

Western Cape Government • Wes-Kaapse Regering

PROVINCE OF THE WESTERN CAPE

PROVINSIE WES-KAAP

Provincial Gazette

Provinsiale Koerant

7149

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INHOUD

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

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(Continued on page 1628)

(Vervolg op bladsy 1628)

PROCLAMATION

PROVINCE OF WESTERN CAPE

ROADS ORDINANCE, 1976 (ORDINANCE NO. 19 OF 1976)

NO. 9/2013

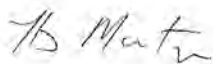
THEEWATERSKLOOF MUNICIPALITY: PROPOSED CLOSURE (DEPROCLAMATION) OF DIVISIONAL ROADS 1301, 1302 AND OF MINOR ROAD 4055: ELGIN

Under Section 3 of the Roads Ordinance, 1976 (Ordinance No. 19 of 1976), and Section 7 of the Advertising on Roads and Ribbon Development Act, 1940 (Act No. 21 of 1940), I hereby declare that:

1. the existing public roads described in the Schedule (paragraphs 1 and 2) and situated within the Theewaterskloof Municipal area, the location and routes of which are indicated by means of unbroken green lines marked A-B and C-D as well as an unbroken blue line marked D-E on plan RL.58/8, respectively, shall be closed (deproclaimed); and
2. withdraw Proclamation No 318 dated 9 November 1979, insofar as it applies to the proclamation as building restriction roads of the public roads mentioned in paragraph 1 above and marked A-B and C-D on said plan RL.58/8.

Plan RL.58/8 (including the location plans) is filed in the offices of the Executive Manager: Roads and Transport Management, 9 Dorp Street, Cape Town and the Municipal Manager, Theewaterskloof Municipality, Plein Street, Caledon.

Dated at Cape Town this 8th day of JULY 2013.


MR JJC MOUTON

EXECUTIVE MANAGER: PROVINCIAL ROADS AND TRANSPORT MANAGEMENT

SCHEDULE

1. Divisional Road 1302, from Minor Road 279 on the property Remainder 319/88 to its terminal point north-west of the Elgin railway station on the said property Remainder 319/88: a distance of about 600m.
2. Divisional Road 1301 and Minor Road 4055, from Main Road 279 on the property Remainder 319/88 to the terminal point of the said Minor Road 4055 south-east of the Elgin railway station: a distance of about 1,1km.

PROKLAMASIE

PROVINSIE WES-KAAP

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

NR. 9/2013

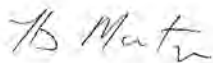
THEEWATERSKLOOF MUNISIPALITEIT: VOORGESTELDE SLUITING (DEPROKLAMERING) VAN AFDELINGSPAAIE 1301, 1302 EN ONDERGESKIKTE PAD 4055: ELGIN

Kragtens Artikel 3 van die Ordonnansie op Paaie, 1976 (Ordonnansie Nr. 19 van 1976), en Artikel 7 van die Wet op Adverteer Langs en Toebou van Paaie, 1940 (Wet Nr. 21 van 1940), verklaar ek hierby dat:

1. die bestaande paaie in die Bylae (paragrafe 1 en 2) beskrywe en binne die gebied van die Theewaterskloof Munisipaliteit geleë, waarvan die ligging en roetes is soos aangedui deur middel van ongebroke groen lyne gemerk A-B en C-D asook 'n ongebroke blou lyn gemerk D-E op plan RL.58/8 gesluit is; en
2. trek ek hierby Proklamasie Nr 318 van 9 November 1979, in sover dit betrekking het op die proklamasie tot boubeperkingspad van die openbare paaie in paragraaf 1 hierbo genoem en gemerk A-B en C-D op genoemde plan RL.58/8.

Genoemde plan RL.58/8 (tesame met 'n liggingsplan) is geliasseer in die kantore van die Uitvoerende Bestuurder: Paaie en Vervoerbestuur, Dorpstraat 9, Kaapstad, en die Munisipale Bestuurder, Theewaterskloof Munisipaliteit, Pleinstraat, Caledon.

Gedateer te Kaapstad op hede die 8ste dag van JULIE 2013.


MNR JJC MOUTON

UITVOERENDE BESTUURDER: PROVINSIALE PAAIE EN VERVOERBESTUUR

BYLAE

1. Afdelingspad 1302, vanaf Hoofpad 279 op die eiendom Restant 319/88 tot by die eindpunt noordwes van die Elgin-spoorwegstasie op die genoemde eiendom Restant 319/88: 'n afstand van ongeveer 600m.
2. Afdelingspad 1301 en Ondergeskikte Pad 4055, vanaf Hoofpad 279 op die eiendom Restant 319/88 tot by die eindpunt van die genoemde Ondergeskikte Pad 4055 suidoos van die Elgin-spoorwegstasie: 'n afstand van ongeveer 1,1km.

ISAZISO**IPHONDO LENTSHONA-KOLONI**

UMTHETHO WEENDLELA, WONYAKA KA-1976 (UMTHETHO WENOMBOLO YE-19 KA-1976)

INOMBOLO 9/2013

UMASIPALA WASETHEEWATERSKLOOF: ISINDULULO SOKUVALWA (URHOXISO LWESAZISO) KWE-DIVISIONAL ROAD E-1301, NASE-1302 KUNYE NE-MINOR ROAD E-4055: E-ELGIN

Phantsi kwecandelo lesi-3 lomThetho weeNdlela, wonyaka ka-1976 (umThetho weNombolo ye-19 ka-1976), kunye neCandelo Iesi-7 lomThetho woKwenza iZaziso eCaleni kweNdlela noPhuhliso lweZakhiwo eCaleni kweNdlela, wonyaka ka-1940 (umThetho weNombolo yama-21 ka-1940) ndibhengeza apha ukuba:

1. iindlela ezisetyenziswa luluntu ezichazwe kwisiCwangciso seziGaneko (umhlathi woku-1 nowesi-2) ezikwisiphaluka sikaMasipala waseTheewaterskloof, nezikwindawo nakwimigaqo esetyenziswayo eboniswe ngemigca engaqhawu-qhawulwanga eluhlaza nephawulwe ngoA-B nangoC-D nangomgca ongaqhawu-qhawulwanga oblowu nophawulwe ngoD-E kwisicwangciso se-RL.58/8, ngokulandelelana kwayo, ziya kuvalwa (urhoxiso lwesaziso), ngokunjalo
2. kurhoxiswa iNombolo yeSaziso ye-318 yomhla we-9 kuNovemba ngo-1979, kangangoko isetyenziswa kwisaziso njengokwenza iindlela zemida yeendlela zoluntu ezikhankanywe kumhlathi woku-1 ongasentla neziphawulwe ngoA-B nangoC-D kwisicwangciso ekuthethwa ngaso se-RL.58/8.

Isicwangciso se-RL.58/8 (kuqukwa izicwangciso zendawo) sigcinwe kwiifayili eofisini yoMphathi wesiGqeba esiLawulayo: uLawulo lweeNdlela noThutho, 9 Dorp Street, Cape Town nakweyoMphathi kaMasipala eTheewaterskloof Municipality, Plein Street, Caledon.

Umhla ubhalwe eKapa ngolu suku 8 lwenyanga ka JULY 2013.



NguMNU JJC MOUTON
UMPHATHI WESIGQEBA: IINDLELA ZEPHONDO NOLAWULO LOTHUTHO

ISICWANGCISO SEZIGANEKO

1. I-Divisional Road 1302, ukususela eMinor Road 279 kwimpahla ye-Remainder 319/88 ukuya kwindawo esekupheleni kwayo emntla-ntshona wesitishi seetreyini sase-Elgin kwimpahla exeliweyo ye-Remainder 319/88: umgama omalunga nama-600m.
2. I-Divisional Road 1301 ne-Minor Road 4055, ukususela e-Main Road 279 kwimpahla ye-Remainder 319/88 ukuya kwindawo esekupheleni kwe-Minor Road 4055 exeliweyo emzantsi-mpuma wesitishi seetreyini saseElgin: umgama omalunga ne-1,1km.

TENDERS

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

TENDERS

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

PROVINCIAL NOTICES

The following Provincial Notices are published for general information.

ADV. B. GERBER,
DIRECTOR-GENERAL

Provincial Legislature Building,
Wale Street,
Cape Town.

P.N. 223/2013

12 July 2013

CAPE AGULHAS 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 owners of Erf 333, Agulhas, remove condition B. 1. (b) contained in Deed of Transfer No. T. 39716 of 2004.

P.N. 224/2013

12 July 2013

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

I, Riette Fourie, in my capacity as Chief Land Use Management Regulator in the Department of Local Government, 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 159390, Paarden Eiland, amend conditions 2.B.2 and 3.C.2 in Title Deed No. T. 3029/97 to read as follows:

“That the above Erf be utilised for the purpose of the erection and use thereon of a factory, workshop, shop or warehouse and for no other purpose save that in connection with such factory, workshop or warehouse, buildings may be erected and used for the accommodation of the Caretaker thereof and his family”.

P.N. 225/2013

12 July 2013

RECTIFICATION**BLAAUWBERG MUNICIPALITY****REMOVAL OF RESTRICTIONS ACT, 1967
(ACT 84 OF 1967)**

I, Riette Fourie, in my capacity as Chief Land Use Management Regulator in the Department of Local Government, 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 22384, Milnerton, remove conditions I. C.1., C.2., C.3., C.4., C.6., C.7., C.8., C.13., IV. C.1., C.2., C.3., C.4., C.6., C.7., C.8., C.13., G.1., G.2. (a), (b), (c), VI.C. (c), C.(d) and D.1.(a), (b), (c), contained in Certificate of Consolidated Title No. T. 100865 of 2007.

PROVINSIALE KENNISGEWINGS

Die volgende Provinsiale Kennisgewings word vir algemene inligting gepubliseer.

ADV. B. GERBER,
DIREKTEUR-GENERAAL

Provinsiale Wetgewer-gebou,
Waalstraat,
Kaapstad.

P.K. 223/2013

12 Julie 2013

KAAP AGULHAS 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), behoorlik aan my gedelegeer ingevolge Artikel 1 van die Wes-Kaapse Wet op die Delegasie van Bevoegdhede, 1994, en op aansoek van die eienaars van Erf 333, Agulhas, hef voorwaarde B. 1. (b), vervat in Transportakte Nr. T. 39716 van 2004, op.

P.K. 224/2013

12 Julie 2013

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

Ek, Riette Fourie, in my hoedanigheid as Hoof Grondgebruiksbestuur Reguleerder in die Departement van Plaaslike Regering, Omgewingsake en Ontwikkelingsbeplanning: Wes-Kaap, handelende ingevolge die bevoegdheid beoog in Artikel 2(1) van die Wet op Opheffing van Beperkings, 1967 (Wet 84 van 1967), behoorlik aan my gedelegeer ingevolge Artikel 1 van die Wes-Kaapse Wet op Delegasie van Bevoegdhede, 1994, en op aansoek van die eienaars van Erf 159390, Paarden Eiland, wysig voorwaardes 2.B.2 en 3.C.2 in Transportakte Nr. T. 3029/97 om soos volg te lees:

“That the above Erf be utilised for the purpose of the erection and use thereon of a factory, workshop, shop or warehouse and for no other purpose save that in connection with such factory, workshop or warehouse, buildings may be erected and used for the accommodation of the Caretaker thereof and his family”.

P.K. 225/2013

12 Julie 2013

REGSTELLING**BLAAUWBERG MUNISIPALITEIT****WET OP OPHEFFING VAN BEPERKINGS, 1967
(WET 84 VAN 1967)**

Ek, Riette Fourie, in my hoedanigheid as Hoof Grondgebruiksbestuur Reguleerder in die Departement van Plaaslike Regering, Omgewingsake en Ontwikkelingsbeplanning: Wes-Kaap, handelende ingevolge die bevoegdheid beoog in Artikel 2(1) van die Wet op Opheffing van Beperkings, 1967 (Wet 84 van 1967), behoorlik aan my gedelegeer ingevolge Artikel 1 van die Wes-Kaapse Wet op Delegasie van Bevoegdhede, 1994, en op aansoek van die eienaars van Erf 22384, Milnerton, hef voorwaardes I. C.1., C.2., C.3., C.4., C.6., C.7., C.8., C.13., IV. C.1., C.2., C.3., C.4., C.6., C.7., C.8., C.13., G.1., G.2. (a), (b), (c), VI.C. (c), C.(d) en D.1.(a), (b), (c), soos vervat in Sertifikaat van Gekonsolideerde Titel Nr. T. 100865 van 2007, op.

NOTICES OF LOCAL AUTHORITIES

CITY OF CAPE TOWN
(BLAAUWBERG DISTRICT)
REZONING

- Erf 19352, 2 Max Road, Rugby

Notice is hereby given in terms of Section 17(2)(a) in terms of Land Use Planning Ordinance that Council has received the mentioned application, which is open to inspection at the Office of the District Manager at Milnerton Municipal Offices, 87 Pienaar Road, Milnerton. Enquiries may be directed to Lynn Osman, PO Box 35, Milnerton 7435 or on Tel. (021) 444-0591 or fax (021) 444-0558 weekdays during 08:00-14:30. Written objections, if any, with reasons may be lodged at the office of the abovementioned District Manager (or by using the following e-mail address: comments_objections.blauwberg@capetown.gov.za) on or before 12 August 2013, quoting the above applicable legislation, the application number, as well as your erf and contact phone number and address.

Applicant/Owner: G Dore & JHL van Wezel-Dore

Application No.: 230534

Nature of Application: Application for Rezoning from General Residential Subzone GR2 to General Business Subzone GB1.

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

If you are not the owner of the property which this notice is addressed to, or not the sole owner, please send it to the relevant owner or such other owners or bring it to their attention.

ACHMAT EBRAHIM, CITY MANAGER

12 July 2013

51163

CITY OF CAPE TOWN
(HELDERBERG DISTRICT)
CLOSURE

- Portion of Public Place: Erf 4125, Somerset West, abutting Erf 3719 and Vergelegen Avenue

Notice is hereby given in terms of Section 6(1) of the By-law relating to the Management and Administration of the Municipality's Immovable Property that the Council has closed a portion of Erf 4125, Somerset West, as shown on Surveyor General Plan No. 331/71 (SG Ref. S/2398/54 v 3 p 9).

ACHMAT EBRAHIM, CITY MANAGER

12 July 2013

51196

OVERSTRAND MUNICIPALITY

CLOSING OF PUBLIC ROAD (MALVA CLOSE), MOUNT PLEASANT, HERMANUS

Notice is hereby given in terms of Section 137 of Ordinance No. 20 of 1974 that public road, Malva Close, Mount Pleasant, Hermanus has been closed (S.G. reference: S/2479 V5 p22).

Enquiries: Mr H Olivier (Tel: ((028)) 313-8900/Fax: ((028)) 313-2093).

MUNICIPAL MANAGER, OVERSTRAND MUNICIPALITY, PO BOX 20, HERMANUS 7200

Municipal Notice No. 43/2013

12 July 2013

51175

KENNISGEWING DEUR PLAASLIKE OWERHEDEDE

STAD KAAPSTAD
(BLAAUWBERG-DISTRIK)
HERSONERING

- Erf 19352, Maxweg 2, Rugby

Kennisgewing geskied hiermee ingevolge Artikel 17(2)(a) van die Ordonnansie op Grondgebruikbeplanning dat die Raad onderstaande aansoek ontvang het, wat ter insae beskikbaar is by die Kantoor van die Distriksbestuurder, Munisipale Kantore, Pienaarweg 87, Milnerton. Navrae kan op woensdae van 08:00-14:30 gerig word aan Lynn Osman, Posbus 35, Milnerton 7435, Tel. (021) 444-0591 of faks (021) 444-0558. Enige besware, met redes daarvoor, kan voor of op 12 Augustus 2013 skriftelik by die kantoor van bogenoemde Distriksbestuurder ingedien word, of per e-pos na comments_objections.blauwberg@capetown.gov.za gestuur word, met vermelding van bogenoemde toepaslike wetgewing, die aansoeknommer en die beswaarmaker se erf- en telefoonnommer en adres.

Aansoeker/eienaar: G Dore en JHL van Wezel-Dore

Aansoeknommer: 230534

Aard van Aansoek: Aansoek om hersonering van algemeenresidensiële subsone GR2 na algemeensake-subsone GB1.

Indien u terugvoering bogenoemde kantore nie voor of op die sluitingsdatum bereik nie, kan dit ongeldig geag word. Dui asseblief duidelik aan ingevolge welke wetgewing u kommentaar/besware voorgelê word. Indien u nie skriftelike besware of vertoë kan voorlê nie, kan u volgens afspraak gedurende kantoorure 'n amptenaar versoek om u besware of vertoë neer te skryf. Let asseblief daarop dat enige kommentaar en/of besware wat ingedien word, deel van openbare rekords uitmaak en uiteraard vir repliek aan die aansoeker beskikbaar gestel sal word.

As u nie die eienaar van die eiendom is waaraan dié kennisgewing geadresseer is nie, of nie die alleeneienaar is nie, stuur dit asseblief aan die toepaslike eienaar of sodanige ander eienaars of bring dit onder hulle aandag.

ACHMAT EBRAHIM, STADSBESTUURDER

12 Julie 2013

51163

STAD KAAPSTAD
(HELDERBERG-DISTRIK)
SLUITING

- Gedeelte van 'n Openbare Plek: Erf 4125, Somerset-Wes, aangrensend aan Erf 3719 en Vergelegenlaan

Kennis geskied hiermee ingevolge Artikel 6(1) van die Verordening met betrekking tot die Bestuur en Administrasie van die Stad Kaapstad se Onroerende Eiendom dat die Raad 'n gedeelte van erf 4125, Somerset-Wes, soos aangetoon op die Landmeter-Generaal se plannr. 331/71 (SG verw. S/2398/54 v 3 p 9), gesluit het.

ACHMAT EBRAHIM, STADSBESTUURDER

12 Julie 2013

51196

OVERSTRAND MUNISIPALITEIT

SLUITING VAN PUBLIEKE PAD (MALVA SLOT), MOUNT PLEASANT, HERMANUS

Kennis geskied hiermee ingevolge Artikel 137 van Ordonnansie Nr. 20 van 1974 dat publieke pad, Malva Slot, Mount Pleasant, Hermanus gesluit is (L.G. verwysing: S/2479 V5 p22).

Navrae: mnr H Olivier (Tel: ((028)) 313-8900/Faks: ((028)) 313-2093).

MUNISIPALE BESTUURDER, OVERSTRAND MUNISIPALITEIT, POSBUS 20, HERMANUS 7200

Munisipale Kennisgewingnr. 43/2013

12 Julie 2013

51175

CITY OF CAPE TOWN

(CAPE FLATS DISTRICT)

REZONING, SUBDIVISION AND DEPARTURES

- Erven 4527 and 4528, Muller Road, Ottery

Notice is hereby given in terms of Sections 17, 24 and 15 of the Land Use Planning Ordinance 15 of 1985 that Council has received the undermentioned application, which is open to inspection at the Office of the District Manager of Planning & Building Development Management at Athlone office on the Ground Floor, Ledger House, Corner of Aden Avenue and George Street, Athlone. Enquiries may be directed to Mr Jodi Fullard, PO Box 283, Athlone 7760 or e-mail jodi.fullard@capetown.gov.za, Tel. (021) 684-4343 and fax (021) 684-4410 weekdays during 08:00-14:30. Written objections, if any, with reasons may be lodged at the office of the abovementioned District Manager or by using the following e-mail address: comments_objections.capeflats@capetown.gov.za on or before 12 August 2013 quoting the above applicable legislation, the application number, as well as your erf and contact phone number and address. Any objections received after aforementioned closing date may be considered invalid.

Applicant: Messrs Headland Planners

Address: Muller Road, Ottery

File Reference: LUM/14/4527 (vol.2)

Application Number: 231937

Nature of Application:

1. In terms of Sections 17 and 24(1) of the Land Use Planning Ordinance No. 15 of 1985 (LUPO) for the rezoning of Erf 4527, Ottery from Undetermined to Subdivisional Area to permit 3 General Residential Zone (Subzone R4) portions, 14 Single Dwelling Residential portions and 3 Substation portions. One of the General Residential portions is required to formalize the existing City of Cape Town apartment block on the property, whereas the two new portions will accommodate 336 new apartments;
2. In terms of Sections 17 and 24(1) of the LUPO for the rezoning of erf 4528 from Undetermined to Subdivisional Area, and Subdivision into:
 - 19 Single Dwelling Residential properties;
 - One General Residential Zone (Subzone R4) portion with 256 apartments;
 - One General Commercial Zone portion (subzone C1);
 - Two electrical substation portions;
 - One portion as public road, for a road splay purposes and a Remainder undetermined portion, on which 3 houses are situated, but do not form part of a formalization process under the terms of the land agreement.
3. In terms of Section 15(1)(a)(i) of the Land Use Planning Ordinance No. 15 of 1985 for departures from the lateral building line restrictions and parking ratios as follows:
 - Departure from Zoning Scheme Regulations on Portion 2 of Erf 4527, Ottery, to permit 0.8 bays/unit in lieu of 1 bay/unit, specifically 181 in lieu of 228 bays;
 - Departure from Zoning Scheme Regulations on Portion 21 of Erf 4528, Ottery, to permit 3.7 bays/100m² specifically 168 parking bays in lieu of 181;
 - 0m in lieu of 3m on Erf 4528, Ottery on the first floor common building line on boundaries between single residential pairings 2 & 3, 4 & 5, 6 & 7, 8 & 9, 10 & 11, 12 & 13, 14 & 15, 16 & 17, 18 & 19;
 - 0m in lieu of 3m on Erf 4527, Ottery on the first floor common building line on boundaries between single residential pairings 7 & 8, 9 & 10, 11 & 12, 13 & 14, 15 & 16, 17 & 18.

ACHMAT EBRAHIM, CITY MANAGER

12 July 2013

51165

STAD KAAPSTAD

(KAAPSE VLAKTE-DISTRIK)

HERSONERING, ONDERVERDELING EN AFWYKINGS

- Erwe 4527 en 4528, Mullerweg, Ottery

Kennisgewing geskied hiermee ingevolge Artikels 17, 24 en 15 van die Ordonnansie op Grondgebruikbeplanning (Ordonnansie Nr. 15 van 1985) dat die Raad onderstaande aansoek ontvang het, wat ter insae beskikbaar is by die Kantoor van die Distriksbestuurder, Beplanning en Bou-ontwikkelingsbestuur, Athlone-kantoor, Grondverdieping, Ledger House, h/v Adenlaan en Georganestraat, Athlone. Navrae kan weksdae van 08:00-14:30 gerig word aan mnr Jodi Fullard by Posbus 283, Athlone 7760 of per e-pos: Jodi.Fullard@capetown.gov.za, Tel. (021) 684-4343 en faks (021) 684-4410. Enige besware, met redes daarvoor, kan voor of op 12 Augustus 2013 skriftelik by die kantoor van bogenoemde Distriksbestuurder ingedien word, of per e-pos na comments_objections.capeflats@capetown.gov.za gestuur word, met vermelding van bogenoemde toepaslike wetgewing, die aansoeknommer en die beswaarmaker se erf- en telefoonnommer en adres. Enige besware wat ná voormelde sluitingsdatum ontvang word, kan as ongeldig geag word.

Aansoeker: Mnr Headland Planners

Adres: Mullerweg, Ottery

Lêerverwysing: LUM/14/4527 (vol.2)

Aansoeknommer: 231937

Aard van aansoek:

1. Ingevolge Artikels 17 en 24(1) van die Ordonnansie op Grondgebruikbeplanning (Ordonnansie Nr. 15 van 1985) (LUPO) vir die hersonering van erf 4527, Ottery van onbepaald na onderverdelingsgebied om drie algemeenresidensiële sonegedeeltes (subsone R4), 14 enkelwoning- residensiële gedeeltes en drie substasiegedeeltes toe te laat. Een van die algemeenresidensiële gedeeltes is nodig om die bestaande woonstelblok in Stadsbesit op die eiendom te formaliseer, terwyl die twee nuwe gedeeltes vir 336 nuwe woonstelle voorsiening sal maak.
2. Ingevolge Artikels 17 en 24(1) van die LUPO vir die hersonering van erf 4528 van onbepaald na onderverdelingsgebied en onderverdeling in:
 - 19 enkelwoning- residensiële eiendomme;
 - Een algemeenresidensiële sonegedeelte (subsone R4) met 256 woonstelle;
 - Een algemeenhandelsonegedeelte (subsone C1);
 - Twee elektriese substasiegedeeltes;
 - Een gedeelte as openbare pad vir die doel van padhelling en 'n restant onbepaalde gedeelte, waarop drie huise geleë is, maar wat nie deel vorm van 'n formaliseringsproses ingevolge die grondooreenkoms nie.
3. Ingevolge Artikel 15(1)(a)(i) van die Ordonnansie op Grondgebruikbeplanning (Ordonnansie Nr. 15 van 1985) vir afwykings van die syboullynbeperkings en parkeringsverhoudings soos volg:
 - Afwyking van Soneringskemaregulasies op gedeelte 2 van erf 4527, Ottery om 0.8 parkeerplekke/eenhede in plaas van 1 parkeerplek/eenheid toe te laat, spesifiek 181 in plaas van 228 parkeerplekke;
 - Afwyking van Soneringskemaregulasies op gedeelte 21 van erf 4528, Ottery om 3.7 parkeerplekke/100m² toe te laat, spesifiek 168 parkeerplekke in plaas van 181;
 - 0m in plaas van 3m op erf 4528, Ottery op die eerste verdieping- algemene boulyn op grense tussen enkelresidensiële afparing 2 & 3, 4 & 5, 6 & 7, 8 & 9, 10 & 11, 12 & 13, 14 & 15, 16 & 17, 18 & 19;
 - 0m in plaas van 3m op erf 4527, Ottery op die eerste verdieping- algemene boulyn op grense tussen enkelresidensiële afparing 7 & 8, 9 & 10, 11 & 12, 13 & 14, 15 & 16, 17 & 18.

ACHMAT EBRAHIM, STADSBESTURDER

12 Julie 2013

51165

CITY OF CAPE TOWN
(HELDERBERG DISTRICT)
REZONING, SUBDIVISION, DEPARTURE, APPROVAL OF SITE DEVELOPMENT PLAN & NAMING OF
INTERNAL STREET

- Erf 7074, Parel Vallei Road, Somerset West

Notice is hereby given in terms of the Somerset West Density Policy, Sections 17, 24 & 15 of Ordinance No. 15 of 1985, the Cape Town Zoning Scheme Regulations & the Council's Street Naming & Numbering 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. Enquiries may be directed to Dumza Mfutwana/Gabby Wagner, PO Box 19, Somerset West, e-mail to comments_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 12 August 2013, 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: Messrs PVB Associates (Pieter van den Berg)

Owner: Messrs 7074 Development (Pty) Ltd

Application number: 231569. *Notice number:* 16/2013

Address: Parel Vallei Road, Somerset West

Nature of Application:

- (a) The deviation from the Somerset West Density Policy on Erf 7074, Parel Vallei Road, Somerset West to permit a group housing development in an area designated for Agricultural purposes, to permit a density of 13du/ha in lieu of 12du/ha specified for a group housing complex in Density Zone 1 and on a land parcel greater than the maximum of 1ha;
- (b) The rezoning of the property from Single Residential Subzone 1 to Subdivisional Area for Transport Zone 2 (public road) and General Residential Subzone 1 purposes to permit a group housing complex of 21 units (including the existing dwelling);
- (c) The subdivision of the property into 1 public road portion (to be incorporated with Parel Vallei Road), 21 group housing portions (ranging from 440m²-667m²), 3 private open space portions and 1 private road portion;
- (d) The departure from the Cape Town Zoning Scheme Regulations on the property to permit the relaxation of the 5m street building line (Parel Vallei Road) to 2.5m for the proposed dwellings on Portions 1, 3, 4, 19-21;
- (e) The departure from the Cape Town Zoning Scheme on the property to permit the relaxation of the 5m street building line (Larc and Ciel Roads) to 2m for the proposed dwellings on Portions 4-7.
- (f) The approval of the Site Development Plan;
- (g) The naming of the internal street.

ACHMAT EBRAHIM, CITY MANAGER

12 July 2013

51167

STAD KAAPSTAD
HELDERBERG-DISTRIK
HERSONERING, ONDERVERDELING, AFWYKING, GOEDKEURING VAN TERREINONTWIKKELINGSPLAN EN BENAMING
VAN INTERNE STRAAT

- Erf 7074, Parel Valleiweg, Somerset-Wes

Kennisgewing geskied hiermee ingevolge Somerset-Wes se beleid oor digtheid, Artikels 17, 24 en 15 van Ordonnansie Nr. 15 van 1985, Kaapstad se Soneringskema regulasies en die Raad se beleid oor straatbenaming en -nommering, dat onderstaande aansoek ontvang en ter insae beskikbaar is by die Kantoor van die Distriksbestuurder, Eerste Verdieping, Munisipale Kantore, h/v Victoria- en Andries Pretoriusstraat, Somerset-Wes. Navrae kan gerig word aan Dumza Mfutwana of Gabby Wagner by Posbus 19, Somerset-Wes, e-pos na comments_objections.helderberg@capetown.gov.za, Tel. (021) 850-4346 of faks (021) 850-4487 weksdae van 08:00-14:30. Enige besware, met volledige redes daarvoor, kan voor of op 12 Augustus 2013 skriftelik by die kantoor van bogenoemde Distriksbestuurder ingedien word, met vermelding van die toepaslike wetgewing, die aansoeknommer en die beswaarmaker se erf- en telefoonnommer en adres. Enige besware wat ná voormelde sluitingsdatum ontvang word, kan as ongeldig geag word.

Aansoeker: Mnre PVB Associates (Pieter van den Berg)

Eienaar: Mnre 7074 Development (Edms) Bpk

Aansoeknommer: 231569. *Kennisgewingsnommer:* 16/2013

Adres: Parel Valleiweg, Somerset-Wes

Aard van aansoek:

- (a) Die afwyking van Somerset-Wes se beleid oor digtheid op erf 7074, Parel Valleiweg, Somerset-Wes om 'n groepbehuisingsontwikkeling in 'n gebied bestem vir landboudoeleindes met 'n digtheid van 13 wonings/ha in plaas van 12 wonings/ha wat vir 'n groepbehuisingskompleks in digtheidsone 1 en op 'n stuk grond wat groter as die maksimum van 1ha gespesifiseer is, toe te laat;
- (b) Die hersonering van die eiendom van enkelresidensiële subsone 1 na onderverdelingsgebied vir vervoersone 2 (openbare pad) en algemeenresidensiële subsone 1 om 'n groepbehuisingskompleks van 21 eenhede (insluitend die bestaande woonhuis) toe te laat;
- (c) Die onderverdeling van die eiendom in een openbare padgedeelte (wat by Parel Valleiweg geïnkorporeer moet word), 21 groepbehuisingsgedeeltes (wisselend van 440m² tot 667m²), drie privaat oopruimtegedeeltes en een privaat padgedeelte;
- (d) Die afwyking van Kaapstad se Soneringskema regulasies op die eiendom om die verslapping van die 5m-straatboulyn (Parel Valleiweg) na 2.5m vir die voorgestelde wonings op gedeeltes 1, 3, 4, 19-21 toe te laat;
- (e) Die afwyking van Kaapstad se Soneringskema regulasies op die eiendom om die verslapping van die 5m-straatboulyn (Larc- en Cielweg) na 2m vir die voorgestelde wonings op gedeeltes 4-7 toe te laat;
- (f) Die goedkeuring van die terreinontwikkelingsplan;
- (g) Die benaming van die interne straat.

ACHMAT EBRAHIM, STADSBESTUURDER

12 Julie 2013

51167

CITY OF CAPE TOWN
(SOUTHERN DISTRICT)

REZONING

- Erf 55296, Cape Town

Notice is hereby given in terms of Section 17 of the Land Use Planning Ordinance No. 15 of 1985 that the undermentioned application has been received and is open to inspection at the Office of the District Manager, Department: Planning & Building Development Management, City of Cape Town, Ground Floor, 3 Victoria Road, Plumstead (Counter 1.3). Enquiries may be directed to Mr D Suttle from 08:30-14:30 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, 3 Victoria Road, Plumstead or fax (021) 710-8283 or e-mailed to comments_objections.southern@capetown.gov.za on or before the closing date, quoting, the above Ordinance, the belowmentioned reference/application number, and the objector's erf and phone numbers and address. Objections and comments may also be hand-delivered to the abovementioned street address by no later than the closing date. If your response is not sent to these addresses and/or fax number, and if, as a consequence it arrives late, it will be deemed to be invalid. For any further information, contact K Barry, Tel. (021) 710-8205. The closing date for objections and comments is Monday, 12 August 2013.

File Ref: LUM/00/55296

Application No.: 228192

Owner: Susan Hansen CC

Applicant: Tommy Brümmer Town Planners

Address: 4 Cavendish Street, Claremont

Nature of Application: It is proposed to rezone the subject property from General Residential R4 to General Business B1.

ACHMAT EBRAHIM, CITY MANAGER

12 July 2013

51170

CITY OF CAPE TOWN
(SOUTHERN DISTRICT)

REZONING

- Erf 67551, Cape Town

Notice is hereby given in terms of Section 17 of the Land Use Planning Ordinance No. 15 of 1985 that the undermentioned application has been received and is open to inspection at the Office of the District Manager, Department: Planning & Building Development Management, City of Cape Town, Ground Floor, 3 Victoria Road, Plumstead (Counter 1.3). Enquiries may be directed to Mr D Suttle from 08:30-14:30 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, 3 Victoria Road, Plumstead or fax (021) 710-8283 or e-mailed to comments_objections.southern@capetown.gov.za on or before the closing date, quoting, the above Ordinance, the belowmentioned reference/application number, and the objector's erf and phone numbers and address. Objections and comments may also be hand-delivered to the abovementioned street address by no later than the closing date. If your response is not sent to these addresses and/or fax number, and if, as a consequence it arrives late, it will be deemed to be invalid. For any further information, contact K Barry, Tel. (021) 710-8205. The closing date for objections and comments is Monday, 12 August 2013.

File Ref: LUM/00/67551

Application No.: 229228

Owner: Ritzshelf 1005 CC

Applicant: MA Smith Town Planner

Address: 30 Constantia Main Road, Wynberg

Nature of Application: It is proposed to rezone the subject property from General Residential R2 to Local Business LB1.

ACHMAT EBRAHIM, CITY MANAGER

12 July 2013

51166

STAD KAAPSTAD
(SUIDELIKE DISTRIK)

HERSONERING

- Erf 55296, Kaapstad

Kennisgewing geskied hiermee ingevolge Artikel 17 van die Ordonnansie op Grondgebruikbeplanning (Ordonnansie Nr. 15 van 1985), dat onderstaande aansoek ontvang en ter insae beskikbaar is by die Kantoor van die Distriksbestuurder, Departement: Beplanning en Bou-ontwikkelingsbestuur, Stad Kaapstad, Grondverdieping, Victoriaweg 3, Plumstead (Toonbank 1.3). Navrae kan van 08:30-14:30, Maandag tot Vrydag, aan mnr D Suttle gerig word. Enige besware en/of kommentaar, met volledige redes daarvoor, moet voor of op die sluitingsdatum skriftelik aan die Kantoor van die Distriksbestuurder, Departement Beplanning en Bou-ontwikkelingsbestuur, Stad Kaapstad, Privaatsak X5, Plumstead 7801, Victoriaweg 3, Plumstead gerig word, na (021) 710-8283 gefaks word, of per e-pos aan comments_objections.southern@capetown.gov.za gestuur word, met vermelding van bogenoemde toepaslike wetgewing, onderstaande verwysings-/aansoeknommer en die beswaarmaker se erf- en telefoonnommer en adres. Besware en kommentaar kan ook voor of op die sluitingsdatum per hand by bogenoemde straatadres afgelewer word. As u reaksie nie na dié adresse en/of faksnommer gestuur word nie en gevolglik laat ontvang word, sal dit ongeldig geag word. Om nadere inligting, skakel K Barry, Tel. (021) 710-8205. Die sluitingsdatum vir besware en kommentaar is Maandag, 12 Augustus 2013.

Lêerverwysing: LUM/00/55296

Aansoeknommer: 228192

Eienaar: Susan Hansen BK

Aansoeker: Tommy Brümmer Stadsbeplanners

Adres: Cavendishstraat 4, Claremont

Aard van aansoek: Daar word voorgestel om die betrokke eiendom van algemeenresidensieel R4 na algemeensake B1 te hersoneer.

ACHMAT EBRAHIM, STADSBESTUURDER

12 Julie 2013

51170

STAD KAAPSTAD
(SUIDELIKE DISTRIK)

HERSONERING

- Erf 67551, Kaapstad

Kennisgewing geskied hiermee ingevolge Artikel 17 van die Ordonnansie op Grondgebruikbeplanning (Ordonnansie Nr. 15 van 1985) dat onderstaande aansoek ontvang en ter insae beskikbaar is by die Kantoor van die Distriksbestuurder, Departement: Beplanning en Bou-ontwikkelingsbestuur, Stad Kaapstad, Grondverdieping, Victoriaweg 3, Plumstead (Toonbank 1.3). Navrae kan van 08:30-14:30, Maandag tot Vrydag, aan mnr D Suttle gerig word. Enige besware en/of kommentaar, met volledige redes daarvoor, moet voor of op die sluitingsdatum skriftelik aan die Kantoor van die Distriksbestuurder, Departement: Beplanning en Bou-ontwikkelingsbestuur, Stad Kaapstad, Privaatsak X5, Plumstead 7801, Victoriaweg 3, Plumstead gerig word, na (021) 710-8283 gefaks word, of per e-pos aan comments_objections.southern@capetown.gov.za gestuur word, met vermelding van bogenoemde toepaslike wetgewing, onderstaande verwysings-/aansoeknommer en die beswaarmaker se erf- en telefoonnommer en adres. Besware en kommentaar kan ook voor of op die sluitingsdatum per hand by bogenoemde straatadres afgelewer word. As u reaksie nie na dié adresse en/of faksnommer gestuur word nie en gevolglik laat ontvang word, sal dit ongeldig geag word. Om nadere inligting, skakel K Barry, Tel. (021) 710-8205. Die sluitingsdatum vir besware en kommentaar is Maandag, 12 Augustus 2013.

Lêerverwysing: LUM/00/67551

Aansoeknommer: 229228

Eienaar: Ritzshelf 1005 BK

Aansoeker: MA Smith Stadsbeplanner

Adres: Constantia Hoofweg 30, Wynberg

Aard van aansoek: Daar word voorgestel om die betrokke eiendom van algemeenresidensieel R2 na plaaslike sake LB1 te hersoneer.

ACHMAT EBRAHIM, STADSBESTUURDER

12 Julie 2013

51166

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

● Erf 12534, Fish Hoek (*second placement*)

Notice is hereby given in terms of Section 3(6) of the Removal of Restrictions Act (Act 84 of 1967) and Section 15 of the Land Use Planning Ordinance No. 15 of 1985 that the undermentioned application has been received and is open to inspection at the Office of the District Manager, Department: Planning & Building Development Management, City of Cape Town, Ground Floor, 3 Victoria Road, Plumstead and any enquiries may be directed to P Evard, from 08:30-14:30 Monday to Friday. The application is also open for inspection at the Office of the Director: Integrated Environmental Management, Department of Environmental Affairs & Development Planning, Provincial Government of the Western Cape at the Utilitas Building, 1 Dorp Street (Room 606), Cape Town weekdays from 08:00-12:30 and 13:00-15:30, Tel. (021) 483-5834/fax (021) 483-3098. Any objections and/or comments, with full reasons therefor, must be submitted in writing at both (1) the Office of the District Manager, Department: Planning & Building Development Management, City of Cape Town, Private Bag X5, Plumstead 7801, 3 Victoria Road, Plumstead or fax (021) 710-8283 or e-mailed to comments_objections.southern@capetown.gov.za and (2) the Director: Integrated Environmental Management, Department of Environmental Affairs & Development Planning, Western Cape Government, Private Bag X9086, Cape Town 8000 or at the Utilitas Building, 1 Dorp Street, Cape Town on or before the closing date, quoting, the above Act and Ordinance, the belowmentioned reference/application number, and the objector's erf and phone numbers and address. Objections and comments may also be hand-delivered to the abovementioned street addresses by no later than the closing date. If your response is not sent to these addresses and/or fax number, and if, as a consequence it arrives late, it will be deemed to be invalid. For any further information, contact K Barry, Tel. (021) 710-8205. The closing date for objections and comments is Monday, 12 August 2013.

Application No.: 224865

Owner: The Joy Trust

Applicant: The Joy Trust

Address: 86 Upper Recreation Road

Nature of Application: Removal of Restrictive Title Conditions to enable additions to the existing dwelling to permit a second dwelling. The street building line restriction, lateral building line restriction and coverage restriction will be encroached upon.

The application will also require departures from the former Fish Hoek Zoning Scheme Regulations to permit:

- A second dwelling unit.
- Section 8.1.1.1.1 to permit the garage sited 0m and the dwelling sited 1.5m from the street boundary (Fife Avenue) in lieu of 4.5m.
- Section 8.1.1.1.1 to permit the garage sited 1.145m and the dwelling 2.815m from the street boundary in lieu of 4.5m.
- Section 8.1.4.2 for coverage of 62% in lieu of 50%.

ACHMAT EBRAHIM, CITY MANAGER

12 July 2013

51168

STAD KAAPSTAD
(SUIDELIKE DISTRIK)
OPHEFFING VAN BEPERKINGS EN AFWYKINGS

● Erf 12534, Vishoek (*tweede plasing*)

Kennisgewing geskied hiermee ingevolge Artikel 3(6) van die Wet op Opheffing van Beperkings (Wet 84 van 1967) en Artikel 15 van die Ordonnansie op Grondgebruikbeplanning (Ordonnansie Nr. 15 van 1985) dat onderstaande aansoek ontvang en ter insae beskikbaar is by die Kantoor van die Distriksbestuurder, Departement Beplanning en Bou-ontwikkelingsbestuur, Stad Kaapstad, Grondverdieping, Victoriaweg 3, Plumstead en dat navrae van 08:30-14:30, Maandag tot Vrydag, aan P Evard gerig kan word. Die aansoek is ook weksdae van 08:00-12:30 en 13:00-15:30 ter insae beskikbaar by die Kantoor van die Direkteur: Geïntegreerde Omgewingsbestuur, Departement van Omgewingsake en Ontwikkelingsbeplanning, Provinsiale Regering van die Wes-Kaap, Utilitas-gebou, Dorpstraat 1 (Kamer 606), Kaapstad, Tel. (021) 483-5834 of faks (021) 483-3098. Enige besware en/of kommentaar, met volledige redes daarvoor, moet voor of op die sluitingsdatum skriftelik aan sowel (1) die Kantoor van die Distriksbestuurder, Departement Beplanning en Bou-ontwikkelingsbestuur, Stad Kaapstad, Privaatsak X5, Plumstead 7801, Victoriaweg, Plumstead gerig word, gefaks word na (021) 710-8283 of per e-pos gestuur word aan comments_objections.southern@capetown.gov.za as (2) die Direkteur: Geïntegreerde Omgewingsbestuur, Departement van Omgewingsake en Ontwikkelingsbeplanning, Provinsiale Regering van die Wes-Kaap, Privaatsak X9086, Kaapstad 8000 of Utilitas-gebou, Dorpstraat 1, Kaapstad gestuur word, met vermelding van bogenoemde wetgewing, onderstaande verwysings-/aansoeknommer en die beswaarmaker se erf- en telefoonnommer en adres. Besware en kommentaar kan ook voor of op die sluitingsdatum per hand by bogenoemde straatadresse afgelewer word. As u reaksie nie na dié adresse en/of faksnommer gestuur word nie en gevolglik laat ontvang word, sal dit ongeldig geag word. Om nadere inligting, skakel K Barry, Tel. (021) 710-8205. Die sluitingsdatum vir besware en kommentaar is Maandag, 12 Augustus 2013.

Aansoeknommer: 224865

Eienaar: Die Joy-trust

Aansoeker: Die Joy-trust

Adres: Upper Recreationweg 86

Aard van aansoek: Opheffing van beperkende titelvoorwaardes vir aanbouings aan die bestaande woning om 'n tweede woning toe te laat. Die beperking vir die straatboulyn, syboulyn en dekking sal oorskry word.

Die aansoek benodig ook afwykings van die vorige Soneringskema-regulasies van Vishoek om die volgende toe te laat:

- 'n Tweede wooneenheid.
- Artikel 8.1.1.1.1 om toe te laat dat die motorhuis 0m en die woonhuis 1.5m vanaf die straatgrens (Fifelaan) in plaas van 4.5 geleë is.
- Artikel 8.1.1.1.1 om toe te laat dat die motorhuis 1.145m en die woonhuis 2.815m vanaf die straatgrens in plaas van 4.5m geleë is.
- Artikel 8.1.4.2 vir dekking van 62% in plaas van 50%.

ACHMAT EBRAHIM, STADSBESTUURDER

12 Julie 2013

51168

CITY OF CAPE TOWN
(SOUTHERN DISTRICT)

UKUSUSWA KWEZITHINTELO NOTYESHELO LWEMIQATHANGO

- Isiza-12534, esise-Fish Hoek (*sikhutshwa okwesibini*)

Kukhutshwa isaziso ngokwecandelo-3(6) loMthetho wokuSuswa kweziThintelo onguNomb. 84 wangowe-1967 nangokweCandelo-15 loMmiselo woCwangciso lokuSetyenziswa koMhlaba onguNomb. 15 wangowe-1985, sokuba isicelo esikhankanywe ngezantsi apha, sifunyenwe kwaye sivulelekile ukuba sihlolwe kwi-ofisi yoMphathi wesiThili, kwiSebe loLawulo loCwangciso noPhuhliso loLwakhiwo, kwisiXeko saseKapa, kuMgangatho olingana nomhlaba, 3 Victoria Road, e-Plumstead kwakhona nayiphina imibuzo ingajoliswa ku-P Evard, ukususela ngeye-08:30-14:30 ngoMvulo ukuya ngoLwesihlanu. Isicelo esi sikwavulelekile ukuba sihlolwe kwi-ofisi yoMlawuli woLawulo lokusiNgqongileyo ngokuHlangeneyo, kwiSebe leMicimbi yokusiNgqongileyo noPhuhliso loCwangciso, kubuRhulumente bePhondo laseNtshona Koloni, kwiSakhiwo i-Utilitas, 1 Dorp Street (iGumbi-606), eKapa kwiintsuku eziphakathi evikini ukususela ngeye-08:00-12:30 nokususela ngeye-13:00-15:30, umnxeba (021) 483-5834/iifeksi (021) 483-3098. Naziphina izichaso okanye izimvo ezinezizathu ezivakalayo kufuneka zingeniswe ngokubhaliweyo (1) kwi-ofisi yoMphathi wesiThili, kuLawulo loCwangciso noPhuhliso loLwakhiwo, kwisiXeko saseKapa, Private Bag X5, Plumstead 7801, 3 Victoria Road, Plumstead okanye kwifeksi (021) 710-8283 okanye kwi-imeyile comments_objections.southern@capetown.gov.za (2) kwakhona kuMlawuli woLawulo lokusiNgqongileyo ngokuHlangeneyo, kwiSebe leMicimbi yokusiNgqongileyo noCwangciso loPhuhliso, kubuRhulumente bePhondo laseNtshona Koloni, Private Bag X9086, Cape Town 8000 okanye kwiSakhiwo i-Utilitas, 1 Dorp Street, eKapa ngomhla okanye phambi kowokuvalwa, ucaphule uMthetho ongentla apha noMmiselo, inombolo yesalathiso okanye yesicelo ekhankanywe ngezantsi apha, kunye nenombolo yesiza somchasi neenombolo zomnxeba nedilesi yakhe. Izichaso nezimvo zingangeniswa kwakhona ngesandla kwezi dilesi zezitrato ezikhankanywe ngentla apha ungadlulanga umhla wokuvalwa. Ukuba impendulo yakho ithe ayathunyelwa kwezi dilesi okanye kwiinombolo zefeksi, kwakhona ukuba kuthe kwenzeka ukuba ifike emva komhla omiselweyo, iyakuthi ithatyathwe njengengekho-mthethweni. Nangayo nayiphina ingcaciso, nceda uqhagamshelane no-K Barry, umnxeba (021) 710-8205. Umhla wokuvalwa kokungeniswa izichaso nezimvo nguMvulo we-12 Agasti 2013.

Inombolo yesicelo: 224865

Umnini: The Joy Trust. *Umfaki-sicelo:* The Joy Trust

Idilesi: 86 Upper Recreation Road

Ubume besicelo: Ukususwa kweMiqathango yesithintelo seTayitile yobunini ukuze kubenakho ukufakelelwa kolongezelelo kwindawo yokuhlala esele imiselwe ukuze kuvumeleke indawo yokuhlala yesibini. Kuyakuthi kubekho isithintelo somda wesitrato ukususela kwisakhiwo, isithintelo somda wesakhiwo osecaleni nesithintelo somthamo.

Isicelo kwakhona siyakuthi sifune utyeshelo lwemiqathango ukususela kwiMigaqo yeNkqubo yezoCando yakudala yase-Fish Hoek:

- Iyunithi yesibini yokuhlala.
- Icandelo-8.1.1.1.1 ukuze kuvumeleke igaraji engu-0m nendawo yokuHlala esi-1.5m ukususela kumda wesitrato (Fife Avenue) endaweni ye-4.5m.
- Icandelo-8.1.1.1.1 ukuze kuvumeleke igaraji esi-1.145m nendawo yokuHlala esi-2.815m ukususela kumda wesitrato endaweni ye-2.815m.
- Icandelo-8.1.4.2 kulungiselelwa umthamo ongama-62% endaweni yongama-50%.

ACHMAT EBRAHIM, CITY MANAGER

12 July 2013

51168

CITY OF CAPE TOWN
(TYGERBERG REGION)

REZONING, SITE DEVELOPMENT PLAN AND REGULATION
DEPARTURES

- Erf 7433, 11 Karoo Street, Kempenville, Bellville

Notice is hereby given in terms Sections 17(2) and 15(2) of the Land Use Planning Ordinance that the undermentioned application has been received and is open to inspection at the Office of the District Manager at 3rd Floor, Municipal Office, Voortrekker Road, Parow. Enquiries may be directed to Mrs I Dorman, Private Bag X4, Parow 7499 or 3rd Floor, Municipal Office, Voortrekker Road, Parow, e-mail address: Ingrid.Dorman@capetown.gov.za, Tel. (021) 444-7939 and fax (021) 938-8509 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 or by using the following e-mail address: comments_objections.tygerberg@capetown.gov.za on or before 19 August 2013, 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: Eldred Smith (Elco Property Developments)

Application number: 231189

Address: 11 Karoo Street, Kempenville, Bellville

Nature of Application:

- Application to rezone the subject property from Single Residential 1 to General Business 1 to regularise the existing office from the existing building.
- Application for approval of Site Development Plan.
- Regulation Departure to permit 14 Parking Bays in lieu of the required 19 bays for offices.

ACHMAT EBRAHIM, CITY MANAGER

12 July 2013

51197

STAD KAAPSTAD
(TYGERBERG-STREEK)

HERSONERING, TERREINONTWIKKELINGSPLAN EN
REGULASIEAFWYKINGS

- Erf 7433, Karoostraat 11, Kempenville, Bellville

Kennisgewing geskied hiermee ingevolge Artikels 17(2) en 15(2) van die Ordonnansie op Grondgebruikbeplanning dat onderstaande aansoek ontvang en ter insae beskikbaar is by die Kantoor van die Distriksbestuurder, Derde Verdieping, Munisipale Kantore, Voortrekkerweg, Parow. Navrae kan weksdae van 08:00-14:30 gerig word aan mev I Dorman, Privaatsak X4, Parow 7499 of Derde Verdieping, Munisipale Kantore, Voortrekkerweg, Parow, e-posadres: Ingrid.Dorman@capetown.gov.za, Tel. (021) 444-7939 en faksnommer (021) 938-8509. Besware, met volledige redes daarvoor, kan voor of op 19 Augustus 2013 skriftelik by die kantoor van bogenoemde Distriksbestuurder ingedien word, of per e-pos na comments_objections.tygerberg@capetown.gov.za gestuur word, met vermelding van die toepaslike wetgewing, die aansoeknommer en die beswaarmaker se erf- en telefoonnommer en adres. Enige besware wat ná voormelde sluitingsdatum ontvang word, kan as ongeldig geag word.

Aansoeker: Eldred Smith (Elco Property Developments)

Aansoeknommer: 231189

Adres: Karoostraat 11, Kempenville, Bellville

Aard van aansoek:

- Aansoek om die betrokke eiendom te hersoneer van enkel-residensiële 1 na algemeen sake 1 om die bestaande kantoor van die bestaande gebou te regulariseer.
- Aansoek om goedkeuring van terreinontwikkelingsplan.
- Regulasieafwyking om 14 parkeerplekke in plaas van die vereiste 19 parkeerplekke vir kantore toe te laat.

ACHMAT EBRAHIM, STADSBESTUURDER

12 Julie 2013

51197

CITY OF CAPE TOWN
(TYGERBERG REGION)
REZONING, SUBDIVISION AND
REGULATION DEPARTURES

• Erven 134-138, Burgundy

Notice is hereby given in terms of Sections 15(2), 17(2) and 24(2) of the Land Use Planning Ordinance that the undermentioned application has been received and is open to inspection at the Office of the District Manager at 3rd Floor, Municipal Office, Voortrekker Road, Parow. Enquiries may be directed to Sharon Hoffman, Private Bag X4, Parow 7499 or 3rd Floor, Municipal Office, Voortrekker Road, Parow, e-mail address: sharon.hoffman@capetown.gov.za, Tel. (021) 444-7932 and fax (021) 938-8509 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 or by using the following e-mail address: comments_objections.tygerberg@capetown.gov.za on or before 12 August 2013, 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: André Roux (Aroux Town Planning Services)

Application number: 231195

Address: c/o Viridian Street & Saffron Crescent, Burgundy

Nature of Application:

- Proposed subdivision of Erf 134, Burgundy Estate into two portions (portion 1 and a Remainder).
- Proposed subdivision of Erf 135, Burgundy Estate into two portions (Portion 1 and a Remainder — Portion 1 of Erf 134, Burgundy Estate is to be consolidated with the Remainder Erf 135, Burgundy Estate).
- Rezoning of Erven 136, 137, 138 and portion 1 of Erf 135, Burgundy Estate from Single Residential to Community Zone 1 with the intention to consolidate into one property, in order to permit the construction of a preschool for 120 children.
- Application for Regulation departures for the consolidated Erven 136, 137, 138 and portion 1 of Erf 135, Burgundy Estate as follows:
 - o Relaxation of the 5.0m street building line to 4.5m from Saffron Crescent.
 - o Relaxation of the 5.0m side building line to 3.0m from the western boundary.
 - o Relaxation of the 5.0m rear building line to 3.0m from the southern boundary.

ACHMAT EBRAHIM, CITY MANAGER

12 July 2013

51198

BREED VALLEY MUNICIPALITY

APPLICATION FOR DEPARTURE: ERF 16637, 28 TORTELDFUIF
STREET, AVIAN PARK, WORCESTER

NOTICE IS HEREBY GIVEN in terms of the provisions of Section 15 (1)(a) of the Land Use Planning Ordinance, 1985 (Ordinance No. 15 of 1985) that an application has been received for the Departure of erf 16637, 28 Tortelduif Street, Worcester in order to allow the owner to operate a liquor store within a portion of the existing structure.

Full particulars regarding the application are available at the Office of the Director: Operational Services, Section: Planning, Development & Building Control (Miss N Gayiya), Third Floor, Tel. (023) 348-2631, Civic Centre, Baring Street, Worcester.

Written objections, if any, should be lodged in writing with the Municipal Manager, Private Bag X3046, Worcester 6849 and must reach the undersigned on or before Monday, 12 August 2013.

Applicant: MARTIN OOSTHUIZEN, BolandPlan Town and Regional Planning

GF MATTHYSE, MUNICIPAL MANAGER

Notice 12/2013

12 July 2013

51160

STAD KAAPSTAD
(TYGERBERG-STREEK)

HERSONERING, ONDERVERDELING EN
REGULASIEAFWYKINGS

• Erwe 134-138, Burgundy

Kennisgewing geskied hiermee ingevolge Artikels 15(2), 17(2) en 24(2) van die Ordonnansie op Grondgebruikbeplanning dat onderstaande aansoek ontvang en ter insae beskikbaar is by die Kantoor van die Distriksbestuurder, Derde Verdieping, Munisipale Kantore, Voortrekkerweg, Parow. Navrae kan weksdae van 08:00-14:30 gerig word aan Sharon Hoffman, Privaatsak X4, Parow 7499 of Derde Verdieping, Munisipale Kantore, Voortrekkerweg, Parow, e-posadres: sharon.hoffman@capetown.gov.za, Tel. (021) 444-7932 en faks (021) 938-8509. Enige besware, met volledige redes daarvoor, kan voor of op 12 Augustus 2013 skriftelik by die kantoor van bogenoemde Distriksbestuurder ingedien word, of per e-pos na comments_objections.tygerberg@capetown.gov.za gestuur word, met vermelding van die toepaslike wetgewing, die aansoeknommer en die beswaarmaker se erf- en telefoonnommer en adres. Enige besware wat ná voormelde sluitingsdatum ontvang word, kan as ongeldig geag word.

Aansoeker: André Roux (Aroux Town Planning Services)

Aansoeknommer: 231195

Adres: h/v Viridianstraat en Saffronsingel, Burgundy

Aard van Aansoek:

- Voorgestelde onderverdeling van erf 134, Burgundy-landgoed in twee gedeeltes (gedeelte 1 en 'n restant).
- Voorgestelde onderverdeling van erf 135, Burgundy-landgoed in twee gedeeltes (gedeelte 1 en 'n restant — gedeelte 1 van erf 134, Burgundy-landgoed sal met die restant erf 135, Burgundy-landgoed gekonsolideer word).
- Hersonerings van erwe 136, 137 en 138 en gedeelte 1 van erf 135, Burgundy-landgoed van enkelresidensieel na gemeenskapone 1 met die doel om dit in een eiendom te konsolideer om die konstruksie van 'n kleuterskool vir 120 kinders toe te laat.
- Aansoek om regulasieafwykings vir die gekonsolideerde erwe 136, 137 en 138 en gedeelte 1 van erf 135, Burgundy-landgoed soos volg:
 - o Verslapping van die 5.0m straatboulyn na 4.5m vanaf Saffronsingel.
 - o Verslapping van die 5.0m syboulyn na 3.0m vanaf die westelike grens.
 - o Verslapping van die 5.0m agterboulyn na 3.0m vanaf die suidelike grens.

ACHMAT EBRAHIM, STADSBESTUURDER

12 Julie 2013

51198

BREEDVALLEI MUNISIPALITEIT

AANSOEK OM AFWYKING: ERF 16637,
TORTELDFUIFSTRAAT 28, AVIANPARK, WORCESTER

KENNIS GESKIED HIERMEE ingevolge die bepalings van Artikel 15(1)(a) van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie Nr. 15 van 1985) dat 'n aansoek om Afwyking van erf 16637, Worcester ontvang is, ten einde die eienaar in staat te stel om 'n gedeelte van die eiendom aan te wend vir 'n drankverkope fasiliteit.

Volledige besonderhede van die aansoek is beskikbaar in die Kantoor van die Direkteur: Operasionele Dienste, Derde Vloer, Burgersentrum, Baringstraat, Worcester (mev N Gayiya) Tel. (023) 348-2631.

Besware, indien enige, moet skriftelik gerig word aan die Munisipale Bestuurder, Privaatsak X3046, Worcester 6849 om die ondergetekende te bereik voor of op Maandag, 12 Augustus 2013.

Aansoeker: MARTIN OOSTHUIZEN, BolandPlan Stads- en Streekbeplanning

GF MATTHYSE, MUNISIPALE BESTUURDER

Kennisgewingnr. 12/2013

12 Julie 2013

51160

CITY OF CAPE TOWN
(TYGERBERG REGION)

REMOVAL OF RESTRICTIONS

- Erf 439, 7 Andrew Murray Street, Parow (*second placement*)

Notice is hereby given in terms of Section 3(6) of the Removal of Restrictions Act, Act 84 of 1967 that the undermentioned application has been received and is open to inspection at the Office of the District Manager, Tygerberg, at 3rd Floor, Parow Civic, corner of Voortrekker Road and Tallent Street, Parow, and that any enquiries may be directed to Anika Adams, Private Bag X4, Parow 7499, e-mail address: Anika.Adams@capetown.gov.za, Tel. (021) 444-7929 and fax (021) 938-8509, weekdays during 08:00-14:30. The application is also open to inspection at the Office of the Director: Integrated Environmental Management, Department of Environmental Affairs & Development Planning, Provincial Government of the Western Cape at the Utilitas Building, Room 207, 1 Dorp Street, Cape Town weekdays from 08:00-12:30 and 13:00 to 15:30. Telephonic enquiries in this regard may be made at (021) 483-5897 and the Directorate's fax number is (021) 483-3633. Any objections, with full reasons therefor, may be lodged in writing at the Office of the abovementioned Director: Integrated Environmental Management, Department of Environmental Affairs & Development Planning at Private Bag X9086, Cape Town 8000 on or before 12 August 2013, quoting the above Act and the objector's erf number. Any objections received after aforementioned closing date may be disregarded.

Applicant: Sonja Koen

Address: 7 Andrew Murray Street, Parow

Nature of Application: Removal of restrictive title condition applicable to Erf 439, Parow, to enable the owner to upgrade an existing garage, storeroom, braai area and erect a carport, domestic and laundry on the property.

Application is also made for regulation departures in terms of Section 15(2) of the Land Use Planning Ordinance (Ordinance No. 15 of 1985) for the following departures:

- Application for a removal of restrictive title conditions applicable to Erf 439, Parow.
- Regulation departure application to relax the street building line from 5.0m to 0.0m in order to construct a carport.
- Regulation departure application to relax the 3.0m common building line applicable to the lateral and rear boundaries to 0.0m and 0.35m respectively in order to construct a garage, store room, laundry room, domestic room and a covered braai area.
- Departure from Zoning Scheme Regulations to allow a second carriage way crossing onto the property concerned.

ACHMAT EBRAHIM, CITY MANAGER

12 July 2013

51199

STAD KAAPSTAD
(TYGERBERG-STREEK)

OPHEFFING VAN BEPERKINGS

- Erf 439, Andrew Murraystraat 7, Parow (*tweede plasing*)

Kennisgewing geskied hiermee ingevolge Artikel 3(6) van die Wet op Opheffing van Beperkings (Wet 84 van 1967) dat die onderstaande aansoek ontvang en op weksdae van 08:00-14:30 ter insae beskikbaar is by die Kantoor van die Distriksbestuurder, Tygerberg, op die Derde Verdieping, Parow-burgersentrum, h/v Voortrekkerweg en Tallentstraat, Parow en dat enige navrae gerig kan word aan Anika Adams, Privaatsak X4, Parow 7499 of e-pos Anika.Adams@capetown.gov.za, Tel. (021) 444-7929 en faks (021) 938-8509. Die aansoek is ook op weksdae van 08:00-12:30 en 13:00-15:30 ter insae beskikbaar by die Kantoor van die Direkteur: Geïntegreerde Omgewingsbestuur, Departement van Omgewingsake en Ontwikkelingsbeplanning, Provinsiale Regering van die Wes-Kaap, Utilitas-gebou, Kamer 207, Dorpstraat 1, Kaapstad. Telefoniese navrae in dié verband kan aan (021) 483-5897 gerig word en die Direktoraat se faksnommer is (021) 483-3633. Enige besware, met volledige redes daarvoor, kan skriftelik voor of op 12 Augustus 2013 aan die Kantoor van bogenoemde direkteur: Geïntegreerde Omgewingsbestuur, Departement van Omgewingsake en Ontwikkelingsbeplanning, Privaatsak X9086, Kaapstad 8000 gerig word, met vermelding van die toepaslike wetgewing en die beswaarmaker se ernommer. Enige besware wat ná voormelde sluitingsdatum ontvang word, kan buite rekening gelaat word.

Aansoeker: Sonja Koen

Adres: Andrew Murraystraat 7, Parow

Aard van aansoek: Opheffing van beperkende titelvoorwaarde van toepassing op erf 439, Parow om die eienaar in staat te stel om 'n bestaande motorhuis, stoorkamer en braaigebied op te gradeer en 'n motorafdak en wasgoedkamer op die eiendom op te rig.

Aansoek word ook ingevolge Artikel 15(2) van die Ordonnansie op Grondgebruikbeplanning (Ordonnansie Nr. 15 van 1985) om regulasieafwykings vir die volgende afwykings gedoen:

- Aansoek om die opheffing van beperkende titelvoorwaardes van toepassing op erf 439, Parow.
- Aansoek om regulasieafwyking om die straatboulyn van 5.0m na 0.0m te verslap ten einde 'n motorafdak op te rig.
- Aansoek om regulasieafwyking om die 3.0m algemene boulyn van toepassing op die sy- en agterste grense na 0.0m en 0.35m onderskeidelik te verslap ten einde 'n motorhuis, stoorkamer, wasgoedkamer, huishulpkamer en 'n bedekte braaigebied op te rig.
- Afwyking van Soneringskema regulasies om 'n tweede rybaan oor die betrokke eiendom toe te laat.

ACHMAT EBRAHIM, STADSBESTUURDER

12 Julie 2013

51199

CITY OF CAPE TOWN

(TYGERBERG REGION)

UKUSUSWA KWEZITHINTELO

- Isiza-439, 7 Andrew Murray Street, e-Parow (*sikhutshwa okwesibini*)

Kukhutshwa isaziso ngokweCandelo-3(6) loMthetho wokuSuswa kweziThintelo onguNomb. 84 wangowe-1967, sokuba sifunyenwe isicelo esikhankanywe ngezantsi apha kwaye sivulelekile ukuba sihlolwe kwi-ofisi yoMphathi wesiThili, e-Tygerberg, kuMgangatho we-3, e-Parow Civic, kwikona ye-Voortrekker Road ne-Tallent Street, e-Parow, kwakhona nayiphina imibuzo ingajoliswa ku-Anika Adams, Private Bag X4, Parow 7499, idilesi ye-imeyile: Anika.Adams@capetown.gov.za, umnxeba (021) 444-7929 ifeksi (021) 938-8509, kwiintsuku eziphakathi evikini ukususela ngeye-08:00-14:30. Isicelo sekwavulelekile ukuba sihlolwe kwi-ofisi yoMlawuli woLawulo lokusiNgqongileyo ngokuHlangeneyo, kwiSebe leMicimbi yokusiNgqongileyo noCwangciso loPhuhliso, kubuRhulumente bePhondo laseNtshona Koloni, kwiSakhiwo i-Utilitas, kwiGumbi-207, 1 Dorp Street, eKapa kwiintsuku eziphakathi evikini ukususela ngeye-08:00-12:30 neyo-13:00 ukuya kweye-15:30. Imibuzo ngomnxeba ngokuphatelene nalo mbandela ingenziwa kwa- (021) 483-5897 nakwinombolo yefeksi yoMlawuli engu-(021) 483-3633. Naziphina izichaso ezinezizathu ezivakalayo zingangeniswa ngokubhaliweyo kwi-ofisi yoMlawuli ekhankanywe ngentla apha engeyoLawulo lokusiNgqongileyo ngokuHlangeneyo, kwiSebe leMicimbi yokusiNgqongileyo noCwangciso loPhuhliso, Private Bag X9086, Cape Town 8000 ngomhla okanye ngaphambi kowe-12 Agasti 2013, ucaphule lo Mthetho ungentla nenombolo yesiza somchasi. Naziphina izichaso ezifunyenwe emva komhla wokuvalwa okhankanywe ngentla apha, zisenokungahoywa.

Umfaki-sicelo: Sonja Koen

Idilesi: 7 Andrew Murray Street, Parow

Ubume besicelo: Ukususwa komqathango wesithintelo setayitile yobunini ngokujoliswe kwiSiza-439, Parow, ukuze abenakho ukuHlaziywa iigaraji esele imiselwe, igumbi lempahla, ummandla wokoja inyama nokwakhiwa kwekhapsi, indawo yomncedisi wasekhaya neyokuhlambela impahla kwiiopropati.

Isicelo kwakhona senziwa ukuba kutyeshelwe imiqathango ngokweCandelo-15(2) loMmiselo woCwangciso lokuSetyenziswa koMhlaba onguNomb 15 wangowe-1985, ngokolu tyeshelo lwemiqathango lulandelayo:

- Isicelo sokususwa kwemiqathango yesithintelo setayitile yobunini ngokujoliswe kwiSiza-439, esise-Parow.
- Isicelo sotyeshelo lomqathango ukuze kucuthwe umda wesitrato ukususela kwisakhiwo osi- 5.0m ukuba ubengu-0.0m ukuze kwakhiwe ikhapsi.
- Isicelo sotyeshelo lomqathango ukuze kucuthwe umda wesakhiwo ophakathi osi-3.0m ngokujoliswe kwimida osecaleni nongasemva ukuze ubengu-0.0m no-0.35m ukuze kwakhiwe igaraji, igumbi lokucina impahla, igumbi lokuhlambela impahla, igumbi lomncedisi wasekhaya nommandla wokoja inyama obiyelweyo.
- Utyeshelo lomqathango olususela kwiMigaqo yeNkqubo yezoCando ukuze kuvumeleke indawo yokudlula yesibini ethi inqumle kwiiopropati le ichaphazelekayo.

ACHMAT EBRAHIM, CITY MANAGER

12 July 2013

51199

BREEDE VALLEY MUNICIPALITY

APPLICATION FOR CONSENT USE: ERF 11754,
51 STOCKENSTROM STREET, WORCESTER

NOTICE IS HEREBY GIVEN in terms of the provisions of Regulation 4.7 of the Land Use Planning Ordinance, 1985 (Ordinance No. 15 of 1985) that an application has been received for consent use on Erf 11754, 51 Stockenstrom Street, Worcester zoned as Business Zone I in order to allow the owner to develop a place of entertainment and assembly.

Full particulars regarding the application are available at the office of the Director: Operational Services, Section: Planning, Development & Building Control (Miss N Gayiya), Third Floor, Tel. (023) 348-2631, Civic Centre, Baring Street, Worcester.

Written objections, if any, should be lodged in writing with the Municipal Manager, Private Bag X3046, Worcester 6849 and must reach the undersigned on or before Monday, 12 August 2013.

Applicant: MARTIN OOSTHUIZEN, BolandPlan Town and Regional Planning

GF MATTHYSE, MUNICIPAL MANAGER

Notice 11/2013

12 July 2013

51161

BREEDEVALLEI MUNISIPALITEIT

AANSOEK OM VERGUNNINGSGEBRUIK: ERF 11754,
STOCKENSTROMSTRAAT 51, WORCESTER

KENNIS GESKIED HIERMEE ingevolge die bepalings van Regulasie 4.7 van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie Nr. 15 van 1985) dat 'n aansoek om vergunningsgebruik Erf 11754, Stockenstromstraat 51, Worcester ontvang is waarin goedkeuring versoek word vir 'n vergunningsgebruik op Sakesone I ten einde die eienaar in staat te stel om 'n vermaaklikheidsplek en vergaderplek te mag bedryf.

Volledige besonderhede van die aansoek is beskikbaar in die Kantoor van die Direkteur: Operasionele Dienste, Derde Vloer, Burgersentrum, Baringstraat, Worcester (mej N Gayiya), Tel. (023) 348-2631.

Besware, indien enige, moet skriftelik gerig word aan die Munisipale Bestuurder, Privaatsak X3046, Worcester 6849 om die ondergetekende te bereik voor of op Maandag, 12 Augustus 2013.

Aaansoeker: MARTIN OOSTHUIZEN, BolandPlan Stads- en Streekbeplanning

GF MATTHYSE, MUNISIPALE BESTUURDER

Kennisgewingnr. 11/2013

12 Julie 2013

51161

BITOU LOCAL MUNICIPALITY

PROPOSED REZONING AND SUBDIVISION: PORTION 18 OF
THE FARM MATJESFONTEIN NO. 304,
PLETTENBERG BAY

Notice is hereby given that Bitou Local Municipality received the following application:

- The rezoning of Portion 31 of the farm Matjesfontein No. 304 in terms of Section 17 of the Land Use Planning Ordinance, 1985 (Ordinance No. 15 of 1985) from Resort Zone II to Subdivisional Area.
- Subdivision in terms of Section 24 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) as follows:
 - Portions 1-3 (2634m², 726m² & 1219m²) — Residential Zone I
 - Portion 4 (82m²) — Transport Zone I (Private Road)
 - Portion 5 (87m²) — Transport Zone III (Public Parking)
 - Portion 6 (3224m²) — Transport Zone II (Public Road)

The property is situated directly east of the Keurbooms River Lodge and north-east of Strandmeer.

The application is available for inspection at the Municipal Town Planning Office (Monks View, Church Street, Plettenberg Bay) during normal office hours. Telephonic enquiries in this regard may be directed to the Town Planner, Ms Adél Stander, Bitou Municipality (Tel. (044) 501-3322).

Any objections to the proposal should be lodged in writing to reach the undersigned (Municipal Manager, Bitou Municipality, Private Bag X1002, Plettenberg Bay, 6600 and/or fax number (044) 533-3485 and/or be hand-delivered at the Municipal Offices, Sewell Street, Plettenberg Bay) by not later than Monday, 5 August 2013, and should include the details (name and postal address) of the person concerned. Comments or objections received after the aforementioned closing date may be disregarded.

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

A PAULSE, MUNICIPAL MANAGER, BITOU LOCAL MUNICIPALITY, PRIVATE BAG X1002, PLETTENBERG BAY 6600

Municipal Notice No. 81/2013

12 July 2013

51162

LANGEBERG MUNICIPALITY

MN NO. 59/2013

PROPOSED CONSENT USE OF ERF 5199, BATH STREET,
MONTAGU

(Ordinance No. 15 of 1985, Land Use Planning)

Notice is hereby given in terms of the Zoning Scheme Regulations of Montagu, that Council has received an application from Grand Slots on behalf of Snelkor Agt (Pty) Ltd for a consent use for a Place of Assembly to operate five limited payout machines on erf 5199, 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 undersigned before or on 16 August 2013. Further details are obtainable from Mr Jack van Zyl, Tel. (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, LANGEBERG MUNICIPALITY, PRIVATE BAG X2, ASHTON 6715

12 July 2013

51172

BITOU PLAASLIKE MUNISIPALITEIT

VOORGESTELDE HERSONERING EN ONDERVERDELING:
GEDEELTE 18 VAN DIE PLAAS MATJESFONTEIN NR. 304,
PLETTENBERGBAAI

Kennis geskied hiermee dat Bitou Plaaslike Munisipaliteit die volgende aansoek ontvang het:

- Hersonering van Gedeelte 31 van die plaas Matjesfontein Nr. 304 ingevolge Artikel 17 van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie Nr. 15 van 1985) van Oordsone II na Onderverdelingsgebied.
- Onderverdeling ingevolge Artikel 24 van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie Nr. 15 van 1985) as volg:
 - Gedeeltes 1-3 (2634m², 726m² & 1219m²) — Residensiële Sone I
 - Gedeelte 4 (82m²) — Vervoersone I (Privaat Pad)
 - Gedeelte 5 (87m²) — Vervoersone III (Publieke Parkering)
 - Gedeelte (3224m²) — Vervoersone II (Publieke Pad)

Die eiendom is geleë oos van die Keurbooms Lodge en noordoos van Strandmeer.

Besonderhede aangaande die voorstel lê ter insae by die Munisipale Stadsbeplanningskantoor (Monks View, Kerkstraat, Plettenbergbaai) gedurende normale kantoorure. Navrae kan gerig word aan die Stadsbeplanner, Adél Stander (Tel. (044) 503-3322).

Enige kommentaar op of besware teen die aansoek moet op skrif ingedien word ten einde die ondergetekende (Waarnemende Munisipale Bestuurder, Bitou Munisipaliteit, Privaatsak X1002, Plettenbergbaai 6600 en/of faksnommer (044) 533-3485) te bereik (en/of per hand ingedien by die Munisipale Kantore, Sewellstraat, Plettenbergbaai) teen nie later nie as Maandag, 5 Augustus 2013, en moet die besonderhede (naam en posadres) van die betrokke persoon insluit. Kommentaar of besware wat ná die voorgemelde sluitingsdatum ontvang word, mag moontlik nie in ag geneem word nie.

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

A PAULSE, MUNISIPALE BESTURDER, BITOU PLAASLIKE MUNISIPALITEIT, PRIVAATSAK X1002, PLETTENBERGBAAI 6600

Munisipale Kennisgewingnr. 81/2013

12 Julie 2013

51162

LANGEBERG MUNISIPALITEIT

MK NR. 59/2013

VOORGESTELDE VERGUNNINGSGEBRUIK VAN ERF 5199,
BADSTRAAT, MONTAGU

(Ordonnansie Nr. 15 van 1985, Grondgebruikbeplanning)

Kennis geskied hiermee ingevolge die Soneringskema regulasies van Montagu dat die Raad 'n aansoek ontvang het van Grand Slots namens Snelkor Agt (Pty) Ltd vir 'n vergunningsgebruik vir 'n Vergaderplek ten einde vyf beperkte uitbetaalde masjiene (dobbeltmasjiene) te bedryf op erf 5199, Montagu.

Die aansoek lê ter insae gedurende kantoorure in die Montagu Kantoor en skriftelike, regsgeëde en goed gemotiveerde besware/kommentaar, indien enige, moet nie later as 16 Augustus 2013 skriftelik by die ondergetekende ingedien word nie. Navrae kan gerig word aan mnr Jack van Zyl by telefoonnommer (023) 614-8000. 'n Persoon wat nie kan skryf nie kan gedurende kantoorure na bogenoemde kantoor kom waar 'n personeellid van die Munisipaliteit daardie persoon sal help om sy/haar kommentaar of vertoë af te skryf.

SA MOKWENI, MUNISIPALE BESTURDER, LANGEBERG MUNISIPALITEIT, PRIVAATSAK X2, ASHTON 6715

12 Julie 2013

51172

HESSEQUA MUNICIPALITY

APPLICATION FOR REZONING AND SUBDIVISION OF
REMAINDER OF PORTION 25 OF THE FARM PORT BEAUFORT
NO. 484

Notice is hereby given in terms of the provisions of Sections 17 & 24 of the Land Use Planning Ordinance 15 of 1985 (Ordinance No. 15 of 1985) that the Hessequa Council has received the following application on the abovementioned property:

Property description: Remainder of Portion 25 of the Farm Port Beaufort No. 484

Proposal:

1. Rezoning of Remainder of Portion 25 of the farm Port Beaufort No. 484 from Agricultural Zone 1 to a subdivisional area for Residential Zone 1
2. Subdivision of the subdivisional area as follows:
 - (i) Portion A, 0.72ha
 - (ii) Portion B, 1.2ha
 - (iii) Portion C, 0.98ha
 - (iv) Portion D, 1.2ha
 - (v) Portion E, 0.47ha
 - (vi) Portion F, 0.69ha
 - (vii) Portion G, 0.59ha
 - (viii) Portion H, 0.59ha
 - (ix) Remainder, 1.34ha

Applicant: Bekker & Houterman Land Surveyors

Details concerning the application are available at the office of the undersigned and the Witsand Municipal Offices during office hours. Any objections to the proposed application should be submitted in writing to reach the office of the undersigned not later than 12 August 2013.

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

12 July 2013

51171

MOSEL BAY MUNICIPALITY

LAND USE PLANNING ORDINANCE, 1985
(ORDINANCE NO. 15 OF 1985)LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT, 2000
(ACT 32 OF 2000)APPLICATION FOR SUBDIVISION: ERF 2417, GREAT BRAK
RIVER (SITUATED IN SUSAN PARDEW ROAD, HERSHAM)

Notice is hereby given that the undermentioned application has been received by the Municipality in terms of Section 24 of the Land Use Planning Ordinance, 1985 (Ordinance No. 15 of 1985). Details of the proposal are 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, Private Bag X29, Mossel Bay 6500 on or before Monday, 12 August 2013, quoting the above Ordinance 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: Studio 19, PO Box 802, GREAT BRAK RIVER 6525

Nature of Application: Proposed subdivision of Erf 2417, Great Brak River, measuring 1367m² in extent and zoned "Residential Zone I", into two portions, namely Portion A = 640m² and Portion B = 727m².

File Reference: 15/4/34/2

DR M GRATZ, MUNICIPAL MANAGER

12 July 2013

51173

HESSEQUA MUNISIPALITEIT

AANSOEK OM HERSONERING EN ONDERVERDELING VAN
REstant VAN GEDEELTE 25 VAN DIE PLAAS PORT
BEAUFORT NR. 484

Kennis geskied hiermee ingevolge die bepalings van Artikels 17 & 24 van die Grondgebruikordonnansie Nr. 15 van 1985 (Ordonnansie Nr. 15 van 1985) dat die Hessequa Raad, die volgende aansoek op bogenoemde eiendom ontvang het:

Eiendomsbeskrywing: Restant van Gedeelte 25 van die plaas Port Beaufort Nr. 484

Aansoek:

1. Hersonerings van Restant van Gedeelte 25 van die plaas Port Beaufort Nr. 484 in 'n onderverdelingsgebied vir Residensiële Sone 1 gedeeltes.
2. Onderverdeling van die onderverdelingsgebied soos volg:
 - (i) Gedeelte A, 0.72ha
 - (ii) Gedeelte B, 1.2ha
 - (iii) Gedeelte C, 0.98ha
 - (iv) Gedeelte D, 1.2ha
 - (v) Gedeelte E, 0.47ha
 - (vi) Gedeelte F, 0.69ha
 - (vii) Gedeelte G, 0.59ha
 - (viii) Gedeelte H, 0.59ha
 - (ix) Restant, 1.34ha

Applikant: Bekker & Houterman Landmeters

Besonderhede rakende die aansoek is ter insae by die kantoor van die ondergetekende sowel as die Witsand Munisipale Kantoor gedurende kantoorure. Enige besware teen die voorgename aansoek moet skriftelik gerig word om die ondergetekende te bereik nie later nie as 8 Augustus 2013.

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

MUNISIPALE BESTUURDER, HESSEQUA MUNISIPALITEIT, POSBUS 29, RIVERSDAL 6670

12 Julie 2013

51171

MOSELBAAI MUNISIPALITEIT

ORDONNANSIE OP GRONDGEBRUIKBEPLANNING, 1985
(ORDONNANSIE NR. 15 VAN 1985)WET OP PLAASLIKE REGERING: MUNISIPALE STELSELS, 2000
(WET 32 VAN 2000)AANSOEK OM ONDERVERDELING: ERF 2417, GROOT-
BRAKRIVIER (GELEË TE SUSAN PARDEWEG, HERSHAM)

Kennis geskied hiermee dat die ondergemelde aansoek ingevolge Artikel 24 van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie Nr. 15 van 1985) deur die Munisipaliteit ontvang is. Besonderhede van die voorstel lê ter insae by die Afdeling Stadsbeplanning, 4de Vloer, Montagu Plek Gebou, Montagustraat, Mosselbaai. Enige besware, met volledige redes daarvoor, moet skriftelik by die Munisipale Bestuurder, Privaatsak X29, Mosselbaai 6500 ingedien word, op of voor Maandag, 12 Augustus 2013, met vermelding van bogenoemde Ordonnansie en beswaarmaker se ernommer. Enige kommentaar of beswaar wat ná 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 Wet op Plaaslike Regering: 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 besware op skrif te stel.

Aansoeker: Studio 19, Posbus 802, GROOT-BRAKRIVIER 6525

Aard van Aansoek: Voorgestelde onderverdeling van Erf 2417, Groot-Brakrivier, groot 1367m² en gesoneer "Residensiële Sone I", in twee gedeeltes, naamlik Gedeelte A = 640m² en Gedeelte B = 727m².

Lêerverwysing: 15/4/34/2

DR M GRATZ, MUNISIPALE BESTUURDER

12 Julie 2013

51173

OVERSTRAND MUNICIPALITY

(NOTICE 42/2013)

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

Notice is hereby given in terms of the provisions 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 first supplementary valuation roll for the financial year 2013/2014, is open for public inspection at the Municipal Head Office, Libraries and its satellite offices, or on the website: www.overstrand.gov.za from 12 July 2013 to 26 July 2013.

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 from the Municipal offices at the following addresses:

Hangklip/Kleinmond:	33 Main Road, Kleinmond	(028) 271-8400
Hermanus:	1 Magnolia Street, Hermanus	(028) 313-8000
Stanford:	15 Queen Victoria Street, Stanford	(028) 341-8500
Gansbaai:	Main Road, Gansbaai	(028) 384-8300

or on the municipal website: www.overstrand.gov.za. The completed forms must be returned to the Municipal Offices or the Municipal Manager, PO Box 20, Hermanus 7200 on or before 26 July 2013.

For enquiries please contact Hanlie Bruwer at telephone number (028) 313-8000 or send an e-mail to enquiries@overstrand.gov.za.

C GROENEWALD, MUNICIPAL MANAGER, PO BOX 20, HERMANUS 720012

12 July 2013

51174

OVERSTRAND MUNISIPALITEIT

(KENNISGEWING 42/2013)

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

Kennis geskied hiermee ingevolge die bepalings van Artikel 49(1)(a)(i) saamgelees met Artikel 78(2) van die Plaaslike Regering: Munisipale Eiendomsbelastingwet, 2004 (Wet Nr. 6 van 2004), hierna verwys as die "Wet", dat die eerste aanvullende waardasielys vir die 2013/2014 finansiële jaar, beskikbaar is vir publieke inspeksie by die Munisipale Hoofkantoor, Biblioteke en sy administrasiekantore asook op die amptelike webtuiste: www.overstrand.gov.za, vanaf 12 Julie 2013 tot 26 Julie 2013.

'n Uitnodiging word hiermee gerig in terme van Artikel 49(1)(a)(ii), saamgelees met Artikel 78(2) van die Wet dat die eenaar van eiendom, of enige ander persoon wat dit verlang, 'n beswaar kan indien by die Munisipale Bestuurder rakende enige aangeleentheid wat vervat word in, of weggelaat is uit, die aanvullende waardasielys binne die bogenoemde tydperk.

Aandag word daarop gevestig dat in terme van Afdeling 50(2) van die Wet, 'n beswaar betrekking tot 'n spesifieke individuele eiendom moet hê, en nie op die aanvullende waardasielys as sodanig nie. Die vorm vir die aantekening van 'n beswaar is beskikbaar by die volgende Munisipale kantore:

Hangklip/Kleinmond:	Hoofstraat 33, Kleinmond	(028) 271-8400
Hermanus:	Magnoliastraat 1, Hermanus	(028) 313-8000
Stanford:	Queen Victoriastraat 15, Stanford	(028) 341-8500
Gansbaai:	Hoofstraat, Gansbaai	(028) 384-8300

asook op die amptelike webtuiste: www.overstrand.gov.za. Voltooides vorms moet op of voor 26 Julie 2013 terugbesorg word aan die munisipale kantore of die Munisipale Bestuurder, Posbus 20, Hermanus, 7200.

Rig u navrae asb aan Hanlie Bruwer by telefoonnommer ((028)) 313-8000 of stuur 'n e-pos aan enquiries@overstrand.gov.za.

C GROENEWALD, MUNISIPALE BESTUURDER, POSBUS 20, HERMANUS 7200

12 Julie 2013

51174

OVERSTRAND UMASIPALA

(ISAZISO 42/2013)

ISAZISO ESIYA KULUNTU SOKUHLOLWA KOXWEBHU OLONGEZELELEKILEYO LOKUHLOLWA KWEXABISO LOMHLABA NOKUFAKWA KWEZIMVO EZICHASENE NAKO

Apha senza isaziso ngokweCandelo 49(1)(a)(i) elinokufundwa lidibene necandelo 78(2) likaRhulumente wezeKhaya: uMthetho WeeRhafu ZoMhlaba kaMasipala, wowama-2004 (uMthetho wesi-6 wowama-2004), ekuza kubhekiselwa kuwo apha nakamva ngokuthi "lo Mthetho", eyesibini sokuba uxwebhu olongezelelekileyo lokuhlolwa kwexabiso lomhlaba lonyaka-mali wama-2013/2014, luvulelekile kuluntu ukuba luhlohle kwi-Ofisi eliKomkhulu likaMasipala nakwii-ofisi ezingaphantsi kwalo kwanakwimizi yogcino-zincwadi, okanye kweli jelo: www.overstrand.gov.za ukususela kumhla 12 July 2013 ukuya kutsho kumhla 26 July 2013.

Kananjalo sikwenza nesimemo ngokwecandelo 49(1)(a)(ii) elinokufundwa lidibene necandelo 78(2) lalo Mthetho sokuba nawuphi na umnini mhlaba okanye omnye umntu onqwenela ukwenjenjalo ufanele afake izimvo zakhe ezichasene noku kuMphathi kaMasipala ngawo nawuphi na umba olapha, okanye ositheleyo, kuxwebhu olongezelelekileyo lokuhlolwa kwexabiso lomhlaba ngeli xesha lichazwe ngasentl' apha.

Sifuna ukutsalela ingqalelo yenu ngokukhethekileyo kwicandelo 50(2) lalo Mthetho elithi izimvo ezingaphesheya kule nto zifanele zityumbe loo mhlaba zingabi zezichasene nje noxwebhu lokuhlolwa kwexabiso lomhlaba. limpepha zokukhalaza ezigqityiweyo mazibuyiselwe kungekafiki usuku lwe 26 July 2013, kwii-ofisi ezikhankanywe ngezantsi onkanye kwi-ofisi kaMphathi kaMasipala, PO Box 20, Hermanus 7200.

Ifomu yokufaka izimvo zakho ezichasene noku ungayifumana kwii-ofisi zikaMasipala kwezi dilesi zilandelayo:

Hangklip/Kleinmond:	33 Main Road, Kleinmond	(028) 271-8400
Hermanus:	1 Magnolia Street, Hermanus	(028) 313-8000
Stanford:	15 Queen Victoria Street, Stanford	(028) 341-8500
Gansbaai:	Main Road, Gansbaai	(028) 384-8300

okanye kweli jelo likaMasipala: www.overstrand.gov.za.

Xa ufuna ukubuza nxibelelana no Hanlie Bruwer kwinombolo yefoni u- ((028)) 313-8000 okanye nge-imeyile enquiries@overstrand.gov.za.

C GROENEWALD, UMphathi KaMasipala, PO Box 20, HERMANUS 7200

12 July 2013

51174

OVERSTRAND MUNICIPALITY

PORTION 79 OF FARM AFDAKSRIVIER NO. 575, CALEDON DISTRICT, OVERSTRAND MUNICIPAL AREA: PROPOSED DEPARTURES: PROVINCIAL GOVERNMENT OF WESTERN CAPE

Notice is hereby given in terms of Section 15 of the Land Use Planning Ordinance, 1985 (Ordinance No. 15 of 1985) that applications have been received for departures from the relevant Scheme Regulations to accommodate borrow pits for excavating material for road maintenance and/or construction.

Kindly note that two applications have been received on this property, which will be dealt with separately, namely KKBP1 and KKBP3.

Full details regarding the proposal are available for inspection at the Department: Town Planning (16 Paterson Street) during normal office hours. Enquiries regarding the matter should be directed to the Town Planner, Mr H Olivier (Tel: (028)) 313-8900/Fax: ((028)) 313-2093). E-mail enquiries: Loretta Page (loretta@overstrand.gov.za).

Any comments on the proposal should be submitted in writing to reach the undersigned by not later than Friday, 23 August 2013. A person who cannot read or write but wishes to comment on the proposal may visit the Department: Town Planning (16 Paterson Street) where a member of staff will assist them to formalize their comment.

Please make reference to the specific application (KKBP1, KKBP3 or both) you comment on.

MUNICIPAL MANAGER, OVERSTRAND MUNICIPALITY, PO BOX 20, HERMANUS 7200

Municipal Notice No. 44/2013

12 July 2013

51176

OVERSTRAND MUNISIPALITEIT

GEDEELTE 79 VAN DIE PLAAS AFDAKSRIVIER NR. 575, DISTRIK CALEDON, OVERSTRAND MUNISIPALE AREA: VOORGESTELDE AFWYKINGS: PROVINSIALE REGERING VAN DIE WES-KAAP

Kennis geskied hiermee ingevolge Artikel 15 van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie Nr. 15 van 1985) dat aansoeke ontvang is vir afwykings van die relevante Skemaregulasies om groefstene vir die ontginning van materiaal vir die onderhoud en/of konstruksie van paaie te akkommodeer.

Neem kennis dat twee aansoeke ontvang is op die een eiendom, namens KKBP1 en KKBP3, wat apart hanteer sal word.

Volle besonderhede rakende die voorstelle is beskikbaar vir inspeksie by die Departement: Stadsbeplanning (Patersonstraat 16) gedurende normale kantoorure. Navrae kan gerig word aan die Stadsbeplanner, mnr H Olivier (Tel: (028)) 313-8900/Faks: (028) 313-2093). E-pos navrae: Loretta Page (loretta@overstrand.gov.za).

Enige kommentaar aangaande die voorstelle moet op skrif gestel word ten einde die ondergetekende te bereik teen nie later nie as Vrydag, 23 Augustus 2013. Persone wat wil kommentaar lewer maar nie kan lees of skryf nie mag die Departement: Stadsbeplanning (Patersonstraat 16) besoek waar hul deur 'n amptenaar bygestaan sal word ten einde hul kommentaar te formaliseer.

Verwys asseblief na die spesifieke aansoek waarop u kommentaar lewer (KKBP1, KKBP3 of beide).

MUNISIPALE BESTUURDER, OVERSTRAND MUNISIPALITEIT, POSBUS 20, HERMANUS 7200

Munisipale Kennisgewingnr. 44/2013

12 Julie 2013

51176

STELLENBOSCH MUNICIPALITY

REZONING, SUBDIVISION AND CONSENT USE:
FARM 1310, STELLENBOSCH
DIVISION

Notice is hereby given in terms of Sections 17 and 24 of the Land Use Planning Ordinance, 1985 (Ordinance No. 15 of 1985) and Regulation 4.7 of the Scheme Regulations promulgated by P.N. 1048/1988, that the undermentioned application has been received and is open to inspection at the Office of the Director: Planning & Economic Development at the Planning Advice Centre, Plein Street, Stellenbosch. (Tel. (021) 808-8606). Enquiries may be directed to Mr Pedro April, PO Box 17, Stellenbosch 7599, Tel. (021) 808-8683 and fax number (021) 808-8651 weekdays during the hours of 08:30 to 15:00. Any objections, with full reasons therefor, may be lodged in writing at the office of the abovementioned Director on or before 12 August 2013 quoting the above relevant legislation and the objector's erf and phone numbers and address. Any objections received after aforementioned closing date may be considered invalid.

This advertisement is also available on the Municipal website <http://www.stellenbosch.gov.za>, on the Planning and Development page.

Applicant: TV3 Architects & Town Planners

Farm number(s): Farm 1310, Stellenbosch Division

Locality/Address: Farm 1310 on the R44 at the entrance to Techno Park, Stellenbosch

Nature of application:

- The proposed rezoning of Farm 1310, Stellenbosch Division, from Agricultural Zone I to Subdivisional Area with the zonings of Residential Zone II and Open Space Zone II (Private Open Space);
- A proposed consent use to establish a retirement village on Farm 1310, Stellenbosch Division;
- The subdivision of Farm 1310, Stellenbosch Division, into 59 portions, namely:
 - 50 Residential Zone II erven (Retirement Village: Houses);
 - 1 Open Space Zone II erf (Private Road);
 - 2 Open Space Zone II erven (Private Open Space);
 - 1 Residential Zone II erf (Retirement Village: 48 Assisted living units);
 - 1 Residential Zone II erf (Retirement Village: 50 Assisted living units and 50 Frail-care Centre units);
 - 1 Residential Zone II erf (Retirement Village: 32 Apartments);
 - 1 Residential Zone II erf (Retirement Village: 24 Row Houses);
 - 1 Residential Zone II erf (Retirement Village: Clubhouse, Vitality and 5 Apartments); and
 - 1 Residential Zone II erf (Retirement Village: 10 Luxury Units and Private Open Space); and
- An application for Council's permission to construct a public road on Farm 1280, Stellenbosch Division, in order to provide access to the proposed development.

MUNICIPAL MANAGER

Notice No. P17/13

12 July 2013

51177

MUNISIPALITEIT STELLENBOSCH

HERSONERING, ONDERVERDELING EN
VERGUNNINGSGEBRUIK: PLAAS 1310, AFDELING
STELLENBOSCH

Kennis geskied hiermee ingevolge Artikels 17 en 24 van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie Nr. 15 van 1985) en Regulasie 4.7 afgekondig by P.K. 1048/1988, dat die onderstaande aansoek ontvang is en by die Kantoor van die Direkteur: Beplanning & Ekonomiese Ontwikkeling by die Advieskantoor (Tel. (021) 808-8606) in Pleinstraat, Stellenbosch ter insae lê. Navrae kan aan mnr Pedro April by Posbus 17, Stellenbosch 7599, Tel. (021) 808-8683 en Faksnr. (021) 808-8651 weksdae gedurende 08:30 tot 15:00 gerig word. Besware, met volledige redes daarvoor, mag skriftelik by die kantoor van die bogenoemde Direkteur, op of voor 12 Augustus 2013 ingedien word, met vermelding van die relevante wetgewing, die beswaarmaker se erf- en telefoonnommer sowel as adres. Enige besware ontvang ná voormelde sluitingsdatum ontvang word, mag as ongeldig geag word.

Hierdie kennisgewing is ook beskikbaar op die Munisipale webtuiste <http://www.stellenbosch.gov.za>, op die Beplanning en Ontwikkelingsblad.

Applikant: TV3 Argitekte & Stadsbeplanners

Plaasnommer(s): Plaas 1310, Afdeling Stellenbosch

Ligging/Adres: Plaas 1310 aanliggend tot die R44 en aangrensend aan die ingang na Tegnopark, Stellenbosch

Aard van aansoek:

- Die voorgestelde hersonering van Plaas 1310, Afdeling Stellenbosch, vanaf Landbousone I na Onderverdelingsgebied met die sonerings van Residensiële Sone II en Oopruimte Sone II (Privaat Oopruimte);
- Die voorgestelde vergunningsgebruik ten einde 'n aftreeoord op Plaas 1310, Afdeling Stellenbosch te vestig;
- Die onderverdeling van Plaas 1310, Afdeling Stellenbosch, in 59 gedeeltes, naamlik:
 - 50 Residensiële Sone II erwe (Aftreeoord: Huise);
 - 1 Oopruimte Sone II erf (Privaat Pad);
 - 2 Oopruimte Sone II erwe (Privaat Oopruimte);
 - 1 Residensiële Sone II erf (Aftreeoord: 48 Hulpverleningswooneenhede);
 - 1 Residensiële Sone II erf (Aftreeoord: 50 Hulpverleningswooneenhede en 50 Verswakte Versorgingsentrum eenhede);
 - 1 Residensiële Sone II erf (Aftreeoord: 32 Woonstelle);
 - 1 Residensiële Sone II erf (Aftreeoord: 24 Ry huise);
 - 1 Residensiële Sone II erf (Aftreeoord: Klubbuis, "Vitality" en 5 woonstelle); en
 - 1 Residensiële Sone II erf (Aftreeoord: 10 Luukse eenhede en Privaat Oopruimte); en
- 'n Aansoek om goedkeuring van die Raad vir die bou van 'n publieke pad op Plaas 1280, Afdeling Stellenbosch, ten einde toegang tot die voorgestelde ontwikkeling te verleen.

MUNISIPALE BESTUURDER

Kennisgewingnr. P17/13

12 Julie 2013

51177

STELLENBOSCH MUNICIPALITY

APPLICATIONS IN TERMS OF THE REMOVAL OF RESTRICTIONS ACT, 1967 (ACT 84 OF 1967) AND THE LAND USE PLANNING ORDINANCE, 1985 (ORDINANCE 15 OF 1985): ERF 161, STELLENBOSCH

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 Chief Town Planner, Department of Planning and Economic Development, Town Hall, Plein Street, Stellenbosch from 8:30-15:00 (Monday to Friday). Telephonic enquiries may be directed to Louisa Olyyn at (021) 808-8672 or (021) 808-8606. The application is also open to inspection at the Office of the Director: Land Management, Provincial Government of the Western Cape, at Room 204, 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) 483-8105 and the Directorate's fax number is (021) 483-3633. Any objections, with full reasons therefor, should be lodged in writing at the office of the abovementioned Director: Integrated Environmental Management, Provincial Government, Private Bag X9086, Cape Town 8000, with a copy to the Chief Town Planner, PO Box 17, Stellenbosch 7599, on or before 5 August 2013 quoting the above Act and the objector's erf number. Any comments received after the aforementioned closing date may be disregarded.

Applicant: ahG Property Town Planning

Nature of Application: Removal of restrictive title conditions applicable to erf 161, 2 Dennesig Street, Stellenbosch, to enable the owner to erect a block of flats.

Notice is also hereby given in terms of Sections 15 and 17 of the Land Use Planning Ordinance, 1985 (Ordinance No. 15 of 1985), that the undermentioned application have simultaneously been received and are open to inspection at the Advice Office (Tel. (021) 808-8606) of the Director: Planning and Economic Development. Enquiries can be directed to Louisa Olyyn, PO Box 17, Stellenbosch 7599, or at (021) 808-8672 and fax number (021) 808-8651 weekdays during the hours 08:30 to 15:00. Any objections, with full reasons therefor, may be lodged in writing at the office of the abovementioned Director on or before 5 August 2013 quoting the above relevant legislation and the objector's erf number and phone number and address. Any objections received after the aforementioned closing date may be disregarded.

Property: Erf 161, 2 Dennesig Street, Stellenbosch

Applicant: ahG Property Town Planning

Nature of Application:

1. Application for the rezoning of erf 161, Stellenbosch, from Single Residential to General Residential;
2. Application for a departure to relax the following building lines:
 - Street building line (Adam Tas Street) from 7.6m to 0m;
 - Street building line (Dennesig Street) from 7.6m to 2.5m;
 - The common building line (adjacent to erf 139) from 4.6m to 0m; and
 - The common building line (adjacent to erf 162) from 4.6m to 0m for purposes of a basement;
3. Application for a departure to relax the following building lines:
 - Street building line (Dennesig Street) from 7.6m to 0m; and
 - The common building line (adjacent to erf 162) from 4.6m to 0m for purposes of a refuse room;
4. A departure to relax the common building line (adjacent to erf 162) from 4.6m to 3.4m for purposes of balconies; and
5. A departure to exceed the permissible bulk of 0.5 to 0.625.

This advertisement is also available on the Municipal website <http://www.stellenbosch.gov.za>, on the Planning and Development page.

MUNICIPAL MANAGER

Notice No. P16/13 dated 2013-06-27.

12 July 2013

51178

MUNISIPALITEIT STELLENBOSCH

AANSOEKE INGEVOLGE DIE WET OP OPHEFFING VAN BEPERKINGS, 1967 (WET 84 VAN 1967), EN DIE ORDONNANSIE OP GRONDGEBRUIKBEPLANNING 1985 (ORDONNANSIE 15 VAN 1985): ERF 161, STELLENBOSCH

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 Hoof Stadsbeplanner, Departement Beplanning en Ekonomiese Ontwikkeling, Stadhuis, Pleinstraat, Stellenbosch, vanaf 08:30-15:00 (Maandag tot Vrydag). Telefoniese navrae kan gerig word aan Louisa Ollyn by (021) 808-8672 of (021) 808-8606. Die aansoek lê ook ter insae by die Kantoor van die Direkteur: Omgewingsbestuur, Provinsiale Regering van die Wes-Kaap, by Kamer 204, 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) 483-8105 en die Direktoraat se faksnommer is (021) 483-3633. Enige besware, met die volledige redes daarvoor, moet skriftelik by die Kantoor van bogenoemde Direkteur: Geïntegreerde Omgewingsbestuur, Provinsiale Regering, Privaatsak X9086, Kaapstad 8000, met 'n afskrif aan die Hoof Stadsbeplanner, Posbus 17, Stellenbosch 7599, ingedien word op of voor 5 Augustus 2013 met vermelding van bogenoemde Wet en beswaarmaker se erfnummer. Enige kommentaar wat ná die voormelde sluitingsdatum ontvang word, mag moontlik nie in ag geneem word nie.

Aansoeker: ahG Property Town Planning

Aard van Aansoek: Opheffing van beperkende titelvoorwaardes van toepassing op erf 161, Dennesigstraat 2, Stellenbosch, ten einde die eienaar in staat te stel om 'n woonstelblok op te rig.

Kennis geskied ook hiermee ingevolge Artikels 15 en 17 van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie Nr. 15 van 1985), dat die onderstaande aansoek terselfdertyd ontvang is en by die Advieskantoor (Tel. (021) 808-8606) van die Direkteur: Beplanning en Ekonomiese Ontwikkeling in Pleinstraat, Stellenbosch, ter insae lê. Navrae kan aan Louisa Ollyn, Posbus 17, Stellenbosch 7599, of by (021) 808-8672 en faksnommer (021) 808-8651 weksdae gedurende 08:30 tot 15:00 gerig word. Besware, met volledige redes daarvoor, mag skriftelik by die kantoor van bogenoemde Direkteur, op of voor 5 Augustus 2013, ingedien word, met vermelding van die relevante wetgewing, die beswaarmaker se erf- en telefoonnommer, sowel as adres. Enige kommentaar wat ná die voormelde sluitingsdatum ontvang word, mag moontlik nie in ag geneem word nie.

Eiendom: Erf 161, Dennesigstraat 2, Stellenbosch

Aansoeker: ahG Property Town Planning

Aard van aansoek:

1. Aansoek vir die hersonering van erf 161, Stellenbosch, vanaf Enkelbewoning na Algemene Bewoning;
2. Aansoek om 'n afwyking ten einde die volgende boulyne te verslap:
 - Straatboulyn (Adam Tasstraat) vanaf 7.6m na 0m;
 - Straatboulyn (Dennesigstraat) vanaf 7.6m tot 2.5m;
 - Die gemeenskaplike boulyn (aangrensend tot erf 139) vanaf 4.6m tot 0m; en
 - Die gemeenskaplike boulyn (aangrensend tot erf 162) vanaf 4.6m tot 0m vir doeleindes van 'n kelderverdieping;
3. Aansoek om 'n afwyking ten einde die volgende boulyne te verslap:
 - Straatboulyn (Dennesigstraat) vanaf 7.6m tot 0m; en
 - Die gemeenskaplike boulyn (aangrensend tot erf 162) vanaf 4.6m tot 0m vir doeleindes van 'n vulliskamer;
4. 'n Afwyking vir die verslapping van die gemeenskaplike boulyn (aangrensend tot erf 162) vanaf 4.6m tot 3.4m vir doeleindes van balkon; en
5. 'n Afwyking ten einde die toelaatbare vloerfaktor vanaf 0.5 tot 0.625 te oorskry.

Hierdie kennisgewing is ook beskikbaar op die Munisipale webtuiste <http://www.stellenbosch.gov.za>, op die Beplanning en Ontwikkelingsblad.

MUNISIPALE BESTUURDER

Kennisgewingnr. P16/13 gedateer 2013-06-27.

SWARTLAND MUNICIPALITY

NOTICE 135/2012/2013

PROPOSED DEPARTURE ON A PORTION OF ERF 1176,
YZERFONTEIN

Notice is hereby given in terms of Section 15(1)(a)(ii) of Ordinance 15 of 1985 that an application has been received for a departure on a portion of erf 1176 ($\pm 190\text{m}^2$ in extent), situated in Luthie Katz Road, Yzerfontein in order to operate an entertainment facility for weddings, parties and photo shoots.

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 12 August 2013 at 17:00.

JJ SCHOLTZ, MUNICIPAL MANAGER, MUNICIPAL OFFICE,
PRIVATE BAG X52, MALMESBURY 7299

12 July 2013

51179

SWARTLAND MUNICIPALITY

NOTICE 136/2012/2013

PROPOSED DEPARTURE ON A PORTION OF ERF 1179,
YZERFONTEIN

Notice is hereby given in terms of Section 15(1)(a)(ii) of Ordinance No. 15 of 1985 that an application has been received for a departure on a portion of erf 1179 ($\pm 190\text{m}^2$ in extent), situated in Luthie Katz Road, Yzerfontein in order to operate an entertainment facility for weddings.

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 12 August 2013 at 17:00.

JJ SCHOLTZ, MUNICIPAL MANAGER, MUNICIPAL OFFICE,
PRIVATE BAG X52, MALMESBURY 7299

12 July 2013

51180

SWARTLAND MUNICIPALITY

NOTICE 137/2012/2013

PROPOSED REZONING OF PORTION 3 OF FARM DIEPKLOOF
NO. 599, DIVISION MALMESBURY

Notice is hereby given in terms of Section 17(1) of Ordinance No. 15 of 1985 that an application has been received for the rezoning of a portion of portion 3 of farm Diepkloof No. 599 ($\pm 8.31\text{ha}$ in extent), Division Malmesbury situated $\pm 12\text{km}$ north of Malmesbury from transport zone I to open space zone II in order to conduct a skydiving operation.

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 12 August 2013 at 17:00.

JJ SCHOLTZ, MUNICIPAL MANAGER, MUNICIPAL OFFICE,
PRIVATE BAG X52, MALMESBURY 7299

12 July 2013

51181

SWARTLAND MUNISIPALITEIT

KENNISGEWING 135/2012/2013

VOORGESTELDE AFWYKING OP GEDEELTE VAN ERF 1176,
YZERFONTEIN

Kennis geskied hiermee ingevolge Artikel 15(1)(a)(ii) van Ordonnansie Nr. 15 van 1985 dat 'n aansoek ontvang is vir 'n afwyking op 'n gedeelte van erf 1176 (groot $\pm 190\text{m}^2$), geleë te Luthie Katweg, Yzerfontein ten einde 'n onthaalfasiliteit vir troues, partytjies en fotosessies te bedryf.

Verdere besonderhede is gedurende gewone kantoorure (weekdae) by die 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 12 Augustus 2013 om 17:00.

JJ SCHOLTZ, MUNISIPALE BESTUURDER, MUNISIPALE
KANTORE, PRIVAATSAK X52, MALMESBURY 7299

12 Julie 2013

51179

SWARTLAND MUNISIPALITEIT

KENNISGEWING 136/2012/2013

VOORGESTELDE AFWYKING OP GEDEELTE VAN ERF 1179,
YZERFONTEIN

Kennis geskied hiermee ingevolge Artikel 15(1)(a)(ii) van Ordonnansie Nr. 15 van 1985 dat 'n aansoek ontvang is vir 'n afwyking op 'n gedeelte van erf 1179 (groot $\pm 190\text{m}^2$), geleë te Luthie Katweg, Yzerfontein ten einde 'n onthaalfasiliteit vir troues te bedryf.

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 12 Augustus 2013 om 17:00.

JJ SCHOLTZ, MUNISIPALE BESTUURDER, MUNISIPALE
KANTORE, PRIVAATSAK X52, MALMESBURY 7299

12 Julie 2013

51180

SWARTLAND MUNISIPALITEIT

KENNISGEWING 137/2012/2013

VOORGESTELDE HERSONERING VAN GEDEELTE 3 VAN
PLAAS DIEPKLOOF NR. 599, AFDELING MALMESBURY

Kennis geskied hiermee ingevolge Artikel 17(1) van Ordonnansie 15 van 1985 dat 'n aansoek ontvang is vir die hersonering van 'n gedeelte van gedeelte 3 van plaas Diepkloof Nr. 599 (groot $\pm 8.31\text{ha}$), geleë $\pm 12\text{km}$ noord van Malmesbury vanaf vervoersone I na oopruimtesone II ten einde 'n valskermsprong operasie te bedryf.

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 12 Augustus 2013 om 17:00.

JJ SCHOLTZ, MUNISIPALE BESTUURDER, MUNISIPALE
KANTOOR, PRIVAATSAK X52, MALMESBURY 7299

12 Julie 2013

51181

SWARTLAND MUNICIPALITY

NOTICE 139/2012/2013

PROPOSED SUBDIVISION, CONSENT USE AND DEPARTURE
ON ERF 1369, RIEBEEK KASTEEL

Notice is hereby given in terms of section 24(1) of Ordinance No. 15 of 1985 that an application has been received for the subdivision of erf 1369 (1417m² in extent), situated in Roos Street, Riebeeck Kasteel into a Remainder ($\pm 733\text{m}^2$ in extent) and Portion A ($\pm 684\text{m}^2$ in extent).

Application is also made in terms of paragraph 4.7 of the Section 8 Zoning Scheme Regulations of Ordinance No. 15 of 1985 for a consent use in order to establish an additional dwelling unit on the newly created remainder.

Further application is made in terms of Section 15(1)(a)(i) of Ordinance No. 15 of 1985 in order to depart from the 2m side building line to 0m to accommodate the dwelling house.

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 12 August 2013 at 17:00.

JJ SCHOLTZ, MUNICIPAL MANAGER, MUNICIPAL OFFICE,
PRIVATE BAG X52, MALMESBURY 7299

12 July 2013

51182

SWARTLAND MUNICIPALITY

NOTICE 138/2012/2013

PROPOSED REZONING OF ERF 3349,
DARLING

Notice is hereby given in terms of Section 17(1) of Ordinance No. 15 of 1985 that an application has been received for the rezoning of erf 3349 ($\pm 260\text{m}^2$ in extent), situated in Keurboom Avenue, Darling from residential zone I to business zone II in order to operate a shop.

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 12 August 2013 at 17:00.

JJ SCHOLTZ, MUNICIPAL MANAGER, MUNICIPAL OFFICE,
PRIVATE BAG X52, MALMESBURY 7299

12 July 2013

51183

SWARTLAND MUNICIPALITY

NOTICE 134/2012/2013

PROPOSED DEPARTURE ON A PORTION OF ERF 1177,
YZERFONTEIN

Notice is hereby given in terms of Section 15(1)(a)(ii) of Ordinance No. 15 of 1985 that an application has been received for a departure on a portion of erf 1177 ($\pm 180\text{m}^2$ in extent), situated in Luthie Katz Road, Yzerfontein in order to operate an entertainment facility for weddings, parties and photo shoots.

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 12 August 2013 at 17:00.

JJ SCHOLTZ, MUNICIPAL MANAGER, MUNICIPAL OFFICE,
PRIVATE BAG X52, MALMESBURY 7299

12 July 2013

51184

MUNISIPALITEIT SWARTLAND

KENNISGEWING 139/2012/2013

VOORGESTELDE ONDERVERDELING,
VERGUNNINGSGEBRUIK EN AFWYKING VAN ERF 1369,
RIEBEEK KASTEEL

Kennis geskied hiermee ingevolge Artikel 24(1) van Ordonnansie Nr. 15 van 1985 dat 'n aansoek ontvang is vir die onderverdeling van erf 1369 (groot 1417m²), geleë te Roosstraat, Riebeeck Kasteel in 'n Restant (groot $\pm 733\text{m}^2$) en Gedeelte A (groot $\pm 684\text{m}^2$).

Aansoek word ook ingevolge paragraaf 4.7 van die Artikel 8 Soneringskemaregulasies van Ordonnansie Nr. 15 van 1985 gedoen vir 'n vergunningsgebruik ten einde 'n addisionele wooneenheid op die nuutgeskepte restant te vestig.

Verder word aansoek gedoen vir 'n afwyking ingevolge Artikel 15(1)(a)(i) van Ordonnansie Nr. 15 van 1985 ten einde af te wyk van die 2m syboullyn na 0m ten einde die woongebou te akkommodeer.

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 12 Augustus 2013 om 17:00.

JJ SCHOLTZ, MUNISIPALE BESTUURDER, MUNISIPALE
KANTORE, PRIVAATSAK X52, MALMESBURY 7299

12 Julie 2013

51182

SWARTLAND MUNISIPALITEIT

KENNISGEWING 138/2012/2013

VOORGESTELDE HERSONERING VAN ERF 3349,
DARLING

Kennis geskied hiermee ingevolge Artikel 17(1) van Ordonnansie Nr. 15 van 1985 dat 'n aansoek ontvang is vir die hersonering van erf 3349, Darling (groot $\pm 260\text{m}^2$), geleë in Keurboomlaan, Darling vanaf residensiële sone I na sakesone II ten einde 'n winkel te bedryf.

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 12 Augustus 2013 om 17:00.

JJ SCHOLTZ, MUNISIPALE BESTUURDER, MUNISIPALE
KANTOOR, PRIVAATSAK X52, MALMESBURY 7299

12 Julie 2013

51183

SWARTLAND MUNISIPALITEIT

KENNISGEWING 134/2012/2013

VOORGESTELDE AFWYKING OP GEDEELTE VAN ERF 1177,
YZERFONTEIN

Kennis geskied hiermee ingevolge Artikel 15(1)(a)(ii) van Ordonnansie Nr. 15 van 1985 dat 'n aansoek ontvang is vir 'n afwyking op 'n gedeelte van erf 1177 (groot $\pm 180\text{m}^2$), geleë te Luthie Katweg, Yzerfontein ten einde 'n onthaalfasiliteit vir troues, partytjies en fotosessies te bedryf.

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 12 Augustus 2013 om 17:00.

JJ SCHOLTZ, MUNISIPALE BESTUURDER, MUNISIPALE
KANTORE, PRIVAATSAK X52, MALMESBURY 7299

12 Julie 2013

51184

SWELLENDAM MUNICIPALITY

APPLICATION FOR DEPARTURE: ERF 6289,
SWELLENDAM

Notice is hereby given in terms of the Land Use Planning Ordinance, 1985 (Ordinance No. 15 of 1985) that Council has received an application from Silbester Investment CC on behalf of Phillip Richard Durnford for a departure on Erf 6289, Swellendam in order to build a 2nd/additional dwelling on the property.

Further particulars regarding the proposal are available for inspection at the Municipal Office, Swellendam during office hours. Objections to the proposal, if any, must reach the undermentioned on or before 12 August 2013. Persons who are unable to read and write will be assisted during office hours, at the Municipal office, Swellendam, to write down their objections.

C AFRICA, ACTING MUNICIPAL MANAGER, MUNICIPAL OFFICE, SWELLENDAM

Notice: S39/2013

12 July 2013

51185

SWELLENDAM MUNICIPALITY

APPLICATION FOR SUBDIVISION OF THE REMAINDER OF
PORTION 2 (PORTION OF PORTION 1) OF THE FARM
HET GOED GELOOF NO. 70, SWELLENDAM

Notice is hereby given in terms of the Land Use Planning Ordinance, 1985 (Ordinance No. 15 of 1985) that Council has received an application from Umsiza Planning on behalf of Het Goedgeloof Trust for the subdivision of the Remainder of Portion 2 (Portion of Portion 1) of the farm Het Goed Geloof No. 70, Swellendam into Portion A (107.2ha) and Remainder (157.34ha).

Further particulars regarding the proposal are available for inspection at the Municipal Office, Swellendam during office hours. Objections to the proposal, if any, must reach the undermentioned on or before 12 August 2013.

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

C AFRICA, ACTING MUNICIPAL MANAGER, MUNICIPAL OFFICE, SWELLENDAM

Notice: S40/2013

12 July 2013

51186

THEEWATERSKLOOF MUNICIPALITY

APPLICATION FOR CONSENT USE ON ERF 2172,
VILLIERSDORP

Notice is hereby given in terms of Section 5.1.1(b) of the Theewaterskloof Municipality Integrated Zoning Scheme Regulations P.N. 120/2011, that an application for consent use, applicable to Single Residential Zone 1, on erf 2172, Villiersdorp, has been submitted by NS Kwesha to the Theewaterskloof Municipality.

Nature of the application: The application comprises the proposed operation of a house tavern on the erf.

Further particulars regarding the proposal are available for inspection at the Municipal Offices, Villiersdorp from 9 July 2013 to 20 August 2013. Objections to the proposal, if any, must be in writing and reach the undermentioned on or before 20 August 2013. Persons who are unable to write will be assisted, during office hours, at the Municipal office in Caledon, to write down their objections.

S WALLACE, MUNICIPAL MANAGER, MUNICIPAL OFFICE, PO BOX 24, CALEDON 7230

Reference No. V/2172

Notice No. KOR 50/2013

12 July 2013

51187

SWELLENDAM MUNISIPALITEIT

AANSOEK OM AFWYKING: ERF 6289,
SWELLENDAM

Kennis geskied hiermee in terme van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie Nr. 15 van 1985) dat die Raad 'n aansoek ontvang het van Silbester Investment CC namens Phillip Richard Durnford vir 'n afwyking op Erf 6289, Swellendam ten einde 'n 2de/addisionele wooneenheid op die eiendom op te rig.

Verdere besonderhede van die voorstel lê gedurende kantoorure by die Swellendam Munisipale Kantoor ter insae. Skriftelike besware teen die voorstel indien enige, moet die ondergemelde bereik voor of op 12 Augustus 2013. Persone wat nie kan lees en skryf nie, sal gedurende kantoorure by die Munisipale Kantoor, Swellendam gehelp word om hul besware neer te skryf.

C AFRICA, WAARNEMENDE MUNISIPALE BESTUURDER, MUNISIPALE KANTOOR, SWELLENDAM

Kennisgewing: S39/2013

12 Julie 2013

51185

SWELLENDAM MUNISIPALITEIT

AANSOEK OM ONDERVERDELING VAN RESTANT VAN
GEDEELTE 2 (GEDEELTE VAN GEDEELTE 1) VAN DIE PLAAS
HET GOED GELOOF NR. 70, SWELLENDAM

Kennis geskied hiermee in terme van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie Nr. 15 van 1985) dat die Raad 'n aansoek ontvang het van Umsiza Planning namens Het Goedgeloof Trust vir die onderverdeling van Gedeelte 2 (Gedeelte van Gedeelte 1) van die plaas Het Goed Geloof Nr. 70, Swellendam in Gedeelte A (107.2ha) en Restant (157.34ha).

Verdere besonderhede van die voorstel lê gedurende kantoorure by die Swellendam Munisipale Kantoor ter insae. Skriftelike besware teen die voorstel, indien enige, moet die ondergemelde bereik voor of op 12 Augustus 2013.

Persone wat nie kan lees en skryf nie, sal gedurende kantoorure by die Munisipale Kantoor, Swellendam gehelp word om hul besware neer te skryf.

C AFRICA, WAARNEMENDE MUNISIPALE BESTUURDER, MUNISIPALE KANTOOR, SWELLENDAM

Kennisgewing: S40/2013

12 Julie 2013

51186

THEEWATERSKLOOF MUNISIPALITEIT

AANSOEK OM VERGUNNINGSGEBRUIK OP ERF 2172,
VILLIERSDORP

Kennis geskied hiermee in terme van Artikel 5.1.1(b) van die Theewaterskloof Munisipaliteit Geïntegreerde Soneringskerna P.K. 120/2011, dat 'n aansoek om vergunningsgebruik, van toepassing op Enkelwoningone 1, op erf 2172, Villiersdorp, ingedien is by die Theewaterskloof Munisipaliteit deur NS Kwesha.

Aard van die aansoek: Die aansoek behels die voorgenome bedryf van 'n huistaverne op die erf.

Verdere besonderhede van die voorstel lê ter insae by die Villiersdorp Munisipale Kantoor vanaf 9 Julie 2013 tot 20 Augustus 2013. Skriftelike besware teen die voorstel, indien enige, moet die ondergemelde bereik voor of op 20 Augustus 2013. Persone wat nie kan skryf nie, sal gedurende kantoorure by die Munisipale Kantoor, Caledon gehelp word om hul besware neer te skryf.

S WALLACE, MUNISIPALE BESTUURDER, MUNISIPALE KANTOOR, POSBUS 24, CALEDON 7230

Verwysingsnr. V/2172

Kennisgewingnr. KOR 50/2013

12 Julie 2013

51187

THEEWATERSKLOOF MUNICIPALITY

APPLICATION FOR CONSENT USE ON ERF 2832,
GRABOUW

Notice is hereby given in terms of Section 12.4.1(b) of the Theewaterskloof Municipality Integrated Zoning Scheme Regulations P.N. 120/2011, that an application for consent use, applicable to Open Space Zone 1, on erf 2832, Grabouw, has been submitted to the Theewaterskloof Municipality by Pastor Allen Inyinbor on behalf of Glad Tidings Assembly.

Nature of the application: The application comprises the proposed establishment of a multipurpose centre on the erf.

Further particulars regarding the proposal are available for inspection at the Municipal Offices, Grabouw from 9 July 2013 to 20 August 2013. Objections to the proposal, if any, must be in writing and reach the undermentioned on or before 20 August 2013. Persons who are unable to write will be assisted, during office hours, at the Municipal office in Caledon, to write down their objections.

S WALLACE, MUNICIPAL MANAGER, MUNICIPAL OFFICE, PO BOX 24, CALEDON 7230

Reference No. G/2832

Notice No. KOR 49/2013

12 July 2013

51188

THEEWATERSKLOOF MUNISIPALITEIT

AANSOEK OM VERGUNNINGSGEBRUIK OP ERF 2832,
GRABOUW

Kennis geskied hiermee in terme van Artikel 12.4.1(b) van die Theewaterskloof Munisipaliteit Geïntegreerde Soneringskema P.K. 120/2011, dat 'n aansoek om vergunningsgebruik, van toepassing op Oopruimtesone 1, op erf 2832, Grabouw, ingedien is by die Theewaterskloof Munisipaliteit deur Pastoor Allen Inyinbor namens Glad Tidings Assembly.

Aard van die aansoek: Die aansoek behels die voorgename oprigting van 'n veeldoelige sentrum op die erf.

Verdere besonderhede van die voorstel lê ter insae by die Grabouw Munisipale Kantoor vanaf 9 Julie 2013 tot 20 Augustus 2013. Skriftelike besware teen die voorstel, indien enige, moet die ondergemelde bereik voor of op 20 Augustus 2013. Persone wat nie kan skryf nie, sal gedurende kantoorure by die Munisipale kantoor, Caledon gehelp word om hul besware neer te skryf.

S WALLACE, MUNISIPALE BESTUURDER, MUNISIPALE KANTOOR, POSBUS 24, CALEDON 7230

Verwysingsnr. G/2832

Kennisgewingnr. KOR 49/2013

12 Julie 2013

51188

THEEWATERSKLOOF MUNICIPALITY

APPLICATION FOR SUBDIVISION AND CONSOLIDATION OF
PORTION 79 OF THE FARM KROM RIVIER NO. 317, CALEDON
DISTRICT

Notice is hereby given that an application by BCD Town and Regional Planners on behalf of Golden Pond Trading 184 (Pty) Ltd for subdivision in terms of Section 24 and rezoning in terms of Section 17 of the Land Use Planning Ordinance, 1985 (Ordinance No. 15 of 1985) and closure in terms of the Municipal Ordinance (Ordinance No. 20 of 1974) of erf 5442, Grabouw, has been submitted to the Theewaterskloof Municipality for:

- the subdivision in terms of Section 24 of the Land Use Planning Ordinance, 1985 (Ordinance No. 15 of 1985) of Portion 79 of the Farm Krom Rivier No. 317, Caledon District into two Portions, namely Portion A (± 4.0005 ha), Portion B (± 44.386 ha) and the Remainder (± 63.614 ha); and
- the Consolidation of Portion A with Portion 46 of the Farm Krom Rivier No. 317, Caledon District.

Applicant: BCD Town Planners, PO Box 11333, Bloubergrant 7443

Further particulars regarding the proposal are available for inspection at the Municipal Office, Caledon from 9 July 2013 to 20 August 2013. Objections to the proposal, if any, must be in writing and reach the undermentioned on or before 20 August 2013. Persons who are unable to write will be assisted, during office hours, at the Municipal Office in Caledon, to write down their objections.

S WALLACE, MUNICIPAL MANAGER, MUNICIPAL OFFICE, PO BOX 24, CALEDON 7230

Ref. No. L/475

Notice No. KOR 47/2013

12 July 2013

51189

THEEWATERSKLOOF MUNISIPALITEIT

AANSOEK OM ONDERVERDELING EN KONSOLIDASIE:
GEDEELTE 79 VAN DIE PLAAS KROM RIVIER NR. 317,
CALEDON DISTRIK

Kennis geskied hiermee dat 'n aansoek van BCD Stads- en Streekbeplanners namens Golden Pond Trading 184 (Pty) Ltd vir onderverdeling ingevolge Artikel 24 en hersonering ingevolge Artikel 17 van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie Nr. 15 van 1985) en sluiting ingevolge die Munisipale Ordonnansie (Ordonnansie Nr. 20 van 1974) van erf 5442, Grabouw, ingedien is by die Theewaterskloof Munisipaliteit vir:

- Die Onderverdeling in terme van Artikel 24 van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie Nr. 15 van 1985) van Gedeelte 79 van die Plaas Krom Rivier Nr. 317, in twee gedeeltes, naamlik Gedeelte A (± 4.0005 ha), Gedeelte B (± 77.386 ha) en die Restant (± 63.614 ha); en
- Die konsolidasie van Gedeelte A met Gedeelte 46 van die Plaas Krom Rivier Nr. 317, Caledon Distrik.

Aansoeker: BCD Stadsbeplanners, Posbus 11333, Bloubergrant 7443

Verdere besonderhede van die aansoek lê ter insae by die Caledon Munisipale Kantoor vanaf 9 Julie 2013 tot 20 Augustus 2013. Skriftelike besware teen die voorstel, indien enige, moet die ondergemelde bereik voor of op 20 Augustus 2013. Persone wat nie kan skryf nie, sal gedurende kantoorure by die Munisipale Kantoor, Caledon gehelp word om hul besware neer te skryf.

S WALLACE, MUNISIPALE BESTUURDER, MUNISIPALE KANTOOR, POSBUS 24, CALEDON 7230

Verwysingsnr. L/475

Kennisgewingnr. KOR 47/2013

12 Julie 2013

51189

THEEWATERSKLOOF MUNICIPALITY

APPLICATION FOR DEPARTURE ON PORTION 1 OF THE FARM DUNGHYE PARK NO. 528, CALEDON DISTRICT

Notice is hereby given in terms of Section 15(1)(a)(ii) of the Land Use Planning Ordinance, 1985 (Ordinance No. 15 of 1985) that an application for departure from the Theewaterskloof Municipality Integrated Zoning Scheme Regulations P.N. 120/2011 on Portion 1 of the Farm Dughye Park No. 528 has been submitted to the Theewaterskloof Municipality.

Applicant: Rode & Associates (Pty) Ltd

Nature of the application: The application comprises a departure to enable the Department of Transport and Public Works of the Provincial Government Western Cape to open a borrow pit for the mining of gravel on the property.

Further particulars regarding the proposal are available for inspection at the Municipal Offices, Caledon from 9 July 2013 to 20 August 2013. Objections to the proposal, if any, must be in writing and reach the undermentioned on or before 20 August 2013. Persons who are unable to write will be assisted, during office hours, at the Municipal office in Caledon, to write down their objections.

S WALLACE, MUNICIPAL MANAGER, MUNICIPAL OFFICE, PO BOX 24, CALEDON 7230

Reference No. L/470

Notice No. KOR 45/2013

12 July 2013

51190

THEEWATERSKLOOF MUNICIPALITY

APPLICATION FOR DEPARTURE ON PORTION 1 OF THE FARM NO. 125, CALEDON DISTRICT

Notice is hereby given in terms of Section 15(1)(a)(ii) of the Land Use Planning Ordinance, 1985 (Ordinance No. 15 of 1985) that an application for departure from the Theewaterskloof Municipality Integrated Zoning Scheme Regulations P.N. 120/2011 on Portion 1 of the Farm No. 125 has been submitted to the Theewaterskloof Municipality.

Applicant: Rode & Associates (Pty) Ltd

Nature of the application: The application comprises a departure to enable the Department of Transport and Public Works of the Provincial Government Western Cape to open a borrow pit for the mining of gravel on the property.

Further particulars regarding the proposal are available for inspection at the Municipal Offices, Caledon from 9 July 2013 to 20 August 2013. Objections to the proposal, if any, must be in writing and reach the undermentioned on or before 20 August 2013. Persons who are unable to write will be assisted, during office hours, at the Municipal office in Caledon, to write down their objections.

S WALLACE, MUNICIPAL MANAGER, MUNICIPAL OFFICE, PO BOX 24, CALEDON 7230

Reference No. L/474

Notice No. KOR 44/2013

12 July 2013

51191

THEEWATERSKLOOF MUNISIPALITEIT

AANSOEK OM TYDELIKE AFWYKING OP GEDEELTE 1 VAN DIE PLAAS DUNGHYE PARK NR. 528, CALEDON DISTRIK

Kennis geskied hiermee in terme van Artikel 15(1)(a)(ii) van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie Nr. 15 van 1985) dat 'n aansoek vir tydelike afwyking op Gedeelte 1 van die Plaas Dughye Park Nr. 528, Caledon Distrik ingedien is by die Theewaterskloof Munisipaliteit.

Aansoeker: Rode & Associates (Pty) Ltd

Aard van die aansoek: Die aansoek behels 'n tydelike afwyking van die Theewaterskloof Geïntegreerde Soneringskema P.K. 120/2011 om die Departement Vervoer en Openbare Werke van die Wes-Kaap Provinsiale Regering in staat te stel 'n gruisgroef op die eiendom te kan ontgin.

Verdere besonderhede van die voorstel lê ter insae by die Caledon Munisipale Kantoor vanaf 9 Julie 2013 tot 20 Augustus 2013. Skriftelike besware teen die voorstel, indien enige, moet die ondergemelde bereik voor of op 20 Augustus 2013. Persone wat nie kan skryf nie, sal gedurende kantoorure by die Munisipale Kantoor, Caledon gehelp word om hul besware neer te skryf.

S WALLACE, MUNISIPALE BESTUURDER, MUNISIPALE KANTOOR, POSBUS 24, CALEDON 7230

Verwysingsnr. L/470

Kennisgewingnr. KOR 45/2013

12 Julie 2013

51190

THEEWATERSKLOOF MUNISIPALITEIT

AANSOEK OM TYDELIKE AFWYKING OP GEDEELTE 1 VAN DIE PLAAS NR. 125, CALEDON DISTRIK

Kennis geskied hiermee in terme van Artikel 15(1)(a)(ii) van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie Nr. 15 van 1985) dat 'n aansoek vir tydelike afwyking op Gedeelte 1 van die Plaas Nr. 125, Caledon Distrik ingedien is by die Theewaterskloof Munisipaliteit.

Aansoeker: Rode & Associates (Pty) Ltd

Aard van die aansoek: Die aansoek behels 'n tydelike afwyking van die Theewaterskloof Geïntegreerde Soneringskema P.K. 120/2011 om die Departement Vervoer en Openbare Werke van die Wes-Kaap Provinsiale Regering in staat te stel om 'n gruisgroef op die eiendom te kan ontgin.

Verdere besonderhede van die voorstel lê ter insae by die Caledon Munisipale Kantoor vanaf 9 Julie 2013 tot 20 Augustus 2013. Skriftelike besware teen die voorstel, indien enige, moet die ondergemelde bereik voor of op 20 Augustus 2013. Persone wat nie kan skryf nie, sal gedurende kantoorure by die Munisipale Kantoor, Caledon gehelp word om hul besware neer te skryf.

S WALLACE, MUNISIPALE BESTUURDER, MUNISIPALE KANTOOR, POSBUS 24, CALEDON 7230

Verwysingsnr. L/474

Kennisgewingnr. KOR 44/2013

12 Julie 2013

51191

THEEWATERSKLOOF MUNICIPALITY

APPLICATION FOR DEPARTURE ON REMAINDER OF THE FARM SOETMELKSVLEI NO. 150, CALEDON DISTRICT

Notice is hereby given in terms of Section 15(1)(a)(ii) of the Land Use Planning Ordinance, 1985 (Ordinance No. 15 of 1985) that an application for departure from the Theewaterskloof Municipality Integrated Zoning Scheme Regulations P.N. 120/2011 on Remainder of the Farm Soetmelksvlei No. 150 has been submitted to the Theewaterskloof Municipality.

Applicant: Rode & Associates (Pty) Ltd

Nature of the application: The application comprises a departure to enable the Department of Transport and Public Works of the Provincial Government Western Cape to open a borrow pit for the mining of gravel on the property.

Further particulars regarding the proposal are available for inspection at the Municipal Offices, Caledon from 9 July 2013 to 20 August 2013. Objections to the proposal, if any, must be in writing and reach the undermentioned on or before 20 August 2013. Persons who are unable to write will be assisted, during office hours, at the Municipal Office in Caledon, to write down their objections.

S WALLACE, MUNICIPAL MANAGER, MUNICIPAL OFFICE, PO BOX 24, CALEDON 7230

Reference No. L/472

Notice No. KOR 42/2013

12 July 2013

51192

THEEWATERSKLOOF MUNICIPALITY

APPLICATION FOR DEPARTURE ON REMAINDER OF THE FARM PAARDE VLEY NO. 276, CALEDON DISTRICT

Notice is hereby given in terms of Section 15(1)(a)(ii) of the Land Use Planning Ordinance, 1985 (Ordinance No. 15 of 1985) that an application for departure from the Theewaterskloof Municipality Integrated Zoning Scheme Regulations P.N. 120/2011 on Remainder of the Farm Paarde Vley No. 276 has been submitted to the Theewaterskloof Municipality.

Applicant: Rode & Associates (Pty) Ltd

Nature of the application: The application comprises a departure to enable the Department of Transport and Public Works of the Provincial Government Western Cape to open a borrow pit for the mining of gravel on the property.

Further particulars regarding the proposal are available for inspection at the Municipal Office, Caledon from 9 July 2013 to 20 August 2013. Objections to the proposal, if any, must be in writing and reach the undermentioned on or before 20 August 2013. Persons who are unable to write will be assisted, during office hours, at the Municipal office in Caledon, to write down their objections.

S WALLACE, MUNICIPAL MANAGER, MUNICIPAL OFFICE, PO BOX 24, CALEDON 7230

Reference No. L/471

Notice No. KOR 41/2013

12 July 2013

51193

THEEWATERSKLOOF MUNISIPALITEIT

AANSOEK OM TYDELIKE AFWYKING OP RESTANT VAN DIE PLAAS SOETMELKSVLEI NR. 150, CALEDON DISTRIK

Kennis geskied hiermee in terme van Artikel 15(1)(a)(ii) van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie Nr. 15 van 1985) dat 'n aansoek vir tydelike afwyking op Restant van die Plaas Soetmelksvlei Nr. 150, Caledon Distrik ingedien is by die Theewaterskloof Munisipaliteit.

Aansoeker: Rode & Associates (Pty) Ltd

Aard van die aansoek: Die aansoek behels 'n tydelike afwyking van die Theewaterskloof Geïntegreerde Soneringskema P.K. 120/2011 om die Departement Vervoer en Openbare Werke van die Wes-Kaap Provinsiale Regering in staat te stel om 'n gruisgroef op die eiendom te kan ontgin.

Verdere besonderhede van die voorstel lê ter insae by die Caledon Munisipale Kantoor vanaf 9 Julie 2013 tot 20 Augustus 2013. Skriftelike besware teen die voorstel, indien enige, moet die ondergemelde bereik voor of op 20 Augustus 2013. Persone wat nie kan skryf nie, sal gedurende kantoorure by die Munisipale Kantoor, Caledon gehelp word om hul besware neer te skryf.

S WALLACE, MUNISIPALE BESTUURDER, MUNISIPALE KANTOOR, POSBUS 24, CALEDON 7230

Verwysingsnr. L/472

Kennisgewingnr. KOR 42/2013

12 Julie 2013

51192

THEEWATERSKLOOF MUNISIPALITEIT

AANSOEK OM TYDELIKE AFWYKING OP RESTANT VAN DIE PLAAS PAARDE VLEY NR. 276, CALEDON DISTRIK

Kennis geskied hiermee in terme van Artikel 15(1)(a)(ii) van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie Nr. 15 van 1985) dat 'n aansoek vir tydelike afwyking op Restant van die Plaas Paarde Vley Nr. 276, Caledon Distrik ingedien is by die Theewaterskloof Munisipaliteit.

Aansoeker: Rode & Associates (Pty) Ltd

Aard van die aansoek: Die aansoek behels 'n tydelike afwyking van die Theewaterskloof Geïntegreerde Soneringskema P.K. 120/2011 om die Departement Vervoer en Openbare Werke van die Wes-Kaap Provinsiale Regering in staat te stel om 'n gruisgroef op die eiendom te kan ontgin.

Verdere besonderhede van die voorstel lê ter insae by die Caledon Munisipale Kantoor vanaf 9 Julie 2013 tot 20 Augustus 2013. Skriftelike besware teen die voorstel, indien enige, moet die ondergemelde bereik voor of op 20 Augustus 2013. Persone wat nie kan skryf nie, sal gedurende kantoorure by die Munisipale Kantoor, Caledon gehelp word om hul besware neer te skryf.

S WALLACE, MUNISIPALE BESTUURDER, MUNISIPALE KANTOOR, POSBUS 24, CALEDON 7230

Verwysingsnr. L/471

Kennisgewingnr. KOR 41/2013

12 Julie 2013

51193

THEEWATERSKLOOF MUNICIPALITY

APPLICATION FOR CONSENT USE ON ERF 3052,
CALEDON

Notice is hereby given in terms of Section 5.1.1(b) of the Theewaterskloof Municipality Integrated Zoning Scheme Regulations P.N. 120/2011, that an application for consent use, applicable to Single Residential Zone 1, on erf 3052, Caledon, has been submitted to the Theewaterskloof Municipality.

Applicant: Mr Tammy Phunge, 111 Bloukraan Street, Uitsig, Caledon 7230.

Nature of the application: The application comprises the proposed operation of a house tavern on the erf.

Further particulars regarding the proposal are available for inspection at the Municipal Offices, Caledon from 9 July 2013 to 20 August 2013. Objections to the proposal, if any, must be in writing and reach the undermentioned on or before 20 August 2013. Persons who are unable to write will be assisted, during office hours, at the Municipal Office in Caledon, to write down their objections.

S WALLACE, MUNICIPAL MANAGER, MUNICIPAL OFFICE, PO BOX 24, CALEDON 7230

Reference No. C/3052

Notice No. KOR 25/2013

12 July 2013

51194

THEEWATERSKLOOF MUNISIPALITEIT

AANSOEK OM VERGUNNINGSGEBRUIK OP ERF 3052,
CALEDON

Kennis geskied hiermee in terme van Artikel 5.1.1(b) van die Theewaterskloof Munisipaliteit Geïntegreerde Soneringskema P.K. 120/2011, dat 'n aansoek om vergunningsgebruik, van toepassing op Enkelwoningzone 1, op erf 3052, Caledon, ingedien is by die Theewaterskloof Munisipaliteit.

Aansoeker: Mnr Tammy Phunge, Bloukraanstraat 111, Uitsig, Caledon 7230.

Aard van die aansoek: Die aansoek behels die voorgenome bedryf van 'n huistaverne op die erf.

Verdere besonderhede van die voorstel lê ter insae by die Caledon Munisipale Kantoor vanaf 9 Julie 2013 tot 20 Augustus 2013. Skriftelike besware teen die voorstel, indien enige, moet die ondergemelde bereik voor of op 20 Augustus 2013. Persone wat nie kan skryf nie, sal gedurende kantoorure by die Munisipale kantoor, Caledon gehelp word om hul besware neer te skryf.

S WALLACE, MUNISIPALE BESTURDER, MUNISIPALE KANTOOR, POSBUS 24, CALEDON 7230

Verwysingsnr. C/3052

Kennisgewingnr. KOR 25/2013

12 Julie 2013

51194

BREED VALLEY MUNICIPALITY

PARKING BY-LAW

Under the provisions of section 156 of the Constitution of the Republic of South Africa, 1996 the Breede Valley municipality, enacts as follows:

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1. Definitions

(1) In this by-law, unless the context otherwise indicates:

“**approved**” means approved by the municipality, and “approval” has a corresponding meaning;

“**authorised officer**” means an inspector of licences, examiner of vehicles, examiner for driving licences, traffic warden, traffic officer or law enforcement officer and includes any other person appointed as an inspector of licences, examiner of vehicles, examiner for driving licences, traffic warden or a traffic officer in terms of section 3A of the National Road Traffic Act, 1996(Act No. 93 of 1996), and includes any person nominated by any organisation and authorised by the municipality;

“**authorised official**” means any employee of the municipality who is responsible for the performance of any function or the exercise of any power in terms of this by-law or any employee of the municipality assigned or delegated to perform any function or exercise any power in the implementation of this by-law;

“**bridge**” means a bridge, as contemplated in the National Road Traffic Act, 1996 (Act 93 of 1996);

“**caravan**” means any vehicle permanently fitted out for use by persons for living and sleeping purposes, whether or not such vehicle is a trailer;

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

“**combined parking meter**” means an appliance in which more than one parking meter is contained;

“**coupon**” means a device, whether electronic or not, which either by itself or in connection with any other thing entitles or purports to entitle the holder thereof to park any vehicle in a parking bay or parking ground, and includes any device approved by the municipality from time to time;

“**dealer**” means a person who, for gain, carries on the business of selling, buying, exchanging or garaging vehicles;

“**driver**” means any person who drives or attempts to drive any vehicle or who rides or attempts to ride any pedal cycle and “**drive**” or any like word has a corresponding meaning;

“**examiner of vehicles**” means an ‘examiner of vehicles’ as defined in section 1 of the National Road Traffic Act, 1996 (Act 93 of 1996);

“**heavy motor vehicle**” means a motor vehicle or a combination of motor vehicles the gross vehicle mass of which vehicle or combination of vehicles exceeds 3,500kg;

“**mechanically or otherwise controlled parking ground**” means a parking ground to which entry is controlled by a mechanism, such as a boom, which opens or is manually opened on presentation of proof that any payment was or is to be made as determined by the municipality in the annual schedule of tariffs;

“**metered parking bay**” means a parking bay in respect of which a parking meter has been installed or in respect of which a hand held device is used or electronic payment system has been implemented;

“**metered parking ground**” means a parking ground or any part thereof where parking is controlled by means of a parking meter or meters or any other device approved by the municipality;

“**motor vehicle**” means any self- propelled vehicle and—

(a) a trailer; and

(b) a vehicle having pedals and an engine or an electric motor as an integral part thereof or attached thereto and which is designed or adapted to be propelled by means of such pedals, engine or motor, or both such pedals and engine, or motor, but does not include—

(i) a vehicle propelled by electrical power derived from storage batteries and which is controlled by a pedestrian; or

(ii) a vehicle with a mass not exceeding 230 kilograms and specially designed and constructed, and not merely adapted, for the use of any person suffering from some physical defect or disability and used solely by such person;

“**operate**”, in relation to a vehicle, means to use or drive a vehicle, or to permit a vehicle to be used or driven on a public road, or to have or to permit a vehicle to be on a public road;

“**organization**” means a group of people, company, association or body representing parking marshals that operates a parking marshal service or a parking management service in certain geographical areas as approved by the municipality;

“**outspan**” means to unharness or release animals from an animal drawn vehicle and

“**outspanning**” has a corresponding meaning;

“**owner**” in relation to a vehicle, means—

(a) the person who has the right to the use and enjoyment of a vehicle in terms of common law or a contractual agreement with the titleholder of such vehicle;

(b) a person referred to in paragraph (a), for any period during which such a person has failed to return that vehicle to the titleholder in accordance with the contractual agreement referred to in paragraph (a); and

(c) a person who is registered as such in accordance with regulations issued under section 4 of the National Road Traffic Act, 1996 (Act 93 of 1996);

“**park**” means to keep a vehicle, whether occupied or not, stationary for a period of time longer than is reasonably necessary for the actual loading or unloading of persons or goods, but does not include any such keeping of a vehicle by reason of a cause beyond the control of the person in charge of such vehicle, and “**parking**” has a corresponding meaning;

“**parking marshal**” means a person in the employ of an organization or service provider appointed by the municipality to render a parking management service to drivers in a public place or on a public road;

“**parking bay**” means a demarcated area within which a vehicle is to be parked in terms of this by-law, demarcated as such by the municipality upon the surface of a parking ground or a public road;

“**parking ground**” means any area of land or any building set aside by the municipality as a parking ground or garage for the parking of vehicles by members of the public, whether or not charges are prescribed by this by-law for the use thereof;

“**parking meter**” means a device commissioned in terms of this by-law, registering and visibly recording the parking time either by means of a meter affixed to the device, or on a parking meter ticket issued by the device, or any other device by which parking time can be recorded whether operated by an authorized official or a service provider approved by the municipality;

“**parking period**” means the maximum continuous period during which a vehicle is permitted to park in a parking ground or parking bay as indicated by a road traffic sign;

“**passenger**” means any person in or on a vehicle, but does not include the driver or the conductor;

“**pay-and-display machine**” means any machine or device installed or operated at a pay-and-display parking ground for the sale of coupons;

“**pay-and-display parking ground**” means a parking ground in which a parking coupon must be obtained from a parking coupon vending machine which is situated in or in close proximity of the parking ground;

“**prescribed**” means determined by resolution of the municipality, and in relation to a fee, means as set out in the tariff policy of the municipality;

“**prescribed coin**” means a coin of the Republic of South Africa being legal tender in terms of the South African Mint and Coinage Act, 1964 (Act 78 of 1964), of the denomination indicated on the parking meter concerned and includes debit or credit cards and any other method of payment as may be approved and prescribed by the municipality from time to time;

“**public place**” means any square, park, recreation ground, sports ground, sanitary lane or open space which has—

- (a) in connection with any subdivision or layout of land into erven, been provided, reserved or set apart for use by the public, or the owners, or occupiers of such erven, whether or not it is shown on a general plan, plan of subdivision or diagram;
- (b) at any time been dedicated to the public;
- (c) been used by the public without interruption for a period of at least 30 years; or
- (d) at any time been declared or rendered as such by the municipality or other competent authority;

“public road” means any road, street, cycle path, thoroughfare, parking ground, dedicated busway, parking bay or any other similar place, and includes—

- (a) the verge of any such public road;
- (b) any footpath, sidewalk or similar pedestrian portion of a road reserve;
- (c) any bridge, ferry or drift traversed by any such public road;
- (d) any other object belonging to such public road, which has at any time been—
 - (i) dedicated to the public;
 - (ii) used without interruption by the public for a period of at least 30 years;
 - (iii) declared or rendered as such by the municipality or other competent authority; or
 - (iv) constructed by a local authority; and

- (e) any land, with or without buildings or structures thereon, which is shown as a public road on—

- (i) any plan of subdivision or diagram approved by the municipality or other competent authority and acted upon; or

- (ii) any general plan as defined in the Land Survey Act, 1997 (Act 8 of 1997), registered or filed in a deeds registry or Surveyor General’s office, unless such land is on such plan or diagram described as a private public road;

“regulation” means the National Road Traffic Regulations as published per GN R225 dated 17 March 2000;

“semi-trailer” means a trailer having no front axle and so designed that at least 15% of its tare is super-imposed on and borne by the vehicle drawing such trailer;

“sidewalk” means that portion of a public road between the outer boundary of the roadway of a road and the boundary lines of adjacent properties or buildings which is intended for the use of pedestrians;

‘traffic island’ means a physical island or road markings that serve as a channelizing mechanism within a junction or on a public road;

“trailer” means a vehicle which is not self-propelled and designed or adapted to be drawn by a motor vehicle, but does not include a side-car fitted to a motor cycle;

“verge” means that portion of a road, street or thoroughfare, including the sidewalk, which is not the roadway or the shoulder;

“vehicle” means a device designed or adapted mainly to travel on wheels, tyres or crawler tracks and includes such a device which is connected with a draw-bar to a breakdown vehicle and is used as part of the towing equipment of a breakdown vehicle to support any axle or all the axles of a motor vehicle which is being salvaged, other than such a device which moves solely on rails.

(2) In this By-law, a word or expression that has been defined in the National Road Traffic Act, 1996 (Act 93 of 1996), and the National Road Traffic Regulations as published per GN R225 of 17 March 2000, has that meaning, unless the context otherwise indicates.

2. Purpose

The purpose of this By-law is to control parking within the area of jurisdiction of the municipality in order to provide a safe environment.

CHAPTER 1

GENERAL PROVISIONS RELATING TO PARKING

Part 1: General provisions

3. Control of parking

(1) Whenever the public or a number of persons are entitled or allowed to use, as a parking place, an area of land, including land which is not part of a public road or a public place, an authorised officer may, in cases of emergency or when it is desirable in the public interest, direct and regulate traffic thereon.

(2) The municipality may manage parking and collect any fees related to parking or appoint a service provider to manage parking and to collect any fees related to parking.

(3) No person may without the prior written approval of the municipality erect or place any sign or notice in any position or place indicating that parking in any parking bay is reserved for a person or a class of persons.

(4) The municipality may operate a parking management system in areas and during times determined by the municipality from time to time.

(5) A person who disregards an instruction of an authorised officer in terms of subsection (1) or who erects or places a sign or notice in contravention of subsection (3) commits an offence.

4. Determination of fees

(1) The municipality may determine the fees payable in terms of this by-law.

(2) The municipality may levy different fees in respect of persons of different ages, groups of persons, or different classes of vehicles.

5. Parking by a dealer or seller of a vehicle

(1) No dealer or seller of a vehicle may without the permission of the municipality, park or allow to be parked on the verge of a public road, or any other municipal land within the municipal area, a vehicle which is for sale or for rental, whether advertised as such or not.

(2) An application for permission as contemplated in subsection (1) must be made at the traffic department of the municipality after completion of the prescribed application form and against payment of the prescribed fees.

(3) A dealer or seller who contravenes subsection (1) commits an offence.

6. Parking of heavy vehicles trailers and caravans

(1) No person may, for an uninterrupted period exceeding two hours, except on places reserved for the parking of heavy vehicles, park on a public road within the municipal area—

- (a) a motor vehicle with a tare exceeding 3500 kg;
- (b) a trailer not attached to a vehicle;
- (c) a semi-trailer, or
- (d) a caravan not attached to a vehicle.

(2) No person may park a heavy motor vehicle on any public place in the municipal area,

except on private land or in those areas where road traffic signs regulating such parking have been erected.

- (3) Whenever a vehicle is parked in contravention of subsections (1) or (2), it is deemed that the owner thereof has parked such vehicle, unless the contrary is proved.
- (4) A person who contravenes subsections (1) and (2) commits an offence.

7. Parking upon a traffic island

(1) No person may park a vehicle upon a traffic island, unless directed or instructed to do so by an authorised officer or unless a parking bay has been demarcated upon such traffic island.

(2) A person who parks a vehicle upon a traffic island in contravention of subsection (1), or who fails to comply with a direction or instruction by an authorised officer commits an offence.

8. in public roads

(1) No person may outspan or allow to be outspanned in any public road or public place any vehicle drawn by animals.

(2) Any person who contravenes subsection (1) commits an offence.

Part 2: Parking permits

9. Temporary parking permit

(1) Subject to any conditions the municipality may impose, a temporary parking permit may be granted to allow the holder of the permit to park one or more vehicles in a designated parking space for a period specified in the permit despite an indication on an official traffic sign to the contrary and despite the fact that paid parking would otherwise apply to the space.

(2) A temporary parking permit may only be granted if the municipality is satisfied that—

(a) the applicant is engaged in some temporary activity affecting premises immediately adjacent to the designated parking space to which the application relates; and

(b) it is not reasonably practical for the applicant to carry out that activity unless the designated parking space to which the application relates is allocated to the exclusive use of the applicant for the duration of the activity.

(3) A person who parks a vehicle in contravention of subsection (1) commits an offence.

10. Work zone permit

(1) Subject to any conditions the municipality may impose, a work zone parking permit may be granted for parking in a parking bay or parking ground or on the verge of a road or elsewhere on a public road if the municipality is satisfied that—

(a) the part of the road or other area referred in subsection (1) to which the application relates is adjacent to or at the site of proposed building, construction or other work; and

(b) the carrying out of the building, construction or other work is lawful; and

(c) having regard to the nature of the building, construction or other work and the characteristics of the site of the work, it is not reasonably practical for all work activity involving the vehicle, including loading and off-loading and associated

vehicle movements, to be confined within the site, or to areas within close proximity where parking is permitted.

- (2) Holders of work zone permits may only use such permits for the parking of any vehicle in the execution of their duties.
- (3) A person who parks a vehicle in contravention of subsection (1) or who uses a work zone permit whilst not executing his or her duties commits an offence.

11. works parking permit

(1) Subject to any conditions the municipality may impose, a municipal works parking permit may be granted to allow a person to park one or more vehicles in a designated parking space, and for a period specified in the permit despite an indication on an official traffic sign to the contrary and despite the fact that paid parking would otherwise apply to the space if the person is—

- (a) an employee, contractor or agent of the municipality; and
- (b) parking the vehicle or vehicles in the space—
 - (i) for the purpose of carrying out work for or on behalf of the municipality; and
 - (ii) in the course of carrying out his or her duties for on behalf of the municipality.
- (2) A person who parks a vehicle in contravention of subsection (1) or who uses a municipal works parking permit whilst not executing his or her duties commits an offence.

12. Application for and conditions of parking permits

- (1) Application for permits contemplated in sections 9 and 10 must be made at the traffic department of the municipality on the prescribed application form and against payment of the prescribed fees.
- (2) (a) The holder of a parking permit must affix the original permit on the windshield of the vehicle identified in the permit facing outwards, and as near as practicable to the registration label for the vehicle.
 - (b) The municipality may only issue a replacement permit after the permit holder has declared the facts and circumstances of a loss, destruction or damage of the original permit to the satisfaction of the municipality.

13. Reserved parking for the disabled, diplomatic corps, South African Police Services and other identified groups

- (1) The municipality may reserve parking areas for the disabled, diplomatic corps, South African Police Services and any other groups identified by the municipality, and may designate such areas by notice or road signage and may impose conditions relating to the issue of special parking facility permits.
- (2) The municipality may, in accordance with section 80 of the National Traffic Act, 1996, (Act 93 of 1996), and subject to subsection (3), exempt a disabled person from the provisions of this by-law.
- (3) A disabled person who requires exemption as contemplated in subsection (2) must apply to the traffic department of the municipality on the prescribed form and against payment of the prescribed fees.
- (4) In authorising an exemption in terms of subsection (3) the municipality may issue a permit subject to any conditions it may deem fit and where the permit holder fails to comply with the said conditions, after being notified by the municipality of such non-compliance, the permit may be revoked or suspended.

- (5) No person may stop, park or leave a vehicle at any time in any designated parking space other than a vehicle displaying a designated parking permit.
- (6) Any person who contravenes subsection (5) commits an offence.

CHAPTER 2

PARKING METERS AND PAYMENT FOR PARKING

14. The installation of parking meters or use of any other device to record the time parked

- (1) The municipality may install or cause to be installed or operate or cause to be operated in a public road or place in the municipal area—
- (a) a parking meter at a parking space demarcated as a parking bay;
 - (b) a combined parking meter at a parking space demarcated as parking bays; or
 - (c) any other device by which parking time can be recorded and displayed.
- (2) The municipality may install or operate a parking meter contemplated in subsection (1) upon the kerb, footpath or sidewalk which adjoins the parking bay in respect of which it is installed or at any other place in close proximity that serves the parking bay.
- (3) In the instance where a parking meter is not automatically activated by the insertion of a prescribed coin, a notice which indicates the kind of action to be taken in order to set the meter in operation once the prescribed coin has been inserted, must be clearly displayed on the parking meter or a notice board.
- (5) In the instance where a meter, when applicable, is out of order, an authorised officer may securely place over the meter a hood carrying in legible letters the words: “Out of order” and in such instances a vehicle may be parked without payment of the prescribed amount.

15. Method of parking

- (1) No driver or person in charge of a vehicle may park a vehicle—
- (a) in a parking bay across a painted line marking the bay or in such a position that the vehicle is not entirely within the area demarcated as a parking bay;
 - (b) in a parking bay which is already occupied by another vehicle; or
 - (c) in a parking bay in contravention of a road traffic sign which prohibits the parking or stopping of vehicles in the public road or portion of the public road concerned.
- (2) A person who contravenes the provisions of subsection (1) commits an offence.

16. Payment for parking

- (1) (a) When a vehicle is parked in a parking bay, the driver or person in charge of the vehicle must—
- (i) immediately deposit or cause to be deposited in the parking meter which adjoins the parking bay in respect of which it is installed the prescribed coin as indicated on the meter for the period of time during which he or she desires to park his or her vehicle in the bay, and must, where applicable, set the meter in operation either by inserting the prescribed coin in the appropriate slot of the parking meter, or where applicable, in accordance with the instructions appearing on the parking meter; or
 - (ii) effect payment by any other means prescribed by the municipality irrespective of the device used to record the time parked and irrespective of whether payment is required at the beginning or end of the period so parked, and a driver or person in charge of a vehicle commits an offence if he or she:

- (aa) fails to set in operation the parking meter by depositing in the parking meter the prescribed coin in accordance with the instructions appearing on the parking meter; or
 - (bb) refuses to pay to a parking marshal the fee calculated by the device used to record the parking time; or
 - (cc) fails to pay to the service provider, after written notification by the service provider to do so, the fee calculated by the device used to record the parking time.
- (b) When a vehicle or a vehicle and a trailer is of such dimensions that it occupies more than one metered parking bay, the driver or person in charge of the vehicle must—
 - (i) immediately deposit or cause to be deposited in the parking meters which adjoin the parking bays in respect of which they are installed the prescribed coins as indicated on the meter for the period of time during which he or she desires to park his or her vehicle in the bays, and must, where applicable, set the meter in operation either by inserting the prescribed coin in the appropriate slot of the parking meter, or where applicable, in accordance with the instructions appearing on the parking meter; or
 - (ii) effect payment by any other means prescribed by the municipality irrespective of the device used to record the time parked and irrespective of whether payment is required at the beginning or end of the period so parked, and a driver or person in charge of a vehicle commits an offence if he or she:
 - (aa) fails to set in operation the parking meter by depositing in the parking meter the prescribed coin in accordance with the instructions appearing on the parking meter; or
 - (bb) refuses to pay to a parking marshal the fee calculated by the device used to record the parking time; or
 - (cc) fails to pay to the service provider, after written notification by the service provider to do so, the fee calculated by the device used to record the parking time.
- (c) On completion of the actions prescribed in paragraphs (a) and (b), the metered parking bay may be lawfully occupied by a vehicle during the period which is indicated on the parking meter or the device contemplated in subsection (1)(a)(ii) or (1)(b)(ii).
- (d) Subject to paragraph (e), a driver or person in charge of a vehicle may, without payment, park a vehicle during such time (if any) as may be indicated on the parking meter as being unexpired from its previous use, provided that the Municipality may cancel any paid for time remaining on a meter after a vehicle for which the parking was paid for vacated the parking bay and before the parking bay is occupied by a subsequent vehicle.
- (e) Subsection (d) does not apply to any parking bay where unexpired time is not visibly displayed.
- (2) Subject to the provisions of subsection (3), the driver or person in charge of a vehicle may, irrespective of whether the authorised period of parking has expired or not, immediately set the parking meter in operation as set out in subsection (1)(a), and after the meter has been set in operation, the vehicle may lawfully occupy the parking bay for the further period indicated on the parking meter.
- (3) No person may leave a vehicle parked in a parking bay for a continuous period exceeding the maximum permissible parking time as indicated on the meter or other device, and a person who leaves a vehicle parked in a parking bay for a continuous

period exceeding the maximum permissible parking time as indicated on the meter, a sign or device, commits an offence.

(4) No driver or person in charge of a vehicle may cause, allow or permit the vehicle to be or remain parked in a parking bay while the indicator of the parking meter or any other device shows that—

(a) the time has expired; or

(b) that the parking meter has not been set in operation either by the insertion of the prescribed coin or, where applicable in accordance with the instructions appearing on the parking meter, and a driver or person in charge of a vehicle who contravenes a provision of this subsection commits an offence.

17. Prevention of parking at a parking bay

An authorised officer may display road traffic signs whenever necessary or expedient to do so in the interests of the movement or control of traffic, or place or erect a traffic sign or signs indicating “No Stopping” or “No Parking” at a parking bay, and no person may stop or park a vehicle or cause or permit a vehicle to be stopped or parked in such parking bay—

(a) while the sign is so placed or erected; or

(b) during any period when the stopping or parking of a vehicle in the public road or portion of the public road concerned is prohibited in terms of such traffic sign, and a person who contravenes a provisions of this section commits an offence.

18. Tampering with a parking meter or device

(1) No person may—

(a) misuse, damage, knock interfere with or tamper with;

(b) attempt to misuse, damage, knock interfere with or tamper with the working, operation or mechanism of a parking meter.

(2) No person may, without authority from the municipality affix or attempt to affix or place a placard, advertisement, notice, list, document board or thing on a parking meter.

(3) No person may paint, write upon or disfigure a parking meter.

(4) A person who contravenes a provision of this section commits an offence.

19. Prescribed coin only to be deposited

(1) No person may deposit or cause to be deposited in a parking meter anything other than the prescribed coin.

(2) A person who contravenes subsection (1) commits an offence.

20. Unlawful operation of a parking meter

(1) No person may operate or attempt to operate a parking meter by any means other than as prescribed in this by-law.

(2) A person who contravenes subsection (1) commits an offence.

21. Unlawful parking and clamping or removal of unlawfully parked vehicles

(1) No person may cause, allow or permit any vehicle to be parked in a parking bay, except as permitted by the provisions of this by-law.

(2) Where any vehicle is found to have been parked in contravention of this by-law, it is deemed to have been parked, or caused to be parked, or allowed to have been parked by the person in whose name the vehicle is registered unless the contrary is proved.

- (3) The municipality may—
- (a) attach a wheel clamp to any unlawfully parked vehicle;
 - (b) or cause an unlawfully parked vehicle to be removed to a place designated by the municipality; and
 - (c) charge a fee for the removal of a wheel clamp attached in terms of subsection (3)(a) or the release of a vehicle which was removed in terms of subsection (3)(b), which fees will be payable upon removal of such wheel clamp or release of such vehicle.
- (4) The Municipality will not be liable for any loss from or damage to a vehicle resulting from the clamping or removal of such a vehicle in terms of subsection (3).
- (5) A person who contravenes subsection (1) commits an offence.

22. Exemptions

(1) Notwithstanding any other provision in this by-law, the driver or person in charge of the following vehicles may, subject to the provisions of this section, park in a metered parking bay without payment of the prescribed fee:

- (a) a vehicle used as an ambulance while attending to a life threatening situation;
- (b) a vehicle used by a fire brigade while attending to a fire;
- (c) a vehicle used by a member of the South African Police Service or the Local Municipal and Provincial Traffic Law Enforcement divisions in the execution of their respective duties.

(2) Subject to any time limits or restrictions regarding the stopping or parking of vehicles as are prescribed by any other law, regulation or by-law, a parking bay may be occupied without charge during the hours indicated by the municipality on a sign erected for that purpose.

(3) A person who contravenes subsection (2) commits an offence.

CHAPTER 3

PARKING GROUNDS

Part 1: General provisions

23. The municipality not liable for loss or damage

The municipality is not liable for the loss of or damage howsoever caused, to any vehicle or person or any accessories or contents of a vehicle which has been parked in a parking ground.

24. Payment of prescribed fee

(1) A person making use of a parking ground or parking bay must, where fees have been determined in respect of the parking ground or parking bay, pay the prescribed fee in any way or format prescribed by the municipality.

(2) The municipality may, in respect of a parking ground controlled by the issue of coupons, issue at the prescribed fee a coupon which entitles the holder for one calendar month or any lesser period stated in the coupon to park a vehicle in the ground, if a parking bay is available, at the times stated in the coupon.

(3) The municipality may issue to any of its officials a coupon which entitles the holder, when using a vehicle regarding the business of the municipality, to park the vehicle in a parking ground specified, if space in the parking ground is available.

(4) A coupon issued under subsection (2) or (3)—

- (a) may not, without the prior written consent of the municipality—
 - (i) be transferred to any other person; or
 - (ii) be used in respect of any vehicle other than the specified vehicle;
 - (b) must be affixed by the holder of the coupon to the vehicle in respect of which it is issued in such manner and place that the written or printed text of the coupon is legible from the outside of the vehicle; and
 - (c) will only be valid for the period stated on such coupon.
- (5) Application for consent contemplated in subsection (4)(a) must be made on a form provided for this purpose by the municipality.
- (6) A person who contravenes subsection (1), or who uses a parking ground or parking bay when the period for which a coupon was issued in terms of subsection (2) has elapsed, or who contravenes a provision of subsection (4) commits an offence.

25. Observance of signs

- (1) A person in a parking ground must observe and comply with any traffic or other sign, notice or surface marking which is placed or displayed on the parking ground for the purpose of directing and regulating vehicles using the parking ground or the entrance or exit to the parking ground.
- (2) A person who contravenes subsection (1) commits an offence.

26. Manner of parking and removal of vehicle

- (1) No person may in any parking ground park a vehicle otherwise than in compliance with an instruction or direction given by an authorised officer or as indicated by way of a sign, or introduce or remove a vehicle otherwise than through an entrance or exit to the parking ground demarcated for that purpose.
- (2) Where parking bays have been demarcated in a parking ground, no person may park a vehicle—
 - (a) in a place on the parking ground which is not a demarcated parking bay, unless instructed to do so by the authorised officer at the parking ground;
 - (b) in a parking bay across a painted line marking the bay or in such a position that the vehicle is not entirely within the area demarcated as a parking bay; or
 - (c) in a parking bay which is already occupied by another vehicle.
- (3) No person may park a vehicle on a roadway within a parking ground or on a sidewalk within such parking ground in a manner restricting pedestrian movement on such sidewalk.
- (4) No person may in a parking ground park a vehicle in a manner which obstructs or causes inconvenience to other users of the parking ground.
- (5) No person may park, or cause, or permit a vehicle other than a vehicle as defined in the National Road Traffic Act, 1996 (Act 93 of 1996), to be parked or to be or remain in a parking ground.
- (6) A person who contravenes a provision of this section commits an offence.

27. Abandoned or impounded vehicles

- (1) A vehicle which has been left in the same place in a parking ground for a continuous period of more than seven days may be removed by the municipality.
- (2) The municipality must take all reasonable steps to trace the owner of a vehicle which was removed in terms of subsection (1), and if the owner of the vehicle or the person entitled to possession of the vehicle cannot be found within a period of 90 days after the vehicle has been removed, the municipality may, subject to subsection (3) and (4) sell

the vehicle at a public auction; provided that authority for such sale has been granted by a competent court.

(3) An application to court for the sale of an impounded vehicle 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.

(4) The municipality must, 14 days before the auction contemplated in subsection (2), publish or cause to be published in at least two newspapers circulating within the municipal area, a notice of the auction, however, if the owner or the person entitled to possession of the vehicle claims the vehicle before the auction commences, the vehicle may not be sold at the auction, and the person must pay to the municipality all prescribed fees payable in terms of this by-law and the applicable costs in terms of subsection (5).

(5) The proceeds of a sale concluded in terms of this section must be applied first in payment of the fees referred to in subsection (3) and thereafter to defray the following:

- (a) the costs incurred in endeavouring to trace the owner in terms of subsection (2);
- (b) the costs of removing the vehicle;
- (c) the costs of publishing the notice of the auction;
- (d) the costs of effecting the sale of the vehicle;
- (e) the costs of keeping the vehicle in the pound;
- (f) the parking fees applicable for having left the vehicle in the parking ground as contemplated in subsection (1); and
- (g) any other unpaid parking fees or unpaid traffic fines in respect of such vehicle

and the balance, if any, of the proceeds must be paid, upon claim, to the owner of the vehicle or the person entitled to the vehicle if he or she can prove his or her right to the vehicle.

(6) If no claim is established within one year of the date of the sale, the balance of the proceeds contemplated in subsection (4) is forfeited to the municipality.

28. Damage to notices

(1) No person may remove, disfigure, obscure or in any manner damage or interfere with a notice, notice-board, sign or other thing placed by the municipality on a parking ground.

(2) A person who contravenes subsection (1) commits an offence.

29. Negligent and dangerous driving and speed restriction

(1) No person may, on a parking ground, drive a vehicle negligently or in a manner dangerous to the public or to another vehicle.

(2) The municipality may by sign indicate the maximum speed that may be travelled in a parking ground.

(3) A person who contravenes a provision of this section commits an offence.

30. Entering or remaining in parking ground

(1) No person may enter, remain or be on a parking ground otherwise than for the purpose of parking on the parking ground a vehicle, or lawfully removing from the parking ground a vehicle, in respect of which he or she has paid the prescribed parking fee, however this section does not apply to—

- (a) a person in the company of a person who is parking or removing a vehicle;

(b) officials of the municipality engaged in official activities or on instruction from the municipality; and

(c) a person employed by an appointed parking management service provider engaged in the execution of his or her duties.

(2) A person who contravenes subsection (1) commits an offence.

31. Tampering with vehicle

(1) No person may on a parking ground, without reasonable cause or without the knowledge or consent of the owner or person in lawful charge of a vehicle, in any way interfere or tamper with the machinery, accessories, parts or contents of the vehicle, or enter or climb upon the vehicle, or set the machinery of the vehicle in motion.

(2) A person who contravenes subsection (1) commits an offence.

32. Defacing coupon

(1) No person may in a parking ground, with intent to defraud the municipality, forge, imitate, deface, mutilate, alter or make a mark upon a parking coupon issued in terms of this by-law.

(2) A person who contravenes subsection (1) commits an offence.

33. Defective vehicle

(1) No person may park, or cause, or permit a vehicle which is mechanically defective or for any reason incapable of movement, to be parked or to remain in a parking ground.

(2) If a vehicle, after having been parked in a parking ground, develops a defect which renders it immobile, the person in charge must take all reasonable steps to have the vehicle repaired or removed within a reasonable time.

(3) A person who contravenes a provision of this section commits an offence.

34. Cleaning of vehicle

(1) No person may, without the prior approval of the municipality, clean or wash a vehicle in a parking ground or parking bay.

(2) A person who contravenes subsection (1) commits an offence.

35. Refusal of admission

(1) An authorised officer may refuse to admit into a parking ground a vehicle which, together with its load, is longer than five metres, or is, by reason of its width or height, likely to cause damage to persons or property, or to cause an obstruction or undue inconvenience.

(2) A person who disregards an authorised officer's refusal of admission commits an offence.

36. Parking hours and classes of vehicles

(1) The municipality may, subject to the provisions of this by-law, permit the parking on a parking ground during the hours when the parking ground is open for parking of such classes of vehicles as it may determine.

(2) The municipality must, in a notice posted at the entrance to the parking ground, set out the classes of motor vehicles which may be parked in the parking ground, and the opening and closing hours of the parking ground.

(3) The municipality may, notwithstanding a notice posted in terms of subsection (2), by notice exhibited on a parking ground, close the parking ground or a portion of a parking ground, either permanently or for a period stated in the notice, for the parking of vehicles.

(4) No person may park a vehicle or allow a vehicle to remain parked on a parking ground or portion of a parking ground which has been closed under subsection (3), or at any time other than during the hours for the parking of vehicles on the parking ground.

(5) No person may park on the parking ground a vehicle which is not of the class or classes which may use the parking ground for parking as set out in the notice at the entrance to the parking ground.

(6) No person may, unless he or she is the holder of a parking coupon issued in terms of this by-law authorising him or her to do so, park a vehicle or cause or permit it to be parked in a parking ground before the beginning or after the expiry of the parking period determined for the parking ground.

(7) A person who contravenes subsection (4), (5) or (6) commits an offence.

37. Reservation by the municipality

(1) The municipality may, by notice exhibited in the parking ground, reserve a portion of a parking ground for the parking of vehicles owned by the municipality or vehicles used by members of its staff on the business of the municipality.

(2) A person who parks a vehicle in a portion reserved for parking as contemplated in subsection (1) commits an offence.

Part 2: Mechanically controlled parking ground

38. Parking of a vehicle in a mechanically controlled parking ground

(1) Subject to section 2, a person who—

- (a) wishes to park a vehicle;
- (b) causes or permits a vehicle to be parked; or
- (d) allows a vehicle to be parked,

in a mechanically controlled parking ground must obtain a parking coupon which is issued by the machine in accordance with the instructions which are displayed on or near the parking coupon vending machine,

(2) A person contemplated in subsection (1) may not park a vehicle—

- (a) except in a parking bay and in compliance with such directions as may be given by an authorised officer or where no such bay has been marked, except in a place indicated by the authorised officer;
- (b) after an authorised officer has indicated to the person that the parking ground is full;
- (c) after the expiry of the parking period indicated on the parking coupon; or
- (d) for a longer period than indicated as indicated by sign.

(3) A parking coupon obtained in terms of subsection (1) is valid until the time of expiry thereof as indicated on the coupon, and a person may not allow the vehicle to remain in the parking ground after expiry of the parking period, provided that the municipality may implement a system where payment is required at the end of the parking period.

(4) A person who does not obtain a coupon in accordance with subsection (1) or who contravenes subsection (2) or (3) commits an offence.

39. Removal of a vehicle from a mechanically controlled parking ground

(1) No person may remove, or cause or permit the removal of a vehicle in a parking ground, unless—

- (a) he or she has produced to the authorised officer, where applicable, a coupon authorising him or her to park in the parking ground and which was issued to him

or her by the parking coupon vending machine upon entering the parking ground;
and

(b) he or she has paid to the authorised officer the prescribed parking fee.

(2) If a person fails to produce a coupon authorising him or her to park in the said parking ground, he or she is deemed to have parked the vehicle from the beginning of a period that the ground is open for parking until the time he or she wants to remove the vehicle, and he or she shall be charged a the applicable parking fee.

(3) Where a vehicle has not been removed from a parking ground by the end of the parking period for which the prescribed fee has been paid, a further charge as may be determined by the municipality will be payable for the next parking period.

(4) A person who contravenes subsections (1), (2) and (3) commits an offence.

Part 3: Pay-and-display parking ground

40. Parking of a vehicle in a pay-and-display parking ground

(1) A person who—

- (a) wishes to park a vehicle;
- (b) causes or permits a vehicle to be parked; or
- (c) allows a vehicle to be parked,

in a pay-and-display parking ground must immediately, upon entering the parking ground, buy a coupon which is issued by the machine, and a person who does not comply with this subsection commits an offence.

(2) The following must be indicated on the parking coupon vending machine:

- (a) the period during which a vehicle may be parked in the pay-and-display parking ground; and
- (b) the coin or other prescribed object or method of payment to be inserted or used in respect of the parking period.

(3) The person must display the coupon by affixing it to the inside on the driver's side of the front windscreen of the vehicle in such a manner and place that the information printed on the coupon is legible from the outside of the vehicle.

(4) No person may allow a vehicle to remain in a pay-and-display parking ground after the expiry of the departure time indicated on the parking coupon and, unless evidence to the contrary is produced, the date or day and time of departure as recorded by a parking coupon vending machine is taken to be correct evidence of date or day and time.

(5) No person may park a vehicle, cause, permit or allow a vehicle to be parked in a pay-and-display parking ground if a parking coupon cannot be obtained from the parking coupon vending machine in the manner indicated thereon or when a notice displayed on the machine indicates that it is out of order.

(6) If a vehicle is removed from a pay-and-display parking ground and returned to the pay-and-display parking ground within the period of validity of the parking coupon, the coupon continues to be valid.

(7) Possession of a valid parking coupon does not guarantee the availability of a vacant parking bay.

(8) A person who contravenes subsection (3), (4) or (5) commits an offence.

41. General offences in respect of a pay-and-display parking ground

(1) A person commits an offence if he or she—

- (a) inserts or attempts to insert into a parking coupon vending machine—
 - (i) a counterfeit coin;
 - (ii) where another kind of object is to be used, a false object;

- (iii) a coin which is not South African currency; or
- (iv) any object which is not meant to be inserted into the parking coupon vending machine;
- (b) jerks, knocks, shakes or in any way interferes or tampers with, or damages, or defaces a parking coupon vending machine or appurtenance thereto, or affix or attempt to affix or place a sign, placard, advertisement, notice, list, document, board or thing on, or paint, write upon or disfigure a parking coupon vending machine; or
- (c) removes or attempts to remove a parking coupon vending machine or any part of the machine from its mounting.

CHAPTER 5

GENERAL PROVISIONS

42. Obstruction or interfering with an authorised officer

- (1) An authorised officer may direct all traffic by means of visible or audible signals, and no person may disobey such signals.
- (2) No person may obstruct, hinder, abuse or interfere with any authorised officer in the exercise of the power referred to in subsection (1).
- (3) A person who contravenes a provision of this section commits an offence.

43. Obstruction or interfering with an authorised official or parking marshal

- (1) No person may obstruct, hinder, abuse or interfere with any authorised official or parking marshal in the exercise of the powers conferred upon him or her in terms of this by-law.

44. Presumptions

- (1) For the purpose of this by-law, the person in whose name a vehicle is licensed and which is parked in a parking ground, is deemed to be the person having control or charge of the vehicle, unless and until he or she proves the contrary.
- (2) (a) Where in any prosecution in terms of the common law relating to the driving of a vehicle on a public road, or in terms of this by-law it is necessary to prove who was the driver of such vehicle, it is presumed, in the absence of evidence to the contrary, that such vehicle was driven by the owner thereof.
- (b) Whenever a vehicle is parked in contravention of any provision of this by-law, it shall be presumed, in the absence of evidence to the contrary, that such vehicle was parked by the owner thereof.
- (c) For the purposes of this by-law it is presumed, in the absence of evidence to the contrary, that where the owner of the vehicle concerned is a corporate body, such vehicle was driven or parked by a director or servant of the corporate body in the exercise of his or her powers or in the carrying out of his or her duties as such director or servant, or in furthering, or endeavouring to further the interests of the corporate body.

45. Parking attendants

The provisions of section 10 of the Roads and Streets By-law of the municipality applies with the necessary changes.

46. Appeal

A person whose rights are affected by a decision made under this by-law and in the event of the power or duty to make that decision is delegated or sub-delegated to the decision-maker, may appeal against that decision in terms of section 62 of the Municipal Systems Act, 2000 (Act 32 of 2000).

47. Dispute settlement

(1) Where a person feels aggrieved by the behaviour of a parking marshal or disputes any action taken by a parking marshal employed by a service provider responsible for management of a parking system, he or she must lodge a complaint in writing with the management of the service provider within seven days of the occurrence.

(2) A copy of the said complaint must be delivered to the Director: Community Services who may request the management of the service provider to submit to him or her a report within seven working days setting out the action taken to settle the complaint or dispute.

(3) The Director: Community services may in his or her discretion take any steps necessary to settle the complaint or dispute where the management of the service provider fails to settle the complaint or dispute to the satisfaction of the Director.

48. Penalties

A person who has committed an offence in terms of this by-law is, on conviction, and subject to penalties prescribed in any other law, liable to—

- (a) a fine, or in default of payment, to imprisonment, or to such imprisonment without the option of a fine, or to both such fine and such imprisonment; and
- (b) 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.

49. Repeal of by-laws

Section 9 of the Roads and Streets By-law of the municipality is hereby repealed.

50. Short title

This By-law is called the Breede Valley Municipality: Parking By-law, and commences on the date of publication thereof in the Provincial Gazette.

OVERSTRAND MUNICIPALITY

INTEGRATED WASTE MANAGEMENT BY-LAW, 2013

To regulate the provision of solid waste services in the area of jurisdiction of the Overstrand Municipality and to provide for matters connected therewith.

Be it enacted by the Municipal Council of the Overstrand Municipality, in terms of Section 156(2) of the National Constitution read with Section 11(3)(m) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000), as follows:-

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2. Principles
3. Main objects
4. Duties and obligations

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6. Waste information system
7. Waste minimisation and recycling
8. Waste management activities

CHAPTER 3 COLLECTION OF REFUSE

9. Levels of service
10. Agreement of service
11. Frequency
12. Volume
13. Receptacles
14. Communal collection
15. Collection in rural areas
16. Recycling
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HANDLING DIFFERENT TYPES OF WASTE**

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Garden Waste**

- 18. Composting
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- 21. Plans and inspection
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- 28. Collection and disposal

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- 29. Storage and disposal

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66. Repeal of by-laws
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SCHEDULE:

By-laws repealed (*Schedule "A"*)

CHAPTER 1 GENERAL PROVISIONS

Definitions and interpretation

1. In this By-law and the Schedule thereto, words used in the masculine gender include the feminine, the singular includes the plural and vice versa; in the event of a conflict between die English and Afrikaans versions of this By-law, the English version shall be decisive; and unless the context otherwise indicates:

“accredited service provider” means a person or entity accredited by and registered with the Municipality and having obtained an authorisation to collect and transport specified types of waste in the municipal area;

“agricultural and farm waste” means all waste generated on farms as part of agricultural processes or through ordinary domestic and business activities and may include different types of waste;

“animal proof container” means an approved waste container which protects the contents from problem animals, as required by the Municipality in specific areas;

“applicable charge” means the rate, charge, tariff, flat rate, subsidy or any other cost prescribed by the Municipality from time to time;

“approved” in the context of bins, bin liners, refuse bags, containers, receptacles and wrappers, means approved by the Municipality or an accredited service provider for the collection and storage of waste;

“approved business waste container” means a receptacle with a storage capacity of 240 litre or any other approved container prescribed by the Municipality;

“approved domestic waste container” means a receptacle with a storage capacity of 240 litres or any other approved container prescribed by the Municipality including a refuse bag until 30 June 2015;

“authorised official” means a waste management officer or other person in the employ of the Municipality, authorised by the Municipality for the purposes of this By-law, or if the Municipality has appointed a municipal service provider to perform municipal services, an employee of such service provider, authorised by it as an authorised official in terms of this By-law and acting within the scope of the powers, functions and duties assigned to that municipal service provider by the Municipality in terms of section 81(2) of the Systems Act or another applicable law;

“building waste” means waste produced during the construction, alteration, repair or demolition of any structure both manmade or natural, and includes rubble, earth, vegetation, wood and rock displaced during such construction, alteration, repair or demolition but excludes hazardous waste and garden waste;

“bulky waste” means waste which can be classified as domestic or business waste but which, by virtue of its mass, shape, size or quantity, cannot easily be accumulated in or removed from an approved container;

“business waste” means waste, other than hazardous waste, health care waste, building waste, industrial waste, garden waste, bulky waste, special waste and special industrial waste generated on

premises used for non-residential purposes and at residential premises where commercial activities are being conducted;

“by-product” means a substance that is produced as part of a process that is primarily intended to produce another substance or product and that has the characteristics of an equivalent virgin product or material;

“clean building waste” means the inert waste produced during the construction, alteration, repair or demolition of any structure both manmade or natural thus including rubble but excluding building materials such as cement bags, paint holders, window frames, carpets as well as earth, vegetation, wood and rock that are displaced during such construction, alteration, repair or demolition processes;

“collection” means the act of collecting domestic or business waste at the place of generation or storage by the Municipality or an accredited service provider and removal has a similar meaning;

“commercial services” means any waste management service, relating or connected to accumulating, collecting, managing, recycling, sorting, storing, treating, transporting, disposing, buying or selling of waste or any other manner of handling waste excluding municipal services rendered by the Municipality;

“dailies” means putrescible business waste generated by hotels, restaurants, food shops, hospitals and canteens that must be collected on a more frequent basis, often a daily basis, to prevent the waste from decomposing and presenting a nuisance, environmental or health risk;

“damage to the environment” means any pollution, degradation or harm to the environment whether visible or not;

“DEA” means the national Department of Environmental Affairs;

“DEA&DP” means the provincial Department of Environmental Affairs and Development Planning;

“domestic hazardous waste” means hazardous waste generated in a household in minimum quantities consistent with the home use of materials such as paints and solvents, automotive wastes, pesticides, electronics, aerosols, cleaning agents, batteries, fluorescent lamps and refrigerant containing appliances;

“domestic health care waste” means health care waste generated in a household in minimum quantities consistent with the home use of materials for medical purposes and includes waste such as syringes, unused medicines and pills, used bandages, that could cause a health hazard when not appropriately disposed of;

“domestic waste” means waste that emanates from premises used wholly or mainly for--

- (a) residential purposes, such as a dwelling house, flat, boarding house, old age home or group development;
- (b) educational, sport or recreational purposes;
- (c) purposes of public worship, including a hall or other building used for religious purposes, and includes domestic health care waste and domestic hazardous waste but excludes hazardous waste, business waste, building waste, garden waste, bulky waste, special waste, liquid matter or night soil;

“dump” means placing waste anywhere other than in an approved receptacle or a place designated as a waste handling facility or waste disposal facility by the Municipality;

“**DWA**” means the National Department of Water Affairs;

"**ECA**" means the Environment Conservation Act, 1989 (Act 73 of 1989) and any regulations made in terms thereof, or any superseding legislation;

"**EIA**" means an environmental impact assessment as contemplated in NEMA, and/or the ECA and the EIA Regulations as published in Government Notice R 1183 on 5 September 1997, as amended from time to time;

"**enforcement notice**" means any notice issued by an authorised official under this By-law which instructs the person to whom it is issued to comply with the terms of the notice, and includes a compliance notice contemplated in section 57;

"**environment**" means the individual parts and total sum of all elements, properties, conditions and the like making up the surroundings within which living organisms exist and any part or combination of the interrelationships among and between them;

"**environmental emergency**" means any situation that has caused or may cause serious harm to human health or damage to the environment, irrespective of whether the potential for harm or damage is immediate or delayed;

"**environmental restoration cost**" means the full cost of all measures necessary to restore the environment to its condition prior to an incident which caused damage to it, and in the event of this not being possible the value of the cost benefit that has been lost through the damage to or destruction of the environment;

"**event waste**" means waste that originates from the activities related to an event that is held in the municipal area;

"**e-waste**" means electric and electronic equipment waste such as lighting equipment, circuit boards, mobile phones, computers, television sets and audio visual equipment that are still mainly treated as domestic or business waste but with a high need and potential for recycling;

"**garden services activities**" means the provision of gardening services including the cutting of grass, pruning of trees or any other horticultural activity including landscaping, to any domestic, business, commercial, education and training, recreational, institutional or industrial premises;

"**garden waste**" means organic waste which emanates from domestic gardening activities, including grass cuttings, leaves, plants, flowers, branches, tree stumps and other similar waste;

"**general waste**" means waste that does not pose an immediate hazard or threat to health or to the environment, and includes domestic waste; business waste; building waste; inert waste and garden waste;

"**group development**" means a high density residential development with common property and/or facilities and which is managed by a home owners' association, body corporate or other managing body;

"**hazardous chemical substance**" means any toxic, harmful, corrosive, irritant or asphyxiant substance, or a mixture of such substances for which-

- (a) an occupational exposure limit is prescribed;
- (b) an occupational exposure limit is not prescribed but which creates a hazard to health and the environment;

“hazardous waste” means any waste that contains organic or inorganic elements or compounds that may, owing to the inherent physical, chemical or toxicological characteristics thereof, have a detrimental impact on health and the environment;

“health care risk waste” means all hazardous waste generated at any health care facility such as a frail care centre, hospital, clinic, laboratory, medical research institution, dental or medical practitioner or veterinarian including but not limited to infectious waste, pathological waste, sharp waste, pharmaceutical waste, genotoxic waste, chemical waste, pressurized container waste, waste with heavy metals, radio-active waste, or any waste that has been in contact with blood, bodily fluids or tissues from humans or infected animals from veterinary practices;

“health care waste” means all waste generated by or derived from medical care or medical research including but not limited to infectious waste, pathological waste, sharp waste, pharmaceutical waste, genotoxic waste, chemical waste, pressurized container waste, waste with heavy metals, radio-active waste, or any waste that has been in contact with blood, bodily fluids or tissues from humans or infected animals from veterinary practices;

“holder of waste” means any person or entity that imports, generates, collects, handles, accumulates, stores, transports, transfers, processes, treats, trades, exports, recovers, recycles, re-uses or disposes of waste including sorters of waste such as recycling or waste minimisation groups, scrap dealers and buy-back centres;

“industrial waste” means waste generated as a result of manufacturing, industrial, fabricating, processing, dismantling or maintenance activities and may include waste generated by commercial agricultural, mining or power plant activities but does not include any other category of waste;

“inert waste” means waste that—

- (a) does not undergo any significant physical, chemical or biological transformation after disposal;
- (b) does not burn, react physically or chemically biodegrade or otherwise adversely affect any other matter or environment with which it may come into contact; and
- (c) does not impact negatively on the environment, because of its pollutant content and because the toxicity of its leachate is insignificant;

“infectious waste” means waste which is generated during diagnosis, treatment or immunization of humans or animals, in the research pertaining to this, in the manufacturing or testing of biological agents including blood products, cultures, pathological waste, sharp objects, human and animal anatomical waste and isolation waste that contain or may contain infectious substances;

“integrated waste management plan” means an integrated waste management plan required by the Municipality in terms of this By-law or that is required in terms of any other applicable legislation;

“interest” means a levy with the same legal property as service fees and calculated in terms of this By-law on all amounts in arrears in respect of prescribed fees for waste management services at a standard rate equal to an interest rate as determined by the Customer Care, Credit Control and Debt Collection Policy of the Municipality;

“IPWIS” means the Integrated Pollutant and Waste Information System of the Western Cape Government as established in accordance with the national and provincial legislative and policy framework including NEM:WA;

“level of service” means the frequency of municipal service and the type of service point;

“litter” means any object or matter which is discarded by a person in any place except in an approved receptacle provided for that purpose or at a waste disposal facility or a waste handling facility;

“material recovery” means any process where material is removed from the waste stream with the purpose to re-use, recycle or treat the material so removed;

“minimisation” means the steps that are taken by the Municipality, residents, businesses and industries to avoid and reduce the amount and toxicity of waste generated and disposed of;

“Minister” means the Minister of the Department of Environmental Affairs;

“Municipality” means –

- (a) the Overstrand Municipality established in terms of Section 12 of the Structures Act by Provincial Notice No. P.N. 488/2000 or its successors in title, and includes a structure or person exercising a delegated power or carrying out an instruction in terms of this By-law and legislation applicable to local government; or
- (b) a municipal service provider fulfilling a responsibility under this By-law, assigned to it in terms of section 81(2) of the Systems Act or any other law, as the case may be;

“municipal service” means the municipal service relating to the collection of waste, including domestic waste, business waste and dairies and related waste activities provided by the Municipality or a municipal service provider on behalf of the Municipality, in accordance with this By-law;

"NEMA" means the National Environmental Management Act, 1998 (Act 107 of 1998);

“NEM:WA” means the National Environmental Management: Waste Act, 2008 (Act 59 of 2008);

“nuisance” means any injury, harm, damage, inconvenience or annoyance to any person which is caused in any way whatsoever by the improper handling or management of waste, including but not limited to, the storage, placement, collection, transport or disposal of waste or by littering;

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

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

"owner" includes:

- (a) the person in whom is vested the legal title to premises, including, but not limited to, the registered owner according to the title deed;
- (b) where the person in whom the legal title to the premises is vested is insolvent or dead, or is under any form of legal disability whatsoever, the person in whom the administration and control of such premises is vested as curator, trustee, executor, administrator, judicial manager, liquidator or other legal representative;
- (c) in any case where the Municipality is unable to determine the identity of such person, a person who is entitled to the benefit of the use of such premises or a building or buildings thereon; and

- (d) in the case of premises for which a lease agreement of ten years or longer has been entered into and registered in the Deeds Office, the lessee thereof;
- (e) in relation to
 - (i) a piece of land delineated on a sectional plan registered in terms of the Sectional Titles Act, 1986 (Act 95 of 1986), the developer or the body corporate in respect of the common property; or
 - (ii) a section as defined in the Sectional Titles Act, the person in whose name such section is registered under a sectional title deed, and includes the lawfully appointed agent of such a person;
- (f) the person who has purchased immovable property from the Municipality, in terms of a scheme that allows for the purchase price to be paid in instalments and who has not received transfer from the Municipality;

"person" means any natural person, local government body or like authority, a company incorporated under any law, a body of persons whether incorporated or not, a statutory body, public utility body, voluntary association or trust;

"pollution" means any change in the environment caused by –

- (a) substances; or
- (b) radioactive or other waves; or
- (c) noise, odours, dust or heat, emitted from any activity, including the storage or treatment of waste or substances, construction and the provision of services, whether engaged in by any person or an organ of state, where that change has an adverse effect on human health or well-being or on the composition, resilience and productivity of natural or managed ecosystems, or on materials useful to people, or will have such an effect in the future;

"premises" means an erf or any other portion of land, including any building thereon or any other structure utilised for business, industrial or residential purposes;

"prescribed" means, determined by resolution of the Municipal Council from time to time;

"prescribed fee" means a fee including a tariff or charge determined by the Municipal Council by resolution;

"prescribed tariff" means a schedule of prescribed fees as entailed in the Municipality's Tariff By-laws;

"priority waste" means waste declared to be such by the Municipality or in terms of national or provincial legislation and may call for emergency measures to be taken by the Municipality;

"problem animal areas" means areas identified from time to time by the Municipality where animals behave in a way that creates problems;

"public notice" means notice to the public in a manner determined by the Municipality;

"public place" includes any public building, public road, overhead bridge, subway, foot pavement, footpath, sidewalk, lane square, open space, garden, park, sports ground, enclosed space vested in a Municipality, and any road, place or thoroughfare however created which is in the undisturbed use of the public or which the public has the right to use or the right to access;

"public road" means any road, street or thoroughfare or any other place (whether a thoroughfare or not) which is commonly used by the public or any section thereof or to which the public or any section thereof has a right of access and includes—

- (a) the verge of any such road, street or thoroughfare;
- (b) any bridge, ferry or drift traversed by any such road, street or thoroughfare; and
- (c) any other work or object forming part of or connected with or belonging to such road, street or thoroughfare;

“receptacle” means an approved container for the purpose of temporary storage of domestic waste or business waste until removal thereof by the Municipality or an accredited service provider;

“recovery” means a process where waste is reclaimed, which process could involve the separation of waste from a waste stream for further use;

“recyclable waste” means waste that could be separated from the waste stream and set aside for purposes of re-use or recycling;

“recycling” means a process where recovered waste is further processed as a product or raw material;

“refuse” means domestic waste and business waste which is of such a size and form that it could be deposited in an approved domestic waste container or an approved business waste container or any other matter which in the opinion of the Municipality constitutes refuse;

“refuse bag” means a plastic bag at least 22 micron thick with dimensions of 750mm x 950mm or as otherwise prescribed by the Municipality and the same applies to a bin liner;

“safety data sheet” means the information sheet to be completed by all generators of hazardous waste in accordance with relevant regulations and the latest edition of SANS 10234 – Globally Harmonised System of Classification and Labelling of Chemicals GHS and to be in the possession of all holders of waste that handles such hazardous waste;

“SANS” means South African National Standard;

“special industrial waste” means waste consisting of a liquid, sludge or solid substance, resulting from a manufacturing process, industrial treatment or the pre-treatment for disposal purposes of any industrial or mining liquid waste;

“special waste” means a non-hazardous industrial waste that may include a number of waste types which has physical or chemical characteristics, or both, that requires special handling at a waste disposal facility such as contaminated soil, raw animal manure, dead animals and any other material determined to be special waste by the Municipality;

“storage” means the accumulation of waste in a manner that does not constitute treatment or disposal of that waste;

“Structures Act” means the Local Government: Municipal Structures Act, 1998 (Act 117 of 1998);

“sustainable development” means the integration of social, economic and environmental factors into planning, implementation and decision-making so as to ensure that development serves present and future generations;

“Systems Act” means the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000);

“tariff” means the annually revised user charge for the provision of the municipal service, determined and promulgated by the Municipality through its Tariff By-laws in terms of the Systems Act;

“transport” means the movement of waste from one place to another;

“waste” means any substance, whether or not that substance can be reduced, re-used, recycled and recovered—

- (a) that is surplus, unwanted, rejected, discarded, abandoned or disposed of;
- (b) which the generator has no further use of for the purposes of production
- (c) that must be treated or disposed of; or
- (d) that is identified as a waste by the Minister by notice in the Gazette, and includes waste generated by the mining, medical or other sectors, but—
 - (i) a by-product is not considered waste; and
 - (ii) any portion of waste, once re-used, recycled and recovered ceases to be waste;

“waste disposal facility” means any site or premise which receives waste for treatment or disposal thereof, and which is operated in terms of a license obtained from a statutory regulatory authority;

“waste handling facility” means any site or premise that receives, accumulates, handles, recycles, sorts and temporarily stores or treats waste prior to its transfer for final disposal and is operated in terms of a license obtained from a statutory regulatory authority;

“waste information system” means IPWIS ;

“waste management activity” means any one or more of the activities, as listed in and from time to time amended by NEM:WA, that a holder of waste may be involved in;

“waste management officer” means a person designated by the Municipality to be responsible for co-ordinating matters pertaining to waste management for the Municipality;

“waste management plan” means a waste management plan required by the Municipality in terms of this By-law and NEM:WA;

“waste management services” means services that relate to any one or more of the waste management activities;

“waste manifest documents” means the control documents containing information as legally prescribed and maintained by the holders of waste involved; which documents must accompany each load of hazardous waste from point of generation to final management of it;

“waste removal system” means a system by means of which refuse is removed and disposed of by the Municipality;

“waste tyre” means a new, used, retreaded, or un-roadworthy tyre, not suitable to be retreaded, repaired or sold as a part worn tyre and not fit for its original intended use and the storage, stockpiling and disposal;

“working day” means a day other than a Saturday, Sunday or public holiday but in the context of the Municipality’s waste handling and waste disposal facilities it includes all calendar days except Sundays, religious public holidays and New Year’s Day or as determined by the Municipality.

Principles

2. (1) The Municipality has the responsibility to ensure that all waste generated within the municipal area is—
 - (a) collected, disposed of or recovered in accordance with this By-law; and

- (b) such collection, disposal or recovery takes account of the waste management hierarchy outlined in subsection (2).
- (2) The principle underpinning this By-law is the establishment of a waste management hierarchy in the following order of priority—
 - (a) avoidance, minimisation and reduction of waste;
 - (b) re-use of waste;
 - (c) recycling, re-claiming, reprocessing and treatment of waste; and
 - (d) disposal of waste.
- (3) An official authorised in terms of this By-law must as is reasonably possible, take the hierarchy specified in subsection (2) into account.

Main objects

- 3. (1) The main objects of this By-law are—
 - (a) to regulate the collection, handling, storage, transport, recycling, treatment and disposal of waste;
 - (b) to regulate the pursuance of an integrated waste management approach;
 - (c) to regulate the provision of municipal services by a municipal service provider and commercial services by accredited service providers; and
 - (d) to enhance sustainable development.
- (2) In pursuing the main objects of this By-law, the Municipality shall, within its financial and administrative capacity—
 - (a) endeavour to ensure local community involvement in local waste planning;
 - (b) endeavour to minimise the consumption of natural resources;
 - (c) promote the recycling and re-use of waste;
 - (d) encourage waste separation to facilitate re-use and recycling;
 - (e) promote the effective resourcing, planning and delivery of municipal services and commercial services;
 - (f) endeavour to achieve integrated waste management, planning and services in a local context;
 - (g) promote and ensure environmentally responsible municipal services and commercial services; and
 - (h) endeavour to ensure compliance with the provisions of this By-law.

Duties and obligations

- 4. (1) A holder of waste must take all reasonable measures to:
 - (a) reduce or avoid waste generation and minimise the toxicity of waste generated;
 - (b) re-use, recycle and recover waste;
 - (c) dispose waste in an environmentally sound manner;
 - (d) manage waste in a manner not endangering health or the environment and cause no nuisance related to sight, noise or odour;
 - (e) prevent waste from being used for an unauthorised purpose including the prevention of persons under his supervision from contravening this By-law;
- (2) A person who sells a product which may be used by the public and is likely to result in the generation of hazardous waste must take all reasonable steps to inform the public of the impact of that waste on health and the environment.
- (3) Any person subject to the duties and obligations imposed in subsections (1) and (2) may be required by the Municipality or an authorised official to take measures to ensure compliance

with these duties and obligations, which measures may be to—

- (a) investigate, assess and evaluate the impact on the environment;
- (b) inform and educate employees about the environmental risks of their work and the manner in which their tasks must be performed in order to avoid causing significant pollution or degradation of the environment;
- (c) cease, modify or control any act, activity or process causing the pollution or degradation;
- (d) contain or prevent the movement of pollutants or the cause of degradation;
- (e) eliminate any source of the pollution or degradation;
- (f) remedy the effects of the pollution or degradation.

CHAPTER 2

INTEGRATED WASTE MANAGEMENT

Waste management plans

5. (1) The Municipality shall—
 - (a) establish, review and revise its integrated waste management plan in accordance with the prescriptions of national legislation;
 - (b) annually report on the implementation of its integrated waste management plan; and
 - (c) follow prescribed processes of community consultation in terms of subsections (1)(a) and (b).
- (2) All events organised and hosted in the municipal area must at least one month prior to the event taking place submit to the Municipality a waste management plan that includes the waste management services to be provided and such other information as required by the Municipality.
- (3) The Municipality may grant conditional exemption in terms of subsection (2) depending on the size, nature and duration of the event;
- (4) An owner or occupier or any other person responsible for a new development must submit to the Municipality an integrated waste management plan including such information as the Municipality requires prior to the start of the development and also during the development, if so requested by the Municipality.
- (5) The Municipality shall require a holder of waste involved in a waste management activity listed in terms of section 19 of NEM:WA to submit its integrated waste management plan to the Municipality within a specified time and thereafter at intervals coinciding with the requirements of national and provincial legislation or standards.
- (6) The Municipality may require from any other holder of waste excluding domestic waste to submit within a reasonable time and thereafter at intervals determined by the Municipality an integrated waste management plan containing such information as the Municipality deems necessary or, if applicable, a copy of its industry waste management plan as required by national legislation.
- (7) If an integrated waste management plan as referred to in subsections (4), (5) or (6) is in any way changed or amended, the holder of waste must submit such changed or amended plan to the Municipality immediately after the amendment has been made.

Waste information system

6. (1) The Municipality shall establish and maintain a waste information system including information on the levels and extent of waste management services provided by it and enter such information on the IPWIS as and when required.
- (2) The Municipality may require from a holder of waste or any person to furnish the Municipality within a reasonable time or on a regular basis with such data, documents, information, samples or materials and the verification of information reasonably required by the Municipality to discharge its responsibilities in terms of subsection (1).
- (3) The Municipality may request a person or holder of waste that it reasonably believe should be registered on the IPWIS and/or the national waste information system to effect such registration and submit proof thereof to the Municipality or to submit proof of not conducting a waste management activity obligating such registration within a time that the Municipality regards as reasonable.

Waste minimisation and recycling

7. (1) The Municipality shall in accordance with its responsibilities and its resources progressively implement measures to reduce waste and promote the recovery, re-use and recycling of waste including waste separation at source in respect of appropriate levels of services.
- (2) The Municipality may on a regular basis and in a manner it deems suitable acknowledge outstanding achievements in respect of waste avoidance, waste minimisation, recycling or other waste management practices advancing environmentally responsible integrated waste management.

Waste management activities

8. (1) The Municipality may require a holder of waste in possession of or responsible for waste that must be classified, recorded, labelled or in any way assessed or re-assessed, to submit proof of compliance with the relevant prescriptions of national and provincial legislation and standards as applicable thereto and the Municipality will strictly adhere to any such legislation and/or standards in respect of its own waste management activities.
- (2) The Municipality's approval, inspection and monitoring of waste storage facilities, vehicle scrapping or recovery facilities and any other facilities where materials suitable for re-use or recycling are recovered shall be in accordance with national and provincial legislation and standards and the Municipality's by-laws and will require the owners or occupiers of these premises to submit such information, plans and records as the Municipality deems necessary to fulfil its duties as a waste management authority.

CHAPTER 3

COLLECTION OF REFUSE

Levels of service

9. (1) The levels of refuse collection may differ between areas based on the practicality and cost-efficiency of delivering the service. Service levels in areas may vary between:
- (a) on-site appropriate and regularly supervised or monitored disposal;
- (b) community transfer to a central collection point;

- (c) organised transfer to a central collection point and kerbside collection; and
 - (d) a combination or hybrid of (b) and (c).
- (2) Before affecting changes to the existing refuse removal system the Municipality will consult the affected communities or areas and give adequate notice of the commencement of new arrangements.

Agreement of service

- 10.**
- (1) The Municipality shall render a service for the collection of business and domestic refuse from built upon premises at a prescribed fee and the owner or occupier of such premises shall make use of the refuse collection service provided by the Municipality.
 - (2) The occupier of premises or, in the case of premises being occupied by more than one occupier, the owner of such premises on which business or domestic waste is generated, shall where a collection service is available, within seven days of such occupation or changes in such occupation notify the Municipality in writing—
 - (a) that the premises is being occupied by one or more occupier; and
 - (b) whether the collection service is for business or domestic purposes.
 - (3) If the applicant for services in terms of subsection (2) is not the owner, the Municipality shall require any owner to be bound jointly and severally as surety and co-principal debtor with the consumer, for the payment of any prescribed fees payable to the Municipality in terms of this By-law.
 - (4) The refuse collection service rendered in terms of subsection (1) shall be in accordance with the agreement for services concluded with the Municipality; which agreement shall, subject to the terms, conditions and prescribed fees determined by the Municipality, be amended in writing to make provision for an increase in the frequency and/or volume of the refuse removal service rendered should it be required by the Municipality in giving effect to this By-law or in response to a request by the owner or occupier of residential or business premises.
 - (5) An owner or occupier of premises may contract with an accredited service provider to collect its refuse but shall not be entitled to exemption from or a reduction in the prescribed fee determined by the Municipality merely on the grounds that no or limited use is made of the service rendered by the Municipality.
 - (6) An owner or occupier of premises is liable to pay the Municipality the prescribed fee for the provision of refuse collection services on the due date for payment stipulated in the account, failing which the Municipality will deal with the matter in accordance with its Customer Care, Credit Control and Debt Collection By-laws.
 - (7) Availability tariffs may be charged on vacant plots, as determined by the Municipality from time to time.
 - (8) The Municipality will determine which waste items are unsuitable for collection because they do not constitute domestic waste or business waste or could be classified as bulky waste, and if waste is determined to be unsuitable for collection, a process for removal and disposal of such waste shall be recommended by the Municipality to the owner of the waste or occupier of the premises.
 - (9) If the Municipality's scheduled refuse collection services are interrupted for whatever reason, the Municipality will resume the service as soon as reasonably possible and address backlogs as a matter of priority.

- (10) Complaints about the refuse collection service will be dealt with in accordance with the Municipality's Consumer Care Charter for Solid Waste Services.
- (11) The owner or occupier of premises must notify the Municipality in writing when the removal of refuse is no longer required in which case the prescribed fees shall be payable until the end of the calendar month following after the month in which the notice is received unless subsection 10(5) applies.

Frequency

11. (1) The Municipality shall collect domestic waste and business waste at least once per week on scheduled dates for different areas. Occupiers or owners of premises will be informed of revised collection arrangements reasonably in advance by one or more appropriate methods.
- (2) The Municipality will determine which business premises generate waste that can be regarded as dailies and may instruct an increase in the frequency of refuse collection from such premises as provided for in section 10(4).
- (3) If the Municipality is of the opinion that a business creates a nuisance, health risk, odour or danger to public health due to the fact that refuse is not removed during weekends, the Municipality may instruct the owner or occupier to make use of an additional refuse collection service rendered at a prescribed fee by the Municipality.
- (4) An owner or occupier of a business premises that receives a refuse removal service once per week may apply to the Municipality in writing to increase the number of refuse removals to multiple times per week including Saturdays, Sundays or public holidays if a service is available on these days in its area and as further provided for in section 10(4).
- (5) Visitors that leave before collection day must place their refuse in containers supplied in the area for that purpose or take their refuse to the nearest waste handling facility as directed by the Municipality.

Volume

12. (1) The Municipality shall determine—
 - (a) the number of receptacles to be collected from each residential premises per collection;
 - (b) the number of receptacles to be collected from each business premises per collection based on an inspection of the waste volumes with the owner or occupier; and
 - (c) the maximum amount of business waste that may be placed for collection without the provision of an additional service or the payment of an additional prescribed fee.
- (2) Should the Municipality require the provision of an additional service to a residential or business premises or the owner or occupier of a residential or business premises apply to the Municipality in writing to increase the number of receptacles to be collected per collection from its premises, these changes will be effected as provided for in section 10(4).

Receptacles

13. (1) The Municipality will collect domestic waste placed in approved domestic waste containers and business waste placed in approved business waste containers from a location and in a condition as determined in this By-law or any notice in terms of this By-law. Waste placed in a

location not meeting the prescriptions of the Municipality or a receptacle not approved by the Municipality will not be collected.

- (2) The owner or occupier of residential or business premises shall be responsible for marking his receptacle/s with the stand number to ensure easy identification thereof and to assist the municipal employees to return it to the correct stand.
- (3) Receptacles for the temporary storage of waste at business and residential premises must be intact, not corroded or worn out and fit for the safe storage of waste; such that damage to the environment and harm to health are prevented.
- (4) No person may allow an animal in his or her control to interfere with, overturn or damage a receptacle which has been placed for collection.
- (5) The owner or occupier of business or residential premises must ensure that—
 - (a) a receptacle contains no hot ash, unwrapped glass or other domestic waste, business waste including dailies which may cause injury to the municipal employees while carrying out their duties in terms of this By-law or damage to the receptacle;
 - (b) no material, including any liquid, which by reason of its mass or other characteristics is likely to render a receptacle unreasonably difficult for the municipal employees to handle or carry, is placed in such receptacle;
 - (c) receptacles are kept closed to avoid animal and insect interference and wind-blown litter and in a clean and hygienic condition;
 - (d) receptacles are placed outside the entrance to the premises before 07:00 on the day of the week specified by the Municipality for waste removal and taken back inside before sunset on the same day or such other location or times as required by the Municipality in terms of a written notice to the owner or occupier of the premises;
 - (e) in accordance with the Municipality's specifications, whether contained in approved building plans or a Municipal Council notice, a designated space and any other facility deemed necessary by the Municipality are provided on the premises for the storage of receptacles without these been visible from a public road or public place and the designated space so allowed permitting convenient access to and egress for the Municipality's waste collection vehicles;
 - (f) the pavement in front of or abutting the premises is kept clean and free of refuse.
- (6) If dailies are generated, the owner or occupier must ensure that—
 - (a) the dailies are not placed in a receptacle where they could contaminate another waste stream;
 - (b) the receptacles are placed in a designated area easily accessible from the entrance of the premises from where the waste is collected by the Municipality.
- (7) Notwithstanding anything to the contrary contained in this By-law, the Municipality may, having regard to the avoidance of a nuisance and the convenience of collection of waste, indicate a specific position within or outside the premises concerned where approved receptacles must be placed for the collection and removal of waste and such receptacles must then be placed in that position at such times and for such period as the Municipality may require.
- (8) No owner or occupier of premises is allowed to place any refuse bags or other receptacles containing waste other than domestic or business waste outside the premises unless approved by the Municipality for a specific purpose and subject to conditions as the Municipality may impose.

- (9) The Municipality will not collect refuse that are not in bags or damaged receptacles including refuse bags which are torn and no liability will be accepted for lost or damaged containers.
- (10) Only animal proof containers may be used by residents in areas which the Municipality has declared as problem animal areas and these containers are at cost obtainable from the Municipality.
- (11) If an owner or occupier of premises in a problem animal area is using a receptacle that does not comply with the requirements of the Municipality, he will be instructed to obtain an animal proof container from the Municipality and, in cases where the Municipality is of the opinion that more than one animal proof container is needed due to the volume of waste, the owner or occupier will be compelled to purchase such from the Municipality.
- (12) Nothing that may cause damage to the refuse compactor of the Municipality may be deposited in approved domestic and business waste containers or animal proof containers and where such care is not taken and damage of municipal equipment takes place, the Municipality will hold the owner or occupier liable for the full cost of such damages.

Communal collection

14. (1) The Municipality shall in high density areas where a sustainable, formalised domestic waste collection service can be rendered, collect the refuse of individual households on a weekly basis.
- (2) The Municipality shall place appropriate bulk receptacles at central communal collection points determined by the Municipality as suitable for communal collection.
- (3) Communal collection points will be clearly demarcated areas.
- (4) The bulk receptacles will be in accordance with the Municipality's specifications and its location will as far as reasonably possible—
 - (a) allow secure and easy access to the community;
 - (b) prevent windblown litter;
 - (c) enable easy access for the Municipality's waste collection vehicles.
- (5) The waste will as far as reasonably possible be collected once per week or within 24 hours of a bulk receptacle being reported full to the Municipality.
- (6) Waste separation at source will be encouraged in respect of communal collection by providing separate bulk receptacles for non-recyclable and recyclable waste at the communal collection points should the Municipality determine it to be viable.

Collection in rural areas

15. (1) Where it is not economically viable for the Municipality to provide bulk waste containers or any other form of collection of waste in its rural areas, communities and farmers are encouraged to dispose of waste at designated municipal waste handling or waste disposal facilities.
- (2) Notwithstanding the above, the Municipality will in co-operation with rural communities work to find cost-effective ways to expand waste collection practices to the rural areas.
- (3) The Municipality is in accordance with national legislation not in favour of on-site disposal of

waste but may allow on-site waste disposal in rural areas if no other feasible alternatives could be made available; in which case, the Municipality will supervise or monitor such practices and exercise control over it in so far as it is reasonably possible.

Recycling

- 16.** (1) Any owner or occupier of a business or residential premises or any other holders of waste as determined by the Municipality and in areas as determined by the Municipality may be required to—
- (a) separate their waste in recyclable, e.g. e-waste; plastics, paper and glass and non-recyclable waste in accordance with the directives of the Municipality;
 - (b) use different receptacles for waste so separated as directed and/or provided by the Municipality;
 - (c) place receptacles containing the recyclable waste outside the entrance to the premises before 07:00 on the day of the week specified by the Municipality for waste removal or, if so requested, drop these recyclable waste receptacles off at places as directed by the Municipality; and
 - (d) follow any other reasonable prescribed procedures.
- (2) The Municipality or its service provider may, in areas where such services are necessary and viable, collect recyclable waste from business premises multiple times per week.
- (3) The Municipality has provided drop-off centres for recyclables in all its administrations at places ensuring easy and safe access for the public.

Accumulation of waste

- 17.** (1) The owner or occupier of a business or residential premises must ensure that all domestic or business waste generated on the premises be placed for collection and not be accumulated on-site.
- (2) Where a type or quantity of waste is not collected by the Municipality or regularly removed by an accredited service provider, the owner or occupier of the premises and/or holder of the waste must arrange for the removal, transport and disposal of the waste at a waste handling or waste disposal facility, as often as may be necessary to prevent undue accumulation and any nuisance or detrimental impact on human health or the environment arising from the waste.
- (3) The Municipality may enter any premises where it suspects waste of any type is accumulated and may instruct the person generating the waste or the owner or the occupier of the premises where it is so accumulated to remove the waste immediately or the Municipality may proceed to do so at the cost of the owner or occupier of the premises where the waste is accumulated.

CHAPTER 4

Handling Different Waste Types

Part 1 Garden Waste

Composting

18. The owner or occupier of premises on which garden waste is generated may compost garden waste on the property, provided that such composting does not cause a nuisance nor has a detrimental impact on human and environmental health and adheres to any relevant legal requirements including obtaining any authorisations from a competent authority should such be required.

Removal and disposal of garden waste

19. The owner or occupier of premises on which garden waste is generated must remove and dispose of it within a reasonable time after generation of the waste at a waste handling and/or waste disposal facility determined by the Municipality.

Part 2 Bulky Waste

Removal and disposal

20. The owner or occupier of premises on which bulky waste is generated, shall ensure that such waste is removed and disposed of in terms of this By-law within fourteen days after generation thereof at a waste handling and/or waste disposal facility determined by the Municipality.

Part 3 Building Waste

Plans and inspection

21. (1) An owner or occupier or any person responsible for the submission of building plans for a new building or an alteration to an existing building must include therein the manner in which building waste will be handled.
- (2) An authorised official of the Municipality must inspect and verify that the waste arrangements contemplated in subsection (1) were followed and all building waste appropriately disposed of as part of the final municipal sign-off of the building activities.

Generation and storage

22. (1) Notwithstanding the waste arrangements contemplated in section 21, the owner or occupier of premises on which building waste is generated and/or the person engaged in any activity which causes such waste to be generated, must ensure that—
- (a) all building waste and the containers used for the storage thereof is kept on the premises on which the building waste is generated;
 - (b) the premises on which the building waste is generated does not become unsightly or cause a nuisance as a result of accumulated building waste;
 - (c) any building waste which is blown off the premises, is promptly retrieved.

- (2) Upon written request and subject to conditions as it may determine the Municipality may approve the use of a bulk receptacle placed on a verge for a specified duration.
- (3) The Municipality may instruct an owner or occupier of premises on which building waste is generated and/or the person engaged in any activity which causes such waste to be generated to make use of special containers to dispose of it.
- (4) The owner or occupier of the premises on which building waste is generated must endeavour to separate clean building waste from the rest of the building waste and also dispose of it separately as contemplated in section 23(2).

Removal and disposal

- 23.** (1) The owner or occupier of premises on which building waste is generated and/or the person engaged in any activity which causes such waste to be generated, must ensure that all building waste is weekly removed and disposed of and the premises completely cleared of building waste before final sign-off by the Municipality's building inspector will be done.
- (2) Building waste must be disposed of at a waste handling and/or waste disposal facility determined by the Municipality.

Part 4 Special Industrial, Health Care and Hazardous Waste

Notification and verification

- 24.** (1) Any person that will engage in activities which will generate special industrial, hazardous or health care waste must prior to the generation of such waste, notify the Municipality in writing of the expected or known composition of such waste and the quantity to be generated, how and where it will be stored, how it will be collected and disposed of and the identity of the accredited service provider who will be responsible for its removal, transportation and disposal.
- (2) Any person engaged in waste activities as referred to in subsection (1) which were established and in operation prior to the commencement of this By-law, must notify the Municipality as contemplated in subsection (1) within ninety days of the commencement of this By-law.
- (3) If so required by the Municipality, a notification referred to in subsection (1) or (2) must be substantiated by—
- (a) an assessment and analysis of the waste composition certified by an appropriately qualified industrial chemist;
 - (b) safety data sheets or completed waste manifest document/s; and
 - (c) such other records required to verify compliance with applicable legislation, national standards and the latest edition of the relevant SANS Code of Practice.
- (4) The person referred to in subsection (1) or (2) must when changes occur and annually before or on the 30th of June submit to the Municipality a written report containing the information stipulated in subsection (1), if so required by the Municipality, the substantiating documents referred to in subsection (3) and any other information which the Municipality may reasonably require.
- (5) An authorised official may enter premises at any reasonable time to ascertain whether waste

referred to in subsection (1) is generated or stored on such premises and may take samples and test any waste found on such premises to ascertain its composition.

- (6) Sampling as contemplated in subsection (5) will be, as reasonably possible, done in the presence of the owner, occupier or person apparently in control of the premises and waste samples will be taken in duplicate in order to provide the owner, occupier or person apparently in control with a set of waste samples identical to that of the Municipality which he/she could also test at own cost provided that the same tests be done as the Municipality; it be done at the nearest laboratory accredited by the South African National Accreditation System (SANAS) and the samples be delivered to this laboratory by the Municipality.

Storage

25. (1) Special industrial, health care and hazardous waste generated on premises must be stored not creating a nuisance or causing harm to human health or polluting the environment and in accordance with applicable legislation, national standards and the latest edition of the relevant SANS Code of thereon in an approved container until it is collected from the premises and it must be stored in a manner Practice.
- (2) If the waste referred to in subsection (1) is not stored as stipulated, the Municipality may require a full record of the waste content, date of containment and quantity and if such a record is not available the Municipality may instruct the person generating the waste or the owner or the occupier of the premises where it is stored to remove the waste immediately or the Municipality may proceed to do so at the cost of the owner or occupier of the premises where the waste is stored.

Collection and disposal

26. (1) Only an accredited service provider may collect special industrial, health care and hazardous waste from premises where it is stored and transport it to and dispose of it at a waste disposal facility designated by the Municipality to receive such waste.
- (2) An accredited service provider must collect, transport and dispose of the waste referred to in subsection (1) in accordance with its accreditation terms and conditions and in compliance with applicable legislation, national standards and the latest edition of the relevant SANS Code of Practice.

Part 5 Industrial Waste and Special Waste

Storage

27. (1) The owner or occupier of premises on which industrial waste or special waste is generated must ensure that until such time as the waste is collected by an accredited service provider from the premises on which it was generated—
- (a) the waste is stored in accordance with applicable legislation, national standards and the latest edition of the relevant SANS Code of Practice in approved containers which are not kept in a public place; and
- (b) no nuisance, health risk or environmental damage is caused by the waste in the course of its generation or storage.

Collection and disposal

- 28.** (1) Only an accredited service provider may collect industrial or special waste from premises where it is stored and transport and dispose of it at a waste disposal facility designated by the Municipality to receive such waste.
- (2) An accredited service provider must collect, transport and dispose of the waste referred to in subsection (1) in accordance with its accreditation terms and conditions and subject to the requirements of any applicable legislation, national standards and the latest edition of the relevant SANS Code of Practice.
- (3) The Municipality may determine specific times for acceptance of special waste at the site referred to in subsection (1).

Part 6 Tyres, Disused Vehicles or Machinery and Scrap Metal

Storage and disposal

- 29.** (1) No owner or occupier of premises with an operational area in excess of the statutory determined limit may temporary accumulate, store or stockpile waste tyres, disused, scrapped, dismantled or recovered vehicles or machinery or scrap metal unless the waste management activity is managed in accordance with national standards or licensed in terms of national legislation, whichever is applicable.
- (2) Waste tyres, disused, scrapped or dismantled vehicles or machinery and scrap metal are not accepted at any of the Municipality's own waste handling or waste disposal facilities. Any person having to dispose of any of these materials must dispose thereof at a waste disposal facility as directed by the Municipality and in terms of conditions determined for such waste disposal facility.
- (3) The Municipality may enter the premises of any person involved in the storage or stockpiling of waste tyres, disused vehicles or machinery or scrap metal and request proof of any plans including its integrated waste management plan, licenses or other applicable documents to verify compliance with applicable legislation.

Part 7 Recyclable Waste

Storage, collection and disposal

- 30.** (1) No owner or occupier of premises or any other person may temporary accumulate, sort, store or stockpile recyclable waste on any premises within the municipal area unless acting in accordance with subsection (2).
- (2) An owner or occupier of premises or any other person must prior to commencing an activity involving the re-use, reclamation or recycling of waste, comply with national and provincial legislation and standards and the latest edition of the relevant SANS Code of Practice for such activity and provide the Municipality with a copy of his integrated waste management plan and such other information as the Municipality may require.
- (3) Only an accredited service provider may collect recyclable waste from premises where it is generated and/or separated from other waste and transport and dispose of it at a waste

handling facility or a waste disposal facility designated by the Municipality to receive such waste.

Part 8 Agricultural and Farm Waste

Disposal

- 31.** (1) An owner or occupier of farm land may subject to subsections (2) and (3) use on-site disposal of waste but, as also indicated in section 41, the burning of waste is strictly prohibited.
- (2) An owner or occupier of farm land may not dispose any quantity of hazardous waste, which may be present in agricultural waste, to the land unless in possession of the applicable waste management license in terms of national legislation, and if applicable, provincial legislation.
- (3) An owner or occupier of farm land may dispose of general waste, which may include agricultural and farm waste, to the land provided this is done in accordance with applicable legislation, national standards and the latest edition of the relevant SANS Code of Practice and, if the quantity of waste requires it, authorisation thereof by a valid waste management license.
- (4) An authorised official of the Municipality may request an owner or occupier of farm land who he suspects is disposing hazardous waste and/or general waste exceeding the quantity allowed for disposal to provide proof of the licences referred to in subsections (2) and/or (3) and, irrespective of the composition and/or quantity of the waste disposed of to land by the owner or occupier, the Municipality may request the owner or occupier to submit an integrated waste management plan to the Municipality within a time frame determined by the Municipality.
- (5) An owner or occupier of farm land may dispose of domestic waste excluding hazardous and health care waste at waste handling or waste disposal facilities as directed by the Municipality.

CHAPTER 5

Transportation and Disposal

Part 1 Transportation of Waste

Safe transportation

- 32.** (1) A transporter of waste must ensure that—
- (a) vehicles used for the conveyance of waste upon a public road are of adequate size and construction for the type of waste being transported; and
 - (b) he/she maintains the vehicles used for the conveyance of waste in a clean, sanitary and roadworthy condition at all times.

No wastage or spillage

- 33.** (1) A person transporting waste through the municipal area must ensure that—
- (a) loose waste on an open vehicle is covered with a tarpaulin or suitable net; and
 - (b) no waste become detached, leak or fall from the vehicle transporting it.

Legal compliance

34. A transporter of waste, specifically hazardous waste, must ensure he or she operates in compliance with all relevant national and provincial legislation, national standards and the latest edition of the relevant SANS Code of Practice.

**Part 2
Waste Disposal****Permitted use**

35. (1) The Municipality may prescribe which types of waste may be disposed of at a particular waste handling or waste disposal facility as permitted in terms of the license stipulations of each facility and further in compliance with national legislation and standards.
- (2) Different tariffs for the disposal of different waste types and volumes are applicable but residents are allowed disposal of general waste at the waste handling and waste disposal facilities determined by the Municipality.

Liabilities

36. (1) No person may dispose of waste at a waste disposal facility which is not licensed for such use. Any person who acts in contravention of any prescriptions of the Municipality as contemplated in section 35(1) will be liable for all reasonable costs incurred by the Municipality in removing or otherwise dealing with the waste improperly disposed.
- (2) The Municipality shall not be liable for any claim resulting from access to any waste handling or waste disposal facility and any person who enters any of the sites of these facilities does so at own risk.

Conduct at facilities

37. (1) No person may enter a waste handling or a waste disposal facility for any purpose other than the disposal of waste in terms of this By-law and only at such times and between such hours as the Municipality may determine and display on a clearly visible notice board at the entrance of the waste handling or waste disposal facility.
- (2) Every person who, for the purpose of disposing waste enters a waste handling or a waste disposal facility must—
- (a) enter and leave the facility at the designated entrance and exit points;
 - (b) supply all the particulars required regarding the source and composition of the waste, which waste may be inspected by the Municipality;
 - (c) follow all instructions with regard to access to the actual disposal, transfer or recycling point and the place where and the manner in which the waste should be deposited.
- (3) No person may bring any intoxicating liquor or narcotic substances into any waste handling or waste disposal facility.
- (4) The Municipality may prescribe the maximum size of a vehicle allowed to enter a waste handling or waste disposal facility.

Accepting waste from others

38. (1) The Municipality may consider an application from another municipality to dispose waste at a designated waste disposal facility provided that the acceptance of waste from another

municipality will not impact on the Municipality's authority and ownership of the said waste disposal facility.

- (2) The Municipality may allow a person to dispose waste generated outside the Municipality's municipal area at a designated waste disposal facility of the Municipality provided such person first becomes an accredited service provider as provided for in this By-law.
- (3) The tariffs applicable to accredited service providers referred to in subsection (2) may differ from the waste disposal tariffs stipulated in the Municipality's Tariff By-laws, as annually determined during the approval of the budget.

CHAPTER 6

Littering and Dumping

Provision of facilities for litter

- 39.** (1) The Municipality must take reasonable steps to ensure that a sufficient number of receptacles are provided for the discarding of litter by the public on any premises to which the public has access.
- (2) The owner or occupier of private land to which the public has access must ensure that sufficient containers are provided to contain litter which is discarded by the public.

Littering and dumping

- 40.** (1) No person may drop, throw, deposit, spill, dump or in any other way discard, any litter or waste into or onto any public place, public road, road, municipal drain, land, vacant erf, stream or any other places not allowed for in this By-law or allow any person under their control to do so.
- (2) An authorised official may act against any of the contraventions listed in subsection (1) through a written notice directing such person to—
- (a) cease the contravention within a specified time;
 - (b) prevent a repeat of the contravention or a further contravention;
 - (c) take whatever measures that the Municipality considers necessary to clean up or remove the waste and rehabilitate the affected environment within a specified time; or institute criminal action in terms of the Criminal Procedure Act, 1977 (Act 51 of 1977) in case of non-compliance with paragraphs (a) to (c) above.
- (3) An owner or occupier of land or premises or any other person in control of land or premises, may not use or permit the land or premises to be used for unlawful dumping of waste and must take reasonable steps to prevent the use of the land or premises for that purpose.
- (4) Should the Municipality regard it necessary to remove waste or litter from land or premises, the owner, occupier or person having control over the land or premises will be held liable for the costs incurred by the Municipality for the removal operation.
- (5) In the case of hazardous waste, the Municipality will immediately remove such waste and thereafter issue notices to the person liable for the cost of removal and rehabilitation of the environment.

Burning of waste

41. Burning of waste is strictly prohibited.

Abandoned objects

42. A person who abandons any article is liable for any damage which that article has caused or may cause as well as for the cost of removing that article notwithstanding the fact that such person may no longer be the owner thereof.

CHAPTER 7**External Service Providers****Part 1****Accredited Service Providers for Commercial Services****Accreditation applications**

43. (1) No person may provide commercial services for the collection and transport of waste in the municipal area unless such person has registered with the Municipality and obtained an accreditation authorising these waste management activities within the municipal area.
- (2) An application for accreditation must be submitted in writing in a format or on a form prescribed by the Municipality including such information as the Municipality requires and the prescribed fee and, unless subsection (3) applies, the Municipality's approval for the collection and transportation of waste must first be obtained before such waste services may commence.
- (3) Any person already providing these commercial services at the commencement of this By-law, must within ninety days of such commencement date submit an application for accreditation in terms of subsection (1), failing which the person will as from the date that the said ninety days' period expired no longer be able to render such services in the municipal area.
- (4) The Municipality will consider and grant or reject the application submitted in terms of subsection (3) within thirty days of its receipt having regard to the health, safety and environmental record of the applicant and the nature of the commercial service to be provided and will furnish in writing specific and substantive reasons if such application is rejected.

Terms and conditions of accreditation

44. (1) An accreditation must-
- (a) clearly identify the accredited person or entity;
 - (b) specify the accreditation period;
 - (c) specify the categories of waste which the accredited service provider may collect, transport and dispose;
 - (d) outline the information recording and submission requirements of the Municipality for its own integrated waste management plan and IPWIS; and
 - (e) deal with other procedural matters.
- (2) An accreditation for the collection and transport of waste—

- (a) may not be ceded or assigned without the prior written consent of the Municipality;
 - (b) is valid for one year from the date of issue; and
 - (c) is valid only for the categories of waste specified therein.
- (3) An accreditation authorisation will include a display sticker for each of the vehicles identified in the accreditation application indicating the validity period and the category of waste for which it is granted, which sticker must be clearly displayed on the front window of the identified vehicles.
- (4) The Municipality will not receive waste at its waste handling facilities or waste disposal facilities from service providers or contractors who are not able to provide proof of accreditation by the Municipality should it be requested and without an accreditation sticker on the vehicle.
- (5) An accredited service provider may not fail or refuse to provide the Municipality with any information reasonably requested with regards to the terms and conditions of the accreditation or give false or misleading information.
- (6) An accredited service provider is fully liable for any act or omission by any of his or her employees that could be seen as a transgression of the accreditation conditions and/or have a detrimental impact on human health or the environment.

Renewal of accreditation

45. (1) An accreditation renewal application must be submitted at least sixty days prior to the expiry date of a current accreditation and will be considered and either granted or rejected by the Municipality within thirty days of receipt of the renewal application. The Municipality must provide substantive reasons for the rejection of an accreditation renewal.
- (2) Notwithstanding anything to the contrary in this By-law, the Municipality must temporary extend an accreditation for a specific duration not exceeding thirty days if an accredited service provider followed the correct procedure as contemplated in subsection (1) and due to the Municipality's processes, the renewal application has not been considered and a new accreditation granted or rejected.

Suspension and revocation of accreditation

46. (1) The Municipality may suspend or revoke an accreditation if an accredited service provider failed to comply with any of the terms and conditions of the accreditation or any other provision of this By-law, or any national or provincial legislation regulating the collection, transportation or disposal of waste or any other grounds considered by the Municipality as substantive reason to revoke or suspend an accreditation.
- (2) The Municipality must give an accredited service provider written notice of the intended suspension or revocation of his or her accreditation and within thirty days from the date of issuing the notification to submit reasons for such action not to be taken by the Municipality.
- (3) The Municipality must make a final decision within fourteen days of the expiry of the period stated in subsection (2) irrespective if a representation was received from the service provider and notify the service provider in writing within seven days of taking a final decision.

Accreditation exemptions

47. The Municipality may exempt an external service provider or a type of commercial service from any or all of the accreditation provisions in Part 1 of Chapter 7 and such other sections as may be deemed necessary by the Municipality.

Consumer responsibilities

48. (1) The owner or occupier of premises or the holder of waste that contracts with an accredited service provider must ensure that—
- (a) the service provider is accredited to collect and transport the categories of waste for which he or she is contracted;
 - (b) until such time as the accredited service provider collects such waste from the premises on which it was generated, the waste is stored in an approved container and no nuisance, including but not limited to dust and smells, is caused by the handling of the waste in the course of its generation, storage or collection; and
 - (c) the service rendered is only in respect of the categories of waste authorised in the accreditation.

Part 2 Municipal Service Providers

Outsourcing of services

49. The Municipality may enter into agreements with external service providers, whether public or private, for the rendering of municipal waste services and activities and must do so in accordance with municipal, provincial and national legislation.

Consumer charter

50. If a service provider as contemplated in section 49 is appointed by the Municipality, to render a service to a large geographical area or part of its population, the municipal service provider will be required to compile and adopt a consumer charter in consultation with the community.

CHAPTER 8

General

Ownership

51. (1) The person holding the licence to operate a waste handling or a waste disposal facility becomes the owner of all waste upon disposal thereof at that facility.
- (2) A person who generates domestic or business waste is the owner thereof until it is collected by the Municipality who then becomes the owner thereof.

Access to premises

52. Should the Municipality be impeded from collecting or handling refuse due to the layout of the premises and/or such layout is likely to result in damage to private property or municipal property or injury to the Municipality's employees, the Municipality may require the owner or occupier to do such alterations as necessary at own cost to remove any impediments, failing or refusing which, the Municipality must suspend the service and require the owner or occupier to indemnify the

Municipality in writing in respect of such damage or injury or any claims arising from it before resuming the service.

CHAPTER 9

Enforcement and Legal Services

Compliance with this By-law and other laws

- 53.** (1) The owner or occupier of premises is responsible for ensuring compliance with this By-law in respect of all or any of its stipulations.
- (2) Any person who, or an entity which, requires a waste related license or authorisation in terms of national, provincial or municipal legislation must prove on request, to an authorised official that such person or entity has obtained the appropriate license by submission thereof to the Municipality within 30 days or such other period as specified by the authorised official.

Authorisation of an official

- 54.** (1) The Municipality or a municipal service provider as contemplated in section 49 of this By-law, may authorise any person in its employ to become an authorised official.
- (2) The waste management officer of the Municipality is an authorised official.

Functions and powers of an authorised official

- 55.** (1) An authorised official may execute work, conduct an inspection and monitor and enforce compliance with this By-law and, as applicable, national and provincial legislation relating to waste management.
- (2) Subject to the provision of any other applicable law, an authorised official must carry out the functions contemplated in this section and the powers set out herein.

Service of notices and documents

- 56.** (1) A notice or document issued by the Municipality in terms of this By-law must be deemed to be duly authorised if an authorised official signed it.
- (2) If a notice or document is to be served on an owner, occupier or any other person in terms of this By-law it shall be deemed to be effectively and sufficiently served on such a person-
- (a) when it has been delivered to him or her personally or to his or her duly authorised agent;
 - (b) when it has been left at his or her residence or place of business or employment to a person apparently not less than sixteen years of age and residing or employed there;
 - (c) if he or she has nominated an address for legal purposes, having been delivered to such an address;
 - (d) if he or she has not nominated an address for legal purposes, having delivered it to the address given by him or her in his or her application for the provision of waste services, for the reception of an account for the provision of waste services;
 - (e) when it has been sent by pre-paid registered or certified post addressed to his or her last known address for which an acknowledgement of the posting thereof will be obtained from the postal service;

- (f) in the case of a legal person, by delivering it at the registered office or business premises of such legal person; or
- (g) if service cannot be effected in terms of subsections (a) to (f), by affixing it to a conspicuous place on the premises concerned.

Compliance notices

57. (1) An authorised official may issue a written notice to any person contravening the provisions of this By-law.
- (2) A notice in terms of subsection (1) must
- (a) provide details of the provision of the By-law that has not been complied with;
 - (b) provide the owner, occupier, or other party a reasonable opportunity to make representations and state his or her case in writing to the Municipality within a specified period, unless the owner, occupier or other person was given such an opportunity before the notice was served;
 - (c) specify the steps that the owner, occupier or other person must take to rectify or remedy the failure;
 - (d) specify the period within which the owner, occupier or other person must take these steps to rectify the failure; and
 - (e) indicate that the Municipality may-
 - (i) if the notice is not complied with, undertake or allow the work that is necessary to rectify the failure to be undertaken and recover from the owner, occupier or other person the actual cost of such work; and
 - (ii) take any other action it deems necessary to ensure compliance.
- (3) If an owner or occupier or any other person fails to comply with a written notice served on him or her by the Municipality in terms of this By-law, the Municipality may take such action as in its opinion is necessary to ensure compliance, including-
- (a) Undertaking the actions and/or work necessary and recovering the cost of such actions and/or work from the owner, occupier or other person, as the case may be; or
 - (b) Instituting legal proceedings against the owner, occupier, or other person, as the case may be in terms of the Criminal Procedure Act, 1977 (Act 51 of 1977).
- (4) In the event of an emergency, notwithstanding any other provisions of this By-law, the Municipality may without prior notice undertake the work contemplated in subsection (3) and recover such costs from the owner, occupier or other person, as the case may be.
- (5) The actual costs recoverable by the Municipality in terms of subsections (3) and (4) shall be the full costs associated with such work.
- (6) In the case where compliance with a notice is required within a specified number of working days, such period shall be deemed to commence on the date of issue of such notice.
- (7) A notice or document issued in terms of subsection (2) is valid until one of the following events occurs:
- (a) it is carried out;
 - (b) it is cancelled by the authorised official who issued it or, in that person's absence, by a person with similar authority;
 - (c) the purpose for which it was issued, has lapsed.
- (8) An authorised official who is satisfied that the owner or occupier or person apparently in control of any premises has satisfied the terms of a compliance notice may issue a *compliance certificate* to that effect.

Power of entry and inspection

- 58.** (1) An owner or occupier must, on request, allow an authorised official access to premises to carry out such inspection and examination as he or she may deem necessary to investigate any contravention of this By-law and ensure compliance therewith.
- (2) When accessing the premises, the authorised official must, if requested, identify him or herself through written proof of authorisation.

Using force to enter

- 59.** (1) Force may not be used to affect entry to execute work or conduct an inspection on any in terms of premises section 58, unless an emergency arises.
- (2) An authorised official carrying out a written authorisation in terms of section 58 which is regarded as an emergency situation, may overcome any resistance to entry, execution of work or inspection by using as much force as is reasonably required, including breaking a lock, door or window of the premises to be entered.
- (3) Before resorting to force to gain entrance to the premises, the authorised official carrying out the written authorisation must audibly demand admission and must announce his or her purpose, unless he or she reasonably believes that doing so may induce a person to destroy, dispose of, or tamper with, the article or document or object that is the focus of the inspection.

Liabilities and compensation

- 60.** The Municipality will not be liable for damages or compensation arising from anything done by it in terms of this By-law.

False statement or information

- 61.** No person may make a false statement or furnish false information to the Municipality, an authorised official or an employee of the Municipality, or falsify a document issued in terms of this By-law.

Appeals

- 62.** An appeal to a decision of the Municipality taken in terms of delegated powers must be made in terms of section 62 of the Systems Act by giving written notice of the appeal and the reasons therefor within twenty one days of the date of notification of the decision to the municipal manager.

Offences

- 63.** (1) It is an offence for any person to -
- (a) refuse to grant an authorised official access to premises to which that authorised official is duly authorised to have access;
 - (b) obstruct, interfere or hinder an authorised official who is exercising a power or carrying out a duty under this By-law;
 - (c) fail or refuse to provide an authorised official with a document or information that the person is required to provide under this By-law;
 - (d) give false or misleading information to an authorised official;
 - (e) unlawfully prevent the owner of any premises, or a person working for that owner, from entering the premises in order to comply with a requirement of this By-law;

- (f) pretend to be an authorised official;
 - (g) falsely alter an authorisation to an authorised official or written authorisation, compliance notice or compliance certificate issued in terms of this Chapter;
 - (h) enter any premises without a written notification in circumstances requiring such notification;
 - (i) act contrary to a written notice or document issued in terms of this Chapter;
 - (j) disclose any information relating to the financial or business affairs of any person which was acquired in the performance of any function or exercise of any power in terms of this By-law, except –
 - (i) to a person who requires that information in order to perform a function or exercise a power in terms of this By-law;
 - (ii) if the disclosure is ordered by a court of law; or
 - (iii) if the disclosure is in compliance of the provisions of any law.
 - (k) contravene or fail to comply with any of the provisions of this By-law;
 - (l) fail to comply with any notice issued in terms of this By-law;
 - (m) fail to comply with any lawful instruction given in terms of this By-law;
 - (n) Contravene or fail to comply with any conditions imposed upon the granting of any licence, consent approval, concession, exemption or authority in terms of this By-law.
- (2) A person who causes or incites another person to commit an offence referred to in subsection (1), or who, being in a position of authority over another person, permits or allows him or her to commit an offence, will be guilty of that offence.

Penalties

- 64.** (1) Any person who contravenes any of the provisions of section 63 shall be guilty of an offence and liable on conviction to-
- (a) a fine or imprisonment or to such imprisonment without the option of a fine or to both such fine and such imprisonment and,
 - (b) 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,
 - (c) a further amount equal to any costs and expenses found by the court to have been incurred by the Municipality as a result of such contravention or failure.
- (2) In addition to any penalty imposed in terms of subsection (1) the Municipality may terminate the rendering of waste services to such a person.
- (3) The Municipality may without compensation, confiscate the property or other equipment or instruments through which unauthorised services were obtained.

Application of this By-Law

- 65.** This by-law applies to all persons or bodies, including organs of State, situated within the area of jurisdiction of the Municipality.

Repeal of By-laws

- 66.** The by-law listed in Schedule "A " is hereby repealed.

Short title and commencement

- 67.** This By-law is called the Integrated Waste Management By-law, 2013 and commences on the date of publication in the Provincial Gazette.

SCHEDULE A**BY-LAWS REPEALED**

The following By-law is hereby repealed in terms of section 66 of this By-law:

NUMBER AND YEAR OF NOTICE	TITLE OR SUBJECT	EXTENT OF REPEAL
P.N.6423 /2007	Overstrand Municipality: Solid Waste Management By-law	In full

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(k) and 55(A) of the Act, has been received.

Applicant for a new bookmaker premises licence:

**Feasible Solutions 38 CC
t/a Marshalls World of Sport**

Registration number:

2005/047632/23

Address of proposed new bookmaker premises:

Shop 2 and 3, Rose Centre,
Plein Street, Eerste River 7941

Erf number:

7574, Eerste River

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 2 August 2013** at the address listed below.

The application is open for inspection by interested persons, at the Board's offices at the address listed below, before **16:00 on 2 August 2013**, during normal office hours.

Objections or comments must be forwarded to the Chief Executive Officer, Western Cape Gambling and Racing Board, P.O. 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 emailed to objections.racingandbetting@wcgrb.co.za

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 aansoek om 'n boekmakersperseellisensie, soos beoog in Artikels 27(k) en 55(A) van die Wet, ontvang is.

Aansoeker om 'n nuwe boekmakersperseellisensie:	Feasible Solutions 38 BK h/a Marshalls World of Sport
Registrasienuommer:	2005/047632/23
Adres van voorgestelde nuwe boekmakersperseel:	Winkel 2 en 3, Rose Sentrum Pleinstraat, Eersterivier 7941
Erfnommer:	7574, Eersterivier

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 verstrekkend 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 2 Augustus 2013** by ondergemelde adres bereik nie.

Die aansoek is voor **16:00 op 2 Augustus 2013** gedurende normale kantoorure, oop vir inspeksie deur persone wat 'n belang by die aansoek het, by die kantoor van die Dobbelraad 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 objections.racingandbetting@wcgrb.co.za gestuur word.

BREDE VALLEY MUNICIPALITY

PROBLEM BUILDING BY-LAWS

To provide for the identification, control and management of dilapidated and problem buildings in the designated area of Worcester in the Breede Valley Municipality; and to provide for matters incidental thereto.

PREAMBLE

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

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

AND WHEREAS the Breede Valley Municipality seeks to identify, control and manage dilapidated and problem buildings within its area of jurisdiction to ensure that such buildings comply with this By-Law by:

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

AND NOW THEREFORE, BE IT ENACTED by the Council of the Breede Valley Municipality as follows:

Definitions

In this by-Law unless the context otherwise indicates:

“Authorised officials” means any employee of the Breede Valley Municipality authorised by the Municipal Manager to implement and therefore the provisions of this By-Law;

“building” includes:

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

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

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

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

- (g) Where the Breede Valley Municipality is unable to determine the identity of such person, any person who is entitled to the benefits of the use of such buildings or who enjoys such benefits;

“problem building” includes any building or portion of a building:

- (a) that appears to have been abandoned by the owner with or without the consequence that rates or other services charges are not being paid;
- (b) that is derelict in appearance, overcrowded or is showing signs of becoming unhealthy, unsanitary, unsightly or objectionable;
- (c) that is the subject of written complaints in respect of criminal activities including drug dealings and prostitution;
- (d) That is illegally occupied;
- (e) Where refuse or waste material is accumulated dumped, stored or deposited with the exception of licenced waste disposal facilities; or
- (f) That is partially completed or structurally unsound and is threat or danger to the safety of the general public.

Application of this By-law

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

Appointment of Authorised Officials

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

Delegation

4. The Municipal Manager may exercise all powers, duties and functions conferred upon the Breede Valley Municipality in terms of his By-law and to delegate such powers, duties and functions to authorised officials.

Entry by authorised officials of buildings and land

5. (1) Any authorised official may enter any building at any reasonable time with a view to:
- (a) Inspect or determine whether the building complies with any provision of this By-law subject to 7 days' notice of such intended inspection having been given to the owner; or
- (b) Serve the owner of the building with the compliance notice as referred to in Section 7.
- (2) No person shall hinder or obstruct the authorised official in the exercise of his her powers in terms of the By-law.
- (3) An authorised official shall, when entering the building, produce a valid identification document issued to him or her by the Breede Valley Municipality to the owner of such building.

Declaration of a building a problem building

6. (1) The authorised official may, subject to Subsections (2) to (5), if a building falls within the definition of “problem building” as defined in Section 1, declare such building a problem building.
- (2) The authorised official shall, by notice in writing, before declaring such building a problem building, inform the owner of his or her intension to declare such building a problem building, giving the reasons for such declaration.
- (3) The authorised officials may carry out an investigation in respect of a building which he or she intend to declare a problem building as contemplated in Subsection (2) provided that he or she must display a notice of such investigation on the building concerned.
- (4) The authorised official shall give the owner a period of seven days to make representations on why the building should not be declared a problem building,
- (5) The authorised official shall, after considering the representations referred to in Subsection (4), take a decision either to declare or not to declare a building a problem building.
- (6) The owner shall, in respect of a declaration in terms of Subsection (1), have a right to appeal in terms of Section 62 of the Local Government: Municipal System Act, 2000 (Act No. 32 of 2000).

Compliance notice

7. (1) The authorised official shall serve a written notice on the owner of any building which has been declared a problem building as referred to in Section 6 requiring such owner within a specified period to:
- (a) repair, renovate, repaint, alter, close, demolish, secure or remove all refuse from such problem building;
- (b) Complete the construction of a problem building or any structure of such building;
- (c) Enclose fence or barricade such problem building to the satisfaction of the Breede Valley Municipality;
- (d) Appoint and instruct at the costs of such owner an approved competent person referred to in Part A 19 of the National Building Regulations, to examine a condition that gave rise to the declaration of a building a problem building and to report to the authorised

officials on the nature and extent of the steps to be taken, which in the opinion of such approved competent person needs to be taken in order to render such problem building safe;

- (e) Dispose of, destroy or remove any material or articles accumulated, dumped, stored or deposited in any building, which is refuse or waste and which is showing signs of becoming unsightly, insanitary, unhealthy or objectionable or is likely to constitute an obstruction; or
 - (f) comply with any provision of this By-law.
- (2) The Breede Valley Municipality may if such owner fails to comply with a notice served on him or her terms of Subsection (1) repair, renovate, repaint, alter, close demolish, remove all refuse or secure any problem building at the cost of the owner.
 - (3) The Breede Valley Municipality may if the owner fails to pay such cost recover the cost in terms of the Credit Control and Debt Collection By-law 2006.
 - (4) Despite Subsection (1), Section 6 and subject to any applicable legislation, if the authorised official has reason to believe that the condition of any building is such that steps should forthwith be taken to protect life or property, he or she may take such steps as may be necessary in the circumstances without serving or delivering such notice on or to the owner of such building and may recover the cost of such steps from such owner.
 - (5) If the authorised official deems it necessary for the safety of any person, he or she may by notice in writing:
 - (a) order the owner of any problem building to remove, within the period specified in such notice, any person occupying or working, or who for any other purpose is in such problem building, and to take care that no person who is not authorised by the Breede Valley Municipality enters such problem building;
 - (b) order any person occupying or working, or who for any other purpose is in any problem building, to vacate such building.
 - (6) No person shall occupy, use or permit the occupation or use of any problem building or continue to occupy, use or permit the occupation or use of any problem building in respect of which a notice was served or delivered in terms of this Section or steps were taken by the Breede Valley Municipality in terms of Subsection (2), unless he or she has been granted permission by Breede Valley Municipality in writing that such building may be occupied or used or continue to be occupied or used as the case may be.

Service of a notice

8. (1) whenever a compliance notice is authorised or required to be served on a person in terms of this By-law it shall be deemed to have been effectively and sufficiently served on such person:
 - (a) when it has delivered to him or her personally;
 - (b) when it has been left at his or her place of residence or business in the Republic with a person apparently over the age of 16 years;
 - (c) when it has been posted by registered or certified mail to his or her last known residential or business address in the Republic and an acknowledgement of the posting thereof is produced;
 - (d) if his or her address in the Republic is unknown when it has been served on his or her agent of representative in the Republic in the manner contemplated in paragraph (a), (b) or (c); or
 - (e) if his or her address and agent in the Republic are unknown, when it has been posted in a conspicuous place on the immovable property, if any, to which it relates.
- (2) When a compliance notice as aforesaid is authorised or required to be served on a person by reason of his or her being or having been the owner or holding some other right in respect of immovable property, it shall not be necessary to name him or her, but it shall be sufficient if he or she is therein described as the owner or holder of such immovable property other right, as the case may be.

Indemnity

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

Offences and penalties

10. (1) Any person who contravenes any provision or fails to comply with any notice issued in terms of this By-law commits an offence.
- (2) A person who is guilty of an offence in terms of this By-law is upon conviction liable to a fine not exceeding R300 000.00 or imprisonment for a period not exceeding three years or to both such fine and imprisonment.
- (3) in the case of a continuing offence an additional fine imprisonment for a period not exceeding ten days for each day on which such offence continued may be imposed.
- (4) in addition to any penalty imposed in terms of Subsections (2) and (3) the person so convicted shall be liable to pay the cost of repair of any damage caused or costs incurred in remedying any damage resulting from such an offence.

BREEDE VALLEI MUNISIPALITEIT

VERORDENING OP PROBLEEMGEBOUE

Om vir die identifikasie, beheer en bestuur van probleem- en vervalde geboue in die aangeduide area in Worcester in die Breede Vallei Munisipaliteit voorsiening te maak; en om vir aangeleenthede wat daarmee gepaart gaan, voorsiening te maak.

AANHEF

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

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

EN NADEMAAL die dorp Worcester in die Breede Vallei Munisipaliteit probleem en vervalde geboue binne sy regsgebied wil identifiseer, beheer en bestuur om te verseker dat sodanige geboue aan die Verordening voldoen deur:

- 'n gekoördineerde, geïntegreerde strategiese plan, prosesse en prosedure te formuleer;
- Probleemgeboue te rehabiliteer deur die geboue op te knap en te vernuwe in plaas van om hulle te sloop;
- Die eiendom na oorlegpleging met die eienaar te herontwikkel, in gevalle waar probleemgeboue nie opgeknap en vernuwe kan word nie;
- Die wegdoening met probleemgeboue te fasiliteer met die oog daarop om die doelwitte van die Verordening te bereik.

WORD DAAR DUS NOU soos volg deur die Raad van Breede Vallei Munisipaliteit **VERORDEN**:

Definisies

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

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

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

“gebou” ook:

- (a) Enige struktuur, hetsy van 'n tydelike of permanente aard, en ongeag die materiaal wat by die oprigting daarvan gebruik is, wat opgerig is of gebruik word vir, of verband hou met:
 - (1) Die akkommodasie of gerief van mense of diere;
 - (2) Die vervaardiging, verwerking, berging, vertoon of verkoop van enige goedere;
 - (3) Die lewering van enige diens;
 - (4) Die venietiging of behandeling van vullis of ander afvalstowwe;
 - (5) Die verbouing of kweek van enige plant of gewas;
- (b) Enige deel van 'n gebou;
- (c) 'n Eenheid of gemeenskaplike eiendom soos omskryf in die Wet op Deeltitel, 1986 (Wet 95 van 1986); of
- (d) Enige ongeboude, onbewoonde erf;

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

“**gemagtigde amptenaar**” enige werknemer van die Breede Vallei Munisipaliteit wat deur die Munisipale Bestuurder gemagtig is om die bepalings van die Verordening te implementeer en toe te pas;

“**probleemgebou**” ook enige gebou of gedeelte van ’n gebou:

- (a) Wat blyk deur die eienaar agtergelaat te wees met of sonder die gevolg dat belasting of ander diensteheffing nie betaal word nie;
- (b) Wat verlate voorkom, oorbewoon is of tekens toon dat dit ongesond, onhygiënies, onooglik of aanstootlik word;
- (c) die onderwerp is van skriftelike klagtes oor oor kriminele aktiwiteit, insluitende dwelmshandel en prostitusie;
- (d) onwettig bewoon word;
- (e) waar vullis of afvalstowwe by sodanige gebou opgehoop, gestort, geberg of agtergelaat word, met die uitsondering van ’n gelisensieerde afvalwegdoeningsfasiliteit; of
- (f) wat deels voltooï of struktureel swak is, en wat ’n bedreiging of gevaar vir die veiligheid van die algemene publiek inhou.

Toepassing van die Verordening

2. Dié Verordening is van toepassing op alle probleemgeboue wat binne die afgebakende gebied in Worcester is, met die uitsondering van dié wat geleë is in gebiede wat van die toepassing van die Wet op Nasionale Bouregulasies en Boustandaarde, 1997 (Wet 103 van 1997), vrygestel is.

Aanstelling van gemagtigde amptenare

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

Delegasie

4. Die Munisipale Bestuurder kan alle bevoegdhede, pligte en funksies wat ingevolge die Verordening aan die Breede Vallei Munisipaliteit verleen word, uitoefening en sodanige bevoegdhede, pligte en funksies aan gemagtigde amptenare delegeer.

Betreding van geboue en grond deur gemagtigde amptenare

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

Verklaring van ’n gebou tot probleemgebou

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

Voldoeningskennisgewing

7. (1) Die gemagtigde amptenaar mag ’n skriftelike kennisgewing beteken aan die eienaar van enige gebou wat tot probleemgebou verklaar is, soos daarna in Artikel 6 verwys word, welke kennisgewing van sodanige eienaar vereis om binne ’n voorgeskrewe tydperk:
 - (a) sodanige probleemgebou te herstei, op te knap, te verf, te verander, te sluit, te sloop of te beveilig;
 - (b) die konstruksie van ’n probleemgebou of enige struktuur van sodanige gebou te voltooi;
 - (c) sodanige probleemgebou tot voldoening van die Breede Vallei Munisipaliteit af te kamp, te omhein of af te sper;
 - (d) ’n goedgekeurde bevoegde persoon waarna in Deel A 19 van die Nasionale Bouregulasies verwys word, op koste van sodanige eienaar

aan te stel en opdrag te gee om 'n toestand wat daartoe aanleiding gegee net dat 'n gebou tot 'n probleemgebou verklaar is, te ondersoek en om aan die gemagtigde amptenaar verslag te doen oor die aard en omvang van die stappe wat gedoen moet word wat na die mening van sodanige goedgekeurde bevoegde persoon gedoen moet word om sodanige probleemgebou te beveilig;

- (e) met enige materiaal of artikels wat by enige gebou opgehoop, gestort, geberg, of agtergelaat is, wat vullis of afval is en wat tekens toon dat dit onooglik, onhygiënies of ongesond of aanstootlik word of waarskynlik 'n hindernis sal uitmaak, weg te doen of dit te vernietig of te verwyder;
 - (f) aan enige bepaling van die Verordening te voldoen.
- (2) Die Breede Vallei Munisipaliteit mag, ingeval sodanige eienaar versuim om te voldoen aan 'n kennisgewing wat ingevolge Subartikel (1) aan hom of haar beteken is, enige probleemgebou op koste van die eienaar herstel, opknop, verf, verander, sluit, sloop, alle afval verwyder of die probleemgebou beveilig.
 - (3) Die Breede Vallei Munisipaliteit mag, as die eienaar versuim om sodanige koste te betaal, die koste ingevolge die Verordening op Kredietbeheer en Skuldinvordering, 2006, verhaal.
 - (4) As die gemagtigde amptenaar ondanks Subartikel (1), Artikel 6 en onderworpe aan enige toepaslike wetgewing, rede het om te glo dat die toestand van enige gebou sodanig is dat stappe onverwyld gedoen moet word om lewe of eiendom te beskerm, mag hy of sy sodanige stappe doen wat in die omstandighede nodig geag word sonder om sodanige kennisgewing aan die eienaar van sodanige gebou te beteken of af te lewer, en die koste van sodanige stappe van sodanige eienaars verhaal.
 - (5) As die gemagtigde amptenaar vir die veiligheid van enige persoon dit nodig ag, mag hy of sy deur middel van skriftelike kennisgewing:
 - (a) die eienaar van enige probleemgebou gelas om binne die tydperk wat in sodanige kennisgewing gespesifiseer word, enige persoon wat sodanige probleemgebou okkupeer of daarin werk of wat om enige ander rede daarin is, te verwyder en om te sorg dat geen persoon wat nie deur die Breede Vallei Munisipaliteit gemagtig is nie, sodanige probleemgebou betree;
 - (b) enige persoon wat enige probleemgebou okkupeer of daarin werk of om enige ander rede daarin is, gelas om sodanige gebou te ontruim.
 - (6) Geen persoon mag enige probleemgebou okkupeer, gebruik of die laat okkupeer of gebruik of voortgaan om enige probleemgebou te okkupeer, te gebruik of laat okkupeer of gebruik ten opsigte waarvan 'n kennisgewing ingevolge die artikel beteken of afgelewer is of stappe ingevolge Subartikel (2) deur die Breede Vallei Munisipaliteit gedoen is nie, tensy die Breede Vallei Munisipaliteit skriftelike toestemming aan hom of haar verleen het dat sodanige gebou geokkupeer of gebruik mag word of steeds geokkupeer of gebruik mag word, na gelang van die geval.

Betekening van 'n kennisgewing

8. (1) Wanneer ookal 'n voldoeningskennisgewing ingevolge die Verordening gemagtig is of vereis word om aan 'n persoon beteken te word, sal dit doeltreffend en voldoende aan sodanige persoon geag te wees :
 - (a) as dit persoonlik aan hom of haar beteken is;
 - (b) as dit by sy of haar verblyfplek in die Republiek by 'n persoon gelaat is wat oënskynlik ouer as 16 jaar is;
 - (c) as dit, ingeval sy of haar adres in die Republiek onbekend is, aan sy of haar verteenwoordiger in die Republiek beteken is op die wyse bedoel in paragraaf (a), (b) of (c); of
 - (d) as dit, ingeval sy of haar adres in die Republiek onbekend is, op 'n opsigtelike plek aangebring is op die vaste eiendom, as daar is, waarop dit betrekking het.
- (2) Wanneer bogenoemde voldoeningskennisgewing gemagtig is of vereis word om aan 'n persoon beteken te word uit hoofde daarvan dat hy of sy eienaar van vaste eiendom is of sy die eienaar van vaste eiendom is of enige ander reg ten opsigte daarvan het, is dit nie nodig om hom of haar te noem nie, maar is dit voldoende as hy of sy daarin as die eienaar of houër van sodoende eiendom of ander reg beskryf word, na gelang van die geval.

Vrywaring

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

Misdryf en boetes

10. (1) Enige persoon wat 'n bepaling van die Verordening oortree of versuim om aan 'n kennisgewing wat daarkragtens uitgereik is, te voldoen began 'n misdryf.
- (2) Enige persoon wat ingevolge die Verordening aan 'n misdryf skuldig is, is by skuldigbevinding strafbaar met 'n boete van R300 000.00 of gevangenisstraf van hoogstens drie jaar, of aan beide sodanige boete en gevangenisstraf.
- (3) In die geval van 'n voorgestelde misdryf kan 'n bykomende boete of gevangenisstraf vir 'n tydperk van hoogstens tien dae opgelê vir elke dag waarop sodanige misdryf voortgesit is.
- (4) Benewens enige boete wat ingevolge Subartikels (2) en (3) opgelê is, is die persoon wat skuldig bevind is, aanspreeklik daarvoor om die koste van herstelwerk as gevolg werk van enige skade wat aangerig is of koste wat aangegaan is om enige skade as gevolg van sodanige misdryf te herstel, betaal.

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