 691, Portions of Remainder Portions 12, 13, 22 & 30 of Farm 691 & Portion of Remainder Farm 691, Mandalay by replacement thereof with the subject subdivision plan no: FP/0307/562/House/Final dated 28 September 2011.
7. Application for Deviation from the Weltevreden Valley Structure Plan to permit erven less than 120m<sup>2</sup>.
8. Application for approval of street names and numbering.

ACHMAT EBRAHIM, CITY MANAGER

## STAD KAAPSTAD

## (KHAYELITSHA-/MITCHELLS PLEIN-DISTRIK)

## HERSONERING, ONDERVERDELING, SPESIALE TOESTEMMING, AFWYKINGS, PADSLUITINGS EN AFWYKING

- Gedeeltes 31, 32 en 33 van Plaas 691, restant, gedeeltes 14, 27 en 28 van Plaas 691, gedeeltes van restant, gedeeltes 12, 13, 22 en 30 van Plaas 691 en gedeelte van restant van Plaas 691, Mandalay

Kennisgewing geskied hiermee ingevolge artikels 15, 17, 24(1) en 30(1) van die Ordonnansie op Grondgebruikbeplanning, no. 15 van 1985, artikel 2 van die Kaapse Afdelingsraad se Soneringskema-regulasies, artikel 37(2) van die Wet op Landmeting, Wet 8 van 1997, en Munisipale Ordonnansie 20 van 1974 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. Tegnieuse navrae kan gerig word aan N Bassadien, e-posadres: Nabeel.Bassadien@capetown.gov.za, tel (021) 360-1265, of faksno. 086 576 0782, weksdae gedurende 08:00-14:30. Skriftelike besware, as daar is, moet voor of op 16 April 2012 aan die kantoor van bogenoemde Distriksbestuurder gerig word, of na Objections.Khayemitch@capetown.gov.za gestuur word, met vermelding van bogenoemde toepaslike wetgewing, die aansoeknommer sowel as u erf- en kontaktelefoonnommer en adres.

*Liggingsadres:* Cape Flats Freeway (R300), Mandalay

*Eienaar:* Commercial Dynamics (Edms.) Bpk.

*Aansoeker:* First Plan Stads- en Streksbeplanners

*Aansoekno.:* 213051

*Aard van aansoek:*

1. Die hersonering van landelik na onderverdelingsgebied (enkelresidensiële, openbare oopruimte en openbare pad) ingevolge artikel 17 van die Ordonnansie op Grondgebruikbeplanning, no. 15 van 1985.
2. Onderverdeling in 248 enkelresidensiële erwe, 4 openbare oopruimtes en die restant openbare pad ingevolge artikel 24(1) van die Ordonnansie op Grondgebruikbeplanning, no. 15 van 1985, ooreenkomstig onderverdelingsplan. FP/0307/562/House/Final van 28 September 2011.
3. Spesiale toestemming ten einde erfgrouttes van minder as 650m<sup>2</sup> (d.w.s. ± 120m<sup>2</sup> tot 230m<sup>2</sup> vir enkelresidensiële wonings) toe te laat, en om 'n straatfrontwydte van minder as 22.5m toe te laat ingevolge deel VI, artikel 2, van die Afdelingsraad se Skema-regulasies.
4. Afwykings ingevolge artikel 15 van die Ordonnansie op Grondgebruikbeplanning, no. 15 van 1985, om die volgende toe te laat:
  - Straatboulyne van 4.0m in plaas van 4.5m oor die algemeen vir enkelresidensiële erwe, maar in die geval van hoekerwe en woonerwe tot 1.0m in plaas van 4.5m van 'n kortaansig van die erfrens soos op plan. FP/0307/562/House/Final van 28 September 2011 getoon word.
  - Agterste boulyne van 1.0m in plaas van 3.0m vir alle enkelresidensiële erwe in middelblokke soos op plan. FP/0307/562/House/Final van 28 September 2011 getoon word.
  - Syboulyne van 0m in plaas van 1.5m aan die regte kant van vrystaande huise vir alle enkelresidensiële erwe soos op plan. FP/0307/562/House/Final van 28 September 2011 getoon word.
  - Gemiddelde syruimte van 1.0 in plaas van 3.0m vir alle residensiële erwe soos op plan. FP/0307/562/House/Final van 28 September 2011 getoon word.
5. Sluiting van openbare en onontwikkelde paaie oor gedeeltes 31, 32 en 33 van Plaas 691, restantgedeeltes 12, 13, 22 en 30 van Plaas 691 en gedeelte van die restant van Plaas 691, Mandalay, ingevolge Munisipale Ordonnansie 20 van 1974, soos daar op diagram. 411.1884 van 5 Mei 1986 getoon word, ooreenkomstig onderverdelingsplan. 5 van 17 Maart 2011.
6. Wysiging van algemene plan F.26 (2635) Felix Park-landgoed ingevolge artikel 30(1) van die Ordonnansie op Grondgebruikbeplanning, no. 15 van 1985, en artikel 37(2) van die Wet op Landmeting, Wet 8 van 1997, vir gedeeltes 31, 32 en 33 van Plaas 691, restantgedeeltes 14, 27 en 28 van Plaas 691, gedeeltes van die restantgedeeltes 12, 13, 22 en 30 van Plaas 691 en restantgedeelte van Plaas 691, Mandalay, deur dit te vervang met die onderhawige onderverdelingsplan. FP/0307/562/House/Final van 28 September 2011.
7. Afwyking van die Weltevreden Valley-strukturplan om erwe van minder as 120m<sup>2</sup> toe te laat.
8. Goedkeuring van straatname en -nommers.

ACHMAT EBRAHIM, STADSBESTUURDER



CITY OF CAPE TOWN  
(HELDERBERG DISTRICT)

SPECIAL CONSENT & DEVIATION FROM THE SOMERSET  
WEST DENSITY POLICY

- Erf 1539, 30 Firmount Road, Somerset West

Notice is hereby given in terms of Somerset West Zoning Scheme Regulations & the Somerset West Density Policy that the undermentioned application has been received and is open to inspection at the office of the District Manager at the First Floor, Municipal Offices, cnr/o Victoria & Andries Pretorius Streets, Somerset West. Objections may be lodged to PO Box 19, Somerset West, 7129, e-mail to objections.helderberg@capetown.gov.za, tel (021) 850-4346 or fax (021) 850-4487 weekdays during 08:00-14:30. Any objections, with full reasons therefor, may be lodged in writing at the office of the abovementioned District Manager on or before 23 April 2012, 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:* E de Beer Kruger

*Owner:* E de Beer Kruger

*Application number:* 216176

*Notice number:* 7/2012z

*Address:* 30 Firmount Road, Somerset West

*Nature of Application:*

- The Council's Consent on Erf 1539, 30 Firmount Road, Somerset West for the construction of an additional dwelling unit (approximately 411m<sup>2</sup>);
- The deviation from the Somerset West Density Policy to allow a double storey additional dwelling unit in a case where less than 60% of the main dwelling is a double storey.

ACHMAT EBRAHIM, CITY MANAGER

23 March 2012

24388

HESSEQUA MUNICIPALITY

CONSENT USE ON PORTIONS 4 AND 16 OF THE FARM  
KLIPFONTEIN NO. 414

Notice is hereby given in terms of Regulation 4.6 of PN 1048/1988 that the Hessequa Council has received the following application on the abovementioned properties:

*Proposal:* Consent Use for 5 additional dwelling units

*Applicant:* Dr HWL Kok

*Portions:* 4 and 16 of the Farm Klipfontein No. 414

Details concerning the application are available at the office of the undersigned as well as Stilbaai 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 13 April 2012.

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

23 March 2012

24392

STAD KAAPSTAD

(HELDERBERG-DISTRIK)

SPESIALE TOESTEMMING EN AFWYKING VAN SOMERSET-  
WES SE DIGTHEIDSBELEID

- Erf 1539, Firmountweg 30, Somerset-Wes

Kennisgewing geskied hiermee ingevolge Somerset-Wes se Sonering-skemaregulasies en Somerset-Wes se Digtheidsbeleid dat onderstaande aansoek ontvang is en ter insae beskikbaar is by die Kantoor van die Distriksbestuurder, 1e Verdieping, Munisipale Kantore, h/v Victoria- & Andries Pretoriusstraat, Somerset-Wes. Navrae kan gerig word aan Posbus 19, Somerset-Wes 7129, tel (021) 850-4346, faksno. (021) 850-4487, e-posadres objections.helderberg@capetown.gov.za, gedurende 08:00-14:30 op weksdae. Besware, met volledige redes daarvoor, moet voor of op 23 April 2012 skriftelik by die kantoor van die Distriksbestuurder, 1e Verdieping, Munisipale Kantore, h/v Victoria- & Andries Pretoriusstraat, Somerset-Wes, ingedien word, met vermelding van bogenoemde toepaslike wetgewing en die beswaarmaker se erf- en telefoonnommer en adres. Enige besware wat na die voormelde sluitingsdatum ontvang word, kan dalk ongeldig geag word.

*Aansoeker:* E de Beer Kruger

*Eienaar:* E de Beer Kruger

*Aansoekno.:* 216176

*Kennisgewingno.:* 7/2012z

*Adres:* Firmountweg 30, Somerset-Wes

*Aard van aansoek:*

- Raadstoemming vir erf 1539, Firmountweg 30, Somerset-Wes, vir die konstruksie van 'n bykomende wooneenheid (sowat 411m<sup>2</sup>).
- Afwyking van Somerset-Wes se Digtheidsbeleid om 'n bykomende dubbelverdieping-wooneenheid toe te laat in 'n geval waar minder as 60% van die hoofwoning 'n dubbelverdieping is.

ACHMAT EBRAHIM, STADSBESTUURDER

23 Maart 2012

24388

HESSEQUA MUNISIPALITEIT

VERGUNNINGSGEBRUIK OP GEDEELTES 4 EN 16 VAN DIE  
PLAAS KLIPFONTEIN NO. 414

Kennis geskied hiermee ingevolge die bepalings van Regulasie 4.6 van PK 1048/1988 dat die Hessequa Raad die volgende aansoek op bogenoemde eiendomme ontvang het:

*Aansoek:* Vergunningsgebruik vir 5 addisionele wooneenhede

*Applikant:* Dr HWL Kok

*Gedeeltes:* 4 en 16 van die plaas Klipfontein No. 414

Besonderhede rakende die aansoek is ter insae by die kantoor van die ondergetekende asook die Stilbaai Munisipale Kantore gedurende kantoorure. Enige besware teen die voorgenome aansoek moet skriftelik gerig word om die ondergetekende te bereik nie later as 13 April 2012.

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

23 Maart 2012

24392

CITY OF CAPE TOWN (SOUTHERN DISTRICT)  
REMOVAL OF RESTRICTIONS AND SUBDIVISION

- Erf 63756, Kenilworth (*second placement*)

Notice is hereby given in terms of Section 24 of the Land Use Planning Ordinance 15 of 1985, and Section 3(6) of the Removal of Restrictions Act No 84 of 1967, that the undermentioned application has been received and is open to inspection at the office of the District Manager, Department: Planning & Building Development Management, City of Cape Town, Customer Interface, Ground Floor, 3 Victoria Road, Plumstead 7800, and any enquiries may be directed to Patrick Absolon, from 08:30-12:30 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 [Objections.Southern@capetown.gov.za](mailto:Objections.Southern@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. The application is also open for inspection at the office of the Director: Integrated Environmental Management, Department of Environmental Affairs & Development Planning, Provincial Government of the Western Cape at the "Utilitas Building", 1 Dorp Street, Cape Town weekdays from 08:00-12:30 and 13:00-15:30. Any objections and/or comments, with full reasons therefor, must be submitted in writing at both offices, that of the City of Cape Town, as well as the Provincial Government. If your response is not sent to these addresses and/or fax number, and if, as a consequence it arrives late, it may be deemed to be invalid. For any further information, contact Patrick Absolon, tel (021) 710-8236. The closing date for objections and comments is 23 April 2012.

*File Ref:* LUM/00/63756 (Vol 1)

*Applicant:* Brian Mellon & Associates (Land Surveyors)

*Address:* 7 Sunningdale Road, Kenilworth

*Nature of Application:*

1. Removal of restrictive title conditions applicable to the abovementioned property:

- To enable the owner to subdivide the property into two portions, portion 1 approximately 740m<sup>2</sup> and the Remainder approximately 1690m<sup>2</sup> in extent, for single residential purposes.

ACHMAT EBRAHIM, CITY MANAGER

23 March 2012

24389

STAD KAAPSTAD (SUIDELIKE DISTRIK)  
OPHEFFING VAN BEPERKINGS EN ONDERVERDELING

- Erf 63756, Kenilworth (*tweede plasing*)

Kennisgewing geskied hiermee ingevolge artikel 3(6) van die Wet op Opheffing van Beperkings, Wet 84 van 1967, en artikel 24 van die Ordonnansie op Grondgebruikbeplanning, no. 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, Inwonerskaking, Grondverdieping, Victoriaweg 3, Plumstead 7800. Navrae kan gerig word aan mnr Patrick Absolon van 08:30 tot 12:30, 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, Utilitas-gebou, Kamer 601, Dorpstraat 1, Kaapstad, van 08:00-12:30 en 13:00-15:30 (Maandae tot Vrydae). Enige besware en/of kommentaar, met volledige redes daarvoor, moet voor of op onderstaande sluitingsdatum skriftelik aan die Provinsiale Regering sowel as die Kantoor van die Distriksbestuurder, Departement: Ekonomiese, Ontwikkelings- en Ruimtelike beplanning, Stad Kaapstad, Privaatsak X5, Plumstead 7801, gerig word, na (021) 710-8283 of na (021) 710-9446 gefaks word, of na [Objections.Southern@capetown.gov.za](mailto:Objections.Southern@capetown.gov.za) gestuur word, met vermelding van bogenoemde wetgewing, onderstaande verwysingsnommer en die beswaarmaker se erf- en telefoonnommer en adres. As die sluitingsdatum op 'n Sondag of openbare vakansiedag val, sal die sluitingsdatum na die volgende dag oorgedra word. 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 faksno. gestuur word nie en gevolglik laat ontvang word, sal dit ongeldig geag word. Om nadere inligting, skakel Patrick Absolon, tel (021) 710-8236. Die sluitingsdatum vir besware en kommentaar is 23 April 2012.

*Lêerverw.:* LUM/00/63756 (Vol 1)

*Aansoeker:* Brian Mellon & Associates (Landmeters)

*Adres:* Sunningdaleweg 7, Kenilworth

*Aard van aansoek:*

1. Opheffing van beperkende titelvoorwaardes wat op bogenoemde eiendom van toepassing is:

- ten einde die eienaar in staat te stel om die eiendom vir enkelresidensiële doeleindes in twee gedeeltes, gedeelte 1, wat sowat 740m<sup>2</sup> groot is, en die restant, wat sowat 1690m<sup>2</sup> groot is, te onderverdeel.

ACHMAT EBRAHIM, STADSBESTUURDER

23 Maart 2012

24389

## CITY OF CAPE TOWN (SOUTHERN DISTRICT)

## UKUSUSWA KWEZITHINTELO NOLWAHLULWA-HLULO

- Isiza-63756, e-Kenilworth (*sikhutshwa okwesibini*)

Kukhutshwa isaziso ngokweCandelo-24 loMpoposho woCwangciso lokuSetyenziswa koMhlaba onguNomb.15 wangowe-1985 nangokweCandelo-3(6) loMthetho ongokuSuswa kweziThintelo onguNomb.84 wangowe-1967, sokuba isicelo esikhankanywe ngezantsi apha sifunyenwe kwaye sivulelekile ukuba siphononongwe kwi-ofisi yoMphathi wesiThili, kwiSebe loLawulo loCwangciso noPhuhliso lweZakhiwo, kwisiXeko saseKapa, Customer Interface, Ground Floor, 3 Victoria Road, Plumstead 7800, nayiphina imibuzo ingajoliswa ku-Patrick Absolon, ukususela ngeye-08:30-12:30 ngoMvulo ukuya ngoLwesihlanu. Naziphina izichaso okanye izimvo ezinezizathu ezivakalayo zingangeniswa ngokubhaliweyo kwi-ofisi yoMphathi wesiThili, kwiSebe loLawulo loCwangciso noPhuhliso lweZakhiwo/loLwakhiwo, kwisiXeko saseKapa, Private Bag X5, Plumstead, 7801 okanye zifekselwe kwa-(021) 710-8283 okanye zi-imeyilelwe kwa Objections.Southern@capetown.gov.za ngomhla okanye phambi komhla wokuvalwa, ucaphule lo Mpoposho ungentla apha, inombolo yesalathiso ekhankanywe ngezantsi apha, kunye nenombolo yesiza somchasi, inombolo zomnxeba nedilesi yakhe. Izichaso nezimvo zingangeniswa ngesandla kwidilesi yesitrate ekhankanywe ngentla apha ungadlulanga umhla wokuvalwa. Isicelo esi kwakhona sivulelekile ukuba siphononongwe kwi-ofisi yoMlawuli woLawulo lokusiNgqongileyo ngokuHlangeneyo, kwiSebe leMicimbi yokusiNgqongileyo noCwangciso loPhuhliso, kubuRhulumente bePhondo laseNtshona Koloni, kwiZakhiwo i-Uttilitas, 1 Dorp Street, eKapa kwiintsuku eziphakathi evikini ukususela ngeye-08:00-12:30 nokususela ngeye-13:00-15:30. Naziphina izichaso okanye izimvo ezinezizathu ezivakalayo kufuneka zingeniswe ke ngoko ngokubhaliweyo kuzo zombini ii-ofisi, eyeyisiXeko saseKapa kunye neyobuRhulumente bePhondo. Ukuba impendulo yakho itha ayathunyelwa kwezi dilesi okanye kwiinombolo zefeksi ezikhankanyiweyo kwaye ukuba kuthe kwenzeka ukuba ifumaneke emva kwexesha, iyakuthi ithatyathwe njengengekho-mthethweni. Ukuba ufuna ingcaciso engenye, nceda uqhagamshelane no-Patrick Absolon, kumnxeba (021) 710-8236. TUmhla wokuvalwa kokungeniswa kwezichaso nezimvo ngowama-23 Épreli 2012.

Isalathiso somqulu: LUM/00/63756 (Vol 1)

Umfaki-sicelo: Brian Mellon & Associates (Land Surveyors)

Idilesi: 7 Sunningdale Road, Kenilworth

Ubume besicelo:

1. Ukususwa kwemiqathango yesithintelo setayitile yobunini, ejoliswe kwipropati ekhankanywe ngentla apha:

- Ukuze umnini abenakho ukwahlula-hlula ipropati ukuze ibeziziqephu ezibini, isiqephu-1 esimalunga nama-740m<sup>2</sup> neNtsalela yesiqephu emalunga ne-690m<sup>2</sup> ubukhulu, kulungiselelwa imibandelo yezindlu zokuhlala usapho olunye.

ACHMAT EBRAHIM, CITY MANAGER

23 March 2012

24389

LANGEBERG MUNICIPALITY

(MONTAGU OFFICE)

MN NO. 27/2012

PROPOSED CONSENT USE ON ERF 75, 9 VAN RIEBEECK STREET, MONTAGU

(Ordinance 15 of 1985, Land Use Planning)

Notice is hereby given in terms of the Zoning Scheme Regulations of Montagu, that the Council has received an application from Jansen Family Trust for a consent use to operate a Guest-house I on erf 75, Montagu.

The application will be open for inspection at the Montagu Office during normal office hours. Written legal and fully motivated objections/comments, if any, must be lodged with the Municipal Manager, Private Bag X2, Ashton, 6715, before or on 26 April 2012. 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

23 March 2012

24394

LANGEBERG MUNISIPALITEIT

(MONTAGU KANTOOR)

MK NR. 27/2012

VOORGESTELDE VERGUNNINGSGEBRUIK VAN ERF 75, VAN RIEBEECKSTRAAT 9, MONTAGU

(Ordonnansie 15 van 1985, Grondgebruikbeplanning)

Kennis geskied hiermee ingevolge die Soneringskemaregulasies van Montagu dat 'n aansoek ontvang is van Jansen Familie Trust om vergunningsgebruik ten einde 'n Gastehuis I te bedryf op erf 75, Montagu.

Die aansoek lê ter insae gedurende kantoore in die Montagu Kantoor en skriftelike regsgeldige en goed gemotiveerde besware/kommentaar, indien enige, moet nie later as 26 April 2012 skriftelik by die Munisipale Bestuurder, Privaatsak X2, Ashton, 6715, ingedien word nie. Navrae kan gerig word aan mnr Jack van Zyl by telefoonnommer (023) 614-8000. 'n Persoon wat nie kan skryf nie kan gedurende kantoore na bogenoemde kantoor kom waar 'n personeelid van die Munisipaliteit daardie persoon sal help om sy/haar kommentaar of vertoë af te skryf.

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

23 Maart 2012

24394

## HESSEQUA MUNICIPALITY

CONSENT USE & DEPARTURE: FARM NO. 634, PORTION 1 OF THE FARM HOOI KRAAL NO. 304, PORTION 8 AND REMAINDER OF PORTION 1 OF THE FARM DIEPKLOOF NO. 521 AND PORTION 8 OF FARM NO. 306, HEIDELBERG

Notice is hereby given in terms of the provisions of Regulation 4.6 of PN 1048/1988 and in terms of the provisions of Section 15(1)(a)(i) of the Land-Use Planning Ordinance 15 of 1985 (Ord. 15 of 1985) that the Hessequa Council has received the following application on the above-mentioned property:

*Property description:* Farm No. 634, Heidelberg (697.6132ha) Portion 1 of the Farm Hooi Kraal No. 304, Heidelberg (613.6771ha) Portion 8 of the Farm Diepkloof No. 521, Heidelberg (762.9604ha) Remainder of Portion 1 of the Farm Diepkloof No. 521, Heidelberg (684.3198ha) Portion 8 of Farm No. 306, Heidelberg (481.3701ha)

*Proposal:* Consent Use to establish renewable energy structures (10 wind turbines) as follows:

- 3 wind turbines on Farm No. 634,
- 1 wind turbine on Portion 1 of the Farm Hooi Kraal No. 304,
- 3 wind turbines on Portion 8 of the Farm Diepkloof No. 521,
- 2 wind turbines on Remainder of Portion 1 of the Farm Diepkloof No. 512,
- 1 wind turbine on Portion 8 of Farm No. 306.

Departure of the Section 8 Scheme Regulations on the land use restrictions for Agricultural Zone 1 on Farm No. 634, as follows:

- Encroachment of the northern side building line from 30m to 0m to construct a wind turbine,
- Encroachment of the setback line of 1.5 times the maximum rotor height (210m to 140m).

*Applicant:* Friedlaender Burger & Volkmann Land Surveyors

Details concerning the application are available at the office of the undersigned as well as Heidelberg 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 16 April 2011.

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

23 March 2012

24391

## MOSSEL BAY MUNICIPALITY

## APPOINTMENT OF VALUATION APPEAL BOARD MEMBERS

In terms of Section 56 of the Municipal Property Rates Act, 2004 (Act 6 of 2004) notice is hereby given for the appointment of members to serve on the Valuation Appeal Board for the area of jurisdiction of Mossel Bay.

The members appointed for the valuation appeal board, are as follows:

*Chairperson:* Mr JM Oosthuizen;

*Member/valuer:* Mr H Beneke;

*Member:* Mr W Bhana; and

*Member:* Mr JJ Burger

Dated at Cape Town this 7th day of March 2012.

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

23 March 2012

24397

## HESSEQUA MUNISIPALITEIT

VERGUNNINGSGEBRUIK & AFWYKING: PLAAS NO. 634, GEDEELTE 1 VAN DIE PLAAS HOOI KRAAL NO. 304, GEDEELTE 8 EN RESTANT VAN GEDEELTE 1 VAN DIE PLAAS DIEPKLOOF NO. 521 EN GEDEELTE 8 VAN DIE PLAAS NO. 306, HEIDELBERG

Kennis geskied hiermee ingevolge die bepalings van Regulasie 4.6 van PK 1048/1988 en ingevolge die bepalings van Artikel 15(1)(a)(i) van die Ordonnansie op Grondgebruikbeplanning 15 van 1985 (Ord. 15 van 1985) dat die Hessequa Raad die volgende aansoek op bogenoemde eiendom ontvang het:

*Eiendomsbeskrywing:* Plaas No. 634, Heidelberg (697.6132ha) Gedeelte 1 van die Plaas Hooi Kraal No. 304, Heidelberg (613.6771ha) Gedeelte 8 van die Plaas Diepkloof No. 521, Heidelberg (762.9604ha) Restant van Gedeelte 1 van die Plaas Diepkloof No. 521, Heidelberg (684.3198ha) Gedeelte 8 van die Plaas No. 306, Heidelberg (481.3701ha)

*Aansoek:* Vergunningsgebruik om hernubare-energie strukture (10 windturbines) op te rig, soos volg:

- 3 windturbines op Plaas No. 634,
- 1 windturbine op Gedeelte 1 van die Plaas Hooi Kraal No. 304,
- 3 windturbines op Gedeelte 8 van die Plaas Diepkloof No. 521,
- 2 windturbines op Restant van Gedeelte 1 van die Plaas Diepkloof No. 512,
- 1 windturbine op Gedeelte 8 van die Plaas No. 306.

Afwyking van die Artikel 8 Skemaregulasies se grondgebruikbeperkings van Landbousone 1 op Plaas No. 634, soos volg:

- Oorskryding van die noordelike kantboulyn van 30m na 0m om 'n windturbine op te rig,
- Oorskryding van die terugsetlyn van 1.5 keer die maksimum rotor hoogte (210m na 140m).

*Applikant:* Friedlaender Burger & Volkmann Landmeters

Besonderhede rakende die aansoek is ter insae by die kantoor van die ondergetekende asook die Heidelberg Munisipale kantore gedurende kantoorure. Enige besware teen die voorgename aansoek moet skriftelik gerig word om die ondergetekende te bereik nie later as 16 April 2011.

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

23 Maart 2012

24391

## MOSSELBAAI MUNISIPALITEIT

## AANSTELLING VAN WAARDASIE-APPËLRAADLEDE

Kennis word gegee kragtens Artikel 56 van die "Municipal Property Rates Act, 2004 (Act 6 of 2004)" op Eiendomswaardering, vir die aanstelling van lede om op die waardasie-appelraad vir die regsgebied van Mosselbaai te dien.

Die lede wat aangestel is vir die waardasie-appelraad, is soos volg:

*Voorsitter:* Mnr JM Oosthuizen;

*Lid/waardeerder:* Mnr H Beneke;

*Lid:* Mnr W Bhana; en

*Lid:* Mnr JJ Burger

Gedateer te Kaapstad op hierdie 7de dag van Maart 2012.

MNR A BREDELL  
MINISTER VAN PLAASLIKE REGERING, OMGEWINGSAKE EN ONTWIKKELINGSBEPLANNING

23 Maart 2012

24397

MOSSEL BAY MUNICIPALITY  
LAND USE PLANNING ORDINANCE, 1985  
(ORD. 15 OF 1985)

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

APPLICATION FOR CONSOLIDATION, REZONING AND  
DEPARTURE: ERVEN 3176 & 3687, HARTENBOS (INDUSTRY  
ROAD, VOORBAAI)

Notice is hereby given that an application has been received by the Municipality in terms of sections 17(1) and 15(1)(a)(ii) of the above Ordinance and is open to inspection at the Town Planning Division, 4th Floor, Montagu Place Building, Montagu Street, Mossel Bay. Any objections, with full reasons therefor, must be lodged in writing with the Municipal Manager, PO Box 25, Mossel Bay, 6500 on or before Monday 23 April 2012, quoting the above application and objector's erf number. Any comment or objection received after the aforementioned closing date may be disregarded. Any enquiries in this regard may be directed to Ms H Vorster, Town Planning, at telephone number (044) 606-5077 or fax number (044) 690-5786.

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

*Applicant:* Formaplan Town and Regional Planners, PO Box 9824, GEORGE 6530

*Nature of Application:* Proposed consolidation of Erven 3176 & 3687, Hartenbos, measuring 1658m<sup>2</sup> and 1363m<sup>2</sup> respectively, the rezoning of the consolidated land unit from "Industrial Zone" to "Local Business Zone" and a departure for the use of a portion of the property as a place of assembly (dance hall).

*File Reference:* 15/4/21/2; 15/4/21/5

DR M GRATZ, MUNICIPAL MANAGER

23 March 2012

24395

MOSSEL BAY MUNICIPALITY

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

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

APPLICATION FOR CONSENT USE: ERF 2305, 17 BAKHOUT  
STREET, HARTENBOSHEUWELS

Notice is hereby given that the undermentioned application has been received by the Municipality in terms of Regulation 2.4.4 of the Hartenbos Zoning Scheme Regulations, 1987 and is open to inspection at the Town Planning Division, 4th Floor, Montagu Place Building, Montagu Street, Mossel Bay. Any objections, with full reasons therefor, must be lodged in writing with the Municipal Manager, PO Box 25, Mossel Bay, 6500 on or before Monday, 23 April 2012, quoting the above legislation and objector's erf number. Any comment or objection received after the aforementioned closing date may be disregarded. Any enquiries in this regard may be directed to Ms H Vorster, Town Planning, at telephone number (044) 606-5077 or fax number (044) 690-5786.

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

*Applicant:* M van Heerden, 17 Bakhout Street, Hartenbosheuwels 6520

*Nature of Application:* Proposed consent use on Erf 2305, Hartenbos, measuring 967m<sup>2</sup> and zoned "Single Residential", in order to permit the operation of a place of instruction (Moms and Tots/Babes Workshops) on the property.

*File Reference:* 15/4/37/1/5

DR M GRATZ, MUNICIPAL MANAGER

23 March 2012

24396

MOSSELBAAI MUNISIPALITEIT

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

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

AANSOEK OM KONSOLIDASIE, HERSONERING EN  
AFWYKING: ERWE 3176 & 3687, HARTENBOS  
(INDUSTRIEWEG, VOORBAAI)

Kennis geskied hiermee dat 'n aansoek ingevolge artikels 17(1) en 15(1)(a)(ii) van die bostaande Ordonnansie deur die Munisipaliteit 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, 23 April 2012, met vermelding van bogenoemde aansoek en beswaarmaker se erfnummer. Enige kommentaar of beswaar wat na die voorgemelde sluitingsdatum ontvang word mag moontlik nie in ag geneem word nie. Enige navrae kan gerig word aan me H Vorster, Stadsbeplanning, by telefoonnommer (044) 606-5077 of faksnommer (044) 690-5786.

Ingevolge artikel 21(4) van die Plaaslike Regering: Wet op Munisipale Stelsels, 2000 (Wet 32 van 2000) word kennis hiermee 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 beswaar op skrif te stel.

*Aansoeker:* Formaplan Stads- en Streekbeplanners, Posbus 9824, GEORGE 6530

*Aard van Aansoek:* Voorgestelde konsolidasie van Erwe 3176 & 3687, Hartenbos, groot 1658m<sup>2</sup> en 1363m<sup>2</sup> onderskeidelik, die hersonering van die gekonsolideerde grondeenheid vanaf "Nywerheidsone" na "Lokale Sakesone" en 'n afwyking vir die aanwending van 'n gedeelte van die eiendom as 'n vergaderplek (dansplek).

*Lêerverwysing:* 15/4/21/2; 15/4/21/5

DR M GRATZ, MUNISIPALE BESTUURDER

23 Maart 2012

24395

MOSSELBAAI MUNISIPALITEIT

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

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

AANSOEK OM VERGUNNINGSGEBRUIK: ERF 2305,  
BAKHOUTSTRAAT 17, HARTENBOSHEUWELS

Kennis geskied hiermee dat die ondergemelde aansoek ingevolge Regulasie 2.4.4 van die Hartenbos Dorpsaanlegskemaregulasies, 1987 deur die Munisipaliteit 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, 23 April 2012, met vermelding van bogenoemde wetgewing en beswaarmaker se erfnummer. Enige kommentaar of beswaar wat na die voorgemelde sluitingsdatum ontvang word mag moontlik nie in ag geneem word nie. Enige navrae kan gerig word aan me H Vorster, Stadsbeplanning, by telefoonnommer (044) 606-5077 of faksnommer (044) 690-5786.

Ingevolge artikel 21(4) van die Plaaslike Regering: Wet op Munisipale Stelsels, 2000 (Wet 32 van 2000) word kennis hiermee 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 beswaar op skrif te stel.

*Aansoeker:* M van Heerden, Bakhoutstraat 17, Hartenbosheuwels 6520

*Aard van Aansoek:* Voorgestelde vergunningsgebruik op Erf 2305, Hartenbos, groot 967m<sup>2</sup> en gesoneer "Enkel Residensieel" ten einde 'n onderwysplek (Moms and Tots/Babes Werkswinkels) op die eiendom te bedryf.

*Lêerverwysing:* 15/4/37/1/5

DR M GRATZ, MUNISIPALE BESTUURDER

23 Maart 2012

24396

**MOSSEL BAY MUNICIPALITY**

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

Notice is hereby given in terms of Section 49(1)(a)(i) read together with section 78(2) of the Local Government: Municipal Property Rates Act, 2004 (Act No. 6 of 2004), hereinafter referred to as the "Act", that the supplementary valuation roll for the financial years/year 2011/2012 is open for public inspection at 3rd Floor, Valuation Division, Montagu Place, Montagu Street, Mossel Bay from 23 March to 30 April 2012.

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

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

The form for the lodging of an objection is obtainable at the following address: 3rd Floor, Valuation Division, Montagu Place, Montagu Street, Mossel Bay or website [www.mosselbay.gov.za](http://www.mosselbay.gov.za).

The completed forms must be returned to the following address: Mossel Bay Municipality, Valuation Division, PO Box 25/Private Bag X29, Mossel Bay 6500. The closing date for lodging objections is Monday, 30 April 2012.

For enquiries, please contact Ms M Moore at (044) 606-5122/Mr G Fourie at (044) 606-5072 or e-mail [gfourie@mosselbay.gov.za](mailto:gfourie@mosselbay.gov.za).

DR M GRATZ, MUNICIPAL MANAGER

23 March 2012

24398

**OVERSTRAND MUNICIPALITY**

ERF 805, 149 MAIN ROAD, HERMANUS, OVERSTRAND  
MUNICIPAL AREA: PROPOSED DEPARTURE: THUO GAMING  
WESTERN CAPE

Notice is hereby given in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) that an application has been received for a departure from the relevant Scheme Regulations in order to allow five limited payout machines on the property concerned.

Detail regarding the proposal is available for inspection at the office of the Director: Infrastructure and Planning during normal office hours. Enquiries regarding the matter should be directed to the Senior Town Planner, Ms HJ van der Stoep (Tel: (028) 313-8900/Fax: (028) 313-2093). E-mail enquiries: [Loretta.Page@overstrand.gov.za](mailto:Loretta.Page@overstrand.gov.za).

Any comments on the proposal should be submitted in writing to reach the undersigned by not later than Thursday, 26 April 2012. A person who cannot read or write but wishes to comment on the proposal may visit the Directorate: Infrastructure and Planning where a member of staff would assist them to formalize their comment.

Overstrand Municipality, PO Box 20, HERMANUS 7200

Municipal Notice No. 21/2012

23 March 2012

24399

**MOSSELBAAI MUNISIPALITEIT**

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

Kehnis word hierby gegee in terme van Artikel 49(1)(a)(i) Plaaslike Regering: Munisipale Eiendomsbelasting Wet, 2004 (Wet Nr. 6 van 2004), hierin verwys na as die "Wet", dat die Aanvullende Waardasielys vir die boekjare 2011/2012 ter insae lê vir publieke inspeksie by: Mosselbaai Munisipale Kantoor, 3de Vloer, Kamer 304, Montagu Plek, Montagustraat vanaf 23 Maart tot 30 April 2012.

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

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

Die vorms om 'n beswaar in te dien, is by die bogenoemde munisipale kantore beskikbaar en die voltooië vorms moet ook daar ingehandig word. Besware kan ook elektronies ingedien word by [admin@mosselbay.gov.za](mailto:admin@mosselbay.gov.za).

Die sluitingsdatum vir die indiening van enige beswaar is Maandag, 30 April 2012. Die waardasierol is beskikbaar op die munisipale webblad [www.mosselbay.gov.za](http://www.mosselbay.gov.za).

Navrae kan telefonies gerig word by me M Moore (044) 606-5122 of mnr G Fourie (044) 606-5072 of per e-pos aan [gfourie@mosselbay.gov.za](mailto:gfourie@mosselbay.gov.za).

DR M GRATZ, MUNISIPALE BESTUURDER

23 Maart 2012

24398

**OVERSTRAND MUNISIPALITEIT**

ERF 805, HOOFSTRAAT 149, HERMANUS, OVERSTRAND  
MUNISIPALE AREA: VOORGESTELDE AFWYKING: THUO  
GAMING WESTERN CAPE

Kennis geskied hiermee ingevolge Artikel 15 van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie 15 van 1985) dat aansoek gedoen word vir 'n afwyking van die relevante Skemaregulasies ten einde vyf beperkte dobbelmasjiene op die perseel toe te laat.

Besonderhede aangaande die voorstel lê ter insae by die Kantoor van die Direkteur: Infrastruktuur en Beplanning gedurende normale kantoorure. Navrae kan gerig word aan die Senior Stadsbeplanner, me HJ van der Stoep (Tel: (028) 313-8900/Faks: (028) 313-2093). E-pos navrae: [Loretta.Page@overstrand.gov.za](mailto:Loretta.Page@overstrand.gov.za).

Enige kommentaar aangaande die voorstel moet op skrif gestel word ten einde die ondergetekende te bereik teen nie later nie as Donderdag, 26 April 2012. Persone wat wil kommentaar lewer maar nie kan lees of skryf nie mag die Direktoraat: Infrastruktuur en Beplanning besoek waar hul deur 'n amptenaar bygestaan sal word ten einde hul kommentaar te formaliseer.

Overstrand Munisipaliteit, Posbus 20, HERMANUS 7200

Munisipale Kennisgewingnr.: 21/2012

23 Maart 2012

24399

## OVERSTRAND MUNICIPALITY

## ERF 7509, 205 SIXTH STREET, VOËLKLIP, HERMANUS, OVERSTRAND MUNICIPAL AREA: REMOVAL OF RESTRICTIONS ACT, 1967 (ACT 84 OF 1967) AND PROPOSED DEPARTURE

Notice is hereby given in terms of Section 3(6) of the above Act that the undermentioned application has been received and is open to inspection at the office of the Municipal Manager, Overstrand Municipality, and any enquiries may be directed to the Senior Town Planner, Mrs H van der Stoep, PO Box 20, Hermanus, 7200, Tel No. (028) 313-8900 and Fax No. (028) 313-2093. E-mail enquiries: Loretta Page lpage@overstrand.gov.za.

Notice is hereby further given in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) that an application has been received for a departure from the relevant Scheme Regulations in order to relax the street building line from 4.5m to 0m.

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) 483-4640 and the Directorate's fax number is (021) 483-3098. Any objections, with full reason therefor, should be lodged in writing at the office of the abovementioned Director, Integrated Environmental Management at Private Bag X9086, Cape Town, 8000, on or before Friday, 4 May 2012, quoting the above Act and the objector's erf number. Any comments received after the aforementioned closing date may be disregarded.

*APPLICANT:* Plan Active (on behalf of EC Böhme)

*NATURE OF APPLICATION:* Removal of restrictive title deed conditions relating to Erf 7509, 205 6th Street, Voëlklip, Hermanus to enable the owner to encroach upon the 4.5m street building line restriction to erect a carport on the property.

Overstrand Municipality, PO Box 20, HERMANUS, 7200

Municipal Notice No. 20/2012

23 March 2012

24400

## OVERSTRAND MUNISIPALITEIT

## ERF 7509, SESDESTRAAT 205, VOËLKLIP, HERMANUS, OVERSTRAND MUNISIPALE AREA: WET OP OPHEFFING VAN BEPERKINGS, 1967 (WET 84 VAN 1967) EN VOORGESTELDE AFWYKING

Kragtens Artikel 3(6) van bostaande Wet word hiermee kennis gegee dat die onderstaande aansoek ontvang is en ter insae lê by die Kantoor van die Munisipale Bestuurder: Overstrand Munisipaliteit en enige navrae kan gerig word aan die Senior Stadsbeplanner, mev H van der Stoep, Posbus 20, Hermanus, 7200, Tel (028) 313-8900 en by die faksnommer (028) 313-2093. E-pos navrae: Loretta Page lpage@overstrand.gov.za.

Kennis word hiermee verder gegee ingevolge Artikel 15 van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie 15 van 1985) dat aansoek gedoen word vir die afwyking van die relevante Skemaregulasies ten einde die straatboulyn te verslap vanaf 4.5m na 0m.

Die aansoek lê ook ter insae by die Kantoor van die Direkteur, Geïntegreerde Omgewingsbestuur: Streek B1, Provinsiale Regering van die Wes-Kaap, by Kamer 601, Dorpstraat 1, Kaapstad, vanaf 08:00-12:30 en 13:00-15:30 (Maandag tot Vrydag). Telefoniese navrae in hierdie verband kan gerig word aan (021) 483-9787 en die Direktoraat se faksnommer is (021) 483-3098. Enige besware, met die volledige redes daarvoor, moet skriftelik by die kantoor van die bogenoemde Direkteur, Geïntegreerde Omgewingsbestuur, Privaatsak X9086, Kaapstad, 8000, ingedien word op of voor Vrydag, 4 Mei 2012 met vermelding van bogenoemde Wet en die beswaarmaker se erfnummer. Enige kommentaar wat na die voorgemelde sluitingsdatum ontvang word, mag moontlik nie in ag geneem word nie.

*AANSOEKER:* Plan Active (namens EC Böhme)

*AARD VAN AANSOEK:* Opheffing van beperkende titelakte voorwaardes van toepassing op Erf 7509, 6de Straat 205, Voëlklip, Hermanus, ten einde die eienaar in staat te stel om die 4.5m straatboulynbeperking te oorskry ten einde 'n onderdak op die eiendom op te rig.

Overstrand Munisipaliteit, Posbus 20, HERMANUS 7200

Munisipale Kennisgewingnr. 20/2012

23 Maart 2012

24400

## UMASIPALA WASE-OVERSTRAND

ISIZA 7509, 205 SIXTH STREET, VOËLKLIP, HERMANUS, UMMANDLA KAMASIPALA WASE-OVERSTRAND: UMTHETHO WOKUSUSA IZETHINTELO, 1967 (UMTHETHO 84 KA-1967) KUNYE NOKUHAMBA KWESINDULULO

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

Sikwenza nesaziso esibhekele phaya ngokweCandelo le-15 loMthetho wokuCanda uMhlaba oSetyenziswayo, wowe-1985 (uMthetho we-15 wowe-1985) sokuba kuye kwafunyanwa isicelo sokuphambuka kwiMtyalelo yoMbutho ukuze kunyenyiswe umda wesakhiwo somgca ukusuka kunye nemigca yezakhiwo zezitalato ukusuka kwi 4.5 emitha ukuya kwi 0 yemitha.

ISicelo sikwawulelekile ukuba sihlolwe kwiOfisi yoMlawuli: kuLawulo Olumanyanisiweyo lokusiNgqongileyo: isixeko B1, kaRhulumente wePhondo leNtshona Koloni, kwiGumbi elingu-601, 1 Dorp Street, eKapa, ukususela ngentsimbi ye-08:00 ukuya kweye-12:30 nango-13:00 ukuya-15:30 (ngoMvulo ukuya kutsho ngoLwesihlanu). Imibuzo eyenziwa ngomnxeba ephathelele kulo M.B.A. ingenziwa ngokutsalela kwa-(021) 483-4640, kwaye ke inombolo yefakisi yeli Candelo loLawulo ngu-(021) 483-3098. Naziphi na iinkcaso, ekufuneka zihambe nezizathu ezipheleleyo, kufuneka zingeniswe ngokubhaliweyo kule ofisi ikhankanywe ngentla yoMlawuli kuLawulo Olumanyanisiweyo lokusingqongileyo kwaPrivate Bag X9086, Cape Town, 8000, ngomhla okanye phambi kwango Lwesihlanu umhla, 4 May 2012, kuxelwe lo Mthetho ungentla kunye nenombolo yesiza salowo ukhalazayo. Naziphi na izimvo ezithe zafika emva kwalo mhla wokuvala ukhankanyiweyo zisenokungahoywa.

UMFAKI SICELO: Plan Active (egameni le-EC Böhme)

UHLOBO LWESICELO: Ukususwa kwemiqathango yezithintelo zolwakhiwo kwitayitile yesiza 7509, 205 6th Street, Voëlklip, eHermanus, ukuze umniniso i-4.5m yezithintelo zemida yolwakhiwo angazinanzi ukuze akhe i-carport kumhlaba lowo.

KwiOfisi zikaMasipala, PO Box 20, HERMANUS, 7200

Inombolo Yesaziso Ka-masipala 20/2012

23 March 2012

24400

## OVERSTRAND MUNICIPALITY

(Hangklip-Kleinmond Administration)

CONFIRMATION OF ZONING: REMAINDER OF PORTION 123  
(PORTION OF PORTION 111) OF THE FARM HANGKLIP  
NO 559

Notice is hereby given in terms of section 14 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) that Council intends to confirm the zoning of the Remainder of Portion 123 (a portion of Portion 111) of the Farm Hangklip No 559 as Agricultural Zone I (agriculture).

Further details are available for inspection during office hours at the Municipal offices, 37 Fifth Avenue, Kleinmond. (Enquiries: P Bezuidenhout, tel (028) 271-8407, fax (028) 271-8428, e-mail fbezuidenhout@overstrand.gov.za). Any comments should be lodged in writing with the Municipal Manager, Private Bag X3, Kleinmond, 7195, before or on 26 April 2012.

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 abovementioned offices, during office hours, where they will be assisted to put their comments or objections in writing.

C Groenewald, Municipal Manager

Notice no 006-2012

23 March 2012

24401

## MUNISIPALITEIT OVERSTRAND

(Hangklip-Kleinmond Administrasie)

BEVESTIGING VAN SONERING: RESTANT VAN GEDEELTE 123  
(GEDEELTE VAN GEDEELTE 111) VAN DIE PLAAS HANGKLIP  
NR 559

Kennis geskied hiermee ingevolge artikel 14 van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie 15 van 1985), dat die Raad van voorneme is om die sonering van die Restant van Gedeelte 123 (gedeelte van Gedeelte 111) van die Plaas Hangklip Nr 559, as Landbousone I (landbou) te bevestig.

Nadere besonderhede lê ter insae by die Munisipale Kantore, Vyfdelaan 37, Kleinmond, gedurende kantoorure. (Navrae: P Bezuidenhout, tel (028) 271-8407, faks (028) 271-8428, e-pos fbezuidenhout@overstrand.gov.za). Enige kommentaar moet skriftelik by die Munisipale Bestuurder, Privaatsak X3, Kleinmond, 7195, voor of op 26 April 2012 ingedien word.

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

C Groenewald, Munisipale Bestuurder

Kennisgewingnr. 006-2012

23 Maart 2012

24401



OVERSTRAND MUNICIPALITY  
(Hangklip-Kleinmond Administration)

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

APPLICATION FOR A CONSENT USE AND DEPARTURE OF LAND USE RESTRICTION: ERF 3299, BETTY'S BAY

Notice is hereby given in terms of section 3(6) of the above Act that the undermentioned application has been received and is open to inspection at the Municipal offices, 37 Fifth Avenue, Kleinmond, during office hours (Enquiries: P Bezuidenhout, telephone (028) 271-8407, fax (028) 271-8428, e-mail fbezuidenhout@overstrand.gov.za), and at the office of the Director, Integrated Environmental Management: Region B1, Provincial Government of the Western Cape, Room 601, Utilitas Building, 1 Dorp Street, Cape Town, from 08:00-12:30 and 13:00-15:30 (Monday to Friday), (Enquiries: Telephone (021) 483-9787, Fax (021) 483-3098). Any objections, with full reasons therefor, should be lodged in writing at the office of the abovementioned Director, Integrated Environmental Management: Region B1, Private Bag X9086, Cape Town, 8000, with a copy to the abovementioned local authority (Private Bag X3, Kleinmond, 7195), before or on Friday, 4 May 2012, quoting the above Act and the objector's erf number. Any comments received after the aforementioned closing date may be disregarded.

*Applicant:* Plan Active Town and Regional Planners (on behalf of the owners, CE & S Barrett)

*Nature of application:* Removal of restrictive title conditions applicable to Erf 3299, Pearl Drive, Betty's Bay, to enable the owners to build a flat, in addition to a shop, on the premises.

Notice is also hereby given in terms of paragraph 4.7 of the Scheme Regulations made in terms of section 8 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985), read with section 15 of the abovementioned Ordinance, that the following applications have been received:

1. An application for a consent use in order to erect a flat, in addition to a shop, on Erf 3299, Pearl Drive, Betty's Bay; and
2. An application to depart from the street and side building lines applicable to flats.

Further details are available for inspection during office hours at the Municipal offices, 37 Fifth Avenue, Kleinmond. (Enquiries: P Bezuidenhout, tel (028) 271-8407, fax (028) 271-8428, e-mail fbezuidenhout@overstrand.gov.za). Any objections, with full reasons therefor, should be lodged in writing with the Municipal Manager, Private Bag X3, Kleinmond, 7195, before or on Friday, 4 May 2012.

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 abovementioned offices, during office hours, where they will be assisted to put their comments or objections in writing.

C Groenewald, MUNICIPAL MANAGER

Notice no 004-2012

23 March 2012

24402

MUNISIPALITEIT OVERSTRAND

(Hangklip-Kleinmond Administrasie)

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

AANSOEK OM VERGUNNINGSGEBRUIK EN AFWYKING VAN GRONDGEBRUIKBEPERKING: ERF 3299, BETTYSBAAI

Kennis geskied hiermee ingevolge artikel 3(6) van bogenoemde Wet dat die onderstaande aansoek ontvang is en ter insae lê by die Kleinmond Munisipale Kantore, Vyfdelaan 37, Kleinmond, gedurende kantoorure (navrae: P Bezuidenhout, telefoon (028) 271-8407, faks (028) 271-8428, e-pos fbezuidenhout@overstrand.gov.za), en by die Kantoor van die Direkteur: Geïntegreerde Omgewingsbestuur: Streek B1, Provinsiale Regering van die Wes-Kaap, Kamer 601, Utilitasgebou, Dorpstraat 1, Kaapstad, vanaf 08:00 tot 12:30 en 13:00 tot 15 30 (Maandag tot Vrydag) (navrae: Telefoon (021) 483-9787 en faks (021) 483-3098). Enige besware, met volledige redes daarvoor, moet skriftelik by die kantoor van die bogenoemde Direkteur: Geïntegreerde Omgewingsbestuur, Streek B1, Privaatsak X9086, Kaapstad, 8000, met 'n afskrif aan die bogenoemde plaaslike owerheid (Privaatsak X3, Kleinmond 7195), voor of op Vrydag, 4 Mei 2012, ingedien word, met vermelding van bogenoemde Wet en die beswaarmaker se erfnummer. Enige kommentaar wat na die voorgemelde sluitingsdatum ontvang word, mag moontlik nie in ag geneem word nie.

*Aansoeker:* Plan Active Stads- en Streeksbeplanners (namens die eienaars, CE & S Barrett)

*Aard van aansoek:* Opheffing van beperkende titelvoorwaardes van toepassing op Erf 3299, Pearlylaan, Bettysbaai, ten einde die eienaars in staat te stel om 'n woonstel, bykomend tot 'n winkel, op die perseel op te rig.

Kennis geskied ook hiermee, ingevolge paragraaf 4.7 van die Skemaregulasies wat ingevolge artikel 8 van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie 15 van 1985) gemaak is, saamgelees met artikel 15 van genoemde Ordonnansie, dat die volgende aansoeke ontvang is:

1. 'n Aansoek om vergunningsgebruik ten einde 'n woonstel, bykomend tot 'n winkel, te Erf 3299, Pearlylaan, Bettysbaai, op te rig; en
2. 'n Aansoek om afwyking van die straat- en syboulyne van toepassing op woonstelle.

Nadere besonderhede lê ter insae by die Munisipale kantore, Vyfdelaan 37, Kleinmond, gedurende kantoorure. (Navrae: P Bezuidenhout tel (028) 271-8407, faks (028) 271-8428, e-pos fbezuidenhout@overstrand.gov.za). Enige besware, met volledige redes daarvoor, moet skriftelik by die Munisipale Bestuurder, Privaatsak X3, Kleinmond, 7195, voor of op Vrydag, 4 Mei 2012 ingedien word.

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

C Groenewald, MUNISIPALE BESTUURDER

Kennisgewingnr 004-2012

23 Maart 2012

24402

## UMASIPALA WASE-OVERSTRAND

(Kwii-Ofisi ZoLawulo ZaseHangklip NaseKleinmond)

UKUSHENXISWA KWEMIQATHANGO YOMTHETHO, WOWE-1967 (UMTHETHO 84 WOWE-1967), NOKWAHLULAHULWA: KWESIZA 3299, EBETTY'S BAY

Kunesaziso esikhutshwa ngokwemiqathango yecandelo 3(6) salo mthetho ukhankanyiweyo apha ngentla, phantsi kwesicelo esiyakufunyanwa, siyakuvulwa siphenywe kwiOfisi zikaMasipala, 37 Fifth Avenue, Kleinmond ngexesha elo lomsebenzi (Imibuzo: F Bezuidenhout, imfonomfona (028) 271-8407, fekisi (028) 271-8428, i-imeyile fbezuidenhout@overstrand.gov.za), nakwi kantolo ze Director: Integrated Environmental Management, Umandla B1, ku Rhulumente wePhondo weNtshona Koloni, Room 601, Isakhiwo i-Utilitas, 1 Dorp Street, eKapa, ngentsimbi yesibhozo de ibeyeshumi elinesibini ngecala nange yentsimbi yokuqala de ibelicala emva kweyisithathu (Mvulo de ibenguLesihlanu), (Imibuzo: Imfonomfona (021) 483-3009, Fekisi (021) 483-3098). Naziphi na izikhalazo, zibenizizathu ezigcweleyo, kufuneka zingeniswe ngokubhaliweyo kwezifisi zikhankanywe ngentla zeDirector, Integrated Environmental Management: Umandla B1, kwaPrivate Bag X9086, eKapa, 8000, kwakunye nekopi ekwakhankanywe ngentla yolawulo olusinngqongileyo (Private Bag X3, Kleinmond, 7195), phambi kolwesihlanu umhla wesine kuMeyi 2012, kuxelwe loMthetho ungentle kwakunye nenombolo yesaziso sokhalazayo. Naziphi na izimvo eziyakufumaneka emva kwalomhla wokuvala uchaziweyo zisenokungahoywa.

*Umnnceli mgeni:* Plan Active Town and Regional Planners (phantsi kwabameli u CE noS Barrett)

*Intlobo yesicelo eso:* Ukususwa kwetayitile ngokwemiqathango ejoliswe kumhlaba u 3299, ePearl Drive, eBetty's, kuyalelwe abanini ukuba bakhe ifleti kudityaniswe kulovenkile inkulondawo.

Isaziso esikhutshwe sanikwezwa sangumgaqo okumhlathi we 4.7 esisulungwe saqulunqwa ngokwemigaqo okuluhlu lwesibhozo somhlaba oncwangingwe wacandwa njengomthetho, 1985 (ngomhla weshumi elinesihlanu ka 1985), ofundeka kwesisigabi seshumi linesihlanu somthetho ochazwe apha ngentla, ezilyakulandela izicelo ezo zifunyenweyo.

1. Isicelo siyakuvumeleka ngokomyalelo lowo umisiweyo wefli, kongezelwe kulovenkile ikumhlaba 3299, ePearl Drive, eBetty's Bay; kunye
2. Nesicelo eso siyakuqala kwisitalato nakwimigca yesakhiwo eso sityunjelwe iifleti.

Inkcukacha ezithe vetshe ziyafumaneka kwabo bafuna ukuzihlola ngexesha lomsebenzi kwii-ofisi zikaMasipala, kwa-37 Fifth Avenue, eKleinmond, (Imibuzo mayibhekiswe: kuP Bezuidenhout, kulo mnxe: (028) 271-8407, ifeksi: (028) 271-8428, i-imeyili: fbezuidenhout@overstrand.gov.za). Ukuba kukho naziphi na izimvo ezichasene noku, kunye nezizathu zazo ezipheleleyo, zifanele zingeniswe ngokubhalela apha: Municipal Manager, Private Bag X3, Kleinmond, 7195, ngaphambi okanye ngoLwesihlanu, umhla wesine kuMeyi 2012.

Ukwaleka umsundulo, ngokwecandelo 21(4) loMthetho woRhulumente wezeKhaya: iiNkqubo zikaMasipala, ngowama-2000 (uMthetho 32 wama-2000) senza kwanesaziso esithi abantu abangakwaziyo ukubhala bangeza kwezi ofisi zikhankanywe ngasentl' apha, ngexesha lomsebenzi, apho baya kuthi bancedwe ukuze amagqabaza okanye izimvo zabo ezichasene noku zibhalwe phantsi.

NguC Groenewald, UMPHATHI KAMASIPALA

Isaziso 004-2012

23 March 2012

24402

## SWARTLAND MUNICIPALITY

NOTICE 96/2011/2012

PROPOSED SUBDIVISION ON ERF 2131,  
YZERFONTEIN

Notice is hereby given in terms of Section 24(1) of Ordinance 15 of 1985 that an application has been received for the subdivision of erf 2131 (6748m<sup>2</sup> in extent), situated on the northern side of Yzerfontein into a remainder (±3596.6m<sup>2</sup>) and portion A (±3137.76m<sup>2</sup>).

Further particulars are available during office hours (weekdays) at the Department Development Services, Office of the Manager: 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 23 April 2012 at 17:00.

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

23 March 2012

24403

## MUNISIPALITEIT SWARTLAND

KENNISGEWING 96/2011/2012

VOORGESTELDE ONDERVERDELING VAN ERF 2131,  
YZERFONTEIN

Kennis geskied hiermee ingevolge Artikel 24(1) van Ordonnansie 15 van 1985 dat 'n aansoek ontvang is vir die onderverdeling van Erf 2131 (groot 6748m<sup>2</sup>), geleë aan die noordekant van Yzerfontein, in 'n restant (±3596.6m<sup>2</sup>) en gedeelte A (±3137.76m<sup>2</sup>).

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

Enige kommentaar, hetsy beswaar of ondersteuning, kan skriftelik by die ondergetekende ingedien word nie later nie as 23 April 2012 om 17:00.

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

23 Maart 2012

24403

## SWARTLAND MUNICIPALITY

NOTICE 98/2011/2012

PROPOSED SUBDIVISION ON ERF 260,  
ABBOTSDALE

Notice is hereby given in terms of Section 24(1) of Ordinance 15 of 1985 that an application has been received for the subdivision of erf 260 (9399m<sup>2</sup> in extent), situated in Hoog Street, Abbotsdale into a remainder (±8419m<sup>2</sup>) and portion A (±980m<sup>2</sup>).

Further particulars are available during office hours (weekdays) at the Department Development Services, Office of the Manager: 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 23 April 2012 at 17:00.

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

23 March 2012

24404

## SWARTLAND MUNICIPALITY

NOTICE 97/2011/2012

PROPOSED REZONING AND DEPARTURE OF ERF 43,  
KABASKRAAL

Notice is hereby given in terms of Section 17(1) of Ordinance 15 of 1985 that it is the intention of Council to rezone erf 43 (7934m<sup>2</sup> in extent), situated c/o Calbash and Sand Streets, Kalbaskraal from residential zone I to institutional zone I in order to erect a community centre which includes an early childhood development facility and a community hall.

Application has also been received in terms of Section 15(1)(a)(i) of Ordinance 15 of 1985 to depart from the required 10m building line (eastern boundaries) to ±7m.

Further particulars are available during office hours (weekdays) at the Department Development Services, Office of the Manager: 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 23 April 2012 at 17:00

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

23 March 2012

24405

## SWELLENDAM MUNICIPALITY

REPLACEMENT OF MEMBER OF THE VALUATION APPEAL  
BOARD

## CONSTITUTION OF VALUATION APPEAL BOARD

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

*Member/valuer:* Mr H Beneke

*The current members are:*

*Chairperson:* Dr AD Janse van Rensburg;

*Member:* Mr AD Harmse

*Member:* Mr WJ Stapelberg;

*Alternate member:* Mr M de Kock Lloyd; and

*Alternate member:* Dr B Jansen van Rensburg

Dated at Cape Town this 8th day of March 2012.

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

23 March 2012

24406

## MUNISIPALITEIT SWARTLAND

KENNISGEWING 98/2011/2012

VOORGESTELDE ONDERVERDELING VAN ERF 260,  
ABBOTSDALE

Kennis geskied hiermee ingevolge Artikel 24(1) van Ordonnansie 15 van 1985 dat 'n aansoek ontvang is vir die onderverdeling van Erf 260 (groot 9399m<sup>2</sup>), geleë te Hoogstraat, Abbotsdale in 'n restant (±8419m<sup>2</sup>) en gedeelte A (±980m<sup>2</sup>).

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

Enige kommentaar, hetsy beswaar of ondersteuning, kan skriftelik by die ondergetekende ingedien word nie later nie as 23 April 2012 om 17:00.

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

23 Maart 2012

24404

## SWARTLAND MUNISIPALITEIT

KENNISGEWING 97/2011/2012

VOORGESTELDE HERSONERING EN AFWYKING VAN ERF 43,  
KALBASKRAAL

Kennis geskied hiermee ingevolge Artikel 17(1) van Ordonnansie 15 van 1985 dat die Raad van voorneme is om erf 43 (groot 7934m<sup>2</sup>), geleë op die h/v Calbash- en Sandstraat, Kalbaskraal te hersoneer vanaf residensiële sone I na institusionele sone I ten einde 'n gemeenskapsentrum, wat 'n vroeë kinderontwikkelingsfasiliteit en gemeenskapsaal insluit, op te rig.

Aansoek is ook ontvang ingevolge Artikel 15(1)(a)(i) van Ordonnansie 15 van 1985 ten einde af te wyk van die 10m boulyne (oostelike grense) na ±7m.

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

Enige kommentaar, hetsy beswaar of ondersteuning, kan skriftelik by die ondergetekende ingedien word nie later nie as 23 April 2012 om 17:00.

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

23 Maart 2012

24405

## SWELLENDAM MUNISIPALITEIT

VERVANGING VAN LEDE VAN DIE WAARDASIE-  
APPËLRAAD

## SAMESTELLING VAN WAARDASIE-APPËLRAAD

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

*Lid/waardeerder:* Mnr H Beneke

*Die huidige lede is:*

*Voorsitter:* Dr AD Janse van Rensburg

*Lid:* Mnr AD Harmse

*Lid:* Mnr WJ Stapelberg;

*Alternatiewe lid:* Mnr M de Kock Lloyd; en

*Alternatiewe lid:* Dr B Jansen van Rensburg

Gedateer te Kaapstad op hierdie 8ste dag van Maart 2012.

MNR A BREDELL  
MINISTER VAN PLAASLIKE REGERING, OMGEWINGSAKE EN ONTWIKKELINGSBEPLANNING

23 Maart 2012

24406

## WESTERN CAPE GAMBLING AND RACING BOARD

## OFFICIAL NOTICE

RECEIPT OF AN APPLICATION FOR A  
BOOKMAKER PREMISES LICENCE

In terms of the provisions of Section 32(2) of the Western Cape Gambling and Racing Act, 1996 (Act 4 of 1996) ("the Act"), as amended, the Western Cape Gambling and Racing Board hereby gives notice that an application for a bookmaker premises licence, as provided for in Sections 27(kA) and 55(A) of the Act, has been received.

*Applicant for a new bookmaker premises licence:* OLIMP (Pty) Ltd

*Registration number:* 2007/024997/07

*Address of proposed new bookmaker premises:* Shop 2, Diana Court, 213 Voortrekker Road, Goodwood, Cape Town

*Erf number:* 7245, Goodwood

All persons have the opportunity to object to or comment on the above application. Where objections are lodged, the grounds on which such objections are founded, must be furnished. Where comment is furnished, full particulars and facts to substantiate such comment must be provided. The name, address and telephone number of the person submitting the objection or offering the comment must also be provided. Comments or objections must reach the Board by no later than 16:00 on 13 April 2012 at the address listed below.

The application is open for inspection by interested persons, during normal office hours before 16:00 on 13 April 2012, at the Board's offices at the address listed below.

Objections or comments must be forwarded to the Chief Executive Officer, Western Cape Gambling and Racing Board, PO Box 8175, Rogge Bay 8012 or handed to the Chief Executive Officer, Western Cape Gambling and Racing Board, Seafare House, 68 Orange Street, Gardens, Cape Town or faxed to the Chief Executive Officer on (021) 422-2602, or e-mailed to Estelle@wcgrb.co.za

23 March 2012

24407

## WES-KAAPSE RAAD OP DOBBELARY EN WEDRENNE

## AMPTELIKE KENNISGEWING

ONTVANGS VAN 'N AANSOEK OM 'N  
BOEKMAKERSPERSEELLISENSIE

Kragtens die bepalings van artikel 32(2) van die Wes-Kaapse Wet op Dobbelary en Wedrenne, 1996 (Wet 4 van 1996) ("die Wet"), soos gewysig, gee die Wes-Kaapse Raad op Dobbelary en Wedrenne hiermee kennis dat die volgende aansoeke om 'n boekmakersperseellisensie, soos beoog in artikels 27(kA) en 55(A) van die Wet, ontvang is.

*Aansoeker om 'n nuwe boekmakersperseellisensie:* OLIMP (Edms) Bpk

*Registrasienommer:* 2007/024997/07

*Adres van voorgestelde nuwe boekmakersperseel:* Winkel 2, Dianahof, Voortrekkerweg 213, Goodwood, Kaapstad

*Erfnommer:* 7245, Goodwood

Alle persone kry die geleentheid om beswaar teen of kommentaar ten opsigte van bogemelde aansoek aan te teken. In die geval van besware, moet die gronde waarop sodanige besware gebaseer is, verskaf word. Waar kommentaar verstrekk word, moet die volle besonderhede en feite om sodanige kommentaar te staaf, voorsien word. Die naam, adres en telefoonnommer van die persoon wat beswaar wil maak of kommentaar wil lewer, moet ook voorsien word. Kommentaar of besware moet die Raad nie later as 16:00 op 13 April 2012 by ondergemelde adres bereik nie.

Die aansoek is voor 16:00 op 13 April 2012 gedurende normale kantoorure oop vir inspeksie deur persone wat 'n belang het by die kantoor van die Dobbelaad by die adres hieronder aangedui.

Besware of kommentaar moet gestuur word aan die Hoof- Uitvoerende Beampte, Wes-Kaapse Raad op Dobbelary en Wedrenne, Posbus 8175, Roggebaai 8012, of ingehandig word by die Hoof- Uitvoerende Beampte, Wes-Kaapse Raad op Dobbelary en Wedrenne, Seafare Huis, Oranjestraat 68, Tuine, Kaapstad 8001 of aan die Hoof- Uitvoerende Beampte gefaks word na (021) 422-2602 of per e-pos na Estelle@wcgrb.co.za

23 Maart 2012

24407

## CITY OF CAPE TOWN

## REMOVAL OF RESTRICTIVE TITLE CONDITIONS: FARM KLEIN VALLEY NO 481, DIVISION CLANWILLIAM

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

Notice is hereby given in terms of section 3(6) of the above Act that the undermentioned application has been received and is open to inspection at the office of the Municipal Manager/Chief Executive Officer of Cederberg Municipality, and any enquiries may be directed to Mr Boetie Booysen (2A Voortrekker Road, Clanwilliam) or at telephone number: (027) 482-8000/per fax: (027) 482-1933 or e-mail: ajbooyesen@cederbergraad.co.za. The application is also open to inspection at the office of the Chief Director, Environmental and Land Management, 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: Land Management: Region 2, at Private Bag X9086, Cape Town, 8000, with a copy of the abovementioned Municipal Manager/Chief Executive Officer: Cederberg Municipality, Private Bag X2, Clanwilliam, 8135, on or before 24 April 2012, quoting the above Act and the objector's farm number. Any comments received after the aforementioned closing date may be disregarded.

*Applicant:* CK Rumboll and Partners (On behalf of MCB Burger)

*Nature of application:* Removal of a restrictive title condition applicable to Portion 36 and Portion 30 (portion of portion 2) of the Farm Klein Valley No. 481 Division Clanwilliam, to enable the owner to deal with the portions separately and to subdivide the property for agricultural purposes.

23 March 2012

24409

## STAD KAAPSTAD

## OPHEFFING VAN BEPERKENDE TITELVOORWAARDES: VAN DIE PLAAS KLEIN VALLEY NR 481, AFDELING CLANWILLIAM

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

Kragtens artikel 3(6) van bostaande Wet word hiermee kennis gegee dat die onderstaande aansoek ontvang is en ter insae lê by die Kantoor van die Munisipale Bestuurder/Hoof-Uitvoerende Beampte, Cederberg Munisipaliteit, en enige navrae kan gerig word aan mnr Boetie Booysen, (Voortrekkerstraat 2A, Clanwilliam) of by telefoonnommer: (027) 482-8000/per faks by (027) 482-1933 of e-pos: ajbooyesen@cederbergraad.co.za. Die aansoek lê ook ter insae by die Kantoor van die Hoofdirekteur: Omgewings- en Grondbestuur, Provinsiale Regering van die Wes-Kaap, by Kamer 604, Dorpstraat 1, Kaapstad, vanaf 08:00-12:30 en 13:00-15:30 (Maandag tot Vrydag). Telefoniese navrae in hierdie verband kan gerig word aan (021) 493-4589 en die Direktooraat se faksnommer is (021) 483-3098. Enige besware, met die volledige redes daarvoor, moet skriftelik by die Kantoor van die bogenoemde Direkteur: Grondbestuur: Streek 2, Privaatsak X9086, Kaapstad, 8000, met 'n afskrif aan die Munisipale Bestuurder/Hoof-Uitvoerende Beampte, Cederberg Munisipaliteit, Privaatsak X2, Clanwilliam, 8135, ingedien word op of voor 24 April 2012 met vermelding van bogenoemde Wet en die beswaarmaker se plaasnommer. Enige kommentaar wat na die voegemelde sluitingsdatum ontvang word, mag moontlik nie in ag geneem word nie.

*Aansoeker:* CK Rumboll en Vennote (Namens MCB Burger)

*Aard van aansoek:* Opheffing van 'n beperkende titelvoorwaarde van toepassing op Gedeelte 36 en Gedeelte 30 (gedeelte van gedeelte 2) van die plaas Klein Valley nr. 481, Afdeling Clanwilliam, ten einde die eienaar in staat te stel om afsonderlik met die eiendom te handel en die eiendom te onderverdeel vir landboudoeleindes.

23 Maart 2012

24409

## ISIXEKO SASEKAPA

## UKUSUSWA KWEEMEKO EZIYIMIQOBO KWITHAYITILE: IFAMA IKLEIN VALLEY NR 481, ICANDELO LASEECLANWILLIAM

## UMTHETHO WOKUSUSWA KWEMIQOBO IREMOVAL OF RESTRICTIONS ACT, KA-1967 (UMTHETHO WAMA-84 KA-1967)

Isaziso sinikezelwa ngokwecandelo lesi-3(6) salo Mthetho ungentle phantsi kwesi sicelo sichaziweyo esiye safunyanwa kwaye kuvulelekile ukuba sihlolwe kwi-ofisi yomlawuli kaMasipala/kweGosa eliPhezulu lesiGqeba kuMasipala waseCederberg, nemibuzo ingathunyelwa kuMnu Boetie Booysen, (2A Voortrekker Road, Clanwilliam) okanye kutsalelwe le nombolo yomnxeba: (027) 482-8000/kule feksi: (027) 482-1933 okanye nge-imeyle: ajbooyesen@cederbergraad.co.za. Isicelo sikwavuleleke ukuba sihlolwe kwi-ofidi yoMlawuli oyiNtloko, kuMawulo lokusiNgqongileyo noMhlaba, kuRhulumente wePhondo leNtshona Koloni, kweli gumbi 604, 1 Dorp Street, Cape Town, ukususela ngentsimbi yesi-08:00-12:30 neyoku-13:00-15:30 (ngoMvulo ukuya ngoLwesihlanu). Imibuzo ngomnxeba malunga noku ingaya kwa-(021) 483-4589 kwaye inombolo yefeksi yeli Candelo ithi (021) 483-3098.

Naziphi na izikhalazo kodwa kukho izizathu ezicacileyo zingafakwa ngembalelwano kwi-ofisi echazwe ngentla yoMlawuli: kuLawulo lweMihlaba: kuMmansla kule dilesi: Region 2, at Private Bag X9086, Cape Town, 8000, kukho nekopi echazwe ngentla yoMlawuli kaMasipala/yeGosa eliPhezulu lesiGqeba: kuMasipala waseCederberg Municipality, Private Bag X2, Clanwilliam, 8135, ngomhla okanye phambi komhla wama-24 ku-Epreli ngo-2012 ukowute lo Mthetho ungentle nenombolo yomfama ophikisa oku. Naziphi na izimvo ezifunyenweyo emva komhla wokuvalwa azizi kuthathelwa ngalelo.

*Ofaka isicelo:* CK Rumboll and Partners (Egameni loMCB Burger)

*Ubume besicelo:* Ukususwa kweemeko zemiqobo kwithayitile ezisebenzayo kwiNdawana yama-36 neNdawana yama-30 (indawana kwindawana yesi-2) yeFama iKlein Valley No. 481 Icandelo leClanwilliam, ukwenza ukuba umnikazi ajongane nendawana ethile yodwa kwaye ayahlule ipropati ngokweenjongo zezolimo.

23 March 2012

24409

**HESSEQUA MUNICIPALITY  
BY-LAW RELATING TO THE PREVENTION OF PUBLIC NUISANCES  
AND NUISANCES ARISING FROM THE KEEPING OF ANIMALS**

Under the provisions of section 156 of the Constitution of the Republic of South Africa, 1996 the Hessequa Municipality enacts as follows:

**Table of contents**

- 1. Definitions**
- 2. Objectives and application of by-law**

**CHAPTER 1: GENERAL PROVISIONS RELATING TO PUBLIC NUISANCES**

- 3. Public nuisances prohibited**

**CHAPTER 2: GENERAL PROVISIONS RELATING TO KEEPING OF ANIMALS**

- 4. Permission to keep animals**
- 5. Plans for structures and management**
- 6. Consideration of application and imposition of conditions**
- 7. Visibility of structures on premises**
- 8. Waivering of requirements and withdrawal of authorisations**
- 9. Validity of authorisations**
- 10. Duties of owner or keeper of animal**
- 11. Animals kept in unsatisfactory manner**
- 12. Destruction and sterilisation of animals**
- 13. Hawking of animals**

**CHAPTER 3: PROVISIONS RELATING TO KEEPING OF DOGS, CATS AND PETS**

*Part 1 - General Provisions relating to dogs, cats and pets*

- 14. Number of dogs and cats**
- 15. Breeders of dogs and cats**
- 16. Breeders of pets**
- 17. Conditions and restrictions**
- 18. Withdrawal of permission**
- 19. Dogs or cats in streets or public places**

*Part 2 - Specific provisions relating to dogs*

- 20. Control and licensing of dogs**

**CHAPTER 4: DOG KENNELS, CATTERIES, PET SHOPS AND PET PARLOURS**

- 21. Permission to operate**

**CHAPTER 5: CO-OPERATION BETWEEN MUNICIPALITIES**

- 22. Service delivery agreements**
- 23. Powers of municipality in case of omission by District Municipality**

**CHAPTER 6: GENERAL PROVISIONS**

- 24. Right of entry and inspection**
- 25. Service of documents and process**
- 26. Transitional provisions**
- 27. Appeal**

28. Penalties
29. Exemptions
30. Liaison forums in Community
31. Repeal of by-laws
32. Short title and commencement

1. Definitions

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

**agent**, in relation to the owner of a property, means a person appointed by the owner of the property-

- (a) to receive rental or other payments in respect of the property on behalf of the owner; or
- (b) to make payments in respect of the property on behalf of the owner;

**animal** means any equine, bovine, sheep, goat, poultry, camel, dog, cat, or other domestic animal or bird, or any wild animal or reptile which is in captivity or under the control of a person, or insects such as, but not limited to, bees which is kept or under control of a person, but excluding any pet;

**authorised official** means an officer authorised in terms of section 8 of the Animals Protection Act, 1962 (Act 71 of 1962) and any official of the municipality who has been authorised by the municipality to enforce the provisions of this by-law;

**bird** means a pigeon, peafowl, pheasant, partridge, canary, budgerigar, parrot, ostrich and any other domesticated bird or wild bird which is in captivity or under control of a person;

**breed** means a population of animals which produces progeny possessing a high degree of genetic stability as evidenced by identifiable uniformity in breed standards and performance;

**breeder** means the owner of a breeding female animal at the time of natural or artificial conception or at the birth of progeny;

**cattery** means any establishment where cats are bred or boarded;

**district municipality** means the Eden District Municipality established in terms of Section 12 of the Municipal Structures Act, 117 of 1998, and includes any political structure, political office bearer, councillor, duly authorised agent thereof or any employee thereof acting in connection with this by-law by virtue of a power vested in the municipality and delegated or sub-delegated to such political structure, political office bearer, councillor, agent or employee;

**drunk** means a person who, by reason of the alcohol which he or she has consumed, has lost control of his or her mental or physical faculties, or both, to such an extent as to render him or her incapable of comporting him- or herself, or of performing any act in which he or she is engaged, with safety to him- or herself or with that regard to the rights of others which the law demands;

**kennel** means any establishment that has as its business the breeding, training or boarding of dogs and includes pounds whether operated by the State or otherwise;

**municipality** means the Hessequa Municipality established in terms of Section 12 of the Municipal Structures Act, 117 of 1998, and includes any political structure, political office bearer, councillor, duly authorised agent or any employee acting in connection with this by-law by virtue of a power vested in the municipality and delegated or sub-delegated to such political structure, political office bearer, councillor, agent or employee;

**municipal manager** is the person appointed by the municipality in terms of Section 82 of the Municipal Structures Act, Act 117 of 1998, and includes a person -

- (a) acting in such position; and
- (b) to whom the municipal manager has delegated any power, function or responsibility;

owner :

- (a) in relation to an animal, includes the person having the possession, charge, custody or control of such animal;
- (b) in relation to property includes an occupier, lessee, servitude holder, trustee, executor, curator or assignee, agent or administrator of such property;

pet means a tame animal which is kept in a household;

pet parlour means an establishment where pets are groomed;

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

poultry means any fowl, goose, ostrich, duck, pigeon, dove, turkey, muscovy, guinea-fowl, peacock or peahen or bird whether domesticated or wild;

premises means:

- (a) land or a portion of land, including a public place, whether or not a building or structure has been constructed or erected on such land or portion thereof; or
- (b) a building, structure, tent or caravan and the land on which it is situated and includes any vehicle, carriage, ship or boat;

public nuisance means any act or omission or condition on any premises or public place, including any building, structure or growth thereon, which is offensive or dangerous, or which materially interferes with the ordinary comfort, convenience, peace or quiet of other people or which adversely effects the safety of people, and nuisance has the same meaning;

public place means any land, square, building, park, recreation ground or open space which:

- (a) is vested in the municipality;
- (b) the public has the right to use; or
- (c) is shown on a general plan of a township filed in a deeds registry or a Surveyor-General's office and has been provided for or reserved for the use of the public or the owners of erven in such township;

responsible authority means the Hessequa Municipality or any national or provincial department that may in terms of its powers and functions impose conditions or restrictions in respect of the keeping of animals;

street means any road, street or thoroughfare or any section or part thereof which is commonly used by the public or to which the public has a right of access;

structure means any container, stable, shed, pigsty, kraal, aviary, paddock, covering structure, poultry house, enclosure, run, loft or building used for human shelter, business purposes or the keeping or enclosing of animals.

## 2. Objectives and application of by-law

(1) The municipality, aware of the constitutional right of every person to an environment that is not harmful to his or her health or well-being, adopts this by-law with the aim of protecting and promoting the health and well-being of all people in the Hessequa area by fostering an environment in which the public in general may enjoy peaceful and harmonious living conditions.

(2) In the implementation of this by-law, the municipality also recognises the infrastructural, social and economical disparities and inequalities resulting from the previous local government dispensation and shall strive to overcome such disparities and inequalities by supporting the new goals for local government as laid down in section 152 of the Constitution.



- (3) Sections 4(1), 14(1), 15(1), 21(1) and 26 do not apply to:
- (a) premises which are legally used for bona fide agricultural purposes; or
  - (b) premises identified by the municipality where the keeping of animals or the operation of pet parlours, pet shops or catteries and kennels is permitted and indicated as such in an approved spatial development framework and zoning scheme.
- (4) A person who keeps animals on premises contemplated in subsection (3) is not exempt from the provisions relating to the inception or bringing about of a public nuisance.

**CHAPTER 1  
GENERAL PROVISIONS RELATING TO PUBLIC NUISANCES**

**3. Public nuisances prohibited**

- (1) No one may cause a public nuisance.
- (2) A public nuisance is created by, but is not limited to:
- (a) the keeping of animals or reptiles, excluding pets on premises unless the premises is in terms of an applicable town planning scheme zoned as suitable for the keeping of such animals or reptiles;
  - (b) allowing an animal, reptile or dog to:
    - (i) enter upon public or private land other than the premises where it is kept, unless under proper control and, in the case of a dog, on a leash;
    - (ii) suffer from an infectious or contagious disease, or
    - (iii) act in such a manner that a nuisance is created for adjacent residents.
  - (c) in the case of a person in control of a dog on a street or public land, failing to remove the droppings of that dog;
  - (d) the keeping of pets in such a manner that a nuisance or the potential for a nuisance is created;
  - (e) the overnight parking of more than one heavy vehicle or boat on premises which is zoned for residential purposes;
  - (f) the parking of an implement on premises which is zoned for residential purposes;
  - (g) the repairing, washing, maintenance or servicing of a heavy vehicle, boat or implement on premises which is zoned for residential purposes.
  - (h) the parking of a vehicle, heavy vehicle, boat or trailer on premises in such a manner that a part of the vehicle, heavy vehicle, boat or trailer extends over the boundaries of the premises on which it is parked.
  - (i) the letting off of a firework on or over private land in such a manner that the firework or part thereof may land on adjacent premises.
  - (j) operating a business or engaging in similar activities on residential premises, notwithstanding any approvals granted by the Council in terms of town planning legislation, to the extent that a nuisance to adjacent residents is created by:

- (i) the increase of an activity over and above the limits and conditions determined by the Council when the application for the activity was originally approved in terms of legislation;
  - (ii) the storage of goods or materials on the premises;
  - (iii) the operation of a pump, compressor, fan or similar machinery in such a manner that a vibration or noise is caused on adjacent premises;
  - (iv) the use of spray paints or other volatile substances in such a manner that sprays, smells or gases enter onto adjacent properties;
  - (v) the manufacturing or activities related to the manufacturing of goods or materials;
  - (vi) the frequency of deliveries or the calling of persons at the premises;
  - (vii) the frequency of loading or unloading of vehicles in the street or on the premises;
  - (viii) the gathering of workers on or near the premises, or
  - (ix) the frequency of the arrival, departure or parking in the street or on the premises of vehicles attached to the activities on the premises,
- (k) allowing buildings or vacant land to become:
- (i) unsightly, offensive or in a state of disrepair to such an extent that the values of adjacent properties are detrimentally affected;
  - (ii) a home or shelter for squatters or vagrants;
  - (iii) overgrown with neglected lawns, trees, shrubs or other cultivated or uncultivated vegetation
  - (iv) inundated with an unsightly accumulation of papers, cartons, garden refuse, rubble and/or other waste materials, or
  - (v) a depository for waste materials.
- (l) in relation to business premises, allowing:
- (i) waste materials emanating from the activities on the premises to be deposited in a street refuse bin;
  - (ii) waste materials emanating from the activities on the premises to be deposited on a part of the premises which is accessible from the street or sidewalk, unless it is in a container provided or approved by the municipality;
  - (iii) the display of goods for sale on a part of the premises outside of a building, which is accessible from the street or sidewalk, but does not form part of the street or the sidewalk;
  - (iv) a vehicle to be parked on the premises in such a manner that part of the vehicle extends over a boundary of the premises;
  - (v) a means of advertising or promotion to have the effect that a distraction or danger is caused for passing vehicular or pedestrian traffic, a gathering of persons is allowed to form in the vicinity of the premises, or that pedestrians are prevented from using the sidewalk in front of the premises;

- (vi) shop trolleys attached to the business to accumulate in a street or parking area to the extent that vehicular or pedestrian traffic is impeded or endangered;
  - (vii) a refrigerator, compressor, fan or other machinery, to operate in such a manner that a vibration or noise is caused on adjacent premises;
  - (viii) an increase in the frequency of deliveries or callers at the premises to such an extent that occupiers of adjacent premises are prevented from gaining normal access to their premises;
  - (ix) vehicles attached to the business to be parked in front of adjacent premises in such a manner that the occupiers are prevented to proceed with the normal operation of their activities; and
  - (x) the use of any stoep, verandah or alley or adjoining vacant land for the purpose of storing, stacking, dumping, disposing, displaying or keeping articles or merchandise;
- (m) In relation to general behaviour on streets, parking bays, parking areas and in public places by
- (i) shouting, screaming, whistling or making any other noise to attract attention to such an extent that a nuisance is created;
  - (ii) bringing a vehicle to a stop or driving a vehicle in such a manner that pedestrian or vehicular traffic is impeded;
  - (iii) riding bicycles or similar devices in groups in such a manner that pedestrian or vehicular traffic is impeded;
  - (iv) pushing or parking trolleys or similar devices in such a manner that pedestrian and vehicular traffic is impeded;
  - (v) walking or standing in groups in such a manner that other pedestrian traffic is impeded;
  - (vi) offering services or goods and articles for sale in intersections in such a manner that the attention of drivers of vehicles is distracted;
  - (vii) offering services or goods or articles for sale from the side of the road in such a manner that vehicular or pedestrian traffic is impeded or the attention of drivers of vehicles is distracted;
  - (viii) operating a vehicle drawn by animals at such times when, and on such streets where, a heavy traffic flow is experienced;
  - (ix) being in an inebriated or drug-induced condition in such a manner that a nuisance is created, and
  - (x) acting in a disorderly manner,
- (n) the display of anything which is visually offensive;
  - (o) operating any device which interferes with radio and television reception;
  - (p) loitering in any street or public place;
  - (q) being drunk or under the influence of drugs;
  - (r) soliciting or importuning any person for the purposes of prostitution or any other immoral act;
  - (s) continuing to beg from a person or closely follow a person after such person has given a negative response to such begging;

- (t) playing loud music or the use of music instruments on any premises in a manner that causes a nuisance;
  - (u) bathe or wash him- or herself or any animal, article or clothing in a public stream, pool, water trough, hydrant, fountain or at any place which has not been set aside by the municipality for such purpose;
- (3) (a) In the event of a contravention of any of the provisions of this section, the municipality may issue a notice on the owner, occupier or alleged offender to terminate the action or to abate the nuisance created. In the event of non-compliance with such order and without prejudice to the municipality's right to prosecute, the municipality may take the necessary steps to remove the cause or source of the nuisance and any costs incurred in connection therewith may be recovered from the person responsible for the nuisance or the owner or occupier of the premises whether or not such owner or occupier is responsible therefore.
- (b) Where any vacant or developed premises or land in the vicinity of a street is used by unauthorised persons or where any of the materials or things mentioned in subsection (2) are dumped or deposited on such premises, the municipality may serve a written notice on the owner or occupier requiring him or her to enclose or fence it in to its satisfaction by a date specified in the notice. Every such enclosure or fence must be so constructed that it will effectively prevent the entry of unauthorised persons and the dumping of materials and things.
- (4) For the application of this by-law, any action or condition on any premises that endangers the safety of any person or property or which is untidy, annoying, troublesome, offensive or disturbing to the peace of other people, shall be considered a public nuisance.
- (5) Any person who contravenes or fails to comply with any provisions of this section or fails to comply with any notice lawfully given thereunder is guilty of an offence.

## CHAPTER 2

### GENERAL PROVISIONS RELATING TO KEEPING OF ANIMALS

4. Permission to keep animals
- (1) No person may keep or permit to be kept on any premises any animals, excluding pets, without the written permission of the municipality.
- (2) Any person who applies for a permit to keep a wild animal must, when submitting an application contemplated in subsection (1), furnish the municipality with a captivity permit issued by the Department of Economic Affairs, Environment and Tourism and no wild animal may be kept on a premises zoned for residential purposes.
- (3) Bees may only be kept on premises zoned for agricultural purposes and the municipality may determine the number of bee hives, as well as the kind, number and gender of animals that may be kept.

(4) In order to consider an application in terms of subsection (1), the municipality may obtain the input or comments of the owners or occupants of surrounding premises.

(5) A person who contravenes subsection (1) or who fails to comply with a determination in subsection (3) commits an offence.

**5. Plans for structures and management**

The municipality may require from applicants who apply to keep animals that they must submit an application form and a detailed site plan according to specifications set by the municipality.

**6. Consideration of application and imposition of conditions**

(1) The municipality may, after consideration of:

- (a) the input or comments obtained in terms of section 4(4);
- (b) the location, geographical features or size of the premises in respect of which the application is submitted;
- (c) the documents and site plans submitted in terms of section 5; or
- (d) any other information relating to the application including, but not limited to, grazing, fencing and availability of water, refuse to grant consent or grant consent.

(2) Where consent is refused, the municipality must furnish the applicant with the reasons for such refusal and at the same time advise him or her of the right of appeal in terms of section 27.

(3) Where consent is granted, the municipality may impose conditions.

**7. Visibility of structures on premises**

(1) All structures in which animals are kept must be suitably screened from any street.

(2) A person who fails to comply with subsection (1) commits an offence.

**8. Waivering of requirements and withdrawal of authorisations**

The municipality may after considering conditions particular to the property and provided that no objection is received from the owners or occupants of surrounding premises, waive any or all of the requirements of this part and impose other conditions and may withdraw any consent granted in terms of section 6(3) if any of the conditions imposed are not adhered to.

**9. Validity of authorisations**

All authorisations to keep animals granted in terms of any by-law or regulation repealed are deemed to have been granted in terms of this by-law.

**10. Duties of owner or keeper of animal**

(1) The owner or keeper of an animal:

- (a) may not cause or allow an animal to interfere with the comfort, convenience, peace or quiet of other people;
- (b) must provide such animal with shelter, water and proper food ;
- (c) must maintain the premises on which an animal is kept in good repair and in a neat condition in order to prevent the occurrence of a public nuisance; and

- (d) must exercise control over his or her animals in order to prevent damage to property or gardens;
  - (e) may not leave or allow any animal to be on any section of a public road or leave such animal in a place from where it may stray onto such section of a public road.
- (2) In the event of a contravention of any of the provisions of subsection (1), the municipality may remove any animal and serve a notice on the owner, occupier or alleged offender to comply with the provisions of subsection (1) within the time stipulated in the notice.
- (3) In the event of a contravention of any of the provisions of this by-law or any legislation applicable to the protection of animals, the municipality may notify any officer of any society for the prevention of cruelty to animals who may act in terms of the Animals Protection Act, 71 of 1962.
- (4) If the owner, occupier or alleged offender notifies the municipality within the time stipulated in the notice that compliance with the notice served in terms of subsection (2) has been effected, the municipality may return such animal and the owner will be liable for the costs incurred by the municipality.
- (5) In the event of non-compliance with a notice served in terms of subsection (2) and without prejudice to the municipality's right to prosecute, any animal removed in terms of subsection (2) will be regarded as having been impounded and the provisions of the municipality's Impoundment of Animals by-law will apply.
- (6) A person who contravenes a provision of subsection (1) commits an offence.

#### 11. Animals kept in unsatisfactory manner

- (1) Whenever animals kept on any premises are a public nuisance, the municipality may by written notice require the owner or occupier of such premises to remove the cause of and to abate such nuisance.
- (2) The municipality may prescribe the steps that need to be taken or the work that must be done to remove the cause of and to abate any nuisance.
- (3) Any activities undertaken by the owner in terms of a notice contemplated in subsection (1) will be for such owner's own account.
- (4) If an owner fails to comply with a notice issued in terms of subsection (1) the municipality may take the steps required and recover the cost thereof from such owner.
- (5) A person who fails to comply with a notice contemplated in subsection (1) commits an offence.

#### 12. Destruction and sterilisation of animals

- (1) The municipality may order the euthanization or destruction of an animal which is:
- (a) dangerous or ferocious; or
  - (b) injured or diseased to such an extent that it would be humane to do so.
- (2) An animal to be destroyed in terms of subsection (1) must be euthanized by a registered veterinary surgeon or where such veterinary surgeon is not available, by an authorised official with such instruments or appliances and in such a manner as to inflict as little suffering as possible.
- (3) An authorised official may cause a dog or cat to be sterilised if he deems it necessary:
- (a) for the welfare of the dog or cat;
  - (b) to prevent nuisance;

- (c) where the dog or cat is a stray animal; or
  - (d) on the request of the owner,  
and the cost of such sterilisation may be recovered from the owner.
- (4) The owner of a sterilised dog or cat must obtain from a registered veterinarian proof that such dog or cat has been sterilised and must produce such document for inspection on demand of any authorised official.
- (5) A person who fails to comply with an order contemplated in subsection (1) or who contravenes subsections (2), (3) or (4) commits an offence.

**13. Hawking of animals**

- (1) No person may hawk an animal in a street or public place or from a movable structure or vehicle.
- (2) A person who contravenes subsection (1) commits an offence.

**CHAPTER 3**  
**PROVISIONS RELATING TO KEEPING OF DOGS, CATS AND PETS**  
*Part 1 - General Provisions relating to dogs, cats and pets*

**14. Number of dogs and cats**

- (1) Subject to the provisions of section 15, no person may, without the permission of the municipality, keep on any premises:
- (a) more than two dogs; and
  - (b) more than two cats.
- (2) An application for permission in terms of subsection (1) must contain an exposition of the breed, gender and number of dogs or cats applied for.
- (3) A restriction imposed under section 17 on the number of animals that may be kept on premises does not apply for a period of 10 weeks after the birth of a litter from an animal kept in terms of a permit.
- (4) A person who contravenes subsection (1) commits an offence.

**15. Breeders of dogs and cats**

- (1) A breeder of dogs or cats who wishes to keep more than two dogs or cats must obtain permission from the municipality.
- (2) A person who fails to obtain the permission of the municipality as required in subsection (1) commits an offence.

**16. Breeders of pets**

- (1) A person who breeds pets must obtain the approval of the municipality.
- (2) The provisions of section 5 are with the necessary adjustment applicable to an application in terms subsection (1).
- (3) A person who contravenes subsection (1) commits an offence.

**17. Conditions and restrictions**

The municipality's consent in terms of sections 4, 14(1), 15(1) and 16(1) may be subject to any conditions that the municipality, in consultation with another responsible authority, may deem fit to impose.

**18. Withdrawal of permission**

- (1) Where a person contravenes or fails to adhere to a condition or restriction set in terms of section 17, the municipality may, after hearing that person, withdraw its consent and may order the removal of animals from the premises for care and safekeeping by an animal welfare organisation or pound.

(2) Any costs incurred by the municipality for the removal and safekeeping of animals in terms of subsection (1), will be recovered from the owner or keeper of such animals.

**19. Dogs, cats and horses in streets or public places**

(1) Subject to the provisions of the Public Amenities By-law, the owner or keeper of a dog, cat or horse may not bring or allow it in a street or public place unless the dog is on a leash or the cat or horse is under physical control of the owner or care taker thereof.

(2) No person may bring a dog or horse or allow a dog or horse to be brought within 50 metres of any sign prohibiting the presence of any dog or horse.

(3) Except in the event of a blind person being lead by a guide dog, a person in charge of a dog in a street or public place, must remove any faeces left by the dog by wrapping it in paper or plastic and disposing of it in a receptacle provided for litter or refuse.

(4) A person who contravenes any of the provisions of subsection (1), (2) or (3) commits an offence.

Part 2 - Specific provisions relating to dogs

**20. Control and licensing of dogs**

(1) No person who owns or keeps a dog may:

- (a) keep such dog unless a license fee determined by the municipality has been paid and such person must, on demand by an authorised official, produce the receipt issued by the municipality for the payment of the licence fee;
- (b) permit a bitch on heat to be in a street or public place without supervision;
- (c) urge a dog to attack, worry or frighten any person or animal unless in self-defence;
- (d) keep a dog if the premises is not adequately fenced to keep such dog inside when it is not on a leash; or
- (e) permit a dog:
  - (i) to trespass on private property;
  - (ii) to constitute a hazard to traffic using any public road;
  - (iii) to constitute source of danger or injury to a person outside the premises on which such dog is kept; or
  - (iv) to be a source of danger to employees of the municipality entering such premises for the purpose of carrying out their duties. A notice to the effect that a dog is kept must be displayed in a conspicuous place;
- (f) keep any dog which interferes materially with the comfort, convenience, peace or quiet of neighbours by:
  - (i) barking, yelping, howling or whining;
  - (ii) charging any vehicles, animals, poultry, pigeons or persons outside any premises where it is kept; or



- (iii) by behaving in any other manner.
- (2) The municipality may seize and impound a dog which is found in a street or public place in contravention with the provisions of this by-law.
- (3) A dog impounded in terms of subsection (2) may be released to the owner or keeper of such dog upon payment of a fee determined by the municipality.
- (4) A person who contravenes a provision of subsection (1) commits an offence.

#### CHAPTER 4 DOG KENNELS, CATTERIES, PETSHOPS AND PET PARLOURS

##### 21. Permission to operate

- (1) No kennel, cattery, pet shop or pet parlour may be operated without the permission of and subject to conditions imposed by the municipality.
- (2) The person operating a kennel, cattery, pet shop or pet parlour may not conduct the business in such a manner so as to cause any nuisance or annoyance to other people.
- (3) A person who contravenes subsection (1) or (2) commits an offence.

#### CHAPTER 5 CO-OPERATION BETWEEN MUNICIPALITIES

##### 22. Service delivery agreements

In order to achieve optimal service delivery in terms of this by-law, the municipality may enter into agreements with the district municipality with which legislative and executive powers is shared.

##### 23. Powers of municipality in case of omission by District Municipality

If the service delivery referred to in section 22 is impeded by the refusal or omission by the district municipality to execute any of the arrangements envisaged in an agreement in terms of section 22 the municipality may, subject to the principles of cooperative government as set out in section 41 of the Constitution of the Republic of South Africa, 1996, proceed to give effect to such arrangement and any expenses incurred by the municipality in giving effect to such an arrangement may be recovered from the district municipality.

#### CHAPTER 6 GENERAL PROVISIONS

##### 24. Right of entry and inspection

- (1) Any duly authorised employee of the municipality is authorised to inspect any premises within the municipal area in order to determine whether there is compliance with the provisions of this by-law; provided that a private dwelling may not be entered for routine inspection purposes without the permission of the owner or occupier.
- (2) When entering premises in terms of subsection (1), the employee must on request by any person, identify him- or herself by producing written proof of authorisation.
- (3) The authorised employee may be accompanied by a person reasonably required to assist in conducting the inspection.

(4) Any person who fails to give or refuses access to any authorised official, or obstructs or hinders him or her in the execution of his or her duties under this by-law, or who fails or refuses to give information that he or she may lawfully be required to give to such official, or who gives false or misleading information knowing it to be false or misleading, commits an offence.

**25. Service of documents and process**

(1) Whenever a notice, order, demand or other document is authorised or required to be served on a person in terms of this by-law, it shall be deemed to have been effectively and sufficiently served on such person:

- (a) when it has been delivered to him personally;
- (b) when it has been left at his place of residence or business in the Republic with a person apparently over the age of sixteen years;
- (c) when it has been posted by registered or certified mail to his last known residential or businesses address in the Republic and an acknowledgment of the posting thereof is produced;
- (d) if his address in the Republic is unknown, when it has been served on his agent or representative in the Republic in the manner provided by paragraph (a), (b) or (c); or
- (e) if his address and agent in the Republic are unknown, when it has been posted in a conspicuous place on the immovable property (if any) to which it relates.

(2) When any notice, order, demand or other document is authorised or required to be served on a person, it is not necessary to name him or her but it will be sufficient if he or she is described as the owner, occupier or holder of a right.

**26. Transitional provisions**

A person who, at the commencement of this by-law, owns a larger number of animals than the number contemplated in section 4(2) may not replace animals that die or are disposed of and must gradually reduce the number of animals that may be kept.

**27. Appeal**

A person whose rights are affected by a decision of the municipality may appeal against that decision by giving written notice of the appeal and the reasons therefore in terms of section 62 of the Local Government: Municipal Systems Act, Act 32 of 2000 to the municipal manager within 21 days of the date of the notification of the decision.

**28. Penalties**

A person who has committed an offence in terms of this by-law or fails to comply with any provision thereof, is on conviction, liable to a fine or imprisonment, or to such imprisonment without the option of a fine, or to both such fine and such imprisonment, and in the case of a successive or continuing offence, to a fine for every day such offence continues, or in default of payment thereof, to imprisonment and a further amount equal to any costs and expenses incurred by the municipality as result of any contravention.

**29. Exemptions**

Notwithstanding the provisions of this by-law, the municipality may exempt any person and class of persons from any or all of these requirements and may impose any other requirements it deems appropriate.

**30. Liaison forums in community**

- (1) The municipality may establish one or more liaison forums in a community for the purposes of—
- (a) creating conditions for a local community to participate in the affairs of the municipality; and
  - (b) promoting a safe and healthy environment;
- (2) A liaison forum may consist of—
- (a) a member of members of an interest group, or an affected person;
  - (b) a member or members of the community; and
  - (c) a designated official or officials of the municipality;
- (3) (a) the municipality may, when considering an application for an approval, or exemption certificate in terms of this by-law, request the input of a liaison forum;
- (b) a liaison forum or any person or persons contemplated in subsection (2) may, on own initiative submit an input to the municipality for consideration.

**31. Repeal of by-laws**

The following by-laws and any other provision in any other by-law that is inconsistent with the provisions of this by-law are hereby revoked:

Hessequa Municipality:

Provincial Notice No.	Title	Extent of repeal
P.G. 6588 dated 19/12/2008	By-law Relating to the Prevention of Public Nuisances and Public Nuisances Arising from the Keeping of Animals	The whole

**32. Short title and commencement**

This by-law is called the By-law Relating to the Prevention of Public Nuisances and Nuisances Arising from the Keeping of Animals and will come into operation on the date of publication thereof in the Provincial Gazette.

**HESSEQUA MUNISIPALITEIT:  
VERORDENING INSAKE OPENBARE OORLASTE EN OORLASTE WAT SPRUIT  
UIT DIE AANHOU VAN DIERE**

Kragtens die bepalings van artikel 156 van die Grondwet van die Republiek van Suid-Afrika, 1996, verorden die Hessequa Munisipaliteit as volg:

**Inhoudsopgawe**

1. Woordomskrywing
2. Oogmerke en toepassing

**HOOFSTUK 1: ALGEMENE BEPALINGS INSAKE OPENBARE OORLASTE**

3. Verbode openbare oorlaste

**HOOFSTUK 2: ALGEMENE BEPALINGS INSAKE DIE AANHOU VAN DIERE**

4. Toestemming om diere aan te hou
5. Planne vir strukture en bestuur
6. Oorweging van aansoek en oplê van voorwaardes
7. Sigbaarheid van strukture op persele
8. Kwytskelding van vereistes en intrekking van permitte
9. Geldigheid van permitte
10. Pligte van eienaar of bewaarder van diere
11. Diere wat op onbevredigende wyse aangehou word.
12. Afmaak en sterilisasie van diere
13. Handeldryf met diere

**HOOFSTUK 3: BEPALINGS INSAKE AANHOU VAN HONDE, KATTE EN TROETELDIERE**

Deel 1 - Algemene bepalings insake honde, katte en troeteldiere

14. Getal honde en katte
15. Telers van honde en katte
16. Telers van troeteldiere
17. Voorwaardes en beperkings
18. Terugtrek van toestemming
19. Honde of katte in openbare plekke

Deel 2 - Spesifieke bepalings insake honde

20. Beheer oor en lisensiëring van honde

**HOOFSTUK 4: HONDEHERBERGE, KATTERYE, TROETELDIERSALONNE EN TROETELDIERWINKELS**

21. Toestemming vir bedryf

**HOOFSTUK 5: SAMEWERKING TUSSEN MUNISIPALITEITE**

22. Diensleweringreëlings

23. Bevoegdheede van die Munisipaliteit in die geval van 'n nalate deur die Distrikmunisipaliteit

#### HOOFSTUK 6: ALGEMENE BEPALING

24. Reg van toegang en inspeksie  
 25. Betekening van dokumente en proses  
 26. Oorgangsbepalings  
 27. Appèl  
 28. Strawwe  
 29. Vrystellings  
 30. Gemeenskapskakeforums  
 31. Herroeping van verordeninge  
 32. Kort titel en inwerkingtrede

##### 1. Woordomskrywing

In hierdie verordening en tensy dit uit die samehang anders blyk, beteken:

agent met betrekking tot die eienaar van eiendom, beteken 'n persoon wat deur die eienaar Aangestel is om:

- (a) huur of ander betalings ten opsigte van die eiendom namens die eienaar te ontvang; of  
 (b) om betalings namens die eienaar ten opsigte van die eiendom te maak;  
 dier 'n lid van die perdefamilie, bees, skaap, bok, vark, pluimvee, kameel, hond, kat of ander huisdier of voel of 'n wilde dier of reptiel wat in gevangenskap verkeer of onder die beheer van iemand is, of insekte soos, maar nie beperk tot, bye wat deur 'n persoon aangehou of beheer word, maar uitgesluit enige troeteldier;

distrikmunisipaliteit die Eden Distrikmunisipaliteit gestig in terme van Artikel 12 van die Munisipale Strukturewet, 117 van 1998, Provinsiale Kennisgewing 486 van 200 gedateer 22 September 2000, soos gewysig per Provinsiale Kennisgewing 162 gedateer 20 Augustus 2004, en sluit in enige politieke struktuur, politieke ampsbekleeder, raadslid, behoorlik gevolmagtigde agent daarvan of enige werknemer daarvan handelende ingevolge hierdie verordening uit hoofde van 'n bevoegdheid van die munisipaliteit wat gedelegeer of gesubdelegeer is aan gemelde politieke struktuur, politieke ampsbekleeder, raadslid, agent of werknemer;

dronk 'n persoon wat weens die alkohol wat hy of sy ingeneem het beheer oor sy of haar geestes- of fisiese vermoëns, of beide, tot so 'n mate verloor het dat hy of sy nie in staat is om hom- of haarself te gedra nie, of nie in staat is om enige handeling waarmee hy of sy besig is op so 'n wyse te verrig dat dit nie 'n gevaar vir hom- of haarself inhou nie of met daardie agting vir die regte van ander soos deur die reg vereis word nie;

eienaar :

- (a) met betrekking tot 'n dier, ook iemand wat in besit is van of belas is met die sorg, bewaring of beheer van 'n dier;  
 (b) met betrekking tot eiendom, sluit in 'n okkupeerder, huurder, serwituuthouer, trustee, eksekuteur, curator of aangewysde, agent of administrator van sodanige eiendom;

gemagtigde beampte beteken 'n beampte, gemagtig ingevolge artikel 8 van die Dierebeskermingswet, 1962 (Wet 71 van 1962) en enige beampte van die munisipaliteit wat gemagtig is om die bepalinge van hierdie verordening af te dwing;

hondeherberg , enige inrigting waarvan die besigheid die teel, aanhou of afrigting van honde is insluitend skutte hetsy dit deur die Staat of andersins bedryf word;

kattery , enige inrigting waar katte geteel word of aangehou word;

munisipaliteit die Hessequa Munisipaliteit gestig in terme van Artikel 12 van die Munisipale Strukturewet, 117 van 1998, Provinsiale Kennisgewing 488 gedateer 22 September 2000 en sluit in enige politieke struktuur, politieke ampsbekleder, raadslid, behoorlik gevolmagtigde agent daarvan of enige werknemer daarvan handelende ingevolge hierdie verordening uit hoofde van n bevoegdheid van die munisipaliteit wat gedelegeer of gesubdelegeer is aan gemelde politieke struktuur, politieke ampsbekleder, raadslid, agent of werknemer;

munisipale bestuurder die persoon wie as die munisipale bestuurder van die munisipaliteit aangestel ingevolge die bepalings van artikel 82 van die Wet op Plaaslike Regering: Munisipale Strukture, 1998 (Wet 117 van 1998) en sluit enige persoon in:

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

perseel ,

(a) grond of n gedeelte grond hetsy n gebou of struktuur op sodanige grond of gedeelte grond gebou of opgerig is; of

(b) n gebou, struktuur, tent of woonwa saam met die grond waarop dit staan en sluit dit en sluit in enige voertuig, rytuig, skip of boot.

openbare oorlas enige handeling, versuim of toestand op n perseel met inbegrip van enige gebou, struktuur of gewas daarop wat die veiligheid van persone of eiendom in gevaar stel of wat onooglik, hinderlik, aanstootlik of rusversteurend vir ander mense is en oorlas het dieselfde betekenis;

openbare plek enige plein, gebou, park, ontspanningsoord of oop terrein wat:

- (a) by die munisipaliteit berus;
- (b) die publiek die reg het om te gebruik, of
- (c) getoon word op n algemene plan van n dorpsgebied in n akteregistrasiekantoor van n landmeter-generaal en wat verskaf is vir of gereserveer is vir die gebruik van die publiek of die eienaars van erwe in sodanige dorpsgebied;

pluimvee , enige hoender, gans, volstruis, eend, duif, kalkoen, makou, tarentaal, pou of voël hetsy dit makgemaak of wild is;

ras beteken n populasie van diere wat aanteelt produseer met n hoë graad van genetiese stabiliteit soos gedokumenteer deur identifiseerbare eenheid in rasse standaard en prestasie;

teler beteken die eienaar van n vroulike teeldier ten tyde van natuurlike of kunsmatige bevrugting of by geboorte van die aanteelt;

straat enige pad, straat of deurgang of enige ander plek (hetsy n deurgang aldan nie) wat algemeen gebruik word deur die publiek of enige gedeelte daarvan of waartoe die publiek of n deel daarvan die reg van toegang het;

struktuur , beteken enige houer, stal, skuur, varkhok, kraal, voëlhok, kamp, bedekte struktuur, hoenderhok, hok, kamp, duiwehok of gebou wat gebruik word vir bewoning deur mense, sakedoeleindes of die aanhou diere;

troeteldier enige mak dier wat normaalweg in n huishouding aangehou word vir kameraadskap of vermaak;

troeteldiersalon beteken n onderneming waar troeteldiere versorg word;

troeteldierwinkel n onderneming waar troeteldiere aangehou word vir handelsdoeleindes; verantwoordelike owerheid die Hessequa Munisipaliteit of enige nasionale of provinsiale departement wat uit hoofde van sy funksies en bevoegdhede beperking of voorwaardes ten opsigte van die aanhou van diere mag oplê;

vo l enige duif, pou, fisant, patrys, kanarie, budjie, papegaai, volstruis en enige ander mak of wilde voël wat in gevangenskap is of onder beheer van iemand is.

## 2. Oogmerke en toepassing

(1) Die munisipaliteit, bewus van die grondwetlike reg wat elke persoon het op n omgewing wat nie skadelik is vir sy of haar gesondheid of welsyn, neem hierdie verordening aan met die doel die gesondheid en welsyn van alle inwoners te beskerm en te bevorder deur n omgewing te skep waarin die algemene publiek vrede en harmonie kan geniet.

(2) By die implementering erken die munisipaliteit die infrastrukturele, maatskaplike en ekonomiese ongelykhede van die vorige plaaslike regeringstelsel en sal die munisipaliteit daarna streef om die ongelykhede te oorkom deur die nuwe doelwitte vir plaaslike regering soos bepaal in artikel 152 van die Grondwet te ondersteun.

(3) Die bepalings van artikels 4(1), 14(1), 15(1), 21(1) en 26 is nie van toepassing op:

(a) n perseel of grond wat vir bona fide landboudoeleindes aangewend word nie; of

(b) n perseel of grond wat deur die munisipaliteit geïdentifiseer is waar die aanhou van diere of die bedryf van troeteldiersalonne, troeteldierwinkels of honde- en katteherberge toelaatbaar is en as sodanig aangedui word in n goedgekeurde ruimtelike ontwikkelingsraamwerk of soneringskema.

(4) n Persoon wie diere aanhou op persele soos bedoel in subartikel (3) word nie vrygestel van die bepalings van enige ander verordeninge van die munisipaliteit of wetgewing met betrekking tot die ontstaan of veroorsaking van n openbare oorlas nie.

## HOOFTUK 1

### ALGEMENE BEPALINGS INSAKE OPENBARE OORLASTE

#### 3. Verbode openbare oorlaste

(1) Niemand mag n openbare oorlas veroorsaak nie.

(2) n Openbare oorlas word veroorsaak deur, maar is nie beperk nie tot:

(a) die aanhou van diere of reptiele, uitgesluit troeteldiere, op n perseel tensy die perseel ingevolge n toepaslike dorpsaanlegskema gesoneer is vir die aanhouding van sodanige diere of reptiele;

(b) toe te laat dat n dier, reptiel of hond:

(i) op openbare of privaatgrond, wat nie die grond is waarop dit aangehou word nie, aanwesig is, tensy dit onder behoorlike beheer is, en in die geval van n hond, aan n leiband is nie;

(ii) aan n besmetlike of aansteeklike siekte ly; of

(iii) hom op so n wyse gedra dat dit n oorlas is vir aangrensende eienaars;

(c) in die geval van n persoon in beheer van n hond in n straat of op openbare grond, te versuim om die ontlasting van sodanige hond te verwyder;

(d) die aanhou van troeteldiere op so n wyse dat dit n oorlas veroorsaak of n potensiële oorlas veroorsaak word;

- (e) die oornag parkering van meer as een swaar voertuig of boot op n perseel wat vir residensiële doeleindes gesoneer is;
- (f) die parkering van n implement op n perseel wat vir residensiële doeleindes gesoneer is;
- (g) die herstel, was, onderhoud of diens van n swaar voertuig, boot of implement op n perseel wat vir residensiële doeleindes gesoneer is;
- (h) die parkering van n voertuig, swaar voertuig, boot of implement op n perseel op sodanige wyse dat dit die grense van die perseel waarop dit geparkeer is, oorskry;
- (i) die afvuur van vuurwerke op of oor privaatgrond op so n wyse dat die vuurwerk of gedeelte daarvan op aangrensende persele mag land;
- (j) die bedryf van n besigheid of die betrokkenheid by soortgelyke aktiwiteite op n residensiële perseel, niesteenstaande enige goedkeuring deur die munisipaliteit verleen in terme van stadsbeplanningswetgewing, op so n wyse dat n oorlas vir aangrensende eienaars veroorsaak word deur:
  - (i) die toename in die aktiwiteit tot so n mate dat die beperkinge en voorwaardes soos neergelê deur die munisipaliteit by die oorspronklike goedkeuring daarvan oorskry word;
  - (ii) die berging van goedere of materiale op die perseel;
  - (iii) die bedryf van n pomp, kompressor, waaier of soortgelyke masjinerie op so n wyse dat vibrasie of geraas op aangrensende persele veroorsaak word;
  - (iv) die gebruik van spuitverf of ander vlugtige stowwe op so n wyse dat sproei, reuke of gasse na ander persele versprei;
  - (v) die vervaardiging, of aktiwiteite verwant aan vervaardiging van goedere of materiale;
  - (vi) die frekwensie van aflewings of die aandoen van persone op die perseel;
  - (vii) die frekwensie van oplaai- en aflaaie vanaf voertuie in die straat of op die perseel;
  - (viii) die samedromming van werknemers op of naby die perseel;
  - (ix) die frekwensie van aankoms, vertrek of parkering van voertuie in die straat of op die perseel wat verband hou met die aktiwiteite op die perseel;
- (k) toe te laat dat vakante grond of geboue:
  - (i) onooglik raak of aanstootlik voorkom of verval raak tot so n mate dat die waardes van aangrensende eiendomme nadelig geraak word;
  - (ii) n tuiste vir plakkers of leegglêers word;
  - (iii) oorgroei raak met verwaarloosde gras, bome, struike of ander bewerkte of onbewerkte plantegroei;
  - (iv) onooglik word deur n versameling van papiere, kartonne, tuinafval, rommel en ander afvalmateriaal; of
  - (v) n stortingsterrein word vir afvalmateriaal;
- (l) met betrekking tot besigheidpersele, toe te laat dat:
  - (i) afval wat op die perseel gegeneer word in n straat vullishouer gestort word;
  - (ii) afval wat op die perseel gegeneer word gestort word op n gedeelte daarvan wat toeganklik is vanaf 'n straat of sypaadjie, tensy dit gestort word in n vullishouer wat deur die munisipaliteit goedgekeur is;
  - (iii) goedere vertoon of verkoop word op n gedeelte van die perseel, wat nie deel vorm van n straat of sypaadjie nie, maar wat toeganklik is vanaf n straat of sypaadjie;



- (iv) n voertuig geparkeer word op so n wyse dat dit of n gedeelte daarvan op n straat of sypaadjie uitsteek;
  - (v) n metode van reklame of promosie die effek het dat dit n verwarring of gevaar veroorsaak vir verbygaande verkeer of voetgangers, n samedromming van mense in die omgewing van die perseel veroorsaak, of dat voetgangers verhinder word om die sypaadjie voor die perseel te gebruik;
  - (vi) winkelrollies verbonde aan die besigheid in n straat of parkeerarea versamel tot so n mate dat voertuig- of voetgangerverkeer daardeur benadeel of in gevaar gestel word;
  - (vii) n verkoeler, kompressor, waaier of ander masjienerie bedryf word op n wyse wat vibrasie of geraas veroorsaak word op aangrensende persele;
  - (viii) n toename in die frekwensie van aflewings of aandoeners by die perseel tot so n mate dat die okkupeerders van aangrensende persele se normale toegang tot hulle eie persele belemmer word;
  - (ix) voertuie verbonde aan die perseel voor aangrensende persele geparkeer word op so n wyse dat okkupeerders verhoed word om met hulle normale aktiwiteite aan te gaan;
  - (x) enige stoep, veranda of steeg gebruik word vir die berging, opstapeling, storting, wegdoen, vertoon of hou van goedere of voorraad;
- (m) met betrekking tot algemene gedrag in strate, parkeervakke, parkeerareas en openbare plekke:
- (i) te skree, te gil, te fluit of enige ander geraas te maak om aandag te trek op so n wyse dat n oorlas daardeur veroorsaak word;
  - (ii) 'n voertuig tot stilstand te bring of te bestuur op 'n wyse wat voetganger- of voertuigverkeer belemmer;
  - (iii) fietse of soortgelyke toestelle in groepe te ry op n wyse wat voetganger- of voertuigverkeer belemmer;
  - (iv) trollies of soortgelyke toestelle te stoot of te parkeer op n wyse wat voetganger- of voertuigverkeer belemmer;
  - (v) in groepe te loop of te staan op n wyse wat voetganger- of voertuigverkeer belemmer;
  - (vi) goedere of items in kruisings vir verkoop aan te bied op n wyse wat die aandag van voertuigbestuurders aftrek;
  - (vii) dienste of goedere vir verkoop aanbied langs n pad op n wyse waarop voetganger- of voertuigverkeer belemmer word of die aandag van voertuigbestuurders afgetrek word;
  - (viii) n voertuig wat deur diere getrek word te gebruik op tye en op strate waar hewige voertuigverkeer ondervind word;
  - (ix) in n beskonke of dwelmbenewelde toestand te verkeer op n wyse wat n oorlas veroorsaak;
  - (x) wanordelik op te tree;
- (n) die vertoning van enigiets wat visueel aanstootlik is;
- (o) die bedryf van enige toestel wat radio- en televisieontvangs versteur;
- (p) rondsientery in enige straat of openbare plek;
- (q) deur dronk of onder die invloed van dwelms te wees;

- (r) die uitlokking of oorreding van enige persoon vir die doeleindes van prostitusie of n ander immorele daad;
  - (s) aan te hou om te bedel van n persoon of om n persoon te agtervolg nadat sodanige persoon negatief gereageer het op die bedelary;
  - (t) harde musiek te speel of die gebruik van musiekinstrumente op enige perseel op n wyse wat n oorlas veroorsaak;
  - (u) n persoon wat homself of haarself of enige dier was of bad in n openbare stroom, poel, watertrog, standkraan, fontein of op enige plek wat nie deur die munisipaliteit vir sodanige doel aangewys is nie.
- (3) (a) Waar daar n oortreding van enige van die bepalings van hierdie artikel plaasvind kan die munisipaliteit n kennisgewing op die eienaar of okkupeerder of beweerde oortreder beteken om binne n bepaalde tyd die handeling te staak of die oorlas uit die weg te ruim. By versuim om aan sodanige kennisgewing gevolg te gee en sonder inkorting van die munisipaliteit se reg om vervolging in te stel, kan die munisipaliteit alle nodige maatreëls tref om die oorsaak of bron van sodanige oorlas te verwyder en enige koste in verband daarmee aangegaan is deur die munisipaliteit verhaalbaar op die persoon wat verantwoordelik is vir die oorlas of die eienaar of okkupeerder van die perseel waarop die oorlas ontstaan of voortgesit word, ongeag of die eienaar of okkupeerder daarvoor verantwoordelik is aldan nie.
- (b) Waar enige beboude of onbeboude grond of perseel in die omgewing van n straat vir enige doel deur ongemagtigde persone gebruik word of dat enige van die materiale of dinge in subartikel (2) vermeld op sodanige grond of perseel geplaas of gestort word, kan hy skriftelike kennis aan die eienaar of okkupeerder daarvan beteken waarin daar van horn vereis word om die grond of perseel voor n bepaalde datum tot sy bevrediging in te sluit of te omhein. Elke sodanige insluiting of omheining moet van sodanige aard en so gebou wees dat dit die toegang van ongemagtigde persone daartoe of die storting of ophoping van materiale of dinge daarop sal verhoed.
- (4) Vir die toepassing van hierdie verordening word enige handeling of toestand wat die veiligheid van n persoon of eiendom in gevaar stel of wat onsindelik, ergerlik, hinderlik, aanstootlik of rusversteurend is vir ander mense, as n openbare oorlas beskou.
- (5) 'n Persoon wat enige van die bepalings van hierdie artikel oortree of versuim om daaraan te voldoen, of versuim om aan n kennisgewing wat regtens daaronder uitgereik is te voldoen, is skuldig aan n misdryf.

## HOOFSTUK 2

### ALGEMENE BEPALINGS INSAKE DIE AANHOU VAN DIERE

#### 4. Toestemming om diere aan te hou

- (1) Niemand mag sonder die skriftelike toestemming van die munisipaliteit enige diere, met uitsondering van troeteldiere, op enige perseel of eiendom aanhou of toelaat dat dit daarop aangehou word nie.
- (2) Enige persoon wat aansoek doen om n permit om n wilde dier aan te hou moet, wanneer so n aansoek ingevolge subartikel (1) ingedien word, die munisipaliteit voorsien van n aanhoudingspermit wat deur die Department van Ekonomiese Sake, Omgewing en Toerisme uitgereik is.

(3) Bye mag slegs aangehou word op persele wat vir landboudoeleindes gesoneer is en die munisipaliteit mag die aantal byekorwe sowel as die tipe, getal, en geslag van diere wat aangehou mag word, bepaal asook die gebiede waarbinne die aanhou van sodanige diere en bye verbied word.

(4) Ten einde n aansoek ingevolge subartikel (1) te oorweeg moet die munisipaliteit ook die insette en kommentaar van die eienaars of bewoners van omliggende residensiële persele bekom.

(5) Enige persoon wat die bepalings van subartikel (1) oortree of versuim om aan n vasstelling in terme van subartikel (3) te voldoen, pleeg n misdryf.

#### 5. Planne vir strukture en bestuur

Die munisipaliteit mag van persone wat aansoek doen om diere aan te hou vereis om n aansoekvorm in te dien en dat sodanige aansoekers gedetailleerde planne moet indien wat aan die munisipaliteit se spesifikasies moet voldoen.

#### 6. Oorweging van aansoek en opl van voorwaardes

(1) Die munisipaliteit kan, na oorweging van:

- (a) insette of kommentaar verkry ingevolge artikel 4(4);
- (b) die ligging, geografiese kenmerke of grootte van die perseel ten opsigte waarvan die aansoek gerig word;
- (c) die dokumente en uiteensettings ingevolge artikel 5 ingedien; of
- (d) enige ander inligting wat op die aansoek betrekking het, insluitend maar nie beperk nie tot weiding, omheining en beskikbaarheid van water 'n aansoek weier of goedkeur.

(2) Indien n aansoek geweier word, moet die munisipaliteit die redes vir sodanige weiering aan die applikant verstrek en hom/haar terselfdertyd in kennis stel van die reg van appèl ingevolge artikel 27.

(3) By die goedkeuring van n aansoek mag die munisipaliteit voorwaardes oplê.

#### 7. Sigbaarheid van strukture op persele

(1) Alle strukture waarin diere aangehou word moet toepaslik afgeskerm word van enige straat.

(2) Enige persoon wat die bepalings van subartikel (1) oortree pleeg n misdryf.

#### 8. Kwytstelling van vereistes en intrekking van magtigings

Nieteenstaande bogemelde bepalings mag die munisipaliteit, na oorweging van voorwaardes ten opsigte van die eiendom en op voorwaarde dat geen beswaar van die eienaars of bewoners van omliggende persele ontvang is nie, enige of alle vereistes van hierdie gedeelte opskort en ander voorwaardes instel, indien toepaslik, en kan hy enige magtiging ingevolge artikel 6(3) intrek indien daar nie voldoen word aan enige voorwaardes daarin neergelê nie,

#### 9. Geldigheid van magtigings

Alle magtigings om diere aan te hou wat uitgereik is ingevolge enige verordening of regulasie wat herroep word, sal geag word as sou dit ingevolge hierdie verordening uitgereik wees.

#### 10. Pligte van die bewaarder van diere

##### (1) Die eienaar van n dier of die persoon in beheer daarvan:

- (a) mag nie veroorsaak of toelaat dat n dier die gewone gerief, gemak, vrede en rus van ander mense versteur nie;
- (b) moet sodanige dier van slaapplek, skuiling, water en behoorlike kos voorsien;
- (c) moet ten alle tye die perseel waarop n dier aangehou word en alle gepaardgaande toebehore in goeie en netjiese toestand hou om te voorkom dat n openbare oorlas ontstaan;
- (d) moet beheer oor sy of haar diere uitoefen ten einde skade aan eiendom of tuine te verhoed; en
- (e) mag nie enige dier op enige gedeelte van n openbare pad laat, toelaat dat dit op n openbare pad is nie en mag n dier ook nie op enige plek laat van waar dit op enige deel van n openbare pad mag afdwaal nie.

(2) Waar enige van die bepalings van subartikel (1) oortree word, mag die munisipaliteit enige dier verwyder en n kennisgewing beteken aan die eienaar, okkupeerder of beweerde oortreder om te voldoen aan die bepalings van subartikel (1) binne die gestipuleerde tydperk;

(3) Waar enige van die bepalings van hierdie verordening of wetgewing met betrekking tot die beskerming van diere oortree word, mag die munisipaliteit enige beampte van die Dierebeskeringsvereniging in kennis stel vir optrede in terme van die Dierebeskeringswet, 71 van 1962;

(4) Wanneer die eienaar, okkupeerder of beweerde oortreder die munisipaliteit in kennis stel dat daar voldoen is aan n kennisgewing uitgereik in terme van subartikel (2), kan die munisipaliteit sodanige dier terugbesorg en die koste aangegaan deur die munisipaliteit van sodanige eienaar, okkupeerder of beweerde oortreder verhaal;

(5) In die geval van nie-nakoming van die kennisgewing beteken in terme van subartikel (2), en sonder benadeling van die munisipaliteit se reg om vervolging in te stel, sal enige dier wat ingevolge subartikel (2) verwyder is as geskut geag word en sal die munisipaliteit se Skutverordening van toepassing wees;

(6) Enige persoon wat die bepalings van subartikel (1) oortree pleeg n misdryf.

#### 11. Diere wat op n onbevredigende wyse aangehou word

(1) Wanneer ookal diere wat op enige perseel aangehou word n openbare oorlas is, kan die munisipaliteit by wyse van n skriftelike kennisgewing die eienaar of okkupeerder van sodanige perseel aansê om die oorsaak van sodanige oorlas te verwyder.

(2) Die munisipaliteit mag die stappe voorskryf wat geneem moet word of die werk wat gedoen moet word om die oorsaak van die oorlas te verwyder of an enige oorlas te verminder.

(3) Enige aktiwiteite wat deur die eienaar in terme van subartikel (1) onderneem word is vir die eienaar se rekening.

(4) Indien n eienaar versuim om die stappe in terme van subartikel (1) te neem, kan die munisipaliteit die nodige stappe neem en die kostes van die eienaar verhaal.

(5) Enige persoon wat versuim om aan n kennisgewing in terme van subartikel (1) te voldoen, pleeg n misdryf.

#### 12. Afmaak en sterilisasie van diere

(1) Die munisipaliteit mag die afmaak of vernietiging van n dier gelas wanneer dit:

- (a) gevaarlik of boosaardig is;

- (b) sodanig beseer of siek is dat dit menslik sou wees om dit te doen.
- (2) Wanneer diere ingevolge subartikel (1) afgemaak word moet dit gedoen word deur n geregistreerde veearts of waar so n veearts nie beskikbaar is nie, deur n gemagtigde beampte met sodanige instrumente of toestelle as wat nodig mag wees en op n wyse geskied wat so min lyding as moontlik veroorsaak.
- (3) n Gemagtigde beampte mag n hond of kat laat steriliseer indien hy of sy dit nodig ag:
- (a) vir die welsyn van die hond of kat;
  - (b) om n oorlas te voorkom;
  - (c) waar die hond of kat n rondloperdier is; of
  - (d) op versoek van die eienaar,
- En die koste van sodanige sterilisasie mag van die eienaar verhaal word.
- (4) Die eienaar van n gesteriliseerde hond of kat moet bewys van sodanige sterilisasie van n geregistreerde veearts verkry en dit op versoek van n gemagtigde beampte toon;
- (5) Enige persoon wat versuim om aan n bevel, soos beoog in subartikel (1), te voldoen of subartikel (2), (3) of (4) oortree, pleeg n misdryf.

### 13. Smous met diere

- (1) Geen persoon mag met n dier smous in n straat of openbare plek of vanaf n mobiele struktuur of n voertuig nie.
- (2) n Persoon wat subartikel (1) oortree is skuldig aan n misdryf.

## HOOFSTUK 3: BEPALINGS MET BETREKKING TOT DIE AANHOU VAN HONDE EN KATTE

### *Deel 1 - Algemene Bepalings ten opsigte van honde en katte*

#### 14. Getal honde en katte

- 1 Behoudens die bepalings van artikel 15 mag niemand op enige perseel:
- (a) meer as twee honde; en
  - (b) meer as twee katte,
- aanhou sonder die toestemming van die munisipaliteit nie.
- (2) n Aansoek ingevolge subartikel (1) moet n uiteensetting bevat van die ras, geslag en getal honde en katte waarvoor aansoek gedoen word.
- (3) n Beperking wat ingevolge artikel 17 opgelê is op die getal diere wat op n perseel aangehou mag word, geld nie vir n tydperk van 10 weke vanaf die datum van geboorte van n werpsel van n dier wat met toestemming aangehou word nie.
- (4) n Persoon wat enige van die bepalings van subartikel (1) oortree is skuldig aan n misdryf.

#### 15. Telers van honde en katte

- (1) n Teler van honde of katte wat meer as twee honde of katte wil aanhou moet die toestemming van die munisipaliteit verkry.
- (2) Enige persoon wat versuim om die munisipaliteit se goedkeuring in terme van subartikel (1) te bekom, pleeg n misdryf.

**16. Telers van troeteldiere**

- (1) n Persoon wat met troeteldiere teel moet aansoek doen om die toestemming van die munisipaliteit.
- (2) Die bepalings van artikel 5 is met die nodige aanpassing van toepassing op n aansoek ingevolge subartikel (1).
- (3) n Persoon wat die bepalings van subartikel (1) oortree, is skuldig aan n misdryf.

**17. Voorwaardes en beperkings**

Die munisipaliteit se toestemming ingevolge artikels 4, 14(1), 15(1) en 16(1) mag onderhewig wees aan sodanige voorwaardes en beperkings as wat die munisipaliteit in oorleg met n ander verantwoordelike owerheid mag nodig ag om op te lê.

**18. Terugtrek van toestemming**

- (1) Waar n persoon enige voorwaarde of beperking opgelê ingevolge artikel 17 oortree of versuim om daaraan te voldoen, sal die munisipaliteit geregtig wees om, nadat die persoon aangehoor is, sy toestemming terug te trek en die diere van die perseel te laat verwyder vir veilige bewaring deur n dierewelsynsorganisasie of skut.
- (2) Enige koste wat deur die munisipaliteit aangegaan is vir die verwydering en veilige bewaring van diere bedoel in subartikel (1) sal van die eienaar of persoon in beheer van sodanige diere verhaal word.

**19. Honde, katte of perde in openbare plekke**

- (1) Onderworpe aan die bepalings van die Verordening op Openbare Geriewe, mag die eienaar of bewaarder van n hond, kat of perd dit nie in n straat of openbare plek bring of dit toelaat om daar te wees nie tensy die hond deur 'n verantwoordelike persoon aan n leiband gehou word en die kat of perd onder fisiese beheer is van die eienaar of bewaarder daarvan.
- (2) Niemand mag n hond of perd binne 50 meter vanaf n kennisgewing wat die teenwoordigheid van n hond of perd verbied bring of toelaat dat dit daar gebring word nie;
- (3) Behalwe in die geval van n blinde persoon wat deur n gidshond begelei word, moet n persoon in beheer van n hond in n straat of openbare plek die ontlasting van sodanige hond verwyder deur dit in plastiek of papier toe te draai en te plaas in n houer wat vir rommel of vullis voorsien is.
- (4) n Persoon wat enige bepaling van subartikels (1), (2) of (3) oortree pleeg n misdryf.

**Deel 2 - Spesifieke bepalings met betrekking tot honde****20. Beheer oor en lisensiering van honde**

- (1) Niemand wat die eienaar van n hond is mag:
  - (a) sodanige hond aanhou tensy n lisensiefooie wat deur die munisipaliteit bepaal is betaal is nie en sodanige persoon moet op aanvraag van n gemagtigde beampte die kwitansie vir sodanige betaling toon;
  - (b) toelaat dat enige hitsige teef sonder toesig in n straat of openbare plek is nie;
  - (c) enige hond aanspoor om enige persoon of dier aan te val, lastig te val of bang te maak nie, behalwe waar dit nodig is vir die verdediging van sodanige eersgenoemde persoon of sy of haar eiendom;

- (d) n hond aanhou indien die perseel waarop die hond aangehou word nie behoorlik en voldoende omhein is om sodanige hond binne te hou wanneer dit nie aan n leiband is nie.
  - (e) toelaat dat enige hond waarvan hy die eienaar is of wat deur sodanige persoon aangehou word:
    - (i) op private eiendom oortree nie;
    - (ii) n gevaar uitmaak vir verkeer wat enige openbare pad gebruik nie;
    - (iii) n bron van gevaar of besering uitmaak of na sy wete waarskynlik n bron van gevaar of besering sal uitmaak vir enige persoon buite die perseel waarop sodanige hond aangehou word nie, of
    - (iv) n bron van gevaar is vir die munisipaliteit se werknemers wat sodanige perseel betree met die doel om hut pligte uit te voer nie. n Kennisgewing ten effekte dat n hond op sodanige perseel aangehou word, moet op n opvallende plek vertoon word;
  - (f) enige hond aanhou wat:
    - (i) deur te blaf, te kef, te tjank of te huil;
    - (ii) in die gewoonte geraak het om af te storm op enige voertuie, diere, pluimvee, duiwe of persone buite enige perseel waar die hond aangehou word, of
    - (iii) deur hom op enige ander wyse te gedra, die gewone gemak, gerief, vrede of rus van bure weselik versteur nie.
- (2) Die munisipaliteit kan op enige hond wat in n straat of openbare plek gevind word strydig met die bepalings van hierdie verordening, beslag lê en skut.
- (3) n Hond wat kragtens subartikel (2) geskut is, kan aan die eienaar of bewaarder van so n hond vrygestel word teen betaling van n bedrag soos deur die munisipaliteit bepaal.
- (4) n Persoon wat enige bepaling van hierdie artikel oortree is skuldig aan n misdryf.

#### HOOFSTUK 4 HONDEHERBERGE, KATTERYE, TROETELDIERSALONNE EN TROETELDIERWINKELS

21. Toestemming om te bedryf
- (1) Geen hondeherberg, kattery, troetedierson of troeteldierwinkel mag bedryf word sonder die toestemming van die munisipaliteit nie, welke goedkeuring aan voorwaardes onderworpe mag wees.
  - (2) n Persoon wat n hondeherberg, kattery, troetedierson of troeteldierwinkel bedryf mag nie toelaat dat die besigheid op so n wyse bedryf word dat dit n openbare oorlas of ongerief vir ander mense is nie.
  - (3) n Persoon wat enige bepaling van hierdie artikel oortree is skuldig aan n misdryf.

## HOOFSUK 5 SAMEWERKING TUSSEN MUNISIPALITEITE

### 22. Diensleweringre lings

Ten einde optimale dienslewering ingevolge hierdie verordening te verseker, kan die munisipaliteit ooreenkomste aangaan met die distriksmunisipaliteit met wie wetgewende en uitvoerende gesag gedeel word.

### 23. Bevoegdhede van die Munisipaliteit in die geval van n nalate deur die Distriksmunisipaliteit

Indien die dienslewering waarna in artikel 22 verwys word belemmer word deur die weiering of versuim van die distriksmunisipaliteit om enige van die reëlings wat in n ooreenkoms voorsien is, mag die munisipaliteit, onderworpe an die bepalings van die Grondwet rakende samewerkende regering soos bepaal in artikel 41 van die Grondwet van die Republiek van Suid-Afrika, 1996, voortgaan en effek gee aan dusdanige reëling en enige uitgawes wat in verband daarmee aangegaan word van die distriksmunisipaliteit verhaal.

## HOOFSUK 6 ALGEMENE BEPALINGS

### 24. Reg van toegang en inspeksie

(1) Enige behoorlik gemagtigde werknemer van die munisipaliteit is gemagtig om enige perseel binne die munisipale gebied te inspekteer ten einde te bepaal of daar aan die bepalings van die verordening voldoen word; met dien verstande dat n private woning nie vir roetine inspeksie doeleindes betree mag word sonder die toestemming van die eienaar of okkupeerder nie.

(2) Wanneer n perseel ingevolge subartikel (1) binnegegaan word, moet die gemagtigde werknemer op versoek van enige persoon, hom/haarself identifiseer deur n geskrewe bewys van magtiging te toon.

(3) Die gemagtigde werknemer mag vergesel word van n persoon van wie dit redelikerwys verwag word om te help in die uitvoer van die inspeksie.

(4) Iemand wat versuim of weier om toegang te verleen aan n behoorlik gemagtigde werknemer van die munisipaliteit indien hy toegang tot grond of n perseel versoek, of wat hom dwarsboom of hinder in die uitvoering van sy pligte kragtens hierdie verordening, of wat versuim of weier om inligting te verstrek wat wettiglik van hom vereis kan word of vals of misleidende inligting aan sodanige behoorlik gemagtigde werknemer van die munisipaliteit verstrek, welwetende dat dit vals of misleidend is, is skuldig aan n misdryf.

### 25. Bediening van dokumente en geregtelike stappe

(1) Wanneer enige kennisgewing, bevel, aanskrywing of ander dokument gemagtig is of nodig is om bedien te word op n persoon ingevolge hierdie verordening, word dit geag effektief en na behore aan sodanige persoon beteken te wees:

- (a) wanneer dit persoonlik aan hom afgelewer is;
- (b) wanneer dit by sy plek van inwoning of besigheid in die Republiek gelaat is by n persoon wat duidelik ouer as sestien jaar is;
- (c) wanneer dit gepos is per geregistreerde of gesertifiseerde pos aan sy laaste bekende woon- of besigheidsadres in die Republiek en n erkenning van die versending verskaf word;



- (d) indien sy adres in die Republiek onbekend is, wanneer dit aan sy agent of verteenwoordiger in die Republiek bedien is op so n manier soos bepaal deur paragraaf (a), (b) of (c), of
  - (e) indien sy adres en agent in die Republiek onbekend is, wanneer dit opsigtelik vertoon word op die vaste eiendom, indien enige, waarop dit betrekking het.
- (2) Wanneer enige kennisgewing, bevel, aanskrywing of ander dokument bedien moet word aan n persoon sal dit nie nodig wees om hom by name te noem nie, maar sal dit voldoende wees as hy daarin beskryf word as die eienaar, bewoner of houer van sodanige vaste eiendom of ander reg, wat ook al die geval mag wees.

#### 26. Oorgangsbepalings

n Persoon wat tydens die inwerkingtrede van hierdie verordening meer diere aanhou as die getal in artikel 4(2) mag nie diere vervang wanneer een of meer daarvan te sterwe kom of weggemaak word nie.

#### 27. App l

n Persoon wie se regte geraak word deur n besluit van die munisipaliteit, kan teen daardie besluit appelleer ingevolge artikel 62 van die Munisipale Stelselwet, 32 van 2000, deur binne 21 dae na die datum van verwittiging van die besluit, skriftelike kennis van die appèl en redes aan die munisipale bestuurder te gee.

#### 28. Strawwe

Iedereen wat enige bepaling van hierdie verordening oortree of nalaat om daaraan te voldoen is aan n misdryf skuldig en by skuldigbevinding strafbaar met n boete of gevangenisstraf, f gevangenisstraf sonder die keuse van n boete, of beide sodanige boete en sodanige gevangenisstraf en in die geval van n voortdurende misdryf, met n boete vir elke dag wat sodanige misdryf voortduur; en n verdere bedrag gelyk aan enige koste en uitgawes wat na bevinding van die hof deur die munisipaliteit aangegaan is as gevolg van sodanige oortreding of versuim.

#### 29. Vrystellings

Nieteenstaande die bepaling van die verordening, mag die munisipaliteit enige persoon of klas van persone vrystel van enige of al hierdie vereistes en mag dit enige ander vereistes oplê wat dit as geskik beskou.

#### 30. Gemeenskapskakelforums

- (1) Die Munisipaliteit mag skakelforums in n gemeenskap instel vir die doel om:
  - (a) geleentheid vir die gemeenskap te skep om deel te neem aan die aangeleentheid van die munisipaliteit;
  - (b) die bevordering van n veilige en gesonde omgewing;
- (2) n Skakelforum mag bestaan uit:
  - (a) n lid of lede van n belangegroep, of geaffekteerde persoon;
  - (b) n lid of lede van die gemeenskap; en
  - (c) n aangewese beampte of beamptes van die Munisipaliteit; en

- (3) (a) Die Munisipaliteit mag wanneer n aansoek om toestemming, permit of vrystelling sertifikaat oorweeg word ingevolge hierdie verordening, waar van toepassing, die insette van n skakelforum versoek.  
 (b) n Skakelforum of enige persoon of persone gedoel in subartikel (2) mag op eie inisiatief, n inset aan die Munisipaliteit vir oorweging stuur.

### 31. Herroeping van Verordeninge

Die volgende verordening en die bepalings van enige verordening wat met die bepalings van hierdie verordening instryd is word hiermee herroep:

Hessequa Munisipaliteit:

Provinsiale Kennisgewing No.	Titel	Omvang van herroeping
P.K. 6588 gedateer 19/12/2008	Verordening insake Openbare Oorlaste en die Aanhou van Diere	In geheel

### 32. Kort titel en aanvang

Die verordening sal bekend staan as die Verordening insake Openbare Oorlaste en die Aanhou van Diere en tree in werking op die datum waarop dit in die Provinsiale Koerant gepubliseer word.

## HESSEQUA MUNICIPALITY BY-LAW RELATING TO IMPOUNDMENT OF ANIMALS

Under the powers conferred by section 156 of Constitution, 1996, read with section 11(3)(m) of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000), the Hessequa Municipality enacts as follows:

### ARRANGEMENT OF SECTIONS

1. Definitions
  2. Application
  3. Establishment of pound
  4. Appointment of pound keeper
  5. Trespassing or straying animals may be impounded
  6. Animals too vicious, intractable or wild to be impounded
  7. Release of animals before removal to pound
  8. Care of trespassing animals
  9. Pound to which animals must be taken
  10. Information to be supplied to pound keeper
  11. Acceptance at pound of animals to be impounded
  12. Pound register
  13. Notice to owners of animals
  14. Care of impounded animals
  15. Isolation of infected animals
  16. Impounded animals not to be worked
  17. Impounded animals that die or are stolen or injured
  18. Copies of by-laws
  19. Fees and costs payable
  20. Release of impounded animals
  21. Sale of impounded animals
  22. Pound keeper may not purchase impounded animals
  23. Animals unsuccessfully offered for sale
  24. Proceeds
  25. Action for recovery of damages
  26. Procedure to be followed in application to Court
  27. Indemnity
  28. Offences and penalties
  29. Schedules 1 and 2 form part of this by-law
  30. Repeal of by-laws
  31. Short title and commencement
- Schedule 1: Code of good practice  
Schedule 2: Pound register information

#### 1. Definitions

In these bylaws, unless inconsistent with the context:

**"animal"** includes a horse, bovine, donkey, sheep, goat, pig, ostrich, dog, cat or the hybrid of any such animal, and **"animals"** will have a corresponding meaning;

**"Court"** means a Magistrate's Court as referred to in section 166(d) of the Constitution, 1996, having jurisdiction in the area in which the pound is situated;

**"Gazette"** means the official Provincial Gazette of the Province of the Western Cape;

**"municipality"** means the Hessequa Municipality established in terms of section 155(6) of the Constitution, 1996, and established by and under sections 11 and 12 of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998);

**"owner"** includes an owner who is known, or whose identity, with the exercise of reasonable diligence, can be ascertained, and in relation to any:

(a) animal, includes the agent of the owner or other person having the lawful custody or possession of such animal; or

(b) land means rural or urban land and includes the owner, lessee or lawful occupier of such land or his or her agent;

**"pound"** means a pound established as contemplated in section 3;

**"pound keeper"** means the person appointed from time to time as contemplated in section 4 and includes any person acting for or on behalf of the appointed pound keeper;

**"public place"** means any place to which the public has access including, without limiting the generality of the foregoing any:

(a) square;

(b) park;

(c) recreation ground;

(d) sports ground;

(e) open space;

(f) beach;

(g) shopping centre on municipal land;

(h) unused or vacant municipal land; or

(i) cemetery;

**"public road"** means a public road as contemplated in section 1 of the Road Traffic Act, 1996 (Act No. 93 of 1996); and

**"service delivery agreement"** means a service delivery agreement as defined in section 1 of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000).

## **2. Application**

This by-law apply to the area of jurisdiction of the Municipality, provided that nothing prevents any animal detained in terms of this by-law from being impounded in a pound or any similar facility established by any other municipality, or other lawful authority.

## **3. Establishment of pound**

(a) The Municipality may establish a pound at any convenient place within its area of jurisdiction, provided that the Municipality may enter into a service delivery agreement with an institution or person mentioned in section 76(b) of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000), to provide for the establishment and operation of a pound to service its area of jurisdiction.

(b) The Municipality must give notice of the establishment of a pound by publishing a notice in at least two newspapers circulating in the area of jurisdiction of the Municipality.

## **4. Appointment of pound keeper**

The Municipality must, in terms of its human resource policy, appoint a suitably skilled and experienced person as a pound keeper, unless the pound is established and operated in terms of a service level agreement contemplated in section 3(a).

## **5. Trespassing or straying animals may be impounded**

(1) The owner of land upon which any animal is found trespassing may seize such animal, provided that such animal may not be removed to a pound before notice is given to the owner of the animal, where the particulars of such owner are known, in writing no less than 24 hours prior to the removal to the pound.

(2) Any animal found straying unattended upon any public road or public place may be seized for impounding by:

(a) a member of the South African Police Services;

(b) a member of the South African National Defence Force;

(c) a member of the Provincial Road Traffic Inspectorate;

(d) a member of an Animal Protection Organisation;

(e) an authorised municipal official; or

- (f) the owner of any land through or alongside which such road passes or which abuts on such public place.
- (3) A person may not keep an animal, seized for purposes of impounding in terms of in subsections (1) and (2), for a period longer than six hours without supplying such animal with adequate food and water.
- (4) Any person who has seized an animal for purposes of impounding must comply with the provisions of the Code of Good Practice on the Handling and Transportation of Impounded Animals contained in Schedule 1.

**6. Animals too vicious, injured, intractable or wild to be impounded**

If a veterinarian or official contemplated in section 5(2)(a) to (e) is satisfied that an animal found trespassing on any land, or straying unattended upon any public road or public place, is too dangerous, vicious, injured, intractable or wild to be impounded, he or she may authorise the humane destruction or other disposal of the animal, after giving written reasons and written notice thereof to the owner of the animal where the particulars of such owner are known.

**7. Release of animals before removal to pound**

- (1) The owner of an animal, seized in terms of section 5(1) may apply to the owner of land contemplated in section 5(2) for the release of such animal prior to its removal to the pound.
- (2) The owner of land referred to in section 5(1):
- (a) may release such animal forthwith; or
  - (b) may refuse the release of the animal, whereupon he or she may apply to Court for authority to impound the animal or to claim any damages he or she may have suffered, in which event the Court may make any order, including an order as to costs that the Court deems just and equitable.
- (3) The owner of an animal seized in terms of section 5(2) may apply for the release of such animal prior to its removal to the pound, in which event the person who seized the animal must release such animal forthwith.

**8. Care of trespassing animals**

A person may not work, use or ill-treat an animal found trespassing on any land or whilst it is in the process of being removed to a pound.

**9. Pound to which animals must be taken**

An animal seized for the purposes of impounding as contemplated in section 5, must be removed to the nearest accessible pound, by the shortest practical route, and within the shortest practical time: Provided that animals of different species must be separated at all times according to their species.

**10. Information to be supplied to pound keeper**

A person sending animals to the pound must advise the pound keeper in writing of:

- (a) the number and descriptions of the animals;
- (b) the land upon which they were found trespassing; and
- (c) the distance in kilometers, by the shortest practical route, between the place on such land where they were seized and the pound.

**11. Acceptance at pound of animals to be impounded**

Subject to compliance with the provisions of section 5, the pound keeper may not refuse to accept an animal for impounding.

**12. Pound register**

- (1) The pound keeper must:
- (a) maintain a pound register containing the information contemplated in Schedule 2, which must be available for public inspection at all reasonable times; and

(b) complete the pound register immediately upon the acceptance into the pound of any animal.

(2) If the pound keeper:

- (a) neglects or refuses to comply with any of the provisions of subsection (1);
- (b) knowingly makes a false entry in the pound register;
- (c) fraudulently destroys or erases any previous entry in the pound register; or
- (d) wilfully delivers a false copy or extract from the pound register to any person,

he or she commits an offence.

### **13. Notice to owners of animals**

(1) The owner of an animal contemplated in sections 5(1), 6, 14(2)(b), 15(1)(c), 17(b), 21(1)(b), and 23(a), must be notified by:

- (a) addressing a written notice to him where his identity is known;
- (b) placing a copy of the notice to the owner on the Municipal Notice Board; or
- (c) publishing a copy of the notice in a newspaper that is generally in circulation in the municipality or where no such newspaper is generally in circulation, by posting a notice at the municipal offices in the town where the animal was found to be trespassing or straying.

(2) If the details of the owner of an animal are unknown, the pound keeper must report the impoundment of the animal at the nearest police station.

### **14. Care of impounded animals**

(1) The pound keeper:

- (a) is responsible for the proper care of all impounded animals;
- (b) must ensure that fresh water and sufficient food is available to impounded animals at all times; and
- (c) is liable to the owner of an impounded animal for any damage caused by his or her wilful or negligent acts or omissions.

(2) If the pound keeper is of the opinion that an impounded animal is dangerously vicious, permanently disabled or so diseased or severely injured or in such a physical condition that it ought to be destroyed, he or she must notify a police officer and request him to act in terms of section 5 of the Animals Protection Act, 1962 (Act 71 of 1962).

### **15. Isolation of infected animals**

If the pound keeper suspects, or is aware, that an impounded animal, or an animal to be impounded, is infected with any disease contemplated in the Animal Diseases Act, 1984 (Act No. 35 of 1984), he or she must:

- (a) provide separate accommodation for such animal;
- (b) immediately isolate the animal, and report the disease to the nearest State Veterinarian; and
- (c) immediately notify the owner of the animal of such disease in writing where the particulars of the owner are known to him or her.

### **16. Treatment of impounded animals**

The pound keeper:

- (a) may not work or in any way make use of an impounded animal or permit any such animal to be worked or made use of by any other person; and
- (b) must ensure that all impounded male animals are at all times kept apart from female animals.

### **17. Impounded animals that die or are stolen or injured**

If an impounded animal is injured, dies or is stolen, the pound keeper must:

- (a) record the injury, cause of death or theft in the pound register referred to in section 12;

- (b) notify the owner of the animal in writing of the injury, death or theft where the particulars are known to him or her; and
- (c) in the case of theft, report the theft to the nearest office of the SA Police Service.

### **18. Copies of by-law**

The pound keeper must ensure that copies of this by-law are available at the pound for inspection.

### **19. Fees and costs payable**

The pound keeper must:

- (a) charge the owner of an impounded animal the fees as set by the Municipality from time to time as contemplated in section 75A of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000); and
- (b) recover the cost of any dipping, medical treatment, inoculation or other treatment that may be necessary or required in terms of this by-law or in accordance with any other law.

### **20. Release of impounded animals**

- (1) Subject to subsection (2), the pound keeper must immediately release an impounded animal, and give the owner a receipt, provided that the owner:
  - (a) provides sufficient and satisfactory proof of ownership of such animal; and
  - (b) pays the fees and costs contemplated in section 19.
- (2) If an impounded animal is an animal that is required to bear an identification mark as set out in the Animal Identification Act, 6 of 2002, and if such animal does not display such mark, the municipality may report the matter to the South African Police Services and may refuse the release of such animal upon receipt of a written instruction by the South African Police Services that the animal should remain impounded.
- (3) If the owner of an impounded animal is unable to pay the fees or costs contemplated in section 19, the pound keeper may retain such animal in order to recover such fees or costs as may be due and payable.
- (4) Any risk attached to ownership of an animal will pass to the person who provided proof of ownership when the pound keeper expresses his satisfaction that sufficient proof of ownership had been provided.

### **21. Sale of impounded animals**

- (1) The pound keeper must:
  - (a) whenever any impounded animal has not been released within seven days from the date of its impoundment, apply to the Court for authority to sell the animal; and
  - (b) in the application contemplated in paragraph (a), provide the Court with proof, where the particulars of the owner were known to him or her, that he or she lodged a statement as contemplated in subsection (2) with the owner.
- (2) The statement contemplated in subsection (1)(b) must include:
  - (a) the fees and costs due in terms of this by-law; and
  - (b) the amount of any damages that the owner of the land on which the impounded animal trespassed, may have suffered.
- (3) The Court, whether the amounts set forth in the statement contemplated in subsection (1)(b) are disputed or not, must:
  - (a) summarily enquire into the matter;
  - (b) enquire whether notice was given to the owner of the animal by the pound keeper; and
  - (c) make such order as it considers just and equitable, including an order:
    - (i) as to costs; and
    - (ii) on the process to be followed by the pound keeper in the sale of the animal.

**22. Pound keeper may not purchase impounded animals**

The pound keeper, or a family member, or a close associate of the pound keeper, or any municipal employee, may not purchase an animal offered for sale at a pound sale, either personally or through any other person, directly or indirectly.

**23. Animals unsuccessfully offered for sale**

- (1) In the event that any animal is not sold as contemplated in section 21:
- (a) the pound keeper must immediately advise the Court and the owner, where the particulars of such owner are known to him or her, of its estimated value and the fees and costs incurred; and
  - (b) the Court may make such order as it may deem just and equitable.
- (2) If any animal that is not normally put up for sale at an auction is not claimed by its owner within 3 days of a written notice of such impoundment being served on the owner or within 3 days after the placement of an advertisement of such impoundment in terms of section 13, such animal may be put down and the costs for maintaining and putting such animal down may be recovered from the owner.

**24. Proceeds**

All proceeds from the collection of fees and costs contemplated in section 19 must be paid into the municipal revenue fund, provided that in the event that any impounded animal is sold at a price in excess of:

- (a) the fees and costs incurred; and
- (b) any damages awarded in terms of section 21(3)(c),

such excess must be paid to the owner within 30 days of the sale, unless the identity of the owner has not been established, in which event the excess must be paid into the municipal revenue fund.

**25. Action for recovery of damages**

Nothing in this by-law prevents the owner of land or any other person from instituting action against the owner of a trespassing animal, in any court with jurisdiction, for the recovery of damages suffered by reason of such trespassing animal.

**26. Procedure to be followed in application to Court**

An application to Court for:

- (a) the impoundment of an animal in terms of this by-law, must comply with the procedure contemplated in Rule 55 of the Rules of Court; and
- (b) the sale of an impounded animal in terms of this by-law, must comply with the procedure contemplated in section 66 of the Magistrates' Courts Act, 1944 (Act No. 32 of 1944), and Rule 41 of the Rules of Court,

made by the Rules Board for Courts of Law in terms of section 6 of the Rules Board for Courts of Law Act, 1985 (Act No. 107 of 1985), and published under Government Notice No. R.1108 in Regulation Gazette No. 980 of 21 June 1968, as amended from time to time, read with the necessary changes.

**27. Indemnity**

The Municipality, pound keeper and any officer, employee, or agent of the Municipality will not be liable for the death of, injury to or theft of any animal arising as a result of its detention, impounding or release, or arising during its impoundment.

**28. Offences and penalties**

A person who:

- (a) releases an animal that was lawfully seized for the purpose of being impounded or which has been lawfully impounded;
- (b) unlawfully seizes an animal for the purpose of impounding it;
- (c) unlawfully impounds an animal;
- (d) intervenes with the pound keeper in the execution of his duties;



- (e) releases any animal from his property into a public place or road; or  
 (f) contravenes any provision of this by-law,  
 is guilty of an offence and is liable on conviction to:
- (i) a fine or imprisonment, or either such fine or imprisonment, or to both such fine and such imprisonment; and
  - (ii) in the case of a continuing offence, to an additional fine or an additional period of imprisonment, or to such additional imprisonment without the option of a fine, or to both such additional fine and imprisonment for each day on which such offence is continued; and
  - (iii) a further amount equal to any costs and expenses found by the court to have been incurred by the municipality as result of such contravention or failure.

**29. Schedules 1 and 2 form part of this by-law**

Schedules 1 and 2 to this by-law form part of this by-law for all purposes.

**30. Repeal of existing By-laws**

The following by-laws and any other provision in any other by-law that is inconsistent with the provisions of this by-law are hereby revoked:

Hessequa Municipality:

Provincial Notice No.	Title	Extent of repeal
P.G. 6588 dated 19/12/2008	Impoundment of animals	The whole

**31. Short title and commencement**

This by-law will be called the By-law relating to Impoundment of Animals and it will come into effect upon publication in the Provincial Gazette.

**SCHEDULE 1**  
**Code of Good Practice on the Handling and Transportation of Impounded Animals**  
*(Section 5(4))*

**PART I: Paddock requirements**

1. Different species of animals must be kept in separate paddocks.
2. Animals may not be penned in overcrowded paddocks, and penning space provided for in each paddock must be sufficient to permit all animals to lie down at the same time and must not be less than 1,5 square metres of floor area for each animal.
3. Fractious animals may not be kept with other animals.
4. Young, weaned juvenile animals, may not be penned with adult animals, except in the case of mother and offspring.
5. Provision must be made in paddocks for:
  - (a) facilities such as racks, mangers or other suitable feed containers that are easy to clean, which will allow the feeding of an animal off the floor, and which can be serviced without disturbing the animals;
  - (b) water troughs with an adequate supply of suitable fresh water at all times;
  - (c) sufficient facilities for the adequate cleaning of paddocks; and
  - (d) facilities for the safe handling of animals.
6.
  - (a) The paddocks must at all times be maintained in a good state of repair.
  - (b) Sharp points such as wire ends, broken boards, jagged ends or protruding hinges or bolts, which could cause injury to animals, must be removed or otherwise suitably covered.
7. The floor of the entire paddock, including the off-loading banks, races, and passages, must be so constructed as to provide adequate non-slip surfaces that can be efficiently and suitably cleaned and kept dry and in a condition fit for the holding of animals.

**PART II: Handling of animals**

8. Animals must at all times be handled humanely and with patience and tolerance.
9. The following must be kept in mind when handling animals -
  - (a) animals respond more readily to being driven when the driver stands behind the animal but within its field of vision; and
  - (b) herd animals respond more readily to being driven when in a group rather than singly.
10. Animals may not be dragged by their legs, or carried by their head, ears or tail.
11. Young calves must be carried if they cannot walk with ease, by lifting the calf around the chest and hindquarters, alternatively they must be guided with one hand on the hindquarters and the other near shoulder or neck, and walked in the required direction at an appropriate and comfortable pace.
12. Only sticks with canvas or belting flaps may be used when driving animals and it is preferable to strike the ground behind the animal rather than to hit the animal.
13. Electric prodders, sticks or goads may not be used on young calves.

14. Electric prodders may not be used excessively or indiscriminately or applied to the face, anal or genital areas of animals.

### **PART III: Movement of animals**

15. Animals driven on the hoof must at all times be under proper and competent supervision.

16. Animals on the hoof must be driven in a calm manner at a gait that is relaxed and comfortable, natural to that animal, and not faster than the pace of the slowest animal

17. Animals may not be driven for periods in excess of 10 hours without being given rest of at least one hour and provided with sufficient suitable fresh water that is available to all the animals.

18. No animal on the hoof may be moved in excess of the following distances:

(a) during a journey of not more than one day's duration:

(i) 20 kilometres for sheep and goats; and

(ii) 30 kilometres for cattle; and

(b) during a journey of more than one day's duration:

(i) 20 kilometres during the first day and 15 kilometres during each subsequent day for sheep and goats; and

(ii) 25 kilometres during the first day and 20 kilometres during each subsequent day for cattle.

19. Animals must be watered and fed immediately on reaching their night camp or final destination, with sufficient food of a quality and of a type compatible with the species.

20. Animals may not be moved in the dark.

21. No sick, injured or disabled animal may be moved on the hoof.

### **PART IV: Vehicles used in transporting animals**

22. Vehicles and all trailers used in the transport of hoofed animals must be suitable for the transport of such animals and in a roadworthy condition.

23. All vehicles and trailers referred to in item 22 must have:

(a) a suitable non-slip floor which may not impede the cleaning of the floor of the vehicle, with hinged or removable battens or steel grids being permissible;

(b) adequate ventilation and light whilst in motion as well as when stationary, with no vehicle being totally enclosed;

(c) adequate protection from exhaust gases, as exposure to exhaust fumes could interfere with the animals' respiration or cause distress;

(d) sidewalls high enough to prevent animals from escaping or falling out of the vehicle: Provided that:

(i) the sides and partitions, when used in a vehicle to separate animals carried therein, must be of a height not lower than the shoulder joint of the largest animal being transported;

(ii) in the case of cattle other than calves, the minimum height must be 1 800 millimetres; and

(iii) the minimum height must be 750 millimetres in the case of any smaller animals;

- (e) in multi-tier vehicles, heights between decks must be adequate, and in case of sheep and pigs not less than 1 000 millimetres, to enable the largest animals to stand naturally, freely and fully erect and to allow adequate space for the free flow of air above the animals;
- (f) floors that are solid and impervious;
- (g) loading and offloading openings at the rear of the vehicle that are the full width of the vehicle or, if at the sides, a width not less than 2 400 millimetres; and
- (h) gates, with or without partitions:
  - (i) of a design and construction strong enough and suitable for the conveyance of the intended consignment; and
  - (ii) that open and close freely and are able to be well-secured.

- 24.** The density of animals packed into any given space must be such as to ensure the safety and comfort of the animals during transport, and the recommended floor space per animal is:
- (a) 1,4 square metres per large animal; and
  - (b) 0,5 square metre per small animal.
  - (c)

**PART V: Watering and feeding of live animals prior to loading**

- 25.** Animals must be provided with sufficient and suitable food and fresh water until the commencement of the journey.

**PART VI: Loading and off-loading procedure**

- 26.** Loading and off-loading into or out of a vehicle must be accomplished as quietly and calmly as possible, with patience and tolerance and without undue harassment, terrifying of the animals, bruising, injury, suffering or undue stress.
- 27.** No animal may be loaded or off-loaded by lifting by the head, fleece, skin, ears, tails, horns or legs.
- 28.** No animals may be loaded or off-loaded otherwise than:
- (a) by means of a ramp with a non-slip surface, sturdy enough to support the weight of the species of animals being handled, with side panels or bars adequate to prevent animals escaping or falling off the ramp and of an incline not steeper than 25 degrees; or
  - (b) at a loading bank equal to the height of the floor of the vehicle or, at off-loading, not more than 310 millimetres below the level of the off-loading vehicle and with an incline not exceeding 25 degrees.
- 29.** Where a truck is equipped with an onboard removable loading ramp it must have a non-slip surface and be of a sufficient length when lowered, that the inclination is no steeper than the inclines referred to in item 28, with the distance from the ground to the heel of the ramp not exceeding 120 millimetres.
- 30.** Ramps must be correctly adjusted to the exact height of the vehicle's floor.
- 31.** Journeys must commence as soon as possible after the live animals have been loaded and the animals must be promptly off-loaded upon arrival at the destination.
- 32.** Unless adequate provision has been made for effective separation, different species of animals may not be loaded and transported in the same vehicle.

33. Animals of different ages, sizes and sexes may not be loaded and transported in the same vehicle unless adequate provision has been made for the effective separation of such animals.
34. Adult horned cattle may not be transported with polled cattle and they must also be penned separately.
35. When there is reason to believe that an animal is likely to give birth in the course of a proposed journey, the animal may not be loaded onto a vehicle.
36. In the case of an animal giving birth during transport, the necessary measures must be taken to ensure the protection of the mother and offspring from being trampled or otherwise injured or harassed by other animals.
37. In the event of:
- (a) a breakdown of the transport vehicle;
  - (b) an accident or collision in which the transport vehicle is involved; or
  - (c) injury to, or death of, any animal in transit,
- the carrier must immediately report the details to, and request assistance from:
- (i) in the case of paragraph (a), a breakdown service;
  - (ii) in the case of paragraph (b), the South African Police and the traffic authorities; or
  - (iii) in the case of paragraph (c), a veterinarian.

#### **PART VII: Restraining of animals during transportation**

38. Where the transport of any animal may cause injury to itself or any other animal, it must be restrained in such a manner as to prevent such injury.
39. No animals may be kept in restraint for more than 4 hours in any 24-hour period.
40. No wire or bailing twine may be used for tying the animal's legs or feet.
41. To avoid strangulation or neck-break, a slipknot may not be used where animals are secured to the vehicle by horns or neck, and the rope must be attached to the vehicle at the level of the animal's knees so that in the event of the animal falling, the possibility of serious injury or death is reduced, with the rope being long enough to allow the animal to lie comfortably in a natural position with its head upright.

**SCHEDULE 2**  
**Pound register information**  
*(Section 12)*

A pound register must, at least, contain the following information:

1. Name of pound
2. Date of receipt of animal
3. Number and description of animals
4. Brands or markings on animal
5. Ear tag number assigned by the pound keeper
6. Name and address of person who seized the animal
7. Name and address of person who delivered the animal to the pound
8. Name and address of owner of land where animal was seized
9. Name and address of owner of animal
10. Name and address or description of place where animal was found
11. Distance between place where animal was seized and pound
12. Particulars of damage caused by the animal
13. Transport fees payable
14. Details of destruction or disposal of animal
15. Cause of death or injury of impounded animal
16. Description and amount of pound fees
17. Damages awarded by Court
18. Date of release of animal
19. Date of sale of animal
20. Proceeds of sale of animal
21. Name and address of purchaser
22. Excess amount (if any) paid to owner or municipality
23. Receipt number
24. Details of Order of Court with regard to animal not sold in execution

## HESSEQUA MUNISIPALITEIT VERORDENING INSAKE DIE SKUT VAN DIERE

Kragtens die bepalings van artikel 156 van die Grondwet, 1996, saamgelees met artikel 11(3)(m) van die Wet op Plaaslike Regering: Munisipale Stelselwet, 2000 (Wet 32 van 2000), verorden die Hessequa Munisipaliteit as volg:

### INHOUDSOPGAWE

1. Woordomsrywings
  2. Toepassing
  3. Vestiging van skut
  4. Aanstelling van skutmeester
  5. Skut van diere wat rondloop of oortree
  6. Diere wat te wild, onhanteerbaar, siek of boosaardig is om te skut
  7. Vrylating van diere voordat dit geskut word
  8. Versorging van diere wat oortree
  9. Skut waarheen diere geneem moet word
  10. Inligting wat aan skutmeester verstrekt moet word
  11. Aanvaarding van diere by skut
  12. Skutregister
  13. Kennisgewing aan eienaars van diere
  14. Versorging van geskutte diere
  15. Afsondering van besmette diere
  16. Geskutte diere nie geskik vir werk
  17. Geskutte diere wat vrek, beseer raak of gesteel word
  18. Afskrifte van verordeninge
  19. Gelde en kostes betaalbaar
  20. Vrylating van geskutte diere
  21. Verkoop van geskutte diere
  22. Skutmeester verbied om geskutte diere te koop
  23. Diere wat nie verkoop kan word nie
  24. Opbrengs
  25. Aksie vir verhaling van skade
  26. Prosedure met die bring van hofaansoeke
  27. Vry waring
  28. Oortredings en boetes
  29. Bylae 1 en 2 vorm deel van hierdie verordening
  30. Herroeping van verordening
  31. Kort titel en inwerkingtrede
- Bylae 1: Kode van goeie praktyk  
Bylae 2: Skutregisterinligting

### 1. Woordomsrywings

Tensy teenstrydig met die sinsverband van hierdie verordening, beteken:

**"diensleweringsooreenkoms"** 'n diensleweringsooreenkoms soos omskryf in artikel 1 van die Plaaslike Regering: Munisipale Stelselwet, 2000 (Wet 32 van 2000).

**"dier"** 'n perd, bees, donkie, skaap, bok, vark, volstruis, hond, kat of die baster van enige sodanige dier en het **"diere"** 'n ooreenstemmende betekenis;

**"eienaar"** 'n eienaar wat bekend is, of wie se identiteit redelik vinnig vasgestel kan word, en in verhouding tot enige:

- (a) dier, sluit dit die agent van die eienaar in of enige ander persoon wat wetlike toesig of besit het van sodanige dier; of
- (b) grond, sluit dit die eienaar, huurder of wettige bewoner van sodanige grond of sy of haar agent in;

**"Hof"** 'n Landdroshof soos na verwys in artikel 166(d) van die Grondwet, 1996, met jurisdiksie in die gebied waarbinne die skut geleë is;

**"Koerant"** die amptelike Provinsiale Koerant van die Provinsie: Wes-Kaap;

**"munisipaliteit"** die Hessequa Munisipaliteit wat ingevolge artikel 155(6) van die Grondwet

en artikel 11 en 12 van die Plaaslike Regering: Munisipale Strukturewet, 1998 (Wet 117 van 1998) daargestel is;

**"openbare plek"** enige plek waartoe die publiek toegang het, insluitend en sonder beperking van die voorafgaande, enige:

- (a) plein;
- (b) park;
- (c) ontspanningsgebied;
- (d) sportgronde;
- (e) oopruimte;
- (f) strand;
- (g) inkopiesentrum op munisipale grond;
- (h) ongebruikte of onbeboude munisipale grond; of
- (i) begraafplaas;

**"openbare pad"** enige pad soos bedoel in artikel 1 van die Padverkeerswet, 1996 (Wet 93 van 1996);

**"skut"** 'n skut opgerig soos bedoel in artikel 3; en

**"skutmeester"** die persoon wat van tyd tot tyd aangestel word soos bedoel in artikel 4 en dit sluit enige persoon in wat namens die aangestelde skutmeester waarneem;

## 2. Toepassing

Hierdie verordening is van toepassing binne die regsgebied van die Munisipaliteit met dien verstande dat niks sal verhoed dat enige dier wat ingevolge hierdie verordening in aanhouding is, geskut word in 'n skut of soortgelyke plek, wat deur 'n ander munisipaliteit of ander wettige owerheid opgerig is nie.

## 3. Vestiging van skut

(a) Die Munisipaliteit mag 'n skut op enige gerieflike plek binne sy regsgebied vestig, met dien verstande dat dit 'n diensleweringsooreenkoms mag aangaan met enige instelling of persoon in bedoel in artikel 76(b) van die Plaaslike Regering: Munisipale Stelselswet, 2000 (Wet 32 van 2000) ten einde vir die vestiging en bestuur van 'n skut, wat sy hele regsgebied bedien, voorsiening te maak.

(b) Die Munisipaliteit moet in ten minste twee geregistreerde koerante wat binne sy regsgebied sirkuleer, kennis gee van sy voorneme om 'n skut te vestig.

## 4. Aanstelling van skutmeester

Die Munisipaliteit moet kragtens sy menslike hulpbronne beleid, 'n geskikte gekwalifiseerde persoon as skutmeester aanstel, tensy die skut gevestig en bestuur word ingevolge 'n diensleweringsooreenkoms soos bedoel in artikel (3)(a).

## 5. Diere wat rondloop of oortree mag geskut word

(1) Die eienaar van grond waarop 'n dier oortree mag op die dier beslag lê met dien verstande dat sodanige dier nie na 'n skut afgevoer mag word alvorens skriftelike kennis van minstens 24 uur, waar die besonderhede van die eienaar van die dier bekend is, voor afvoering na die skut, aan sodanige eienaar daarvan gegee is nie.

(2) Enige dier wat sonder toesig op 'n openbare pad of openbare ruimte rondloop, mag gevang word met die doel om dit te skut, deur:

- (a) 'n lid van die Suid-Afrikaanse Polisie;
- (b) 'n lid van die Suid-Afrikaanse Weermag;
- (c) 'n lid van die Provinsiale Padverkeersinspektoraat;
- (d) 'n lid van enige dierebeskermingsorganisasie;
- (e) 'n gemagtigde munisipale beampte; of
- (f) die eienaar van enige grond waardeur of waarlangs sodanige pad loop of wat aan sodanige openbare ruimte grens.

(3) 'n Persoon wat 'n dier vang met die doel om dit te skut ingevolge sub-artikels (1) en (2), mag nie die dier langer as ses uur aanhou, sonder om dit van genoegsame voedsel en water te voorsien nie.

(4) Enige persoon wat 'n dier vang met die doel om dit te skut, moet voldoen aan die bepalings van die Kode van Goeie Praktyk insake die Hantering en Vervoer van Geskutte



Diere, soos vervat in Bylae 1.

**6. Diere wat te wild, onbeheerbaar, beseer of boosaardig is om te skut**

Indien 'n veearts of beampte bedoel in artikel 5(2)(a) tot (e), tevrede is dat 'n dier wat oortree op enige grond, of sonder toesig op enige openbare pad of oop ruimte rondloop, te gevaarlik, wild, onbeheerbaar, beseer of boosaardig is om te skut, mag hy of sy toestemming gee dat dit op menslike wyse vankant gemaak of mee weggedoen word, nadat skriftelike kennisgewing met verstreking van redes op die eienaar van die dier bestel is waar die besonderhede van sodanige eienaar bekend is.

**7. Vrylating van diere voor afvoering na skut**

(1) Die eienaar van 'n dier wat ingevolge artikel 5(1) gevang is, mag vertoë rig tot die eienaar van grond, bedoel in artikel 5(2) vir die vrylating van die dier, alvorens die dier na 'n skut afgevoer word.

(2) Die eienaar van grond soos bedoel in artikel 5(1):

- (a) mag sodanige dier onmiddellik vrylaat; of
- (b) mag die vrylating van die dier weier en daarop by die hof aansoek doen vir magtiging om die dier te skut, of skadevergoeding eis wat hy of sy gelyk het, in welke geval 'n Hof 'n bevel mag maak, insluitende 'n kostebevel wat die Hof as billik en regverdig beskou.

(3) Die eienaar van 'n dier wat gevang is ingevolge artikel 5(e) mag aansoek doen vir vrylating van sodanige dier voordat dit na 'n skut afgevoer word, in welke geval die persoon wat die dier gevang het, die dier onmiddellik moet vrylaat.

**8. Versorging van diere wat oortree**

'n Persoon mag nie 'n dier wat gevang is nadat dit op enige grond oortree het of 'n dier wat in die proses is van afvoering na 'n skut, laat werk of mishandel nie.

**9. Skut waarheen diere afgevoer moet word**

'n Dier wat gevang is met die doel om dit te skut soos bedoel in artikel 5, moet na die naaste toeganklike skut, langs die kortste mees praktiese roete en in die kortste tyd prakties moontlik, afgevoer word, met dien verstande dat diere van verskillende spesies te alle tye afsonderlik gehou moet word.

**10. Inligting wat aan skutmeester verstrekk moet word**

'n Persoon wat diere na 'n skut stuur, moet die skutmeester skriftelik van die volgende inligting voorsien:

- (a) die getal en beskrywing van die diere;
- (b) die grond waarop die dier gevang is toe dit oortree het; en
- (c) die afstand in kilometer, langs die kortste mees praktiese roete, tussen die plek waar die dier gevang is en die skut.

**11. Aanvaarding van diere wat geskut word**

Onderworpe aan die bepalings van artikel 5, mag die skutmeester nie 'n dier wat na die skut gebring word vir daardie doel, weier nie.

**12. Skutregister**

(1) Die skutmeester moet:

- (a) 'n register op datum hou wat die inligting in Bylae 2 beoog, bevat en wat te alle redelik tye vir publieke insae beskikbaar moet wees; en
- (b) die register onmiddellik voltooi sodra 'n dier in die skut opgeneem word.

(2) Indien die skutmeester:

- (a) nalaat of weier om aan die bepalings van sub-artikel 1 te voldoen;
- (b) wetend 'n vals inskrywing in die skutregister maak;
- (c) op bedrieglike wyse enige bestaande inskrywing in die register verwoes of uitvee; of
- (d) opsetlik 'n vals afskrif of uittreksel uit die register aan enige persoon verskaf, maak hy of sy hom of haar skuldig aan 'n misdryf.

**13. Kennisgewing aan eienaars van diere**

(1) Die eenaar van 'n dier beoog in artikel 5(1), 6, 14(2)(b), 15(1)(c), 17(b), 21(1)(b) en 23(a), moet in kennis gestel word deur:

- (a) 'n geskrewe kennisgewing op hom te bestel waar sy identiteit bekend is;
- (b) 'n afskrif van die kennisgewing aan die eenaar op die Munisipale Kennisgewingbord te plaas; of
- (c) 'n afskrif van die kennisgewing in 'n koerant te publiseer wat in algemene sirkulasie in die munisipale gebied is of waar daar nie sodanige koerant in sirkulasie is nie, deur 'n kennisgewing by die munisipale kantore te plaas in die dorp waar die dier oortree of rondgeloopt het.

(2) Indien die besonderhede van die eenaar van die dier onbekend is moet die skutmeester die skut van die dier by die naaste polisiekantoor aanmeld.

**14. Versorging van geskutte diere**

(1) Die skutmeester:

- (a) is verantwoordelik vir die behoorlike versorging van alle geskutte diere;
- (b) moet verseker dat water en voldoende voedsel te alle tye vir geskutte diere beskikbaar is; en
- (c) is aanspreeklik teenoor die eienaars van geskutte diere vir enige skade aan diere berokken as gevolg van sy of haar opsetlike of nalatige optrede of versuim.

(2) Indien die skutmeester van mening is dat 'n geskutte dier gevaarlik, boosaardig, permanent gebrekkig of dodelik siek, beseer of in so 'n fisiese toestand is dat dit vernietig behoort te word, moet hy 'n polisiebeampte in kennis stel en hom versoek om ingevolge artikel 5 van die Wet op Dierbeskerming, 1962 (Wet 71 van 1962) op te tree.

**15. Afsondering van besmette diere**

(1) Indien die skutmeester vermoed of bewus raak daarvan dat 'n geskutte dier of diere wat geskut staan te word, besmet is met enige siekte vermeld in die Wet op Dieresiektes, 1984 (Wet 35 van 1984), moet hy of sy:

- (a) afsonderlike verblyf vir sodanige dier voorsien;
- (b) die dier onmiddellik afsonder en die siekte aan die naaste staatsveearts rapporteer; en
- (c) waar die besonderhede van die eenaar beskikbaar is, onmiddellik die eenaar van die dier skriftelik in kennis stel.

**16. Geskutte diere nie geskik vir werk**

Die skutmeester:

- (a) mag nie 'n geskutte dier vir werk of enige ander doeleinde gebruik of toelaat dat dit vir werk of enige ander doeleinde gebruik word nie; en
- (b) moet te alle tye toesien dat manlike diere afsonderlik van vroulike diere gehou word.

**17. Geskutte diere wat vrek, beseer raak of gesteel word**

Indien 'n geskutte dier vrek of beseer of gesteel word, moet die skutmeester:

- (a) die oorsaak van die vrekke of besering of the feit dat die dier gesteel is in die skutregister bedoel in artikel 12 aanteken;
- (b) waar die besonderhede van die eenaar beskikbaar is, die eenaar van die vrekke, besering of diefstal van die dier in kennis stel; en
- (c) in die geval van diefstal, die diefstal by die naaste kantoor van die SA Polisdienste aanmeld.

**18. Afskrifte van verordeninge**

Die skutmeester moet sorg dra dat afskrifte van hierdie verordening by die skut ter insae lê.

**19. Gelde en koste betaalbaar**

Die skutmeester moet:

- (a) die gelde wat van tyd tot tyd deur die Munisipaliteit vasgestel word kragtens artikel 75A van die Plaaslike Regering, Munisipale Stelselwet, 2000 (Wet 32 van 2000) van die eienaar van 'n geskutte dier verhaal; en
- (b) die koste vir dip, mediese behandeling, inspuitings of ander behandeling wat nodig geag word ingevolge hierdie verordening of enige ander wetgewing, van die eienaar van die dier verhaal.

## 20. Vrylating van geskutte diere

- (1) Onderworpe aan subartikel (2) moet die skutmeester onmiddellik 'n geskutte dier vrylaat en aan die eienaar 'n kwitansie voorsien, indien die eienaar:
  - (a) bewys van eienaarskap van sodanige dier lewer; en
  - (b) die gelde en kostes beoog in artikel 19, betaal.
- (2) Indien 'n geskutte dier 'n dier is wat 'n identifikasiemerk moet dra soos bedoel in die Wet op Identifikasie van Diere, Wet 6 van 2002, en indien sodanige dier nie sodanige merk dra nie, mag die munisipaliteit die aangeleentheid by die SA Polisiedienste aanmeld en mag die munisipaliteit weier om sodanige dier vry te laat indien die SA Polisiediens die munisipaliteit skriftelik versoek om die dier aan te hou.
- (3) Indien die eienaar van 'n geskutte dier nie die gelde en kostes soos bedoel in artikel 19 kan betaal nie, mag die skutmeester sodanige dier terughou totdat die gelde en kostes betaal is.
- (4) Enige risiko verbonde aan die eienaarskap van 'n dier gaan oor op die persoon wat bewys van eienaarskap verskaf wanneer die skutmeester sy tevredenheid uitspreek dat voldoende bewys van eienaarskap verskaf is.

## 21. Verkoop van geskutte diere

- (1) Die skutmeester moet:
  - (a) wanneer ookal enige geskutte dier nie binne sewe dae gelos word nie, by die hof aansoek doen om sodanige dier te verkoop; en
  - (b) in die aansoek beoog in paragraaf (a), bewys lewer aan die Hof dat hy of sy 'n faktuur soos beoog in sub-artikel (2), aan die eienaar bestel het, indien die besonderhede van die einaar bekend was.
- (2) Die faktuur beoog in sub-artikel (1)(b), moet:
  - (a) die gelde en kostes betaalbaar ingevolge hierdie verordening; en
  - (b) die bedrag van enige skade wat die eienaar van grond waarop die dier oortree het, gely het, aandui.
- (3) Die Hof moet, ongeag of die bedrae in die faktuur in artikel (1)(b) genoem, betwis word al dan nie:
  - (a) summier die saak ondersoek;
  - (b) ondersoek instel of die skutmeester wel 'n kennisgewing op die eienaar van die dier bestel het; en
  - (c) 'n bevel maak wat as billik en regverdig beskou word, insluitend 'n bevel,
    - (i) rakende koste; en
    - (ii) rakende die proses wat deur die skutmeester gevolg moet word met die verkoop van die dier.

## 22. 'n Skutmeester mag nie geskutte diere koop nie

Die skutmeester of 'n familielid, deelgenoot of enige medewerkers of enige munisipale amptenaar mag nie persoonlik of deur enige persoon aan die koop van diere by 'n skutverkoop, deelneem nie.

## 23. Diere wat nie verkoop word nie

- (1) In die geval dat enige dier nie verkoop soos bedoel in artikel 21 nie:
  - (a) moet die skutmeester onmiddellik die Hof en die eienaar, waar die besonderhede van die eienaar bekend is, van die geskatte waarde asook die koste en gelde betaalbaar, in kennis stel; en
  - (b) mag die Hof enige bevel maak wat dit as billik en regverdig beskou.
- (2) Indien enige dier wat nie normaalweg by 'n veiling verkoop word nie, nie binne 3 dae nadat 'n kennisgewing dat die dier geskut is op die eienaar van die dier bedien is of binne 3

dae nadat 'n advertensie van sodanige skut ingevolge artikel 13 deur die eienaar opgeëis word nie, mag sodanige dier afgemaak word en die kostes vir die onderhoud en afmaking mag van die eienaar verhaal word.

#### **24. Opbrengs**

Die volle opbrengs van die gelde en kostes bedoel in artikel 19 moet in die munisipale inkomstefonds gestort word, met dien verstande dat indien 'n dier teen 'n hoër prys verkoop word as:

- (a) die gelde en kostes aangegaan; en
- (b) enige skadevergoeding toegeken ingevolge artikel 21 (3)(c),

moet sodanige oorskot binne 30 dae na die verkoping aan die eienaar betaal word, behalwe as die identiteit van die eienaar nie vasgestel kan word nie, in welke geval die oorskot in die inkomstefonds gestort moet word.

#### **25. Aksie vir verhaling van skadevergoeding**

Niks in hierdie verordening verhoed die eienaar van grond of enige ander persoon om 'n regsaksie in te stel in enige hof teen die eienaar van 'n dier wat oortree nie, vir die verhaling van skade gelyk as gevolg van 'n dier wat oortree het.

#### **26. Prosedure met die bring van hofaansoeke**

'n Aansoek aan die Hof om:

- (a) 'n dier kragtens hierdie verordening te skut, moet voldoen aan die prosedure vervat in Reël 55 van die Hofreëls; en
- (b) 'n dier kragtens hierdie verordening te verkoop, moet voldoen aan die prosedure bedoel in artikel 66 van die Wet op Landdroshowe, 1944 (Wet 32 van 44) en Reël 41 van die Reëls van die Hof,

gemaak deur die Reëlsraad vir Howe kragtens artikel 6 van die Wet op die Reëlsraad vir Howe, 1985 (Wet 107 van 1985), en afgekondig onder Goewermentskennisgewing Nr. R1108 in Regulasie Koerant no. 980 van 21 Junie 1968, soos van tyd tot tyd aangepas, saamgelees met die nodige wysigings.

#### **27. Vrywaring**

Die Munisipaliteit, skutmeester en enige beamppte, werknemer of agent van die Munisipaliteit sal nie aanspreeklik wees vir die dood van of besering aan enige dier as gevolg van sy of haar aanhouding skut of vrylating of as gevolg van die skut proses nie.

#### **28. Oortredings en boetes**

'n Persoon wat:

- (a) 'n dier wat wettiglik gevang is met die doel om dit te skut of wat wettiglik geskut is, vrylaat;
- (b) onwettig 'n dier vang met die doel om dit te skut;
- (c) onwettig 'n dier skut;
- (d) met 'n skutmeester in die uitvoering van sy pligte inmeng;
- (e) enige dier toelaat om vanaf sy eiendom op 'n openbare pad of straat te gaan; of
- (f) enige bepaling van hierdie verordening oortree, is skuldig aan 'n misdryf en mag by skuldigbevinding:
  - (i) 'n boete of tronkstraf of enige van sodanige boete of sodanige tronkstraf of beide sodanige boete en sodanige tronkstraf opgelê word; en
  - (ii) in geval van 'n voortdurende oortreding tot 'n bykomende boete of bykomende termyn tronkstraf of tot sodanige bykomende tronkstraf sonder die keuse van 'n boete, of tot beide sodanige boete en tronkstraf vir elke dag wat sodanige oortreding voortduur opgelê word; en
  - (iii) 'n verdere bedrag gelyk aan enige koste en uitgawe wat die hof bevind deur die munisipaliteit aangaan is as gevolg van sodanige oortreding of nalatigheid, opgelê word.

#### **29. Bylae 1 en 2 vorm deel van hierdie verordening**

Bylae 1 en 2 tot hierdie verordening vorm deel van hierdie verordening.

**30. Herroeping van bestaande verordeninge**

Die volgende verordening en die bepalings van enige verordening wat met die bepalings van hierdie verordening instryd is word hiermee herroep:

Hessequa Munisipaliteit:

<b>Provinsiale Kennisgewing No.</b>	<b>Titel</b>	<b>Omvang van herroeping</b>
P.K. 6588 gedateer 19/12/2008	Skut van diere	In geheel

**31. Kort titel en inwerkingtrede**

Hierdie verordening staan bekend as die Verordening insake die Skut van Diere en tree in werking op die datum waarop dit in die Provinsiale Koerant afgekondig word.

**BYLAE 1**  
**Kode van Goeie Praktyk insake die Hantering en Vervoer van Geskutte Diere**  
*(Artikel 5(4))*

**DEEL I: Kraalvereistes**

1. Verskillende spesies diere moet in afsonderlike krale gehou word.
2. Diere mag nie in oorvol krale opeengehoop word nie en die ruimte moet voldoende wees sodat alle diere gelyktydig kan lê en mag nie minder as 1,5 vierkante meter grondruimte per dier wees nie.
3. Opstandige diere mag nie saam met ander diere gehou word nie.
4. Jong gespeende of jeugdige diere mag nie saam met volwasse diere gehou word nie, met uitsondering van 'n ma en haar kleintjies.
5. Voorsiening moet in krale gemaak word vir:
  - (a) geriewe soos rakke, voerbakke of ander geskikte houers wat maklik skoonmaak, wat die voer van diere van die grond af moontlik maak en wat gediens kan word sonder om diere te steur;
  - (b) watertroë wat 'n voldoende, geskikte voorraad vars water te alle tye voorsien;
  - (c) voldoende geriewe vir die behoorlike skoonmaak van hokke; en
  - (d) geriewe vir die veilige hantering van diere.
6.
  - (a) Die kampe moet te alle tye in 'n goeie werkende toestand gehou word.
  - (b) Skerp punte, soos punte van drade, gebreekte planke, happerige punte, skarniere of boutte wat uitsteek, wat beserings aan diere kan veroorsaak, moet verwyder of na behore bedek word.
7. Die vloer van die hele kamp, insluitend 'n op-en-aflaai vragwal, toevoerbane en gange moet voorsien word met 'n oppervlakte wat voldoende glipvry is, sodat dit geskik sal wees vir die aanhou van diere.

**DEEL II: Hantering van diere**

8. Diere moet te alle tye menslike, met geduld en verdraagsaamheid behandel word.
9. Die volgende moet in gedagte gehou word tydens die hantering van diere:
  - (a) diere reageer beter wanneer hul aanjaer agter hulle staan, maar binne hul gesigsveld.
  - (b) tropdiere reageer beter wanneer hulle in 'n trop aangejaag word, in plaas van een een.
10. Diere mag nie aan hul bene gesleep, of aan hul koppe, ore of sterte gedra word nie.
11. Jong kalfies moet opgelig word by die bors en agterkwart en gedra word indien hulle nie self met gemak kan loop nie, in die alternatief moet hulle gerig word deur een hand op 'n agterkwart en die ander hand naby die skof of nek, deur saam te stap in die vereiste rigting teen 'n geskikte en gemaklike pas.
12. Slegs stokke met seildoek oorgetrek of dryfbande mag gebruik word tydens die aanjaag van diere en dit is verkieslik om op die grond agter die dier te slaan as op die dier self.
13. Elektriese aanporders, stokke of sambokke mag nie op jong kalwers gebruik word nie.
14. Elektriese aanporders mag nie oormatig of voor die voet gebruik word nie en mag ook

nie op die gesig of anale- of geslagsdele van diere gebruik word nie.

### DEEL III: Verskuiwing van diere

15. Diere wat aangejaag word moet te alle tye onder behoorlike en bekwame toesig wees. Diere wat aangejaag word moet op 'n kalm manier teen 'n pas wat ontspanne, gemaklik, natuurlik vir daardie dier is en nie vinniger as die pas van die stadigste dier daar, aangejaag word nie.
16. Diere mag nie vir langer as tien uur aaneen aangejaag word sonder 'n rustyd van minstens een uur nie, asook die voorsiening van genoegsame, geskikte vars water wat aan al die diere beskikbaar moet wees nie.
17. Geen dier mag vir afstande langer as die volgende aangejaag word nie:
  - (a) gedurende 'n reis wat nie langer as een dag duur nie:
    - (i) 20 km vir skape en bokke; en
    - (ii) 30 km vir beeste; en
  - (b) gedurende 'n reis wat meer as een dag duur:
    - (i) 20 km gedurende die eerste dag en 15 km vir elke daaropvolgende dag, vir skape en bokke; en
    - (ii) 25 km gedurende die eerste dag en 20 km vir elke daaropvolgende dag vir beeste;
18. Sodra diere hul oornag kamp bereik moet hulle onmiddellik voer en water kry, welke voer voldoende en geskik moet wees vir elke spesie.
19. Diere mag nie na donker aangejaag word nie.
20. Geen dier vat siek, beseer of vermink is, mag aangejaag word nie.

### DEEL IV: Voertuie gebruik tydens vervoer van diere

22. Voertuie en alle sleepwaens wat vir die vervoer van behoefde diere gebruik word, moet geskik wees vir sodanige diere en in 'n padwaardige toestand wees.
23. Alle voertuie en sleepwaens in item 22 genoem moet:
  - (a) 'n geskikte glipvrye vloer hê wat nie die skoonmaak van die voertuie se vloer belemmer nie, hoewel heglatte of staal traliewerk toelaatbaar is;
  - (b) voldoende lug en lig deurlaat terwyl dit in beweging of stilstand is, terwyl geen voertuig geheel en al toegemaak mag wees nie.
  - (c) voldoende beskerming van uitlaatgasse hê, aangesien blootstelling aan uitlaatgasse diere se asemhaling kan belemmer en angs veroorsaak;
  - (d) sywande hê wat hoog genoeg is om te voorkom dat diere ontsnap of uit die voertuig val:  
met dien verstande dat:
    - (i) die sywande en afskortings wanneer in gebruik op 'n voertuig om diere van mekaar te skei van 'n hoogte moet wees, nie laer as die skouer van die grootste dier wat vervoer word nie;
    - (ii) in die geval van beeste uitgesonderd kalwers, moet die minimum hoogte 1800 millimeter wees; en
    - (iii) in die geval van kleiner diere moet die minimum hoogte 750 millimeter wees;
  - (e) in die geval van 'n multiverdieping voertuig moet die hoogtes tussen dekke voldoende wees en in die geval van skape en varke nie minder as 1000 millimeter wees nie, ten einde die grootste diere in staat te stel om natuurlik vry en ten volle regop te staan en om voldoende ruimte toe te laat bokant die diere vir lug om vrylik te vloei;
  - (f) soliede ondeurdringbare vloere hê;

- (g) op en aflaai openinge aan die agterkant van die voertuig hê gelyk aan die volle wydte van die voertuig of indien aan die kante, 'n wydte hê van nie minder nie as 2400 millimeter.
  - (h) hekke hê met of sonder afskortings:
    - (i) van 'n ontwerp en konstruksie, sterk genoeg en geskik vir die vervoer van die beoogde besending;
    - (ii) wat vrylik kan oop en toemaak en in staat is om goed beveilig te word.
24. Die digtheid van diere wat saam geplaas is in enige ruimte moet sodanig wees dat die veiligheid en gerief van die diere gedurende vervoer verseker word en die voorgestelde vloerruimte per dier sal:
- (a) 1,4 vierkante meter per groot dier; en
  - (b) 0,5 vierkante meter per klein dier wees.

#### **DEEL V: Voer en water gee van lewende hawe voor oplaai**

25. Diere moet voorsien word van voldoende en geskikte voeding en vars water totdat die reis 'n aanvang neem.

#### **DEEL VI: Op-en-aflaai prosedure**

26. Op-en-aflaai van diere op en vanaf voertuie moet so stil en kalm moontlik geskied met geduld en verdraagsaamheid sonder onnodige teistering, verskrikking, verkneusing, besering, lyding of spanning.
27. Geen dier mag aan sy kop, wol, vel, ore, stert, horings of bene op- of afgelaai word nie.
28. Geen dier mag op enige ander wyse as die volgende op- of afgelaai word nie:
- (a) by wyse van 'n laaibrug met 'n glipvry oppervlakte, sterk genoeg om die gewig van die spesie dier wat hanteer word te ondersteun, met voldoende sy panele of traliewerk wat die ontsnapping of afval van diere van die loopplank sal voorkom en wat teen 'n helling van nie meer as 25 grade lê nie; of
  - (b) by wyse van 'n laaiwal wat gelyk is aan die vloer van die voertuig of, wanneer afgelaai word, nie meer as 310 mm onder die vloer van die aflaai voertuig nie en met 'n helling van nie meer as 25 grade nie.
29. Indien 'n voertuig toegerus is met sy eie verwyderbare laaibrug moet dit 'n glipvrye oppervlakte hê en van voldoende lengte wees om, wanneer dit laat sak is, die helling nie meer sal wees as die na verwys in item 28 nie, en met die afstand tussen die grond en die haak van die laaibrug nie meer as 120 mm nie.
30. 'n Laaibrug se hoogte moet elke keer aangepas word om presies met die voertuig se vloerhoogte oreen te stem.
31. Die reis moet so gou moontlik begin nadat lewende hawe opgelaai is en moet onmiddellik gelaai word, wanneer hulle hul bestemming bereik.
32. Tensy voldoende voorsiening gemaak is vir die effektiewe skeiding van verskillende spesies diere, mag dit nie in dieselfde voertuig gelaai en vervoer word nie.
33. Diere van verskillende ouderdom, grootte en geslag mag nie gelaai en vervoer word nie, tensy voldoende voorsiening gemaak is vir die effektiewe skeiding van sodanige diere.
34. Volwasse beeste met horings mag nie saam met poenskopbeeste vervoer word nie en hulle moet afsonderlik gehok word.
35. Indien daar voldoende rede bestaan om te glo dat 'n dier tydens 'n voorgenome reis geboorte mag skenk, mag sodanige dier nie gelaai word nie.



36. Ingeval 'n dier wel tydens 'n reis geboorte skenk moet die nodige voorsorg getref word om die ma en kroos te beskerm teen vertrapping of besering of teistering deur ander diere.
37. Ingeval die:
- (a) transport voertuig onklaar raak;
  - (b) transport voertuig in 'n ongeluk of botsing betrokke raak; of
  - (c) dier of diere in transito beseer raak of vrek, moet die karweier onmiddellik die besonderhede rapporteer aan, of hulp vra van:
    - (i) in die geval van paragraaf (a) 'n insleepdiens;
    - (ii) in die geval van paragraaf (b) die Suid-Afrikaanse Polisie Diens en die verkeersowerheid; of
    - (iii) in die geval van paragraaf (c), 'n veearts.

#### **DEEL VII: Beheer van diere tydens vervoer**

38. Indien die vervoer van enige dier 'n besering aan die dier self of ander diere kan veroorsaak, moet dit onder bedwang gehou word, op so 'n manier dat sodanige besering voorkom word.
39. Geen dier mag vir meer as vier uur in enige vier en twintig uur tydperk onder bedwang gehou word nie.
40. Geen draad of baaltou mag gebruik word om diere se bene of voete mee vas te bind nie.
41. Ten einde verwurging of nekbreke te voorkom mag geen dier met 'n skuifknoop aan hul horings of nek aan 'n voertuig vasgemaak word nie en die tou moet op die dier se kniehoogte aan die voertuig vasgemaak word sodat ingeval die dier sou val die moontlikheid dat die dier beseer raak verminder word, met die tou synde lank genoeg ten einde die dier toe te laat om gemaklik in 'n natuurlike posisie te lê, met sy kop regop.

**BYLAE 2****Skutregister Inligting**  
(Artikel 12)

'n Skutregister moet ten minste die volgende inligting bevat:

1. Naam van die skut
2. Datum waarop 'n dier ontvang is
3. Getal en beskrywing van diere
4. Merke of brandmerke op diere
5. Ooretiket nommer deur skutmeester toegeken
6. Naam en adres van persoon wat die dier gevang het
7. Naam en adres van persoon wat die dier aan die skut gelewer het
8. Naam en adres van die eienaar van grond waarop die dier gevang is
9. Naam en adres van die eienaar van die dier
10. Naam en adres of beskrywing van plek waar die dier gevind is
11. Afstand tussen die plek waar die dier gevang is en die skut
12. Besonderhede van skade deur die dier aangerig
13. Vervoerkoste betaalbaar
14. Besonderhede van uitsit of wegdoening van die dier
15. Oorsaak van dood of besering van geskutte dier
16. Beskrywing en bedrag van skutgelde
17. Skadevergoeding toegeken deur die Hof
18. Datum van aflossing van die dier
19. Datum van verkoop van die dier
20. Opbrengs vir die verkoop van die dier
21. Naam en adres van koper van 'n dier
22. Oorskotbedrag (indien enige) aan die eienaar of munisipaliteit betaal
23. Kwitansienommer
24. Besonderhede van hofbevel rakende diere wat nie tydens veiling verkoop is nie

P.N. 76/2012

23 March 2012

## CORRECTION NOTICE

THE GENERAL NOTICE PUBLISHED IN THE PROVINCIAL GAZETTE EXTRAORDINARY 6972, DATED 23 MARCH 2012, IS HEREBY CORRECTED AND SHOULD READ:

## PUBLICATION OF REVIEWED LIST OF CANDIDATES

A list of Candidates reviewed by the political party concerned in accordance with Item 21 of Schedule 1A of the Electoral Act, Act 73 of 1998, as amended, is published in terms of Item 22 of the said Schedule.

P.K. 76/2012

23 Maart 2012

## REGSTELLE ENDE KENNISGEWING

DIE ALGEMENE KENNISGEWING GEPUBLISEER IN DIE BUITENGEWONE PROVINSIALE KOERANT 6972, GEDATEER 23 MAART 2012, WORD HIERMEE GEKORRIGEER EN MOET LEES:

## PUBLIKASIE VAN HERSIENE LYS VAN KANDIDATE

'n Lys van kandidate wat deur die betrokke politieke party hersien is ooreenkomstig Item 21 van Bylae 1A van die Kieswet, Wet 73 van 1998, soos gewysig, word ingevolge Item 22 van die genoemde Bylae gepubliseer.

P.K. 76/2012

23 Matshi 2012

## ISAZISO SESILUNGISO

ISAZISO JIKELELE ESIPAPASHIWEYO KWEYONGEZELELWEYO IGAZETHI YEPHONDO 6787, YOWA 23 MATSHI 2012, NGOKO KE SIYALUNGISWA YAYE SIMELE UKUFUNDEKA NGOLU HLOBO:

## UKUPAPASHWA KOLUHLU OLUHLOLIWEYO LABAGQATSWA

Uluhlu lwabagqatswa oluhlolwe liqela lezopolitiko elichaphazelekayo ngokunxulumene noMba 21 weShedyuli 1A yoMthetho woLonyulo, uMthetho 73 ka 1998, njengoko ulungisiwe, upapashwe ngokwemigaqo yoMba 22 weShedyuli echaziweyo.

NO/NR/ INOMB	IDENTITY NUMBER/ IDENTITEITS NOMMER/ INOMBOLO YESAZISI	NAMES/NAME/AMAGAMA	SURNAME/VAN/IFANI
1	6802235024083	Grant	Haskin
2	5508315226081	Demetrius	Dudley
3	6504185067084	Ferlon	Christian
4	5509050093082	Patricia	Arendse
5	5001140098081	Dorothea	Van Rensburg
6	7404055316084	Sebastian	Petersen
7	5208085152084	Gerald	Siljeur
8	5505015032082	William	Nel
9	7905155604088	Mongezi	Mabungani
10	5902085102087	Steven	Swart







The “Provincial Gazette” of the Western Cape	Die “Provinsiale Koerant” van die Wes-Kaap
<p>appears every Friday, or if that day is a public holiday, on the last preceding working day.</p>	<p>verskyn elke Vrydag of, as die dag 'n openbare vakansiedag is, op die laaste vorige werkdag.</p>
<p>_____</p> <p><b>Subscription Rates</b></p>	<p>_____</p> <p><b>Tarief van Intekengelde</b></p>
<p>R233,88 per annum, throughout the Republic of South Africa.</p>	<p>R233,88 per jaar, in die Republiek van Suid-Afrika.</p>
<p>R233,88 + postage per annum, Foreign Countries.</p>	<p>R233,88 + posgeld per jaar, Buiteland.</p>
<p>Selling price per copy over the counter R13,80</p>	<p>Prys per eksemplaar oor die toonbank is R13,80</p>
<p>Subscriptions are payable in advance.</p>	<p>Intekengeld moet vooruitbetaal word.</p>
<p><i>Single copies</i> are obtainable at Room M21, Provincial Legislature Building, 7 Wale Street, Cape Town 8001.</p>	<p><i>Los eksemplare</i> is verkrygbaar by Kamer M21, Provinsiale Wetgewing-gebou, Waalstraat 7, Kaapstad 8001.</p>
<p>_____</p> <p><b>Advertisement Tariff</b></p>	<p>_____</p> <p><b>Advertensietarief</b></p>
<p>First insertion, R33,00 per cm, double column.</p>	<p>Eerste plasing, R33,00 per cm, dubbelkolom.</p>
<p>Fractions of cm are reckoned as a cm.</p>	<p>Gedeeltes van 'n cm word as een cm beskou.</p>
<p>_____</p> <p>Notices must reach the Director-General not later than 10:00 on the last working day but one before the issue of the <i>Gazette</i>.</p>	<p>_____</p> <p>Kennisgewings moet die Direkteur-generaal uiterlik om 10:00 op die voorlaaste werkdag voor die uitgawe van die <i>Koerant</i> bereik.</p>
<p>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.</p>	<p>Hoewel alle pogings aangewend sal word om te sorg dat kennisgewings soos ingedien en op die verlangde datum gepubliseer word, aanvaar die Administrasie nie verantwoordelikheid vir foute, weglatings, laat publikasies of versuim om dit te publiseer nie.</p>
<p>All correspondence must be addressed to the Director-General, PO Box 659, Cape Town 8000, and cheques, bank drafts, postal orders and money orders must be made payable to the Department of the Premier.</p>	<p>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.</p>

CONTENTS— ontin ed	Page	INHOUD— ervolg	Bladsy
Langeberg Municipality (Montagu Office): Consent use .....	331	Langeberg Munisipaliteit (Montagu Kantoor): Vergunningsgebruik.....	331
Mossel Bay Municipality: Consolidation, Rezoning and Departure.....	333	Mosselbaai Munisipaliteit: Konsolidasie, hersonerings en afwyking.....	333
Mossel Bay Municipality: Consent use .....	333	Mosselbaai Munisipaliteit: Vergunningsgebruik.....	333
Mossel Bay Municipality: Appointment of valuation of appeal board members.....	332	Mosselbaai Munisipaliteit: Aanstelling van waardasie-appelraadlede.....	332
Mossel Bay Municipality: Public Notice.....	334	Mosselbaai Munisipaliteit: Publieke Kennisgewing.....	334
Overstrand Municipality: Departure .....	334	Overstrand Munisipaliteit: Afwyking .....	334
Overstrand Municipality: Removal of restrictions and departure.....	335	Overstrand Munisipaliteit: Opheffing van Beperkings en afwyking.....	335
Overstrand Municipality (Hangklip-Kleinmond Administration): Confirmation of Zoning .....	336	Overstrand Munisipaliteit (Hangklip-Kleinmond Administrasie): Bevestiging van sonering.....	336
Overstrand Municipality (Hangklip-Kleinmond Administration): Consent use and departure .....	337	Overstrand Munisipaliteit (Hangklip-Kleinmond Administrasie): Vergunningsgebruik en afwyking .....	337
Swartland Municipality: Subdivision.....	338	Swartland Munisipaliteit: Onderverdeling.....	338
Swartland Municipality: Subdivision.....	339	Swartland Munisipaliteit: Onderverdeling.....	339
Swartland Municipality: Rezoning and Departure .....	339	Swartland Munisipaliteit: Hersonerings en Afwyking.....	339
Swellendam Municipality: Constitution of Valuation Appeal Board .....	339	Swellendam Munisipaliteit: Samestelling van Waardasie-appelraad .....	339
Western Cape Gambling and Racing Board: Official Notice .....	340	Wes-Kaapse Raad op Dobbely en Wedrenne: Amptelike Kennisgewing.....	340