

PROVINCE OF THE WESTERN CAPE

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INHOUD

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

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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. 293/2013

6 September 2013

CITY OF CAPE TOWN

(TYGERBERG REGION)

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

I, Jeremy Benjamin, in my capacity as Chief Land Use Management Regulator in the Department of Environmental Affairs and Development Planning: Western Cape, acting in terms of the powers contemplated by Section 2(1) of the Removal of Restrictions Act, 1967 (Act 84 of 1967), duly delegated to me in terms of Section 1 of the Western Cape Delegation of Powers Law, 1994, and on application by the owner of Erf 1534, Kuils River, remove conditions B.4(b), (c) and (d) contained in Deed of Transfer No. T. 16237 of 1995.

P.N. 294/2013

6 September 2013

CITY OF CAPE TOWN

(TYGERBERG REGION)

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

I, Jeremy Benjamin, in my capacity as Chief Land Use Management Regulator in the Department of Environmental Affairs and Development Planning: Western Cape, acting in terms of the powers contemplated by Section 2(1) of the Removal of Restrictions Act, 1967 (Act 84 of 1967), duly delegated to me in terms of Section 1 of the Western Cape Delegation of Powers Law, 1994, and on application by the owner of Erf 14797, Bellville, remove condition F:2.(a) contained in Certificate of Registered Title No. T. 39937 of 1974.

P.N. 295/2013

6 September 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 owner of Erf 4159, Bredasdorp, remove conditions B.(A)(b) and B.C. contained in Deed of Transfer No. T. 104462 of 1999.

P.N. 296/2013

6 September 2013

CITY OF CAPE TOWN

(SOUTHERN DISTRICT)

REMOVAL OF RESTRICTIONS ACT, 1967

I, André John Lombaard, in my capacity as Chief Land Use Management Regulator in the Department of Environmental Affairs and Development Planning: Western Cape, acting in terms of the powers contemplated by Section 2(1) of the Removal of Restrictions Act, 1967 (Act 84 of 1967), duly delegated to me in terms of Section 1 of the Western Cape Delegation of Powers Law, 1994, and on application by the owner of Erf 50130, Cape Town, remove conditions B.I.(3) and (4) contained in Deed of Transfer No. T. 68676 of 2010.

PROVINSIALE KENNISGEWINGS

Die volgende Provinsiale Kennisgewings word vir algemene inligting gepubliseer.

ADV. B. GERBER,
DIREKTEUR-GENERAAL

Provinsiale Wetgewer-gebou,
Waalstraat,
Kaapstad.

P.K. 293/2013

6 September 2013

STAD KAAPSTAD

(TYGERBERG-STREEK)

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

Ek, Jeremy Benjamin, in my hoedanigheid as Hoof Grondgebruiksbestuur Reguleerder in die Departement van Omgewingsake en Ontwikkelingsbeplanning: Wes-Kaap, handelende ingevolge die bevoegdheid beoog in Artikel 2(1) van die Wet op Opheffing van Beperkings, 1967 (Wet 84 van 1967), behoorlik aan my gedelegeer ingevolge Artikel 1 van die Wes-Kaapse Wet op die Delegasie van Bevoegdhede, 1994, en op aansoek van die eienaar van Erf 1534, Kuilsrivier, hef voorwaardes B.4.(b), (c) en (d) soos vervat in Transportakte Nr. T. 16237 van 1995, op.

P.K. 294/2013

6 September 2013

STAD KAAPSTAD

(TYGERBERG-STREEK)

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

Ek, Jeremy Benjamin, in my hoedanigheid as Hoof Grondgebruiksbestuur Reguleerder in die Departement van Omgewingsake en Ontwikkelingsbeplanning: Wes-Kaap, handelende ingevolge die bevoegdheid beoog in Artikel 2(1) van die Wet op Opheffing van Beperkings, 1967 (Wet 84 van 1967), behoorlik aan my gedelegeer ingevolge Artikel 1 van die Wes-Kaapse Wet op die Delegasie van Bevoegdhede, 1994, en op aansoek van die eienaar van Erf 14797, Bellville, hef voorwaarde F:2.(a) soos vervat in Sertifikaat van Geregistreerde Titel Nr. T. 39937 van 1974, op.

P.K. 295/2013

6 September 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 eienaar van Erf 4159, Bredasdorp, hef voorwaardes B.(A)(b) en B.C. vervat in Transportakte Nr. T. 104462 van 1999, op.

P.K. 296/2013

6 September 2013

STAD KAAPSTAD

(SUIDELIKE DISTRIK)

WET OP OPHEFFING VAN BEPERKINGS, 1967

Ek, André John Lombaard, in my hoedanigheid as Hoof Grondgebruiksbestuur Reguleerder in die Departement van Omgewingsake en Ontwikkelingsbeplanning: Wes-Kaap, handelende ingevolge die bevoegdheid beoog in Artikel 2(1) van die Wet op Opheffing van Beperkings, 1967 (Wet 84 van 1967), behoorlik aan my gedelegeer ingevolge Artikel 1 van die Wes-Kaapse Wet op die Delegasie van Bevoegdhede, 1994, en op aansoek van die eienaar van Erf 50130, Kaapstad, hef voorwaardes B.I.(3) en (4) vervat in Transportakte Nr. T. 68676 van 2010, op.

TENDERS

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

NOTICES OF LOCAL AUTHORITIES**CITY OF CAPE TOWN**

(KHAYELITSHA/MITCHELLS PLAIN DISTRICT)

**REZONING, SUBDIVISION AND
CONSENT USE**

- Erf 18370, Unregistered Erven 74968, 74975, 74988 & 75008, Khayelitsha

Notice is hereby given in terms of Sections 17 & 24 of the Land Use Planning Ordinance (Ordinance No. 15 of 1985) and Section 2.2.1 of the Cape Town Zoning Scheme Regulations, that the undermentioned application has been received and is open to inspection at the Office of the District Manager at Stocks and Stocks Complex, c/o Ntlazane and Ntlakohlaza Streets, Ilitha Park, Khayelitsha. Enquiries may be directed to Mr R Bester, postal address: Private Bag X93, Bellville 7535, e-mail: Rudi.Bester@capetown.gov.za, Tel. (021) 360-3228, fax: (021) 360-1113 weekdays during the hours of 08:00 to 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.khayemitch@capetown.gov.za on or before 7 October 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: MLH Architects and Planners

Application number: 230068

Address: Walter Sisulu Road, Khayelitsha

Nature of Application:

- Rezoning of Erven 74986, 74975, 74988 & 75008, Khayelitsha from General Residential (GR3) to Subdivisional Area (Residential, Community Facility, Public Open Space and Public Roads), in terms of Section 17 of the Land Use Planning Ordinance, 1985 (Ordinance No. 15 of 1985).
- Subdivision of Erven 74986, 74975, 74988 & 75008, Khayelitsha into 175 General Residential Subzone 3 (GR3), 2 Single Residential Zone 2 (SR2), 3 Open Space Zone 2 (OS2) and 5 Transport Zone 2 (TR2) erven as indicated on the Subdivisional Plan, Plan No. LP-01-00 Rev A, dated 24 June 2013, in terms of Section 24 of the Land Use Planning Ordinance, 1985 (Ordinance No. 15 of 1985).
- Application for Consent Use in terms of Section 3.2.5 of the City of Cape Town Zoning Scheme Regulations to permit offices and small retail on Portions 176 and 177 (Single Residential Zone 2 properties).

ACHMAT EBRAHIM, CITY MANAGER

6 September 2013

53101

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 inskrywingsfooi verkrygbaar is.

KENNISGEWING DEUR PLAASLIKE OWERHEDEDE**STAD KAAPSTAD**

(KHAYELITSHA-/MITCHELLS PLEIN-DISTRIK)

**HERSONERING, ONDERVERDELING EN
VERGUNNINGSGEBRUIK**

- Erf 18370, ongeregistreerde erwe 74968, 74975, 74988 en 75008, Khayelitsha

Kennisgewing geskied hiermee ingevolge Artikels 17 en 24 van die Ordonnansie op Grondgebruikbeplanning (Ordonnansie Nr. 15 van 1985) en Artikel 2.2.1 van die Kaapstadse Soneringskema-regulasies dat onderstaande aansoek ontvang en ter insae beskikbaar is by die Kantoor van die Distriksbestuurder, Stocks & Stocks-kompleks, h/v Ntlazane- en Ntlakohlazastraat, Ilitha Park, Khayelitsha. Navrae kan gerig word aan mnr R Bester by posadres: Privaatsak X93, Bellville 7535, e-pos: Rudi.Bester@capetown.gov.za, Tel. (021) 360-3228, faks (021) 360-1113 op weekdae van 08:00 tot 14:30. Enige besware, met volledige redes daarvoor, kan voor of op 7 Oktober 2013 skriftelik by die Kantoor van bogenoemde Distriksbestuurder ingedien word, of per e-pos na comments_objections.khayemitch@capetown.gov.za gestuur word, met vermelding van bogenoemde toepaslike wetgewing, die aansoeknommer en die beswaarmaker se erf- en telefoonnommers en adres. Enige besware wat ná voormelde sluitingsdatum ontvang word, kan as ongeldig geag word.

Aansoeker: MLH Argitekte en Beplanners

Aansoeknommer: 230068

Adres: Walter Sisuluweg, Khayelitsha

Aard van aansoek:

- Hersonering van erven 74986, 74975, 74988 en 75008, Khayelitsha van algemeenresidensiële (GR3) na onderverdelingsgebied (residensiële, gemeenskapsfasiliteit, openbare oop ruimte en openbare pad) ingevolge Artikel 17 van die Ordonnansie op Grondgebruikbeplanning (Ordonnansie Nr. 15 van 1985).
- Onderverdeling van erwe 74986, 74975, 74988 en 75008, Khayelitsha in 175 algemeenresidensiële subzone 3- (GR3), twee enkelresidensiële sone 2- (SR2), drie oopruimtesone 2- (OS2) en vyf vervoersone 2-erwe (TR2), soos aangedui op die onderverdelingsplan LP-01-00 Rev A gedateer 24 Junie 2013, ingevolge Artikel 24 van die Ordonnansie op Grondgebruikbeplanning (Ordonnansie Nr. 15 van 1985).
- Aansoek om vergunningsgebruik ingevolge Artikel 3.2.5 van die Stad Kaapstad se Soneringskema-regulasies om kantore en kleinhandel op gedeeltes 176 en 177 toe te laat (enkelresidensiële sone 2-eiendom).

ACHMAT EBRAHIM, STADSBESTUURDER

6 September 2013

53101

CITY OF CAPE TOWN
(KHAYELITSHA/MITCHELLS PLAIN)

REZONING AND CONSENT USE

• Erf 385, Rustdal

Notice is hereby given in terms of Section 17 of the Land Use Planning Ordinance, 1985 (Ordinance No. 15 of 1985) and Section 8.2.1(b) of the City of Cape Town Zoning Scheme Regulations, that Council has received the undermentioned application, which is open for inspection at the Office of the District Manager at Department: Planning & Building Development Management at Stocks and Stocks Complex, Ntlazane Street, Ilitha Park, Khayelitsha. Enquiries may be directed to Michele Wansbury, Department: Planning & Building Development Management, City of Cape Town, Stocks and Stocks Complex, Ntlazane Street, Ilitha Park, Private Bag X93, Bellville 7535, or e-mail Michele.wansbury@capetown.gov.za weekdays during the hours of 08:00 to 13:00. Written objections, if any, with reasons may be lodged at the Office of the abovementioned District Manager or e-mailed to comments_objections.khayemitch@capetown.gov.za on or before 7 October 2013, quoting the above applicable legislation, the application number, as well as your Erf number, contact phone number and address.

Location address: 10 Muscat Road, Rustdal

Owner: Acquirise Investments CC

Applicant: Brainwave Projects 1921 CC

Application No.: 231399

Nature of application:

1. Application for Rezoning in terms of Section 17 of the Land Use Planning Ordinance, 1985 (Ordinance No. 15 of 1985) of Erf 385, Rustdal from "General Industry Subzone 1" to "Local Business Zone 1" to operate an off-course tote from the subject property.
2. Application for Consent Use in terms of Section 8.2.1(b) of the City of Cape Town Zoning Scheme Regulations in order to utilise Erf 385, Rustdal for a place of entertainment (off-course tote).

ACHMAT EBRAHIM, CITY MANAGER

6 September 2013

53102

HESSEQUA MUNICIPALITY

APPLICATION FOR CONSENT USE FOR A 2ND DWELLING
UNIT: ERF 1091, SONSKYN STREET,
STILL BAY WEST

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

Property: Erf 1091, Still Bay West (792m²)

Proposal: Consent use to erect a second dwelling unit on the property

Applicant: Zelda Farrell Building Plans

Details concerning the application are available at the office of the undersigned and the Still Bay 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 7 October 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

6 September 2013

53086

STAD KAAPSTAD
(KHAYELITSHA-/MITCHELLS PLEIN-DISTRIK)

HERSONERING EN VERGUNNINGSGEBRUIK

• Erf 385, Rustdal

Kennisgewing geskied hiermee ingevolge Artikel 17 van die Ordonnansie op Grondgebruikbeplanning 1985 (Ordonnansie Nr. 15 van 1985) en Artikel 8.2.1(b) van die Stad Kaapstad se Sonerings-kemaregulasies dat onderstaande aansoek deur die Raad ontvang en ter insae beskikbaar is by die Kantoor van die Distriksbestuurder, Departement Beplanning en Bou-ontwikkelingsbestuur by die Stocks & Stocks-gebou, Ntlazanestraat, Ilitha Park, Khayelitsha. Navrae kan op woensdae van 08:00 tot 13:00 gerig word aan Michele Wansbury, Departement Beplanning en Bou-ontwikkelingsbestuur, Stad Kaapstad, Stocks & Stocks-gebou, Ntlazanestraat, Ilitha Park, Privaatsak X93, Bellville 7537 of via e-pos na Michele.wansbury@capetown.gov.za. Enige besware, met redes daarvoor, kan voor of op 7 Oktober 2013 skriftelik by die Kantoor van bogenoemde Distriksbestuurder ingedien word of per e-pos gestuur word na comments_objections.khayemitch@capetown.gov.za, met vermelding van die toepaslike wetgewing, die aansoeknommer en u erf- en telefoonnommer en adres.

Liggingsadres: Muscatweg 10, Rustdal

Eienaar: Acquirise Investments BK

Aansoeker: Brainwave Projects 1921 BK

Aansoeknommer: 231399

Aard van aansoek:

1. Aansoek om hersonering ingevolge Artikel 17 van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie Nr. 15 van 1985) van erf 385, Rustdal van algemeenindustriële sone 1 na plaaslike sakesone 1 om 'n buitebaantotalisator op die betrokke eiendom te bedryf.
2. Aansoek om vergunningsgebruik ingevolge Artikel 8.2.1(b) van die Stad Kaapstad se Soneringskemaregulasies om erf 385, Rustdal as 'n plek van vermaak (buitebaantotalisator) te benut.

ACHMAT EBRAHIM, STADSBESTUURDER

6 September 2013

53102

HESSEQUA MUNISIPALITEIT

AANSOEK OM VERGUNNINGSGEBRUIK OM 'N 2DE
WOONEENHEID: ERF 1091, SONSKYNSTRAAT,
STILBAAI-WES

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

Eiendomsbeskrywing: Erf 1091, Stilbaai-Wes (792m²)

Aansoek: Vergunningsgebruik om 'n tweede wooneenheid op die eiendom toe te laat

Applikant: Zelda Farrell Bouplanne

Besonderhede rakende die aansoek is ter insae by die Kantoor van die ondergetekende sowel as die Stilbaai Munisipale Kantoor gedurende kantoorure. Enige besware teen die voorgenome aansoek moet skriftelik gerig word om die ondergetekende te bereik nie later as 7 Oktober 2013 nie.

Persone wat nie kan skryf nie, kan die onderstaande kantoor nader tydens 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

6 September 2013

53086

CITY OF CAPE TOWN

(SOUTHERN DISTRICT)

REZONING, SUBDIVISION AND DEPARTURES

- Erf 3474, 7 Ticos Way, Noordhoek

Notice is hereby given in terms of Section 17 of the Land Use Planning Ordinance (Ordinance No. 15 of 1985) and Part II Section 4 of the former Divisional Council of the Cape Zoning Scheme Regulations that Council has received the undermentioned application, which is open to inspection at the Office of the District Manager, Department: Planning and Building Development Management, City of Cape Town, Customer Interface, Ground Floor, 3 Victoria Road, Plumstead 7800 from 08:00-13:00 Mondays to Fridays. Any objections and/or comments, with reasons, must be submitted in writing at the office, or by post to, the District Manager, Department: Planning and Building Development Management, Private Bag X5, Plumstead 7801 or fax (021) 710-8283 or e-mailed to comments_objections.southern@capetown.gov.za on or before the closing date, quoting the above legislation, the belowmentioned application number and the objector's erf, phone numbers and address. Please note that the 30-day period excludes the day on which this letter was registered. If the closing date falls on a Sunday or Public Holiday, the closing date shall be carried over to the next day. Objections and comments may also be hand-delivered to the abovementioned address by no later than the closing date. If your response is not sent to this address and/or fax number and if, as a consequence, it arrives late it will be deemed to be invalid. For further information contact Donald Suttle on Tel. (021) 710-8268. The closing date for comments and objections is 7 October 2013.

Owners: S Jirachareonkul

Applicant: Plan Processing Service

Application No: 223665

Nature of application:

1. Rezoning

- 1.1 To rezone Erf 3474, Noordhoek from Agricultural to Single Residential in terms of the former Divisional Council of the Cape Zoning Scheme, read with the transitional arrangements of the new Cape Town Zoning Scheme.

2. Conditional Uses applied for in terms of the former Divisional Council of the Cape Zoning Scheme, read with the transitional arrangements new Cape Town Zoning Scheme.

- 2.1 Part II 5(b)1: To permit Place of Instruction. It proposed to operate an Early Childhood Development Centre having 45 children from the subject property.

- 2.2 Part II 5(b)6: To permit Stables (private) on the subject property.

ACHMAT EBRAHIM, CITY MANAGER

6 September 2013

53093

STAD KAAPSTAD

(SUIDELIKE DISTRIK)

HERSONERING, ONDERVERDELING EN AFWYKINGS

- Erf 3474, Ticosweg 7, Noordhoek

Kennisgewing geskied hiermee ingevolge Artikel 17 van die Ordonnansie op Grondgebruikbeplanning (Ordonnansie Nr. 15 van 1985) en Deel II Afdeling 4 van die voormalige Afdelingsraad van die Kaap se Soneringskema regulasies, dat die Raad onderstaande aansoek ontvang het, wat op weksdae van 08:00 tot 13:00 ter insae beskikbaar is by die Kantoor van die Distriksbestuurder, Departement Beplanning en Bou-ontwikkelingsbestuur, Stad Kaapstad, Kliënteskakeling, Grondverdieping, Victoriaweg 3, Plumstead 7800. Enige besware en/of kommentaar, met redes daarvoor, moet voor of op ondergemelde sluitingsdatum skriftelik aan die Kantoor van die Distriksbestuurder, Departement Beplanning en Bou-ontwikkelingsbestuur, Privaatsak X5, Plumstead 7801 gerig word, na (021) 710-8283 gefaks word, of per e-pos na comments_objections.southern@capetown.gov.za gestuur word, met vermelding van bogenoemde toepaslike wetgewing, onderstaande aansoeknommer en die beswaarmaker se erf- en telefoonnommer en adres. Let asseblief daarop dat die 30-dagtydperk die dag waarop die brief geregistreer is, uitsluit. Indien die sluitingsdatum op 'n Sondag of openbare vakansiedag val, sal die sluitingsdatum na die volgende dag oorgedra word. Besware en kommentaar kan ook voor of op onderstaande sluitingsdatum per hand by bogenoemde straatadres afgelewer word. As u reaksie nie na hierdie adres en/of faksnommer gestuur word nie, en gevolglik laat ontvang word, sal dit as ongeldig geag word. Om nadere inligting, skakel Donald Suttle by Tel. (021) 710-8268. Die sluitingsdatum vir besware en kommentaar is 7 Oktober 2013.

Eienaar: S Jirachareonkul

Aansoeker: Plan Processing Service

Aansoeknommer: 223665

Aard van aansoek:

1. Hersonerings:

- 1.1 Om erf 3474 Noordhoek van landbou na enkelresidensieel te hersoneer ingevolge die voormalige Afdelingsraad van die Kaap se Soneringskema, gelees saam met die oorgangsreëlings van die nuwe Kaapstadse Soneringskema.

2. Voorwaardelike benutting waarom aansoek gedoen is ingevolge die voormalige Afdelingsraad van die Kaap se Soneringskema, gelees saam met die oorgangsreëlings van die nuwe Kaapstadse Soneringskema.

- 2.1 Deel II 5(b)1: Om 'n plek van onderrig toe te laat. Daar word voorgeneem om 'n sentrum vir vroeëkindontwikkeling met 45 kinders op die betrokke eiendom te bedryf.

- 2.2 Deel II 5(b)6: Om stalle (privaat) op die betrokke eiendom toe te laat.

ACHMAT EBRAHIM, STADSBESTUURDER

6 September 2013

53093

CITY OF CAPE TOWN

(SOUTHERN DISTRICT)

REZONING, DEPARTURES AND CONSENT

- Remainder Erf 31993, Cape Town at Rosebank, corner Main Road, Rose and Church Streets

Notice is hereby given in terms of Sections 15 and 17 of the Land Use Planning Ordinance No. 15 of 1985 and Section 2.2.1 of the Cape Town Zoning Scheme Regulations, that Council has received the under-mentioned application, which is open to inspection at the Office of the District Manager, Department: Planning & Building Development Management, City of Cape Town, Ground Floor, No. 3 Victoria Road, Plumstead 7800 (next to Checkers), and any enquiries may be directed to Donald 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, 3 Victoria Road, Plumstead 7800, Private Bag X5, Plumstead 7801 or fax (021) 710-8283 or e-mailed to comments_objections.southern@capetown.gov.za quoting the above relevant legislation, the belowmentioned application number and the objector's erf, phone numbers & address. If your response is not received on or before the closing date, and if, as a consequence it arrives later, it will be deemed invalid. For any further information, contact Donald Suttle, Tel. (021) 710-8268. The closing date for objections and comments is Monday, 7 October 2013.

Application No.: 232013

Address: 24 Main Road, Rosebank, corner Main Road, Rose and Church Streets

Applicant: Tim Spencer Town Planning CC

Owner: 24 Main Road Rosebank Investments (Pty) Ltd

Nature of Application:

1. Rezoning:
 - 1.1 To rezone the subject property from General Business GB1 to General Business GB4. It is proposed to develop the subject property for a Boarding House (student accommodation) and Business Premises.
2. Departures applied for from the Cape Town Zoning Scheme Regulations:
 - 2.1 Section 9.1.2: To permit the building to be set back 0m in lieu of 5m from Main Road and 0m in lieu of 4.5m from Rose Street for those portions of the building exceeding 10m in height.
 - 2.2 Section 18.1.2: To permit the building to be situated 0m in lieu of 5m from Main Road.
 - 2.3 Sections 9.1.2 9(k)(i) and 19.1.1: To permit 225 parking bays in lieu of 685 parking bays.
3. Approval of Council applied for in terms of the Cape Town Zoning Scheme Regulations:
 - 3.1 Section 9.1.1(k)(ii): To permit parking bays at ground level closer than 10m to the street boundary.
 - 3.2 Heritage Protection Overlay Zone: The subject property is located within Mowbray-Rosebank Heritage Protection Area and the proposal requires the approval of Council in terms of Section 3.1(b) of the Appendix Overlay Zones.

ACHMAT EBRAHIM, CITY MANAGER

6 September 2013

53094

STAD KAAPSTAD

(SUIDELIKE DISTRIK)

HERSONERING, AFWYKINGS EN VERGUNNING

- Restant erf 31993, Kaapstad te Rosebank, h/v Hoofweg, Rose- en Kerkstraat

Kennisgewing geskied hiermee ingevolge Artikels 15 en 17 van die Ordonnansie op Grondgebruikbeplanning (Ordonnansie Nr. 15 van 1985) en die Kaapstadse Soneringskemaregulasies dat die Raad onderstaande aansoek ontvang het, wat ter insae beskikbaar is by die Kantoor van die Distriksbestuurder, Departement Beplanning en Bou-ontwikkelingsbestuur, Stad Kaapstad, Grondverdieping, Victoriaweg 3, Plumstead 7800 (langs aan Checkers) en dat enige navrae op woensdae van 08:00 tot 14:30 aan Donald Suttle gerig kan 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, Victoriaweg 3, Plumstead 7800, Privaatsak X5, Plumstead 7801 gerig word, na (021) 710-8283 gefaks word, of per e-pos na comments_objections.southern@capetown.gov.za gestuur word, met vermelding van bogenoemde toepaslike wetgewing, onderstaande aansoeknommer en die beswaarmaker se erf- en telefoonnommer en adres. Indien u reaksie nie voor of op die sluitingsdatum ontvang word nie en gevolglik laat ontvang word, sal dit ongeldig geag word. Om nadere inligting, skakel Donald Suttle by Tel. (021) 710-8268. Die sluitingsdatum vir besware en kommentaar is Maandag, 7 Oktober 2013.

Aansoeknommer: 232013

Adres: Hoofweg 24, Rosebank, h/v Hoofweg, Rose- en Kerkstraat

Aansoeker: Tim Spencer Stadsbeplanning BK

Eienaar: 24 Main Road, Rosebank Investments (Edms) Bpk

Aard van aansoek:

1. Hersonerings:
 - 1.1 Om die betrokke eiendom van algemeensake GB1 na algemeensake GB4 te hersoneer. Daar word voorgeneem om die betrokke eiendom in 'n koshuis (studenteverblyf) en sakeperseel te ontwikkel.
2. Afwykinge van die Kaapstadse Soneringskemaregulasies waarom aansoek gedoen is:
 - 2.1 Artikel 9.1.2: Om toe te laat dat die gebou 'n inspringing van 0m in plaas van 5m vanaf Hoofweg en 0m in plaas van 4.5m vanaf Rosestraat het vir die gedeeltes van die gebou wat 'n hoogte van 10m oorskry.
 - 2.2 Artikel 18.1.2: Om toe te laat dat die gebou 0m in plaas van 5m vanaf Hoofweg geleë is.
 - 2.3 Artikels 9.1.2 9(k)(i) en 19.1.1: Om 225 parkeerplekke in plaas van 685 parkeerplekke toe te laat.
3. Raadsgoedkeuring waarom aansoek gedoen is ingevolge die Kaapstadse Soneringskemaregulasies:
 - 3.1 Artikel 9.1.1(k)(ii): Om parkeerplekke op grondvlak nader as 10m vanaf die straatgrens toe te laat.
 - 3.2 Oorlegsel vir erfenisbewaringsone: Die betrokke eiendom is binne die Mowbray-Rosebank-erfenisbewaringsgebied geleë en die Raad se goedkeuring van die voorstel word ingevolge Artikel 3.1(b) van die bylae oor oorlegsele vir sones benodig.

ACHMAT EBRAHIM, STADSBESTUURDER

6 September 2013

53094

CITY OF CAPE TOWN

(SOUTHERN DISTRICT)

REZONING, SUBDIVISION & DEPARTURE

- Erven 107662, 114464, 114469 & 114470

Notice is hereby given in terms of Sections 15, 17 and 24 of the Land Use Planning Ordinance (Ordinance No. 15 of 1985), that the undermentioned applications have been received and are open to inspection at the Office of the District Manager, Department: Planning & Building Development Management, City of Cape Town, Ground Floor, 3 Victoria Road, Plumstead, and any enquiries may be directed to A Allie, Tel. (021) 710-8093 during normal office hours, Monday to Friday. Any objections, with full reasons therefor, should be lodged in writing at the Office of District Manager, Department: Planning & Building Development Management, City of Cape Town, Private Bag X5, Plumstead 7801 or fax (021) 710-8283 or e-mailed to comments_objections.southern@capetown.gov.za on or before the closing date, quoting the above Ordinance, the undermentioned reference number, and the objector's Erf, 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 in this regard, contact A Allie, Tel. (021) 710-8093 or adeeb.allie@capetown.gov.za. The closing date for objections and comments is 7 October 2013.

Applicant: Sustainable Planning Solution

Owner: City of Cape Town

Address: Corner Goodman Road and Elgar Street

Application No.: 229318

Nature of Application:

- Subdivision of Remainder Erf 107762 into Portion 1 (measuring $\pm 1780\text{m}^2$) and a Remainder.
- Subdivision of Erf 114464 into Portion A ($\pm 151\text{m}^2$), Portion B ($\pm 28\text{m}^2$) and a Remainder.
- Portions A & B will be consolidated with Erven 114469 & 114470 ("the consolidated erf").
- Rezoning of Portion 1 and the consolidated erf from Utility Zone, Single Residential Zone 1 & Transport Zone 2 to Local Business Zone 2.
- Departure from Section 19.1.1 of the Cape Town Zoning Scheme Regulations to permit 17 parking bays in lieu of 27 on Portion 1, and to permit 6 bays in lieu of 12 on the consolidated erf.

This application is in order to permit offices to accommodate a new Council Human Settlements Contact Office and Motor Vehicle Registration centre.

ACHMAT EBRAHIM, CITY MANAGER

6 September 2013

53095

STAD KAAPSTAD

(SUIDELIKE DISTRIK)

HERSONERING, ONDERVERDELING EN AFWYKING

- Erwe 107662, 114464, 114469 en 114470

Kennisgewing geskied hiermee ingevolge Artikels 15, 17 en 24 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, Victoria-weg 3, Plumstead en dat enige navrae gedurende kantoorure vanaf Maandag tot Vrydag gerig kan word aan A Allie, Tel. (021) 710-8093. Enige besware, met volledige redes daarvoor, moet skriftelik voor of op die sluitingsdatum gerig word aan die Kantoor van die Distriksbestuurder, Departement Beplanning en Bou-ontwikkelingsbestuur, Stad Kaapstad, Privaatsak X5, Plumstead 7801, gefaks word na (021) 710-8283 of per e-pos gestuur word na comments_objections.southern@capetown.gov.za, met vermelding van bogenoemde toepaslike wetgewing, onderstaande verwysingsnommer en die beswaarmaker se erf- en telefoonnommers 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 in hierdie verband, skakel A Allie, Tel. (021) 710-8093 of stuur e-pos na adeeb.allie@capetown.gov.za. Die sluitingsdatum vir besware en kommentaar is 7 Oktober 2013.

Aansoeker: Sustainable Planning Solution

Eienaar: Stad Kaapstad

Adres: hoek van Goodmanweg en Elgarstraat

Aansoeknommer: 229318

Aard van aansoek:

- Onderverdeling van restant erf 107762 in Gedeelte 1 ($\pm 1780\text{m}^2$ groot) en 'n restant.
- Onderverdeling van erf 114464 in Gedeelte A ($\pm 151\text{m}^2$ groot), gedeelte B ($\pm 28\text{m}^2$ groot) en 'n restant.
- Gedeeltes A en B sal met erwe 114469 en 114470 ("die gekonsolideerde erf") gekonsolideer word.
- Hersonerings van Gedeelte 1 en die gekonsolideerde erf van nutsone, enkelresidensiële sone 1 en vervoersone 2 na plaaslike sake-sone 2.
- Afwyking van Artikel 19.1.1 van die Kaapstadse Sonering-skemaregulasies om 17 parkeerplekke in plaas van 27 op Gedeelte 1 en ses parkeerplekke in plaas van 12 op die gekonsolideerde erf toe te laat.

Hierdie aansoek is om kantore toe te laat ten einde vir 'n nuwe kontakantoor vir menslike nedersettings en sentrum vir motorvoertuigregistrasie voorsiening te maak.

ACHMAT EBRAHIM, STADSBESTUURDER

6 September 2013

53095

CITY OF CAPE TOWN

(SOUTHERN DISTRICT)

REZONING, SUBDIVISION AND DEPARTURES

- Remainder Erf 47300, Cape Town at Rondebosch, Ivydene off Glebe Road

Notice is hereby given in terms of Sections 15, 17 & 24 of the Land Use Planning Ordinance No. 15 of 1985 that Council has received the undermentioned application, which is open to inspection at the Office of the District Manager, Department: Planning & Building Development Management, City of Cape Town, Ground Floor, 3 Victoria Road, Plumstead 7800, and any enquiries may be directed to Pierre Evard, 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, 3 Victoria Road, Plumstead 7800, Private Bag X5, Plumstead 7801 or fax (021) 710-8283 or e-mailed to comments_objections.southern@capetown.gov.za quoting the above Ordinance, the belowmentioned application number and the objector's erf, phone numbers & address. If your response is not received on or before the closing date, and if, as a consequence it arrives later, it will be deemed invalid. For any further information, contact Pierre Evard, Tel. (021) 710-8132. The closing date for objections and comments is 7 October 2013.

Application No.: 228362

Address: "Ivydene" Glebe Road, Rondebosch

Applicant: KA Hodge Land Surveyors

Nature of Application:

1. To rezone a portion of Remainder Erf 47300 from Single Dwelling Residential in terms of the former Cape Town Zoning Scheme to General Residential R4 in order to permit a portion of the existing building to be converted into 3 flats.
2. The subdivision of Remainder Erf 47300 into 2 portions, Portion 1 $\pm 2500\text{m}^2$ and Portion 2 $\pm 370\text{m}^2$. Access to Portion 2 is via a servitude right of way over Portion 1 and Erf 47299. The existing building on Portion 1 will be converted into a block of 3 flats.
3. Departures from the following Sections of the former Cape Town Zoning Scheme Regulations:
 - 3.1 Section 60(4) to permit the existing building sited 0.35m in lieu of 4.5m from the north-east common boundary of Portion 1.
 - 3.2 Section 60(4) to permit the existing building sited 0m in lieu of 4.5m from the southern common boundary of Portion 1.
 - 3.3 Section 60(4) to permit the existing building sited 0m in lieu of 4.5m from the proposed line of subdivision between Portions 1 and 2.
 - 3.4 Section 60(4) to permit the existing building sited 3.76m in lieu of 4.5m from the eastern common boundary of Portion 1.
 - 3.5 Section 54(2) to permit the existing building on Portion 2 sited 0m in lieu of 2.8m from the proposed line of subdivision.

ACHMAT EBRAHIM, CITY MANAGER

6 September 2013

53096

STAD KAAPSTAD

(SUIDELIKE DISTRIK)

HERSONERING, ONDERVERDELING EN AFWYKINGS

- Restant erf 47300, Kaapstad te Rondebosch, Ivydene uit Glebeweg

Kennisgewing geskied hiermee ingevolge Artikels 15, 17 en 24 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, Departement Beplanning en Bou-ontwikkelingsbestuur, Stad Kaapstad, Grondverdieping, Victoriaweg 3, Plumstead 7800 en dat navrae op weekdae van 08:30 tot 14:30 aan Pierre Evard gerig kan 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, Victoriaweg 3, Plumstead 7800, Privaatsak X5, Plumstead 7801 gerig word, na (021) 710-8283 gefaks word, of per e-pos na comments_objections.southern@capetown.gov.za gestuur word, met vermelding van bogenoemde toepaslike wetgewing, onderstaande aansoeknommer en die beswaarmaker se erf- en telefoonnommer en adres. Indien u reaksie nie voor of op die sluitingsdatum ontvang word nie en gevolglik laat ontvang word, sal dit as ongeldig geag word. Om nadere inligting, skakel Pierre Evard by Tel. (021) 710-8132. Die sluitingsdatum vir besware en kommentaar is 7 Oktober 2013.

Aansoeknommer: 228362

Adres: "Ivydene" Glebeweg, Rondebosch

Aansoeker: KA Hodge Landmeters

Aard van aansoek:

1. Om 'n gedeelte van restant erf 47300 ingevolge die vorige Kaapstadse Soneringskema van enkelresidensiële na algemeen-residensiële R4 te hersoneer om toe te laat dat 'n gedeelte van die bestaande gebou in drie woonstelle omskep word.
2. Die onderverdeling van restant erf 47300 in twee gedeeltes (gedeelte 1 $\pm 2500\text{m}^2$ en gedeelte 2 $\pm 370\text{m}^2$). Toegang tot gedeelte 2 is via 'n padservituut oor gedeelte 1 en erf 47299. Die bestaande gebou op Gedeelte 1 sal in 'n blok van drie woonstelle omskep word.
3. Afwykings van die volgende artikels van die vorige Kaapstadse Soneringskemaregulasies:
 - 3.1 Artikel 60(4) om toe te laat dat die bestaande gebou 0.35m in plaas van 4.5m vanaf die noordoostelike gemeenskaplike grens van Gedeelte 1 geleë is.
 - 3.2 Artikel 60(4) om toe te laat dat die bestaande gebou 0m in plaas van 4.5m vanaf die suidelike gemeenskaplike grens van gedeeltes 1 geleë is.
 - 3.3 Artikel 60(4) om toe te laat dat die bestaande gebou 0m in plaas van 4.5m vanaf die voorgestelde lyn van onderverdeling tussen Gedeelte 1 en 2 geleë is.
 - 3.4 Artikel 60(4) om toe te laat dat die bestaande gebou 3.76m in plaas van 4.5m vanaf die oostelike gemeenskaplike grens van Gedeelte 1 geleë is.
 - 3.5 Artikel 54(2) om toe te laat dat die bestaande gebou op Gedeelte 20 in plaas van 2.8m vanaf die voorgestelde lyn van onderverdeling geleë is.

ACHMAT EBRAHIM, STADSBESTUURDER

6 September 2013

53096

CITY OF CAPE TOWN
(SOUTHERN DISTRICT)

REMOVAL OF RESTRICTIONS, SUBDIVISION AND DEPARTURE

• Erf 98362, Cape Town (*second placement*)

Notice is hereby given in terms of Section 3(6) of the Removal of Restrictions Act (Act 84 of 1967), Sections 24 and 15 of the Land Use Planning Ordinance No. 15 of 1985 that the undermentioned application has been received and is open to inspection at the Office of the District Manager, Department: Planning & Building Development Management, 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. The application is also open for inspection at the Office of the Director: Integrated Environmental Management, Department of Environmental Affairs & Development Planning, Provincial Government of the Western Cape at the Utilitas Building, 1 Dorp Street, Cape Town weekdays from 08:00-12:30 and 13:00-15:30, Tel. (021) 483-4634/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 or faxed to (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, Provincial Government of the Western Cape at the Utilitas Building, 1 Dorp Street, Cape Town or fax 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, 7 October 2013.

File Ref: LUM/00/98362

Application No.: 225377

Owner: Najier Osman Family Trust

Applicant: First Plan Town Planners

Address: 78 Milner Road

Nature of Application: Removal of restrictive title conditions to enable the owner to subdivide the property into three portions (Portion 1 $\pm 1763\text{m}^2$, Portion 2 $\pm 619\text{m}^2$ and Portion 3 $\pm 646\text{m}^2$) for single residential purposes. A departure from Section 54 of the Former Cape Town Zoning Scheme Regulations to permit the existing building on Portion 1 to be 1.5m from the new boundary with Portion 2 is applied for.

ACHMAT EBRAHIM, CITY MANAGER

6 September 2013

53097

STAD KAAPSTAD
(SUIDELIKE DISTRIK)

OPHEFFING VAN BEPERKINGS, ONDERVERDELING EN AFWYKING

• Erf 98362, Kaapstad (*tweede plasing*)

Kennisgewing geskied hiermee ingevolge Artikel 3(6) van die Wet op Opheffing van Beperkings (Wet 84 van 1967) en Artikels 24 en 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 (Toonbank 1.3). Navrae kan van 08:30-14:30, Maandag tot Vrydag, aan mnr D Suttle gerig word. Die aansoek is ook op weekdae 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, Kaapstad, Tel. (021) 483-4634 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 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, Wes-Kaapse Regering, Utilitas-gebou, Dorpstraat 1, Kaapstad gestuur word, met vermelding van bogenoemde wetgewing, onderstaande verwysings- of 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 as ongeldig geag word. Om nadere inligting, skakel K Barry, Tel. (021) 710-8205. Die sluitingsdatum vir besware en kommentaar is Maandag, 7 Oktober 2013.

Lêerverwysing: LUM/00/98362

Aansoeknommer: 225377

Eienaar: Najier Osman Familietrust

Aansoeker: First Plan Stadsbeplanners

Adres: Milnerweg 78

Aard van aansoek: Opheffing van beperkende titelvoorwaardes om die eienaar in staat te stel om die eiendom vir enkelresidensiële doeleindes in drie gedeeltes te onderverdeel (Gedeelte 1 $\pm 1763\text{m}^2$, Gedeelte 2 $\pm 619\text{m}^2$ en Gedeelte 3 $\pm 646\text{m}^2$). Afwyking van Artikel 54 van die vorige Kaapstadse Soneringskema-regulasies om toe te laat dat die bestaande gebou wat op gedeelte 1 geleë is, 1.5m vanaf die nuwe grens met Gedeelte 2 geleë is.

ACHMAT EBRAHIM, STADSBESTUURDER

6 September 2013

53097

CITY OF CAPE TOWN
(SOUTHERN DISTRICT)

UKUSUSWA KWEZITHINTELO, ULWAHLULO-HLULO NOTYESHELO LOMQATHANGO

• Isiza 98362, eKapa (*sikhutshwa okwesibini*)

Kukhutshwa isaziso ngokungqinelana neCandelo 3(6) loMthetho wokuSuswa kweziThintelo (uMthetho 84 wango-1967). ICandelo 24 nele-15 oMmiselo woCwangciso lokuSetyenziswa koMhlaba onguNomb 15 wango-1985 ukuba esi sicelo sikhankanywe ngezantsi sifunyenwe yaye sivulelekile uba sihlolwe kwi-ofisi yoMphathi weSithili. iSebe loLawulo loCwangciso nolwaKhiwo lwezaKhiwo, kwisiXeko saseKapa, kuMgangatho oseMhlabeni, 3 Victoria Road, Plumstead (kwiKhawuntari 1.3). Imibuzo ingajoliswa kuMnumzana D Suttle ukususela nge-08:30 ukuya kwe-14:30 ukususela ngoMvulo ukuya kuLwesihlanu. Esi sicelo sikwavulelekile ukuba sihlolwe kwi-ofisi yoMlawuli woLawulo oluHlanganisiweyo lokusiNgqongileyo, iSebe leMicimbi yokusiNgqongileyo noCwangciso loPhuhliso, uRhulumente wePhondo leNtshona Koloni kwisakhiwo esaziwa ngokuba yi-Utilitas Building, 1 Dorp Street, eKapa, phakathi evekini ukususela ngeye- 08:00-12:30 kunye neyo-13:00-15:30, inombolo yomnxeba (021) 483-4634/ifeksi (021) 483-3098. Naziphina izichaso/okanye izimvo, nezizathu eziyelelo zoko, mazingeniswe ngokubhaliweyo kwi-ofisi yoMphathi weSithili (1) ngokunjalo nakuMphathi weSithili. iSebe loCwangciso noLawulo loPhuhliso: loLawulo loCwangciso noLawakhiwo lwezaKhiwo, kwisiXeko saseKapa, Private Bag X5, Plumstead 7801 okanye zithunyelwe kule nombolo yefeksi (021) 710-8283 okanye zithunyelwe nge-imeyile kwa-comments_objections.southern@capetown.gov.za (2) nakuMlawuli woLawulo oluHlanganisiweyo lokusiNgqongileyo: iSebe leMicimbi yokusiNgqongileyo noCwangciso lwezaKhiwo, uRhulumente wePhondo leNtshona Koloni kwisakhiwo i-Utilitas Building, 1 Dorp Street, eKapa ngomhla wokuvala okanye ngaphambi kwawo, kucatshulwa lo mthetho ugentla, le nombolo yesicelo ikhankanywe ngezantsi, inombolo yesiza somchasi, inombolo yomnxeba kwakunye nedilesi. Izicelo zenkcaso nezimvo zingangeniswa ngesandla kwezi dilesi zikhankanywe ngentla ungadlulanga umhla wokuvala. Ukuba impendulo yakho ayithunyelwanga kwezi kunye/okanye inombolo yefeksi, kwaye ukuba, ngenxa yoko ifika emva kwexesha, iya kuthathwa njengengekho mthethweni. Ngengcaciso engenye. qhagamshelana no-K Barry kwa-(021) 710-8205. Umhla wokuvala wezichaso nezimvo nguMvulo we-7 Okthobha 2013.

Isalathiso seFayile: LUM/00/98362

Inombolo yesicelo: 225377

Umnini: Najier Osman Family Trust

Umfaki-sicelo: First Plan Town Planners

Idilesi: 78 Milner Road

Uhlobo lwesicelo: Ukususwa kwemiqathango ethintelayo yoxwebhu lobunini ukwenzela ukuba umnini abe nakho ukohlula-hlula ipropati ibe ziziqephu ezithathu (Isiqephu 1 esimalunga ne-1763m², isiqephu 2 esimalunga nama-1763m² nesiQephu 3 esimalunga nama-646m²) ukulungiselela iinjongo zendawo zokuhlala. Kwenziwe isicelo sotyeshelelo lomqathango kwiCandelo 54 leMigaqo yangaphambili yeNkqubo yoCando yaseKapa ukwenzela kuvumeleke isakhiwo esikhoyo kwisiQephu 1 ukuba sibe yi-1.5m ukusuka kumda omtsha nesiQephu 2.

ACHMAT EBRAHIM, CITY MANAGER

6 September 2013

53097

CITY OF CAPE TOWN
(SOUTHERN DISTRICT)

REMOVAL AND AMENDMENT OF RESTRICTIONS

• Erf 172962, Rondebosch (*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, Department: Planning & Building Development Management, City of Cape Town, Ground Floor, 3 Victoria Road, Plumstead (Counter 1.3). Enquiries may be directed to A Allie, 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, Cape Town weekdays from 08:00-12:30 and 13:00-15:30. Tel. (021) 483-4634/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 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, Provincial Government of the Western Cape at the Utilitas Building, 1 Dorp Street, Cape Town or fax 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, 7 October 2013.

File Ref: LUM/00/172962

Application No.: 229778

Owner: Rivers Edge Body Corporate

Applicant: BJ Mellon Land Surveyor

Address: Haldane Road, Rondebosch (Rivers Edge Apartments)

Nature of Application: Removal and amendment of restrictive title conditions to enable the existing refuse room to be regularized. The street building line restriction is encroached upon.

ACHMAT EBRAHIM, CITY MANAGER

6 September 2013

53092

STAD KAAPSTAD
(SUIDELIKE DISTRIK)

OPHEFFING EN WYSIGING VAN BEPERKINGS

• Erf 172962, Rondebosch (*tweede plasing*)

Kennisgewing geskied hiermee ingevolge Artikel 3(6) van die Wet op Opheffing van Beperkings (Wet 84 van 1967) 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 tot 14:30, Maandag tot Vrydag, aan mnr A Allie gerig word. Die aansoek is ook op weekdae van 08:00 tot 12:30 en 13:00 tot 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, Dorpsstraat 1, Kaapstad, Tel. (021) 483-4634 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 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, Wes-Kaapse Regering, Utilitas-gebou, Dorpsstraat 1, Kaapstad gestuur word, met vermelding van bogenoemde wetgewing, onderstaande verwysings- of 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 as ongeldig geag word. Om nadere inligting, skakel K Barry, Tel. (021) 710-8205. Die sluitingsdatum vir besware en kommentaar is Maandag, 7 Oktober 2013.

Lêerverwysing: LUM/00/172962

Aansoeknommer: 229778

Eienaar: Rivers Edge Beheerliggaam

Aansoeker: BJ Mellon Landopmeter

Adres: Haldaneweg, Rondebosch (Rivers Edge-woonstelle)

Aard van aansoek: Opheffing en wysiging van beperkende titelvoorwaardes om vir die regularisering van die bestaande vulliskamer voorsiening te maak. Die straatboulynbeperking sal oorskry word.

ACHMAT EBRAHIM, STADSBESTUURDER

6 September 2013

53092

CITY OF CAPE TOWN

(SOUTHERN DISTRICT)

UKUSUSWA NOKULUNGISWA KWEZITHINTELO

• Isiza 172962, Rondebosch (*sikhutshwa okwesibini*)

Kukhutshwa isaziso ngokungqinelana neCandelo 3(6) loMthetho wokuSuswa lweziThintelo, 1967 (uMthetho 84 wango-1967), ukuba esi sicelo sikhankanywe ngezantsi sifunyenwe yaye sivulelekile uba sihlolwe kwi-ofisi yoMphathi weSithili, iSebe: loLawulo loCwangciso nolwaKhiwo lwezaKhiwo, kwisiXeko saseKapa, kuMgangatho oseMhlabeni, 3 Victoria Road, Plumstead (kwiKhawuntari 1.3). Imibuzo ingajoliswa ku-A Allie ukususela nge-08:30 ukuya kwe-14:30 ukususela ngoMvulo ukuya kuLwesihlanu. Esi sicelo sikwavulelekile ukuba sihlolwe kwi-ofisi yoMlawuli: woLawulo oluHlanganisiweyo lokusiNgqongileyo, iSebe leMicimbi yokusiNgqongileyo noCwangciso loPhuhliso, uRhulumente wePhondo leNtshona Koloni kwisakhiwo esaziwa ngokuba yi-Utilitas Building, 1 Dorp Street, eKapa, phakathi evekini ukususela ngeye-08:00-12:30 kunye neyo-13:00-15:30, inombolo yomnxeba (021) 483-4634/ifeksi (021) 483-3098. Naziphina izichaso/okanye izimvo, nezizathu ezizelezo zoko, mazingeniswe ngokubhaliweyo kwi-ofisi yoMphathi weSithili (1) ngokunjalo nakuMphathi weSithili, iSebe loCwangciso noLawulo loPhuhliso: loLawulo loCwangciso noLawakhiwo lwezaKhiwo, kwisiXeko saseKapa, Private Bag X5, Plumstead 7801 okanye kwe nombolo yefeksi (021) 710-8283 okanye zithunyelwe nge-imeyile kwa-comments_objections.southern@capetown.gov.za (2) nakuMlawuli woLawulo oluHlanganisiweyo lokusiNgqongileyo: iSebe leMicimbi yokusiNgqongileyo noCwangciso lwezaKhiwo, uRhulumente wePhondo leNtshona Koloni kwisakhiwo i-Utilitas Building, 1 Dorp Street, eKapa ngomhla wokuvala okanye ngaphambi kwawo, kucatshulwa lo mthetho ungentla, le nombolo yesicelo ikhankanywe ngezantsi, inombolo yesiza somchasi, inombolo yomnxeba kwakunye nedilesi. Izicelo zenkcaso nezimvo zingangeniswa ngesandla kwezi dilesi zikhankanywe ngentla ungadlulanga umhla wokuvala. Ukuba impendulo yakho ayithunyelwanga kwezi kunye/okanye inombolo yefeksi, kwaye ukuba, ngenxa yoko ifika emva kwexesha, iya kuthathwa njengengekho mthethweni. Ngengcaciso engenye, qhagamshelana no-K Barry kwa-(021) 710-8205. Umhla wokuvala wezichaso nezimvo nguMvulo we-7 Okthobha 2013.

Isalathiso seFayile: LUM/16/1105 (226779)

Inombolo yesicelo: 229778

Umnini: Rivers Edge Body Corporate

Umfaki-sicelo: BJ Mellon Land Surveyor

Idilesi: Haldane Road, Rondebosch (Rivers Edge Apartments)

Uhlobo lwesicelo: Ukususwa nokulungiswa kwemiqathango ethintelayo yoxwebhu lobunini ukwenzela ukulungelelanisa igumbi lenkunkuma elikhoyo. Kuza kungenelelwa isithintelo somda wesakhiwo sesitalato.

ACHMAT EBRAHIM, CITY MANAGER

6 September 2013

53092

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

• Erf 86313, Muizenberg (*second placement*)

Notice is hereby given in terms of Section 3(6) of the Removal of Restrictions Act, 1967 (Act 84 of 1967), and Section 9 of the former Cape Town Zoning Scheme Regulations that the undermentioned application has been received and is open to inspection at the Office of the District Manager, Department: Planning & Building Development Management, City of Cape Town, Customer Interface, Ground Floor, 3 Victoria Road, Plumstead, and any enquiries may be directed to Faeza Samsodien, from 08:30-12:30 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, Cape Town weekdays from 08:00-12:30 and 13:00-15:30. Any objections and/or comments, with full reasons therefor, must be submitted in writing at both (1) the Office of the District Manager, Department: Planning & Building Development Management, City of Cape Town, Private Bag X5, Plumstead 7801 or fax (021) 710-8283 or e-mailed to comments_objections.southern@capetown.gov.za and (2) the Director: Integrated Environmental Management, Department of Environmental Affairs & Development Planning, Provincial Government of the Western Cape at the Utilitas Building, 1 Dorp Street, Cape Town, attention C Hauptfleisch, Tel. (021) 483-0783 or fax (021) 483-3098 on or before the closing date, quoting, the above Act and Ordinance, the belowmentioned reference number, and the objector's erf and phone numbers and address. Objections and comments may also be hand-delivered to the abovementioned street addresses by no later than the closing date. If the closing date falls on a Sunday or Public Holiday, the closing date shall be carried over to the next day. 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 Faeza Samsodien, Tel. (021) 710-8366. The closing date for comments and/or objections is 7 October 2013.

File Ref: LUM/00/86313(1) Tracking No. (228083)

Applicant: Tim Spencer Planning CC

Address: No. 3 Scopus Road, Muizenberg

Owners: Anton & Nicole Ressel

Nature of Application:

1. Removal of a restrictive title condition applicable to regularise a portion of the existing bedroom addition and domestic staff quarters. The lateral building line restriction of 1.57m will be encroached upon.
2. Application for consent in terms of Section 108 from the former Cape Town Zoning Scheme Regulations to permit building work within an Urban Conservation Area.

If you are unable to submit an objection or comment in writing, make an appointment with an official to assist you during office hours. Comments and/or objections form part of public documents and are forwarded to the applicant for response. Comments or objections received after the closing date may be regarded as invalid and could possibly not be considered.

ACHMAT EBRAHIM, CITY MANAGER

6 September 2013

53091

STAD KAAPSTAD
(SUIDELIKE DISTRIK)
OPHEFFING VAN BEPERKINGS EN VERGUNNING

• Erf 86313, Muizenberg (*tweede plasing*)

Kennisgewing geskied hiermee ingevolge Artikel 3(6) van die Wet op Opheffing van Beperkings (Wet 84 van 1967) en Artikel 9 van die vorige Kaapstadse Soneringskema-regulasies dat onderstaande aansoek ontvang en ter insae beskikbaar is by die Kantoor van die Distriksbestuurder, Departement Beplanning en Bou-ontwikkelingsbestuur, Stad Kaapstad, Kliënteskateling, Grondverdieping, Victoriaweg 3, Plumstead en enige navrae kan van 08:30-12:30, Maandag tot Vrydag, gerig word aan Faeza Samsodien. Die aansoek is ook op woensdae 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, Dorpsstraat 1, Kaapstad. 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 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, Wes-Kaapse Regering, Utilitas-gebou, Dorpsstraat 1, Kaapstad, vir die aandaag van C Hauptfleisch, Tel. (021) 483-0783 of faksnummer (021) 483-3098 gestuur word, met vermelding van bogenoemde wetgewing, onderstaande 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. Indien die sluitingsdatum op 'n Sondag of openbare vakansiedag val, sal die sluitingsdatum na die volgende dag oorgedra word. As u reaksie nie na dié adresse en/of faksnummer gestuur word nie en gevolglik laat ontvang word, sal dit as ongeldig geag word. Skakel Faeza Samsodien by Tel. (021) 710-8366 om nadere inligting te bekom. Die sluitingsdatum vir besware en/of kommentaar is 7 Oktober 2013.

Lêerverwysing: LUM/00/86313(1) Naspoommer: (228083)

Aansoeker: Tim Spencer Beplanning BK

Adres: Scopusweg 3, Muizenberg

Eienaars: Anton en Nicole Ressel

Aard van aansoek:

1. Opheffing van 'n beperkende titelvoorwaarde van toepassing op die regularisering van 'n gedeelte van die bestaande slaapkameraanbouing en kwartiere vir huishoudelike werkers. Die syboullynbeperking van 1.57m sal oorskry word.
2. Aansoek om vergunning ingevolge Artikel 108 van die vorige Kaapstadse Soneringskema-regulasies om bouwerk binne 'n stedelike bewaringsgebied toe te laat.

Indien u nie in staat is om 'n skriftelike beswaar of kommentaar in te dien nie, kan u 'n afspraak met 'n amptenaar maak om u gedurende kantoorure behulpzaam te wees. Kommentaar en/of besware vorm deel van openbare dokumente en word aan die aansoeker vir reaksie gestuur. Kommentaar of besware wat ná die sluitingsdatum ontvang word, kan as ongeldig beskou en moontlik nie oorweeg word nie.

ACHMAT EBRAHIM, STADSBESTUURDER

6 September 2013

53091

CITY OF CAPE TOWN
(SOUTHERN DISTRICT)
UKUSUSWA KWEZITHINTELO NEMVUME

● Isiza 86313, Muizenberg (*sikhutshwa okwesibini*)

Kukhutshwa isaziso ngokungqinelana neCandelo 3(6) loMthetho wokuSuswa lweziThintelo (uMthetho 84 wango-1967) neCandelo 15 loMmiselo woCwangciso lokuSetyenziswa koMhlaba onguNomb. 15 wango-1985 neCandelo 47 leMigaqo yeNkqubo yoCando yaseKapa yangaphambili ukuba esi sicelo sikhankanywe ngezantsi sifunyenwe yaye sivulelekile uba sihlolwe kwi-ofisi yoMphathi weSithili, iSebe: loLawulo loCwangciso nolwaKhiwo lwezaKhiwo, kwisiXeko saseKapa, Indawo yabaXumi, kuMgangatho oseMhlabeni, 3 Victoria Road, Plumstead, kwaye nayiphina imibuzo ingajoliswa ku-Faeza Samsodien ukususela nge-08:30 ukuya kwe-14:30 ukususela ngoMvulo ukuya kuLwesihlanu. Esi sicelo sikwavulelekile ukuba sihlolwe kwi-ofisi yoMlawuli: Isicelo sivulelekile ukuba sihlolwe kwi-ofisi yoMlawuli, woLawulo oluHlanganisiweyo lokusiNgqongileyo, Isebe leMicimbi yokusiNgqongileyo noCwangciso loPhuhliso, uRhulumente wePhondo leNtshona Koloni e-Utilitas Building, 1 Dorp Street, eKapa, phakathi evekini ukususela ngeye-08:00-12:30 kunye neyo-13:00-15:30. Naziphina izichaso/okanye izimvo, nezizathu ezizelelo zoko, mazingeniswe ngokubhaliweyo kwi-ofisi yoMphathi weSithili (1) ngokunjalo nakwiSebe loCwangciso noLawulo loPhuhliso: loLawulo loCwangciso noLawakhiwo lwezaKhiwo, kwisiXeko saseKapa, Private Bag X5, Plumstead 7801 okanye kwe nombolo yefeksi (021) 710-8283 okanye zithunyelwe nge-imeyile kwa-comments_objections.southern@capetown.gov.za (2) nakuMlawuli woLawulo oluHlanganisiweyo lokusiNgqongileyo: iSebe leMicimbi yokusiNgqongileyo noCwangciso loPhuhliso, uRhulumente wePhondo leNtshona Koloni kwisakhiwo i-Utilitas Building, 1 Dorp Street, eKapa, zenzelwe ingqalelo ka-C Hauptfleisch, kule nombolo yomnxeba (021) 483-0783 okanye kuthunyelwe ifeksi kwa- (021) 483-3098 ngomhla wokuvala okanye ngaphambi kwawo, kucatshulwa lo Mthetho nalo Mmiselo ungentla, le nombolo yesicelo ikhankanywe ngezantsi, inombolo yesiza somchasi, inombolo yomnxeba kwakunye nedilesi. Izicelo zenkcaso nezimvo zingangeniswa ngesandla kwezi dilesi zikhankanywe ngentla ungadlulanga umhla wokuvala. Ukuba umhla wokuvala ungeCawa okanye ngeHolide kaWonke-wonke, umhla wokuvala uya kudluliselwa kusuku olulandelayo. Ukuba impendulo yakho ayithunyelwanga kwezi kunye/okanye inombolo yefeksi, kwaye ukuba, ngenxa yoko ifika emva kwexesha, iya kuthathwa njengengekho mthethweni. Ngengcaciso engenye, qhagamshelana no-Faeza Samsodien, kule nombolo yomnxeba (021) 710-8366. Umhla wokuvala wezimvo kunye/okanye izichaso ngumhla we-7 Okthobha 2013.

Isalathiso seFayile: LUM/00/86313(1) Tracking No. (228083)

Umfaki-sicelo: Tim Spencer Town Planning CC

Idilesi: No. 3 Scopus Road Muizenberg

Abanini: Anton & Nicole Ressel

Uhlobo lwesicelo:

1. Ukususwa komqathango othintelayo woxwebhu lobunini ofanelekileyo ukwenzela ukulungelelanisa isiqephu segumbi lokulala elikhoyo kwakunye neendawo yokuhlala yabasebenzi basekhithini. Kuza kungenelwa isithintelo somda wesakhiwo osecaleni oyi-1.57m.
2. Isicelo semvume ngokungqinelana neCandelo 108 leMigaqo yeNkqubo yoCando yaseKapa ukulungiselela umsebenzi wolwakhiwo kuMmandla woLondolozo lweDolophu.

Ukuba awukwazi ukungenisa isichaso okanye izimvo ngokubhaliweyo, yenza idinga negosa eliza kunceda ngamaxesha omsebenzi. Izimvo kunye/okanye izimvo ziyinxalenye yamaxwebhu oluntu kwaye zidluliselwa kumfaki-sicelo ukwenzela ukufumana impendulo. Izimvo okanye izichaso ezifunyenwe emva komhla wokuvala zisenokuthathwa njengezingekho mthethweni kwaye zisenakho nokungaqwalaselwa.

ACHMAT EBRAHIM, CITY MANAGER

6 September 2013

53091

KNYSNA MUNICIPALITY
LAND USE PLANNING ORDINANCE
(ORDINANCE 15 OF 1985)

APPLICATION NUMBER:, 528, 9000029000, Paardekop, Knysna
TEMPORARY USE DEPARTURE

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 the undermentioned application has been received and is open for inspection during office hours at: Municipal Town Planning Offices, Old Main Building, 3 Church Street, Knysna. Any objections, with full reasons therefor, should be lodged in writing with the Municipal Manager, PO Box 21, Knysna 6570 on or before Monday, 7 October 2013 quoting the above Ordinance and objector's erf number.

Notice is further given in terms of Section 21(4) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) that people who cannot write may approach the Municipal Town Planning Office at 3 Church Street, Knysna during normal office hours where the Secretary will refer you to the responsible official who will assist you in putting your comments or objections in writing.

Applicant: RODE & ASSOCIATES (PTY) LTD (obo)/ PGWC: Public Werks

Nature of application: Temporary Use Departure: To obtain the land use rights for an existing borrow pit MR390/25.5/0.01L on Farm 29, Paardekop, Knysna.

File Reference: 9000029000

LAUREN A WARING, MUNICIPAL MANAGER

6 September 2013

53087

KNYSNA MUNISIPALITEIT
ORDONNANSIE OP GRONDGEBRUIKBEPLANNING
(ORDONNANSIE 15 VAN 1985)

AANSOEKNO ER: , 528, 9000029000, Paardekop, Knysna
TYDELIKE VERGUNNINGSGEBRUIK

Kennis geskied hiermee ingevolge Artikel 15(1)(a)(ii) van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie Nr. 15 van 1985) dat die onderstaande aansoek deur die Munisipale Bestuurder ontvang is en ter insae lê, gedurende kantoorure by: Munisipale Stadsbeplanningkantore, Old Maingebou, Kerkstraat 3, Knysna. Enige besware, met volledige redes daarvoor, moet skriftelik by die Munisipale Bestuurder, Posbus 21, Knysna 6570 ingedien word op of voor Maandag, 7 Oktober 2013, met vermelding van bogenoemde Ordonnansie en beswaarmaker se erfnummer.

Ingevolge Artikel 21(4) van die Wet op Plaaslike Regering: Munisipale Stelsels, 2000 (Wet 32 van 2000) word verder kennis gegee dat persone wat nie kan skryf nie die Stadsbeplanningsafdeling (Kerkstraat 3) kan nader tydens normale kantoorure waar die Sekretaresse u sal verwys na die betrokke amptenaar wat u sal help om u kommentaar of besware op skrif te stel.

Aansoeker: RODE & VENNOTE (EDMS) BPK (nms)/ PGWC: Publieke Werke

Aard van Aansoek: Tydelike Vergunningsgebruik: Om grondgebruiksregte te verkry vir 'n bestaande gruisgroef MR390/25.5/0.01L op die Plaas 29, Paardekop, Knysna.

Lêerverwysing: 9000029000

LAUREN A WARING, MUNISIPALE BESTUURDER

6 September 2013

53087

BITOU LOCAL MUNICIPALITY

PROPOSED AMENDMENT OF CONDITIONS AND REZONING:
ERF 787, KEURBOOMSTRAND,
BITOU MUNICIPALITY

Notice is hereby given that Bitou Local Municipality received the following application in terms of Sections 17 and 42(3)(a) of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985 LUPO) on Erf 787, Keurboomstrand:

1. Amendment of the conditions of approval dated 7 November 2008 to allow for 8 sectional title units instead of the approved 3 sectional title units (zoned Special Zone).
2. Rezoning of the remainder of Erf 787 from Special Zone to Open Space III (Private Nature Reserve).

The property is situated north of Keurboomstrand.

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, 7 October 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. 20/2013

6 September 2013

53085

KANNALAND MUNICIPALITY

APPLICATION FOR THE REZONING, CONSENT USE AND DEPARTURE: REMAINDER OF THE FARM BERG EN DAL NO. 90, LADISMITH

NOTICE IS HEREBY given in terms of the Land- Planning Ordinance, 1985 (Ordinance No. 15 of 1985) that the Council has received an application for the following uses of abovementioned property.

- Rezoning of a portion from Agriculture Zone I to Institutional Zone for a permaculture training centre.
- Consent use to allow 5 additional dwellings.
- Departure for a building line relaxation to allow existing buildings.

Details of the proposal may be obtained at the Municipal Offices, Ladismith during normal office hours.

Objections, if any, must be lodged in writing, with reasons, and received by the Municipal Manager within 31 days of the date of this notice.

MM HOOGBAARD, MUNICIPAL MANAGER

Municipal Notice 66/2013

6 September 2013

53103

BITOU PLAASLIKE MUNISIPALITEIT

VOORGESTELDE WYSIGING VAN
GOEDKEURINGSVOORWAARDES EN HERSONERING: ERF 787,
KEURBOOMSTRAND, BITOU MUNISIPALITEIT

Kennis geskied hiermee dat Bitou Plaaslike Munisipaliteit die volgende aansoek ontvang het vir Erf 787, Keurboomstrand, ingevolge Artikels 17 & 42(3)(a) van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie Nr. 15 van 1985):

1. Wysiging van die goedkeuringsvoorwaardes gedateer 7 November 2008 om die huidige 3 goedgekeurde deeltiteleenhede (Spesiale Sone) te verhoog na 8 deeltiteleenhede.
2. Die hersonering van die Restant van Erf 787 van Spesiale Sone I na Oopruimte III (Privaat Oopruimte).

Die eiendom is noord van Keurboomstrand geleë.

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, Bitou Munisipaliteit, Tel. (044) 501-3322.

Enige kommentaar op of besware teen die aansoek moet op skrif ingedien word ten einde die ondergetekende (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, 7 Oktober 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 BESTUURDER, BITOU PLAASLIKE MUNISIPALITEIT, PRIVAATSAK X1002, PLETTENBERGBAAI 6600

Munisipale Kennisgewingnr. 20/2013

6 September 2013

53085

KANNALAND MUNISIPALITEIT

AANSOEK OM HERSONERING, VERGUNNINGSGEBRUIK EN
AFWYKINGSGEBRUIK: RESTANT VAN DIE PLAAS BERG EN
DAL NR. 90, LADISMITH

KENNIS GESKIED HIERMEE van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie Nr. 15 van 1985) dat die Raad 'n aansoek ontvang het vir die volgende gebruike van bogenoemde eiendom.

- Hersonering van 'n gedeelte vanaf Landbou Sone I na Institusionele Sone I, vir die bedryf van 'n Opleidingsentrum.
- Vergunningsgebruik vir 5 Addisionele Wooneenhede.
- Afwykingsgebruik vir die verslapping van die boulyn vir bestaande geboue.

Besonderhede van die voorstel is beskikbaar by die Munisipale Kantore te Ladismith gedurende normale kantoorure.

Besware, indien enige, moet skriftelik, met redes, ingedien word binne en nie later as 31 dae na datum van die kennisgewing, ontvang word deur die Munisipale Bestuurder.

MM HOOGBAARD, MUNISIPALE BESTUURDER

Munisipale Kennisgewingnr. 66/2013

6 September 2013

53103

KNYSNA MUNICIPALITY

LAND USE PLANNING ORDINANCE
(ORDINANCE 15 OF 1985)

APPLICATION NUMBER: , 527,900006000, Roodemuur, Knysna

DEPARTURE

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 the undermentioned application has been received and is open for inspection during office hours at: Municipal Town Planning Offices, Old Main Building, 3 Church Street, Knysna. Any objections, with full reasons therefor, should be lodged in writing with the Municipal Manager, PO Box 21, Knysna 6570 on or before Monday, 7 October 2013 quoting the above Ordinance and objector's erf number.

Notice is further given in terms of Section 21(4) of the Local Government: Municipal Systems Act (Act 32 of 2000) that people who cannot write, may approach the Municipal Town Planning Office at 3 Church Street, Knysna during normal office hours, where the Secretary will refer you to the responsible official who will assist you in putting your comments or objections in writing.

Applicant: RODE & ASSOCIATES (PTY) LTD (obo) PGWC

Nature of application: Departure: To obtain the land use rights for an existing borrow pit MR390/26.4/0LR on Remainder of Farm 6, Roodemuur, Knysna.

File reference: 900006000

LAUREN A WARING, MUNICIPAL MANAGER

6 September 2013

53088

OUDTSHOORN MUNICIPALITY

NOTICE NO. 107 OF 2013

PROPOSED CONSENT USE FOR THE PURPOSE OF A "SOLAR VOLTAIC PLANT" FROM PORTIONS 37, 39, 101 AND THE REMAINDER OF THE FARM VAN WYKSKRAAL 117, AND PORTION 10 OF THE FARM SCHUINSPAD NO. 83, OUDTSHOORN

Notice is hereby given that the Oudtshoorn Municipality has received an application for a "solar voltaic plant" as a consent use, in terms of Section 4.6 of the Section 8 Scheme Regulation (made in terms of the Land Use Planning Ordinance, 1985 (Ordinance No. 15 of 1985), from Portions 37, 39, 101 and the Remainder of the Farm Van Wykskraal 117, and Portion 10 of the Farm Schuinpad No. 83, Oudtshoorn.

Full details are available at the Office of the Manager: Planning and Development during normal office hours and any objections thereto, if any, must be lodged in writing (with reasons) and received by the Manager: Planning and Development before or on Monday, 7 October 2013. Any persons that cannot read or write but wish to lodge an objection can approach the Municipality for assistance to put the objection in writing.

Manager: Planning and Development, Wesscott Building, Arnold de Jager Drive, Toekomsrus, Oudtshoorn 6625

R LOTTERING, ACTING MUNICIPAL MANAGER, CIVIC CENTRE, OUDTSHOORN

6 September 2013

53090

KNYSNA MUNISIPALITEIT

ORDONNANSIE OP GRONDGEBRUIKBEPLANNING
(ORDONNANSIE 15 VAN 1985)

AANSOEK NOMMER: , 527,900006000, Roodemuur, Knysna

VERGUNNINGSGEBRUIK

Kennis geskied hiermee ingevolge Artikel 15(1)(a)(ii) van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie Nr. 15 van 1985) dat die onderstaande aansoek deur die Munisipale Bestuurder ontvang is en ter insae lê, gedurende kantoorure by: Munisipale Stadsbeplanningkantore, Old Maingebou, Kerkstraat 3, Knysna. Enige besware, met volledige redes daarvoor, moet skriftelik by die Munisipale Bestuurder, Posbus 21, Knysna 6570 ingedien word op of voor Maandag, 7 Oktober 2013, met vermelding van bogenoemde Ordonnansie en beswaarmaker se erfnummer.

Ingevolge Artikel 21(4) van die Wet op Plaaslike Regering: Munisipale Stelsels, 2000 (Wet 32 van 2000) word verder kennis gegee dat persone wat nie kan skryf nie, die Stadsbeplanningsafdeling (Kerkstraat 3) kan nader tydens normale kantoorure waar die Sekretaresse u sal verwys na die betrokke amptenaar wat u sal help om u kommentaar of besware op skrif te stel.

Aansoeker: RODE & VENNOTE (EDMS) BPK (nms) PGWC

Aard van Aansoek: Vergunningsgebruik: Om grondgebruiksregte te verkry vir 'n bestaande gruisgroef MR390/26.4/0LR op die Restant van Plaas 6, Roodemuur, Knysna.

Lêerverwysing: 900006000

LAUREN A WARING, MUNISIPALE BESTUURDER

6 September 2013

53088

OUDTSHOORN MUNISIPALITEIT

KENNISGEWINGNR. 107 VAN 2013

VOORGESTELDE VERGUNNINGSGEBRUIK VIR DOELEINDES VAN 'N "SOLAR VOLTAIC PLANT" VANAF GEDEELTES 37, 38, 39, 101 EN DIE RESTANT VAN DIE PLAAS VAN WYKSKRAAL 117 EN GEDEELTE 10 VAN DIE PLAAS SCHUINSPAD NR. 83, OUDTSHOORN

Kennis geskied hiermee dat Oudtshoorn Munisipaliteit 'n aansoek ontvang het vir 'n "solar voltaic plant" as 'n vergunningsgebruik ingevolge Artikel 4.6 van die Atrikel 8 Skemaregulاسie (gemaak ingevolge die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie Nr. 15 van 1985), vanaf Gedeeltes 37, 38, 39, 101 en die Restant van die Plaas Van Wykskraal 117 en Gedeelte 10 van die Plaas Schuinpad Nr. 83, Oudtshoorn te bedryf.

Volle besonderhede van hierdie voorstel is ter insae by die Kantoor van die Bestuurder: Beplanning en Ontwikkeling gedurende normale kantoorure en enige besware daarteen moet skriftelik (met redes) gerig word aan en ontvang word deur die Stadsbeplanner voor of op Maandag, 7 Oktober 2013. Persone wat nie kan skryf nie, kan die Munisipaliteit nader vir hulp om hul beswaar op skrif te stel.

Bestuurder: Beplanning en Ontwikkeling, Wesscott Gebou, Arnold de Jaggerlyaan Nr. 102, Toekomsrus, Oudtshoorn 6625

R LOTTERING, WAARNEMEDE MUNISIPALE BESTUURDER, BURGERSENTRUM, OUDTSHOORN

6 September 2013

53090

MOSSEL BAY MUNICIPALITY

LAND USE PLANNING ORDINANCE, 1985
(ORDINANCE 15 OF 1985)LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT, 2000
(ACT 32 OF 2000)APPLICATION FOR CONSENT USE AND SUBDIVISION:
ERF 6216, HARTENBOS

Notice is hereby given that the undermentioned application has been received by the Municipality in terms of Regulation 2.4.4 of the Hartenbos Zoning Scheme Regulations, 1987 and 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, PO Box 25, Mossel Bay 6500 on or before Monday, 7 October 2013, quoting the above proposal 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 O Louw, Town Planning, at telephone number (044) 606-5074 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: TV3 Architects and Town Planners, 97 Dorp Street, 1st Floor, La Gratitude Office Building, STELLENBOSCH 7600

Nature of Application:

- Consent use on Erf 6216, Hartenbos, zoned General Residential zone (± 4.4796 ha) to develop a group housing scheme.
- Subdivision of Erf 6216, Hartenbos to create 100 group housing erven, 3 private open space erven and 2 private roads portions.

File Reference: 15/4/37/4

DR M GRATZ, MUNICIPAL MANAGER

6 September 2013

53089

SWARTLAND MUNICIPALITY

NOTICE 23/2013/2014

PROPOSED REZONING OF PORTION OF AND
CONSENT USE ON FARM 798,
DIVISION MALMESBURY

Notice is hereby given in terms of Section 17(1) of Ordinance 15 of 1985 that an application has been received for the rezoning of a portion of the remainder of Farm No. 798 (± 300 m² in extent) situated ± 15 km east of Malmesbury from agricultural zone I to agricultural zone II in order to operate a wine cellar.

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 tourist facility (± 30 m² in extent) in order to operate a wine tasting and wine sales area.

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 7 October 2013 at 17:00.

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

6 September 2013

53098

MOSSELBAAI MUNISIPALITEIT

ORDONNANSIE OP GRONDGEBRUIKBEPLANNING, 1985
(ORDONNANSIE 15 VAN 1985)PLAASLIKE REGERING: WET OP MUNISIPALE STELSLS, 2000
(WET 32 VAN 2000)AANSOEK OM VERGUNNINGSGEBRUIK EN
ONDERVERDELING: ERF 6216, HARTENBOS

Kennis geskied hiermee dat die ondergemelde aansoek ingevolge Regulasie 2.4.4 van die Hartenbos Soneringskema-regulasies, 1987 en 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, Posbus 25, Mosselbaai 6500 ingedien word op of voor Maandag, 7 Oktober 2013, met vermelding van bogenoemde voorstel en beswaarmaker se erfnummer. 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 O Louw, Stadsbeplanning by telefoonnommer (044) 606-5074 of faksnommer (044) 690-5786.

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

Aansoeker: TV3 Argitekte en Stadsbeplanners, Dorpstraat 97, 1ste Vloer, La Gratitude Kantore, STELLENBOSCH 7600

Aard van Aansoek:

- Vergunningsgebruik op Erf 6216, Hartenbos, gesoneer as Algemene residensiële sone (± 4.4796 ha) ten einde 'n groepbehuisingsskema te vestig.
- Onderverdeling van Erf 6216, Hartenbos ten einde 100 groepbehuisingserwe, 3 privaat oopruimte erwe en 2 privaat paaie gedeeltes te skep.

Lêerverwysing: 15/4/37/4

DR M GRATZ, MUNISIPALE BESTUURDER

6 September 2013

53089

MUNISIPALITEIT SWARTLAND

KENNISGEWING 23/2013/2014

VOORGESTELDE HERSONERING VAN GEDEELTE VAN EN
VERGUNNINGSGEBRUIK OP PLAAS 798,
AFDELING MALMESBURY

Kennis geskied hiermee ingevolge Artikel 17(1) van Ordonnansie 15 van 1985 dat 'n aansoek ontvang is vir die hersonering van gedeelte van die restant van Plaas Nr. 798 (groot ± 300 m²), geleë ± 15 km oos van Malmesbury vanaf landbousone I na landbousone II ten einde 'n wynkelder te bedryf.

Aansoek word ook ingevolge paragraaf 4.7 van die Artikel 8 Soneringskema-regulasies van Ordonnansie 15 van 1985 gedoen vir 'n toeristefasiliteit (groot ± 30 m²) ten einde 'n wynproe- en verkopelokaal 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 7 Oktober 2013 om 17:00.

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

6 September 2013

53098

SWARTLAND MUNICIPALITY

NOTICE 24/2013/2014

PROPOSED REZONING AND CONSENT USE ON ERF 995,
RIEBEEK KASTEEL

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 995 ($\pm 1332\text{m}^2$ in extent) situated in Royal Street, Riebeeck Kasteel, from residential zone I to business zone I in order to establish a veterinary practice.

Application is also made in terms of paragraph 4.7 of the Section 8 Zoning Scheme Regulations of Ordinance 15 of 1985 for a flat in order to create overnight accommodation for a caretaker/supervisor.

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 7 October 2013 at 17:00.

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

6 September 2013

53099

SWELLENDAM MUNICIPALITY

APPLICATION FOR SUBDIVISION: PORTION 2 OF THE FARM
WINDVOGELS KRAAL NO. 43, 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 Umzisa Planning on behalf of P R M Passemiers for the subdivision of Portion 2 of the farm Windvogels Kraal No. 43 (Administrative District Swellendam) in the Remainder (211ha), Portion D (18ha) and Portion E (44ha) and thereafter the notarial link of Portion D with Portion I of the farm Quarriebosch Kloof No. 170 (Administrative District Montagu) and the notarial link of Portion E with the Remainder of the farm Vlake Rand No. 171 (Administrative District Montagu).

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 7 October 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: S52/2013

6 September 2013

53100

MUNISIPALITEIT SWARTLAND

KENNISGEWING 24/2013/2014

VOORGESTELDE HERSONERING EN VERGUNNINGSGEBRUIK
OP ERF 995, RIEBEEK KASTEEL

Kennis geskied hiermee ingevolge Artikel 17(1) van Ordonnansie Nr. 15 van 1985 dat 'n aansoek ontvang is vir die hersonering van erf 995 (groot 1332m^2), geleë te Royalstraat, Riebeeck Kasteel vanaf residensiële sone I na sakesone I ten einde 'n veeartspraktik te vestig.

Aansoek word ook ingevolge paragraaf 4.7 van die Artikel 8 Soneringskema regulasies van Ordonnansie Nr. 15 van 1985 gedoen vir 'n woonstel ten einde oornagakkommodasie vir 'n toesighouer/opsigter te skep.

Verdere besonderhede is gedurende gewone kantoorure (weeksdag) 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 as 7 Oktober 2013 om 17:00.

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

6 September 2013

53099

SWELLENDAM MUNISIPALITEIT

AANSOEK OM ONDERVERDELING: GEDEELTE 2 VAN DIE
PLAAS WINDVOGELS KRAAL NR. 43, 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 Umzisa Planning namens P R M Passemiers vir die onderverdeling van Gedeelte 2 van die plaas Windvogels Kraal Nr. 43 (Administratiewe Distrik Swellendam) in die Restant (211ha), Gedeelte D (18ha) en Gedeelte E (44ha) en daarna die notariële verbinding van Gedeelte D met Gedeelte 1 van die plaas Quarriebosch Kloof Nr. 170 (Administratiewe Distrik Montagu) en die notariële verbinding van Gedeelte E met die Restant van Plaas Vlake Rand Nr. 171 (Administratiewe Distrik Montagu).

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 7 Oktober 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: S52/2012

6 September 2013

53100

BREEDE VALLEY MUNICIPALITY

BY-LAW RELATING TO LIQUOR TRADING DAYS AND HOURS

To provide the days on which and the hours during which a holder of a liquor license may sell liquor for consumption on and off the licenced premises.

PREAMBLE

WHEREAS a municipality has competence in terms of Section 156(1) (a) read with Part B of Schedule 5 to the Constitution of the Republic of South Africa, 1996, to control undertakings that sell liquor to the public;

WHEREAS as municipality may, in terms of Section 156(2) of the Constitution, make and administer by-laws for effective administration of the matters which it as the right to administer;

WHEREAS the Western Cape Liquor Act, 2008 (Act No. 4 of 2008) provides for a municipality to determine different trading days and hours for licensed businesses selling liquor;

WHEREAS it is the intention of the Breede Valley Municipality to only set trading days and hours for licensed premises enjoying correct zoning or land use rights, provided that this does not indicate support for establishing new undertakings or established;

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

1. Definitions

In this By-law, words shall bear the meaning assigned to them, unless the context indicates otherwise, and –

“Breede Valley Municipality” or “municipality” means the Breede Valley established by the Breede Valley Municipality Established Notice published notice No. 479 of 2000, as amended;

“Establishment” means the type of premises, business, outlet or land use activity as described and defined in the Act or relevant applicable local zoning scheme, and **“undertaking”** has a corresponding meaning;

“The Act” means the Western Cape Act, 2008 (Act No. 4 of 2008)

“Agricultural Area” means an area predominantly zoned agriculture or any other equivalent zoning, with the purpose to promote and protect agricultural activity on a farm as an important economic, environmental and cultural resource, where limited provision is made for non-agricultural uses to provide owners with an opportunity to increase the economic

potential of their properties, without causing a significant negative impact on the primary agricultural resource;

“Business Premises” means a property from which business is conducted and may include a restaurant, pub, bar or tavern or other building for similar uses, but excludes a place of entertainment, guest accommodation establishment, hotel, sports and community club;

“Casino” means a casino as defined by the National Gambling Act, 2004 (Act No. 7 of 2004) and includes a hotel, business premises, venue for hosting of events, place of entertainment or other recreation facility or tourist attraction as part of the complex;

“General Business Area” means an area predominantly zoned general business or any other equivalent zoning, with the purpose to promote economic activity in a business district and development corridor, and includes a wide range of land uses such as business, residential and community uses;

“Guest accommodation establishment” means premises used as temporary residential accommodation for, and includes the provision of meals to, transient guests for compensation and includes a backpacker’s lodge, a bed-and-breakfast establishment, guest house and guest farm or lodge, as well as facilities for business meetings, conferences, events or training sessions of resident guests, but excludes a hotel;

“Hotel” means premises used as temporary residential accommodation for transient guests where lodging or meals are provided for compensation, and includes—

- (a) a restaurant or restaurants forming part of the hotel;
 - (b) conference and entertainment facilities that are subservient and ancillary to the dominant use of the premises as a hotel; and
 - (c) premises which are licensed to sell liquor for consumption on the property,
- but excludes an off-consumption facility, guest accommodation establishment, dwelling house or dwelling unit;

“Industrial area” means an area predominantly zoned general industry or any other equivalent zoning, with the purpose to accommodate all forms of industry including manufacturing and related processing, but excludes noxious or hazardous risk activity;

“Licensee” means any person who is licensed to sell liquor in terms of the Act and includes any licensed premises, business, outlet or land use activity from which liquor is sold;

“Liquor” means liquor as defined in section 1 of the Act;

“Liquor officer” means a person appointed in terms of section 73(1) of the Act;

“Local business or neighborhood business area” means an area predominantly zoned local business or mixed use or any other equivalent zoning, with the purpose to accommodate low intensity commercial and mixed use development serving local needs of a

convenience goods, personal service or small scale business nature or serve as an interface between general business, industrial and adjacent residential area;

“Place of entertainment” means a place used predominantly for commercial entertainment which may attract relatively large numbers of people, operate outside normal business hours or generate noise from music or revelry on a regular basis, and includes a cinema, theatre, amusement park, dance hall, gymnasium, or facility for betting, gambling hall, karaoke bar and nightclub, but excludes a casino;

“Room service facility” means a mini bar or self-help facility for the consumption of liquor in guest rooms and a call-up service for resident guests;

“Residential area” means an area predominantly zoned informal, single or general residential or any other equivalent zoning, with the purpose to accommodate predominantly single-family dwelling houses in low to medium density neighborhoods, as well as higher density living accommodation and which includes controlled opportunities for home employment, additional dwellings and low intensity mixed use development;

“Small holding or rural area” means an area predominantly zoned rural or any other equivalent zoning, with the purpose to accommodate smaller rural properties that may be used for agricultural purposes, but may also be used primarily as places of residence in a more country or rural setting;

“Sparkling wine” means an effervescent wine resulting from the fermentation of grapes, whether by natural or artificial process, and includes Champagne;

“Sports and Community club” means premises or a facility used for the gathering of community or civic organizations or associations, sports clubs or other social or recreation clubs run mostly not for profit and may include community service clubs and community centers or similar amenity facilities, but excludes a night club;

“Winery” includes premises or facilities which are used in the production of wine and such premises or facilities include facilities for crushing grapes and fermentation and aging of wine, tasting rooms, barrel and storage rooms, bottling rooms, tank rooms, laboratories or offices and other accessory or ancillary facilities incidental to the production of wine, which may include—

- (a) restaurants and other food services; or
- (b) subsidiary retail facilities to tours or visitors.

“Zoned” means zoned and zoning as the case may be in terms of the applicable zoning scheme or any applicable law and **“zoning”** has a corresponding meaning; and

“Zoning scheme” means the zoning scheme or schemes applicable to the area and in force within the area of jurisdiction of the Breede Valley Municipality;

2. In this By-law, unless the context indicates otherwise, any word or expression to which a meaning has been assigned in the Act has that meaning.

3. Administration and enforcement

- (a) The Council may, delegate the responsibility for the administration and enforcement of this By-law to the Municipal Manager.
- (b) The Municipal Manager may delegate in writing any power or duty granted to him in terms of this By-law to any competent official.

4. Application of the by-law

- (1) This By-law applies to all—
 - (a) licensees, licensed to sell liquor in terms of the Act or any other applicable legislation;
 - (b) licenses renewed in terms of the Liquor Act, 1989 (Act No. 27 of 1989), within the jurisdiction of the Breede Valley Municipality.

5. Trading days and hours for consumption on licensed premises

- (1) Businesses licensed to sell liquor by the Liquor Licensing Tribunal in terms of the Act may sell liquor for consumption on licensed premises of such business situated within the area of jurisdiction of the Breede Valley, on the following days and hours:
 - (a) On any day of the week from Monday to Sunday; and
 - (b) During the hours of trade as set out in Schedule A.
- (2) Notwithstanding the hours of trade as set out in Schedule A, a hotel or guest accommodation establishment licensed to sell liquor for consumption on the licenced premises, may offer a room service facility at any time of the day.
- (3) Notwithstanding the provisions of this By-law, a licensee as contemplated in subsection (1), may serve sparkling wine—
 - (a) from 0800 to 1100 for seven days a week;
 - (b) as part of a meal; and
 - (c) to guest who are part of an organized function where admittance is controlled.
- (4) Notwithstanding the hours of trade as set out in Schedule A, a licence undertaking for consumption on premises, operating as a Casino that has been granted a valid Casino Operating Licence as stipulated and provided for by section 45 of the Western Cape Gambling and Racing Act 1996(Act 4 of 1996); Section 33(b)), may sell liquor for consumption on the licenced premises from Monday to Sunday 24 hours per day.

6. Trading days and hours for consumption off licensed premises

- (1) Retail food stores licensed to sell liquor Licensing Tribunal in terms of the Act may sell liquor for consumption off the licensed premises of such business situated within the area of the jurisdiction of the Breede Valley Municipality, on the following days and hours:
 - (a) on any day of the week with the exception of Sunday or
 - (b) public holidays, provided such exception does not apply to a winery; and
 - (c) during the hours of trade as set out in Schedule A.
- (2) Liquor or bottle store undertakings licensed to sell liquor by the Liquor Licensing Tribunals in terms of the Act may sell liquor for consumption off the licensed premises of such business situated within the area of jurisdiction of the Breede Valley Municipality, on the following days and hours:
 - (a) on any day of the week with the exception of Sundays or public holidays; and
 - (b) during the hours of trade as set out in Schedule A.
- (3) Wine farms/restaurants/tourist facility undertakings licensed to sell liquor by the Liquor Licensing Tribunals in terms of the Act may sell liquor for consumption off the licensed premises of such business situated within the area of jurisdiction of the Breede Valley Municipality, on the following days and hours:
 - (a) on any day of the week; and
 - (b) during the hours of trade as set out in Schedule A.

7. Application for the extension of trading hours and amendments of days of trade

- (1) A licensee who intends to have his, her or its trading hours set out in Schedule A extended or his trading days set out in section 5(1) and section 6(1) and (2) amended must lodge an application, in the form of Form 1, with the municipality and the designated liquor officer in whose area of jurisdiction the licenced premises are located.
- (2) The application must be accompanied by—
 - (a) proof of payment to the municipality of the application fee to be determined by the municipality from time to time.
 - (b) written representations in support of the application.
- (3) The designated liquor officer must within seven days after the application has been lodged with the municipality, give notice in writing of the application to—
 - (a) the municipal manager of the municipality;
 - (b) the neighbouring residents and persons who in his or her judgement may be affected by, or have an interest in, the granting or refusal of the application; and
 - (c) the community policing forum, if any, of the area in which the premises are located.

(4) A person who has an interest in the granting or refusal of an application may, within 14 days after having been given notice thereof, lodge written representations for the granting or refusal of that application.

(5) A person making representations must set out the following—

- (a) his or her full name and address;
- (b) his or her identity number or, if a company or close corporation, its registration number;
- (c) if applicable, the name and address of his or her representative;
- (d) the nature of his or her interest in the granting or refusal of the application; and
- (e) grounds for the objection or support.

(6) The representations must be lodged with the municipality and the designated liquor officer concerned.

(7) The person making the representations must —

- (a) serve a copy of the representations on the applicant or the applicants representative; and
- (b) provide proof of such service when lodging the representations with the municipality

(8) A designated liquor officer must in respect of every application made in terms of this section 7(1), report to the municipality on such matters as may be prescribed or which should, in the opinion of the officer, be taken into account when considering the application;

(9) The designated liquor officer must within 21 days after the application has been lodged, serve a copy of his or her report referred to in section 8 on the applicant and lodge the report with the municipality together with proof that the report has been served on the applicant.

(10) The applicant must lodge his, her or its response, if any, to representations against the application and a report by the designated liquor officer referred to in section (8) within seven days after having been served with a copy of the report.

(11) The municipality must within 30 days after receipt of all documents referred to in this by-law, consider the application.

(12) The municipality must, within 14 days of a decision to grant or refuse the application, notify the —

- (a) applicant;
- (b) the Liquor Licensing Tribunal;
- (c) the neighbouring residents and persons who in its opinion may be affected by, or have an interest in, the granting or refusal of the application; and

(d) the community policing forum, if any, of the area in which the premises are located,
in writing of the decision.

(13) Any person whose rights have been affected by decision taken in terms of section 12 shall have the right to appeal against that decision in terms of section 62 of the Municipal Systems Act 32 of 2000.

8. OFFENCES AND PENALTIES:

- (1) Any person who contravenes the provisions of this By-law commits an offence.
- (2) A licensee who commits an offence referred to the subsection (1) is, on conviction, liable for a fine as the court may deem fit to impose or to a term of imprisonment, or both such fine or such imprisonment.
- (3) Any person who commits a continuing offence shall be guilty of an offence for each day during which that person fails to comply with this By-law.
- (4) A court convicting a person of an offence under this By-law may impose alternative sentencing in place of a fine or imprisonment.

9. SHORT TITLE

This By-Law is called the Breede Valley By-law relating to Liquor Trading Days and Hours, 2012.

Schedule A

Liquor Trading Hours

Location (with predominant land use character as indicated below and Undertaking type	Permitted trading hours	
	On-consumption	Off-consumption
1. Residential (including informal and general residential) areas		
B&B/guest houses permitted as of right (i.e. without need for any separate zoning approval.)	None (No license supported)	
Guest houses/B&B's/hotels (whether conference facilities/events/function centres included or not)	11:00 am– 23:00 am	
Pub/tavern/restaurant		
Club/karaoke/place of entertainment theatres		
Liquor Bottle Store		08:00am– 20:00pm
2. Local/Neighbourhood Business Areas/Nodes (Including mixed use areas consisting of single/general residential interspersed with business uses)		
Guest houses/B&B/ Hotels (whether conference facilities/ events/ functions centres included or not) permitted as of right (i.e. without need for any separate zoning approval.)	11:00 am– 02:00 am the following day	
Pub/tavern/restaurant	11:00 am– 02:00 am the following day	
Club/karaoke/place of entertainment theatres		
Supermarkets with retail food component/Retail food store (as per Section 1 & 49(4) of Act 4/08)		08:00 am 20:00 pm
Liquor bottle store		
3. General business nodes / central business district areas		
Guest houses/B&B's/hotels (whether conference facilities/events/function centres included or not)	11:00am 02:00am following day	
Pub/tavern/restaurant		
Club/karaoke/place of entertainment theatres		

Supermarkets with retail food component/Retail food store (as per Section 1 & 49(4) of Act 4/08)		08:00 am– 20:00 pm
Liquors bottle store		
4. Industrial areas		
Pub/tavern	11:00 am– 02:00 am following day	
Club/karaoke/place of entertainment/theatres		
Supermarkets with retail food component		08:00 am – 20:00 pm
Retail food store (as per Section 1 & 49 (4) of Act 4/08)		08:00 am– 20:00 pm
Liquor/ bottle store		
5. Agricultural/rural/small holding areas		
Wine farms/restaurants/tourist facilities	11:00 am- 24:00 pm	09:00 am 20:00 pm
Guest accommodation (whether conference facilities/events/function centres included or not)		
6. Other (ad-hoc) locations		
Sports clubs/amenity facilities/community centres (excluding special events/temporary licenses)	11:00 am– 22:00 pm	
Vehicles/ mobile undertakings used for tourist/entertainment/recreational purposes (as per definitions of premises in Section 1 of Act 4/08.		
Special events/temporary licensed premises	11:00 am– 24:00 pm Or as determined by event permit	

FORM 1**APPLICATION IN TERMS OF SECTION 7(1) FOR EXTENSION OF TRADING HOURS AND / OR
AMENDMENT OF TRADING DAYS****ORIGINAL TO BE LODGED WITH THE MUNICIPALITY AND TWO COPIES WITH DESIGNATED
LIQUOR OFFICER**

Date stamp of designated liquor officer receiving the application	Date stamp of the municipality
--	--------------------------------

**For official use -
Application Fee**

Receipt No

Payment Date

Representations in support of application

Application Prepared by

Postal Address

Physical Address

Telephone numbers:

Office

Mobile

Home or other

Fax number

E-mail address

FORM 1**APPLICATION IN TERMS OF SECTION 7(1) FOR EXTENSION OF TRADING HOURS AND / OR
AMENDMENT OF TRADING DAYS****PART A****DETAILS OF LICENSEE**

1. Licence number

2. Full name of licensee

3. If the licensee is not a natural person, state the name, identity number and address and extent of financial interest of each shareholder, member, partner or beneficiary (Use an annexure if necessary)

4. (a) Name and address of the licensed premises

(b) Describe the situation of the premises where the licensed business is conducted with reference to the number of the erf, street(s), apartment(s), shop(s) or farm, as the case may be

5. State reason(s) why licensee applies for extension of trading hours or amended days (Use an annexure if necessary)

I declare / truly affirm that the information furnished in this application and in the documents attached to it, is true.

Date

Signature

(Written authorisation sign on behalf of licensee to be attached)

Name

FORM 1**APPLICATION IN TERMS OF SECTION 7(1) FOR EXTENSION OF TRADING HOURS AND / OR
AMENDMENT OF TRADING DAYS**

I certify that the applicant has acknowledged that he/she knows and understands the contents of this, which
was signed and sworn to / affirmed before me at this
day of 20

Commissioner of oaths

Full name

Business address

Designation

Area for which appointment is held

Office held if appointment is *ex officio*

[The Mossel Bay Municipality Amendments to Property Rates Policy published in Provincial Gazette No. 7161, dated 23 August 2013, is repealed and replaced by the following in English, Afrikaans and isiXhosa.]

MOSSEL BAY MUNICIPALITY

AMENDMENTS TO PROPERTY RATES POLICY

Whereas Chapter 2 of the Local Government: Municipal Property Rates Act, 2004 (Act no. 6 of 2004) provides that a municipal council must adopt a Rates Policy and By-Laws to give effect to that policy, and its' implementation and enforcement;

And whereas the Mossel Bay Municipality has published its' Rates Policy in the Provincial Gazette, 6767, dated 9 July 2010 for general information;

And whereas the Mossel Bay Municipality has published its' amendments to its' Rates Policy in the Provincial Gazette, 6902, dated 26 August 2011 for general information;

And whereas the Mossel Bay Municipality has adopted a revised Rates Policy on 31 May 2012, Resolution E99-05/2012 and has published the policy in the Provincial Gazette, 7031, dated 7 September 2012 for general information;

And whereas the Council of the Mossel Bay Municipality has adopted the following amendments to the Policy on 30 May 2013, Resolution E74-05/2013;

Now therefore the amendments to the Policy is hereby published for general information.

In the event of an inconsistency between the English, Afrikaans or Xhosa text, the English text shall prevail.

Amendment of Section 2

1. Section 2 is hereby amended –

- (a) By the insertion of

2.6 In terms of section 26 of the Municipal Property Rates Act - Method and time of payment – (1) A municipality may recover a rate –

- a) On a monthly basis or less often as may be prescribed in terms of the Municipal Finance Management Act; or
 - b) Annually, as may be agreed to with the owner of the property.
 - (2) (a) if a rate is payable in a single amount annually it must be paid on or before a date determined by the municipality.
 - (b) If a rate is payable in installments it must be paid on or before a date in each period determined by the municipality.
 - (3) Payment of a rate may be deferred but only in special circumstances.

- (b) By the insertion of

2.7 In terms of section 12 of the Municipal Property Rates Act – Period for which rates may be levied

- (1) When levying rates, a municipality must levy the rate for a financial year. A rate lapses at the end of the financial year for which it was levied.

Amendment of Section 3

2. Section 3 is hereby amended –

- (a) By the insertion of the following definitions;

“interest” means a charge levied on arrear rates, sewerage and availability fees calculated at a rate of 1% higher than the prime interest rate

“Private Open Space (POS)” means vacant land belonging to private owners.

“Public benefit organisation (PBO)” means properties owned by public benefit organisations and used for any specific public benefit activities listed in Part 1 of the 'Ninth Schedule to the Income Tax Act;

“Public Open Space Municipality (POSM) means vacant land owned by the Municipality

“Public Open Space Private (POSP)” means small pieces of vacant land in private complexes used for playgrounds, parking, gardening, etc.

“Public Service Infrastructure (PSI)” means publicly controlled infrastructure such as, national, provincial or other public roads, railway lines, etc (full definition included under MPRA above)

“Public Service Infrastructure Private (PSIP)” properties, mostly found in private owned complexes used for streets, right of way, pavements, etc.

Amendment of Section 4

3. Section 4 is hereby amended –

- (a) By amendment of subsection 4.4 by the insertion of

- Municipal Properties
- Private Open Space
- Public open space Private
- Public Service Infrastructure
- Public Service Infrastructure Private

- (b) By the amendment of subsection 4.5 by the insertion of Private open space, Ratio to base tariff, 50% the deletion of [70%] and insertion of 12.5%.

Amendment of Section 5

4. Section 5 is hereby amended –

- (a) By amendment of subsection 5.1.1(a) by the deletion of [Municipality will not levy a rate on the] and insertion of is exempted from paying rates.

- (b) By the amendment of subsection 5.1.1(b) by the insertion of revenue foregone.
- (c) By the amendment of subsection 5.1.2 by the insertion of as mentioned in (a) and (b) above
- (d) By the amendment of subsection 5.2.1 [5.3] by the deletion of 5.3 and insertion of 5.2.1 as follows:

5.2.1 For Public Service Infrastructure (as defined in the MPRA) the first 30% of its' market value in terms of section 17(1)(a) of the MPRA is exempted from paying rates.

- (e) By the amendment of subsection 5.2 by the insertion of

5.2.2 The Municipality grants a 75% rates rebate for the categories of PSI's (public service infrastructure), as defined in paragraph 4.4 above. These categories of properties and/or owners of properties are deemed to contribute services or benefits to the community.

- (f) By the amendment of section 5 by the deletion of [5.3] and insertion of 5.3 and 5.4 as follows:

5.3 Public Service Infrastructure Private (PSIP)

The Municipality grants a 100% rates rebate for the categories of PSIP's (public service infrastructure Private), as defined in paragraph 4.4 above, where the valuation of the property is less than R100 000. These categories of properties and/or owners of properties are deemed to contribute services or benefits to the community.

5.4 Public Open Space Private (POSP)

The Municipality grants a 100% rates rebate for the categories of POSP's or public open spaces private, as defined in paragraph 4.4 above, where the valuation of the property is less than R100 000. These categories of properties and/or owners of properties are deemed to benefit the community.

- (g) By the amendment of subsection 5.5.3 [5.4.3] by the insertion of of the specific rates category.
- (h) By the amendment of subsection 5.8.3 [5.7.3] by the deletion of [of receipt by], insertion of receives and until the end, deletion of [for the remainder] and insertion of a pro-rata rebate will be calculated.
- (i) By the amendment of subsection 5.8 by the deletion of
- 5.8.2 [In exceptional circumstances the CFO may accept that a property registered in a name other than that of the religious organisation be regarded as the property of a religious community if it can be proven that the registration is merely to facilitate transfer of the property into the name of the religious community.]
- (j) By the amendment of subsection 5.10.1 [5.9.1] by the insertion of if they comply with the conditions in 5.10.2 and 5.10.3 below and deletion of [listed].

Amendment of Section 14

5. Section 14 is hereby amended-

- (a) By amendment of subsection 14.1 by the insertion of **78(1)(c)**, and **78(1)(g)**.

Amendment of Section 16

6. Section 16 is hereby inserted-

- (a) By insertion of section 16

16. This policy will come into effect on 1 July 2013.

DR. M GRATZ, MUNICIPAL MANAGER

MUNISIPALITEIT MOSSELBAAI

WYSIGINGS TOT DIE EIENDOMSBELASTING BELEID

Nademaal Hoofstuk 2 van die Plaaslike Regering : Munisipale Eiendomsbelasting Wet, 2004 (Wet no. 6 van 2004) voorsiening maak dat 'n Munisipale Raad 'n Belasting Beleid en Verordeninge moet aanneem om uitvoering te gee aan daardie Beleid, en die implementering en uitvoering daarvan;

En nademaal die Munisipaliteit Mosselbaai die Belasting Beleid gepubliseer het in die Provinsiale Koerant, 6767, gedateer 9 Julie 2010 vir algemene inligting;

En nademaal die Munisipaliteit Mosselbaai die wysigings tot die Belasting Beleid gepubliseer het in die Provinsiale Koerant 6902, gedateer 26 Augustus 2011 vir algemene inligting;

En nademaal die Munisipaliteit Mosselbaai die wysigings tot die Belasting Beleid gepubliseer het in die Provinsiale Koerant 7031, gedateer 7 September 2012 vir algemene inligting;

En nademaal die Raad van die Munisipaliteit Mosselbaai die volgende wysigings aangeneem het op 30 Mei 2013, Besluit E74-05/2013;

Aldus die wysigings tot die Beleid hiermee gepubliseer word vir algemene inligting.

In die geval van 'n teenstrydigheid tussen die Engels, Afrikaans of Xhosa teks, sal die Engelse teks geldig wees.

Wysiging van Artikel 2

1. Artikel 2 word hiermee gewysig –

(a) Met die invoeging van:

2.6 In terme van Artikel 26 van die Munisipale Eiendomsbelasting Wet- Metode en tyd van betaling – (1) Mag 'n Munisipaliteit 'n heffing verhaal –

a) op 'n maandelikse basis of minder dikwels as voorgeskryf mag word in terme van the Munisipale Finansiële Bestuurswet; of

b) jaarliks, soos ooreengekom mag word met die eienaar van die eiendom.

(2) (a) Indien 'n belasting jaarliks in 'n enkel bedrag betaalbaar is moet dit betaal word voor of op 'n datum soos bepaal deur die Munisipaliteit.

(b) indien 'n belasting betaalbaar is in paaiemente moet dit betaal word voor of op 'n datum in elke termyn soos bepaal deur die Munisipaliteit.

(3) Betaling van 'n belasting mag uitgestel word, maar slegs onder spesiale omstandighede.

(b) Deur die invoeging van:

2.7 In terme van Artikel 12 van die Munisipale Eiendomsbelasting Wet- Tydperk waarvoor Belasting gehef mag word.

- (1) Wanneer Belasting gehef word, moet 'n munisipaliteit die belasting hef vir 'n finansiële jaar. 'n Belasting verval aan die einde van die finansiële jaar waarvoor dit gehef was.**

Wysiging van Artikel 3

2. Artikel 3 word hiermee gewysig –

- (a) Deur die invoeging van die volgende definisies;

“rente” beteken 'n koste gehef op agterstallige Belasting, riool en beskikbaarheidsfooie bereken teen 'n tarief van 1% hoër as die prima rente koers.

“Privaat Oop Ruimte (POR)” beteken onbesette grond in besit van privaat eienaars.

“Publieke Voordeel Organisasie (PVO)” beteken eiendomme in besit van publieke voordeel organisasies en gebruik word vir enige spesifieke publieke voordeel aktiwiteite soos gelys in Deel 1 van die Negende Skedule tot die Inkomste Belasting Wet;

“Publieke Oop Ruimte Munisipaliteit (PORM)” beteken onbesette grond in besit van die Munisipaliteit

“Publieke Oop Ruimte Privaat (PORP)” beteken klein gedeeltes van onbesette grond in privaat komplekse in gebruik vir speelplek, parkering, tuinbou, ens.

“Publieke Diens Infrastruktuur (PDI)” beteken publieke gekontroleerde infrastruktuur soos, nasionaal, provinsiaal of ander publieke paaie, spoorweglyne, ens. (volle definisie ingesluit onder MPRA hierbo)

“Publieke Diens Infrastrukture Privaat (PDIP)” eiendomme, meestal gevind in privaat eiendom komplekse wat gebruik word vir strate, reg van weg, sypaadjies, ens.

Wysiging van Artikel 4

3. Artikel 4 word hiermee gewysig –

- (a) Deur die wysiging van subartikel 4.4 deur die invoeging van

- **Munisipale Eiendomme**
- **Privaat Oop Ruimte**
- **Publieke oop ruimte Private**
- **Publieke Diens Infrastrukture**
- **Publieke Diens Infrastrukture Privaat**

- (b) Deur die wysiging van subartikel 4.5 met die invoeging van **Privaat oop ruimte, Ratio tot basis tarief, 50%** die skrapping van [70%] en invoeging van **12.5%**.

Wysiging van Artikel 5

4. Artikel 5 word hiermee gewysig –

- (a) Deur die wysiging van subartikel 5.1.1(a) met die skapping van [Munisipaliteit sal nie 'n belasting hef op die] en die invoeging van **is vrygestel van betaling van eiendomsbelasting.**
- (b) Deur die wysiging van subartikel 5.1.1(b) met die invoeging van **inkomste verbeur.**
- (c) Deur die wysiging van subartikel 5.1.2 met die invoeging van **soos gemeld in (a) en (b) hierbo**
- (d) Deur die wysiging van subartikel [5.3] **5.2.1** met die skapping van 5.3 en die invoeging van 5.2.1 as volg:

5.2.1 Vir Publieke Diens Infrastruktuur (soos omskryf in die MPRA) is die eerste 30% van sy markwaarde in terme van artikel 17 (1) (a) van die MPRA vrygestel van die betaling van belasting.

- (e) Deur die wysiging van artikel 5 met die invoeging van

5.2.2 Die Munisipaliteit vergun 'n 75% Belasting korting vir die kategorieë van PDI's (publieke diens infrastrukture), soos omskryf in paragraaf 4.4 hierbo. Hierdie kategorieë van eiendomme en/of eienaars van eiendomme word geag om dienste of voordele tot die gemeenskap by te dra.

- (f) Deur die wysiging van artikel 5 met die skapping van [5.3] en die invoeging van **5.3** en **5.4** as volg:

5.3 Publieke Diens Infrastrukture Privaat (PDIP)

Die Munisipaliteit vergun 'n 100% Belasting korting vir die kategorieë van PDIP's (publieke diens infrastrukture privaat), soos omskryf in paragraaf 4.4 hierbo, waar die waardasie van die eiendom laer is as R100 000. Hierdie kategorieë van eiendomme en/of eienaars van eiendomme word geag om dienste of voordele tot die gemeenskap by te dra.

5.4 Publieke Oop Ruimte Privaat (PORP)

Die Munisipaliteit vergun 'n 100% Belasting korting vir die kategorieë van PORP's of publieke oop ruimtes privaat, soos omskryf in paragraaf 4.4 hierbo, waar die waardasie van die eiendom laer is as 'n R100 000. Hierdie kategorieë van eiendomme en/of eienaars van eiendomme word geag om die gemeenskap te bevoordeel.

- (g) Deur die wysiging van subartikel [5.4.3] **5.5.3** met die invoeging van **die spesifieke belasting kategorie.**
- (h) Deur die wysiging van subartikel [5.7.3] **5.8.3** met die skapping van [ontvang] deur en die invoeging van **ontvangs** en **tot die einde**, skapping van [vir die res] en die invoeging van **'n pro-rata korting sal bereken word.**
- (i) Deur die wysiging van subartikel 5.8 met die skapping van

- 5.8.2 [In buitengewone omstandighede mag die HFB aanvaar dat 'n eiendom geregistreer in die naam anders as die van 'n godsdienstige organisasie beskou word as die eiendom van 'n godsdienstige gemeenskap as daar bewys kan word dat die registrasie slegs is om oordrag eiendom in die naam van godsdienstige gemeenskap te vergemaklik.]
- (j) Deur die wysiging van subartikel [5.9.1] **5.10.1** met die invoeging van **indien hulle voldoen aan die voorwaardes in 5.10.2 en 5.10.3 hieronder** en die skapping van [gelys].

Wysiging van Artikel 14

5. Artikel 14 word hiermee gewysig –

- (a) Deur die wysiging van subartikel 14.1 met die invoeging van **78(1)(c)**, en **78(1)(g)**.

Wysiging van Artikel 16

6. Artikel 16 word hiermee gewysig –

- (a) Deur die invoeging van Artikel 16

16. Hierdie Beleid sal in werking tree op 1 Julie 2013.

DR. M GRATZ, MUNISIPALE BESTUURDER

MASIPALA MOSSEL BAYI

IZILUNGISO ZOMGAQO-NKQUBO WERHAFU

Nangona Isiqendu 2 seCandelo leRhafu yoMhlaba kaMasipala loRhulumente weDolophu, 2004 (Candelo no. 6 ka-2004) libonelela ngokuthi ibhunga lika-masipala kufuneka lamkele uMgaqo-Nkqubo wee-Rhafu kunye neMithetho yeDolophu/imiMiselo yokubangela okokuba usetyenziswe lomgaqo-nkqubo, kwanoku-zalisekiswa kunye nokugunyaziswa kwawo;

Kwaye nangona uMasipala wase-Mossel Bayi sele esasazile uMgaqo-Nkqubo wee-Rhafu kwiPhepha-ndaba lombuso wePhondo, 6767, ngomhla 9 Julayi 2010 ngokwazisa uwonke-wonke;

Kwaye nangona loMasipala wase Mossel Bayi sele ezamkele izilungiso kuMgaqo-Nkqubo weRhafu ngomhla we 31 Meyi 2012, iSiggibo E99-05/2013 kwae nomgaqo-nkqubo usasazwe kwiPhepha-ndaba lombuso wePhondo, 7031, yangomhla we 7 Septemba 2012 ukusazisa uluntu lonke;

Kwaye nangona uMasipala wase-Mossel Bayi sele esasaze izilungiso zakhe zoMgaqo-Nkqubo weRhafu kwiPhepha-ndaba lomthetho kwi-Phondo, 6902, umhla we-26 Agasti 2011 ukwazisa uwonke-wonke;

Kwaye nangona iBhunga loMasipala wase-Mossel Bayi sele ezamkele izilungiso ezilandelayo kuloMgaqo-Nkqubo ngomhla we-30 Meyi 2013, iSiggibo E74-05/2013;

Ngoko ke izilungiso kuloMgaqo-Nkqubo sele zisasaziwe ukwazisa wonke ubani.

Xa kunokuthi kanti kumbhalo we-English, Afrikaans okanye isiXhosa kukho amakhwiniba, owona mbhalo uzakuthi uhoywe ngulo we siNgesi.

Isilungiso sesigaba seSibini(2)

1. Isicatshulwa 2 siyafakelelwa/siyongezwa –

(a) Ngokongeza i

2.6 Ngokwesi-Catshulwa 26 seCandelo leRhafu yoMhlaba kaMasipala Ukucwangcisa kunye nexesha lokuhlawula – (1) Umasipala unako ukufumana kwakhona umlinganiselo –

a) Rhogo ngenyanga okanye ngamaxesha athile ngokomyalelo wommiselo weCandelo loLawulo loMnotho kaMasipala; okanye

b) Rhogo ngonyaka, ngokwesivumelwano kunye nomnini womhlaba.

(2) (a) ukuba umlinganiselo werhafu uyahlawuleka kube kanye ngonyaka kumele uhlawulwe okanye phambi komhla omiselwe ngu-masipala.

(b) ukuba umlinganiselo werhafu uyahlawuleka ngezavenge kumele uhlawulwe ngo okanye phambi komhla wesigaba sexesha elimiswe ngu-masipala.

(3) Intlawulo yomlinganiselo werhafu inako ukuhlawulwa ngezavenge kodwa kuphela kwii-meko ezahlukileyo.

(b) Ngokongezwa kwe

2.7 Ngokwesi-Catshulwa 12 seCandelo leRhafu yoMhlaba kaMasipala Isithuba sexesha ekumele umlinganiselo wee-rhafu uqikelelwe

- (1) Xa kuqikelelwa irhafu, umasipala kumele aqikelele irhafu yonyaka-mali. Irhafu iphelelwa ekupheleni konyaka –mali ebiqikelelwe wona.**

Isilungiso sesigaba seSithathu(3)

2. isiCatshulwa 3 siyongezwa –

- (a) Ngokongezwa kweziNkcazelo zilandelayo;

“inzala” thetha ukuthi intlawulo eqikelelwa kwirhafu osemva ngayo, imijelo yelindle kunye nokufumaneka kwemali ebalelwe kwirhafu eyi-1% engaphezu kweyona nzala yerhafu

“Amabala Avulekileyo Anobunini (POS)” thetha ukuthi umhlaba ovulekileyo onobunini babantu abazimeleyo.

“Imibutho exhamlisa uluntu (PBO)” thetha ukuthi imihlaba/iindawo ezinobunini obuyimibutho exhamlisa uluntu kwaye isetyenziselwa naluphina ulonwabo oluxhamlisa uluntu oludweliswe ku-Part 1 ‘Womgaqo wesi-Thoba kwiCandelo Lengeniso yeRhafu;

“iBala Elivulekileyo kuLuntu luka-Masipala (POSM) thetha ukuthi umhlaba ovulekileyo ongoka-Masipala

“iBala eLivulekileyo eLuntwini eliNobunini (POSP)” thetha ukuthi izijuca ezincinane zomhlaba ongenabunini
Kwizakhiwo ezinobunini isetyenziselwa amabala okudlala, iindawo zokumisa iimoto, ukulima, njl-njl.

“iNkonzo zoLuntu (PSI)” thetha ukuthi ulawulo olungafihlakalanga lwamaziko akhoyo afana, uzwelonke, iphondo okanye ezinye iindlela zikawonke-wonke, iindlela zikaloliwe, njl-njl (inkcazelo ezeleyo ibandakanywe kwi-MPRA ngentla)

“iNkonzo zoLuntu Zamaziko Akhoyo aNobunini (PSIP)” imihlaba, ifumaneka kakhulu kwizakhiwo/iingingqi ezinabanini isetyenziselwe izitalato, indlela yokungena, ipavumenti, njl-njl.

Isilungiso sesigaba seSine(4)

3. isiCatshulwa 4 siyongezwa –

- (a) Ngokongezwa kwesicatshulwa 4.4 ngokongezwa kwe

- iMihlaba kaMasipala
- aMabala aVulekileyo aNobunini
- aMabala avulekileyo eLuntwini aNobunini
- iiNkonzo zoLuntu kuMaziko akhoyo
- iiNkonzo zoLuntu kuMaziko akhoyo aNobunini

- (b) Ngokongezwa kwesicatshulwa 4.5 nokufakwa ibala elivulekileyo eliNobunini, uLinganiselelo lwerhafu emiselweyo, 50% ukucinywa kwe-[70%] kwanokufakwa kwe-12.5%.

Isilungiso sesigaba seSihlanu(5)

4. isiCatshulwa 5 siyongezwa –

- (a) Ngokongezwa kwesicatshulwa 5.1.1(a) ngokucinywa kwe [uMasipala asoze arhafise isiqingatha kwi] kunye nokufakwa kwe kukhululwe ekuhlawuleni irhafu.
- (b) Ngokongezwa kwesicatshulwa 5.1.1(b) ngokufakwa kwe ngeniso ecacileyo.
- (c) Ngokufakwa kwesicatshulwa 5.1.2 ngokufakwa kwe njengokuba kuchaziwe ku-(a) naku (b) ngentla
- (d) Ngokufakwa kwesicatshulwa 5.2.1 [5.3] ngokucinywa kwe 5.3 kunye nokufakwa kwe 5.2.1 ngokulandelayo:

5.2.1 IiNkonzo zoLuntu (ngokucaciswa kwi MPRA) i 30% yokugala ngokwexabiso lasemarikeni ngokomyalelo we Candelo 17(1)(a) we MPRA ukhululwe ekuhlawuleni urhafu.

- (e) Ngokufakelwa kwesicatshulwa 5.2 ngokongezwa kwe

5.2.2 iziBonelelo zika-Masipala i-75% yee-rhafu isisaphulelo sezigaba ze-PSI's (iinkonzo zoluntu ezilungiselelweyo), njengokuba kucacisiwe kumqolo we-4.4 ngentla. Ezizigaba zemihlaba kunye/okanye abanini bemihlaba banyanzelekile okokuba banikele ngee-nkonzo okanye inzuzo eluntwini.

- (f) Ngokufakelwa kwesicatshulwa 5 ukucinywa ko[5.3] kunye nokongezwa kwe 5.3 kunye 5.4 ngokulandelayo:

5.3 Iinkonzo zoluntu ezilungiselwe Bucala (PSIP)

Izibonelelo zika-masipala i-100% yee-rhafu isisaphulelo sezigaba ze-PSIP's (iinkonzo zoluntu ezilungiselelwe Ngokukhethekileyo), njengokuba kucacisiwe kumqolo 4.4 ngentla, apho uqikelelo lomhlaba lungaphantsi kwe-R100 000. Ezi zigaba zemihlaba kunye/okanye abanini bemihlaba banyanzelekile okokuba banikele iinkonzo okanye inzuzo eluntwini.

5.4 Amabala avulekileyo eLuntwini Bucala (POSP)

Izibonelelo zika-Masipala i-100% yee-rhafu isisaphulelo sezigaba ze- POSP's okanye amabala avulekileyo eluntwini abucala, njengokuba kucacisiwe kumqolo 4.4 ngentla, apho uqikelelo lomhlaba lungaphantsi kwe-R100 000. Ezi zigaba zemihlaba kunye/okanye abanini bemihlaba banyanzelekile okokuba baxhamlise uluntu.

- (g) Ngokufakelwa kwesicatshulwa 5.5.3 [5.4.3] ngokongezwa kwe kwisigaba esiqondene ngo nee-rhafu.
- (h) Ngokufakelwa kwesicatshulwa 5.8.3 [5.7.3] ukucinywa kwe [iphepha lentlawulo ngu], ukufakelelwa kwe ukwamkela kunye kube sesiphelweni, ukucinywa kwe [okwe ntsalela] kunye nokufakelwa kwe okwalameneyo nesaphulelo kuzobalelwa,

- (i) Ngokufakelelwa kwesicatshulwa 5.8 nasekucinyweni kwe
- 5.8.2 [Kwii-meko ezikhethekayo i-CFO inako ukwamkela okokuba umhlaba obhaliswe egameni elingelilo elombutho wezenkolo uthathwe njengomhlaba woluntu olunee-nkolelo ukuba kunokuqinisekiswa okokuba ubhaliso lelokunceda unikezelo lomhlaba egameni loluntu olunee-nkolelo.]
- (j) Ngokufakelwa kwesicatshulwa 5.10.1 [5.9.1] ngokongezwa kwe ukuba bayavumelana kunye nemiqathango ku-5.10.2 naku-5.10.3 kunye nokucinywa kwe [ukudweliswa].

Isilungiso seSigaba se-14

5. IsiCatshulwa 14 siyafakelwa –

- (a) Ngokufakelelwa kwesicatshulwa 14.1 ngokongezwa kwe 78(1)(c), kunye 78(1)(f).

Isilungiso seSigaba se-16

6. IsiCatshulwa 16 siyongezwa –

- (a) Ngokufakelelwa kwesicatshulwa 16

16. LomGaqo-Nkqubo uzoqalisa nge-1 Julayi 2013.

GQIRHA. M GRATZ, MPHATHI MASIPALA

MOSSEL BAY MUNICIPALITY
AMENDMENTS TO THE TARIFF POLICY

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

And whereas the Mossel Bay Municipality has published its Tariff Policy in the Provincial Gazette 6767, dated 9 July 2010 for general information;

And whereas the Mossel Bay Municipality has published its amendments to the Tariff Policy in the Provincial Gazette 6902, dated 26 August 2011 for general information;

And whereas the Mossel Bay Municipality has published its amendments to the Tariff Policy in the Provincial Gazette 7031, dated 7 September 2012 for general information;

And whereas the Council of the Mossel Bay Municipality has adopted the following amendments to the Tariff Policy on 31 May 2013, Resolution E74-05/2013;

Now therefore the amendments to the Policy is hereby published for general information.

In the event of an inconsistency between the English, Afrikaans or Xhosa text, the English text shall prevail.

Amendment of Section 2

1. Section 2 is hereby amended-

- (a) By the insertion of **means** in the definition of "interest"
- (b) By the insertion of the following definitions;

"Private Open Space (POS)" means vacant land belonging to private owners;

"Public benefit organisation (PBO)" means properties owned by public benefit organisations and used for any specific public benefit activities listed in Part 1 of the 'Ninth Schedule to the Income Tax Act';

"Public Open Space Municipality (POSM) means vacant land owned by the Municipality;

"Public Open Space Private (POSP)" means small pieces of vacant land in private complexes used for playgrounds, parking, gardening, etc;

"Public Service Infrastructure (PSI)" means publicly controlled infrastructure such as, national, provincial or other public roads, railway lines, etc. (full definition included under MPRA above);

"Public Service Infrastructure Private (PSIP)" properties, mostly found in private owned complexes used for streets, right of way, pavements, etc;

Amendment of Section 10

2. Section 10 is hereby amended-

(a) By the amendment of subsection 10.9(g) by the insertion of **and if the owner of the deposit does not have any other arrear accounts with the municipality.**

(b) By the amendment of subsection 10.9 by the insertion of

(h) No interest shall be payable by the Municipality on the amount of a deposit held by it in terms of this Section.

(i) Council reserves the right to refuse services where no deposit has been paid.

(j) A special Service deposit for subsidised households, as annually determined by Council during the budget process, is applicable.

(c) By the amendment of section 10 by the insertion of

10.11 Discontinuation of services and the final account

- (a) **Discontinuation of services and rendering of a final account will always be between two debit raisings. Thus any request for discontinuation of services after the 16th of a month (or if on a weekend or public holiday the first working day thereafter) will only be finalised with the next debit raising of the following month and the basic for that period will be payable.**
- (b) **The basic fee for water or electricity will only be levied on accounts with active meters. This is to ensure that the basic fee is not duplicated where one consumer vacates a property and a new consumer moves in. For example if a final account is requested during a period as mentioned in (d) above, the meter will stay active until the following debit raising when the account will be finalised and transferred to the new consumer. Although the new consumer will be liable for the water usage from date of the final reading the basic fee will only be levied from the following debit raising when the meter becomes active on the new account.**

Amendment of Section 11

3. Section 11 is hereby amended-

- (a) By the amendment of subsection **11.1's** [10.11] heading by the deletion of [Zoning and Usage for Rates and Tariff purposes] and insertion of the new heading:

11.1 Property Rates

- (b) By the amendment of subsection **11.1** [10.11] by the deletion of [Where the zoning and consent use on a property differs,] and insertion of **The usage of a property will be determined by the relevant Rates Category as per,** deletion of [the tariff as determined by], insertion of **the category on the valuation roll** and deletion of [will apply].
- (c) By the amendment of subsection **11.2** [10.11] by the insertion of **Public open space, Ratio to base tariff, 50%** and the deletion of [70%] and insertion of **12.5%**.

(d) By the amendment of section **11** [10.11] by the insertion of

11.3 Categories applicable to the Municipality

- (a) **Accommodation establishments**
- (b) **Additional Residential Units**
- (c) **Businesses and Commercial Properties**
- (d) **Central Business District**
- (e) **Farm Properties used for**
 - (i) **Agricultural purposes**
 - (ii) **accommodation purposes**
 - (iii) **residential purposes**
 - (iv) **business and commercial purposes**
 - (v) **multipurpose**
- (f) **Government**
- (g) **Industrial**
- (h) **Municipal Properties**
- (i) **National Monuments**
- (j) **Place of Worship – Church**
- (k) **Place of Worship – Parsonages**
- (l) **Private Open Space**
- (m) **Private Owned town (only applicable to Vleesbaai)**
- (n) **Protected Area**
- (o) **Public Benefit Organisations**
- (p) **Public Open Space**
- (q) **Public open space Private**
- (r) **Public Service Infrastructure**
- (s) **Public Service Infrastructure Private**
- (t) **Residential**

11.4 Properties exempted from paying property rates

- (a) **Municipal properties**
- (b) **Churches**
- (c) **Parsonages**

11.5 Special rating area

- (a) **Commercial properties (CID)**
- (b) **Residential properties (CID)**

11.6 Requirements for pensioners discount

- (a) **The applicant must be the registered owner**

- (b) The person must occupy the property permanently
- (c) Minimum age of the registered owner and his/her spouse must be at least 60years.
- (d) Not be the owner of more than one property nationally or internationally.

11.7 Pensioners discount

Total gross income of husband and wife may not exceed the monthly income as determined by council during the annual budget

11.8 Public Service Infrastructure (PSI)

- (a) For Public Service Infrastructure (as defined in the MPRA) [may not be rated on] the first 30% of its market value in terms of section 17(1)(a) of the MPRA is exempted from paying rates.
- (b) The Municipality grants a 75% rates rebate for the categories of PSI's (public service infrastructure), as defined in paragraph 4.4 above. These categories of properties and/or owners of properties are deemed to contribute services or benefits to the community.

11.9 Public Service Infrastructure Private (PSIP)

The Municipality grants a 100% rates rebate for the categories of PSIP's (public service infrastructure Private), as defined in paragraph 4.4 above, where the valuation of the property is less than R100 000. These categories of properties and/or owners of properties are deemed to contribute services or benefits to the community.

11.10 Public Open Space Private (POSP)

The Municipality grants a 100% rates rebate for the categories of POSP's or public open spaces private, as defined in paragraph 4.4 above, where the valuation of the property is less than R100 000. These categories of properties and/or owners of properties are deemed to benefit the community.

Amendment of Section 13

4. Section 13 is hereby amended-

- (a) By the insertion of sections 13.1 to 13.6 by the insertion of

13 Deposits

13.1 Electricity deposits

- (a) Credit meters for domestic use, and all other users except businesses and accommodation establishments, but including churches, schools, crèches, general lighting, swimming pools, lifts;
- (b) Business: Single Phase credit meters on the two-part tariff;
- (c) Business: Single Phase Pre-paid meters on the two-part tariff;
- (d) Domestic Three-Phase tariff for credit meters including churches, schools, crèches, general lighting, swimming pools, lifts;
- (e) Domestic Three-Phase tariff for pre-paid credit as well as pre-paid meters including churches, schools, crèches, general lighting, swimming pools, lifts;
- (f) Business: Three Phase credit meter two-part tariff;
- (g) Business: Three Phase Pre-paid meter two part tariff;
- (h) Light Industrial meters;
- (i) Bulk meters;
- (j) Time-of-use meters.
- (k) Commercial, Business and Industrial;
 - Deposits on businesses will be levied according to twice the highest bill during the previous 12 months.
 - New connections at new extensions of businesses will be as specified in the tariff list for the current year.

13.2 Water and other service deposits

- (i) Subsidised
- (ii) Economic
- (iii) Additional household or business units
- (iv) Medium consumers
- (v) Bulk consumers using more than 1000kl water

13.3 Builders deposits**13.4 Refundable deposit for use at Harry Giddy Park****13.5 Posters/Placards (Maximum 100)**

13.6 Breakage deposits - Sport facilities, Halls and Club houses.

13.7 General

- (i) Tariffs as well as the minimum levels of deposits will be revised annually during the budgetary process.**
- (ii) The minimum levels for deposits may be increased for individual consumers at the discretion of Chief Financial Officer, should consumption levels or other risks necessitate it.**
- (iii) No new account will be opened or deposits accepted if there is an arrear amount outstanding on the current account of a consumer except where the only arrear services are on the consolidated account of the owner and the owner is deceased or untraceable (as per the Credit Control Policy of the municipality)**

Amendment of Section 14

5. Section 14 is hereby amended-

- (a) By the amendment of section **14** [10.14] by insertion of a heading

14.1 General

- (b) By the amendment of subsection **14.1(b)(ii)** [10.14(c)ii] by insertion of **and business**
- (c) By the amendment of subsection **14.2** [10.14.1] by the deletion of 10.14.1 and the insertion of 14.2 as follows:

14.2 Domestic Supply

- (a) **A two part tariff structure for single phase meters with up to 60 ampere is applied in respect of credit meters as well as prepaid meters. This tariff is also applicable to schools, churches, crèches, general lighting, swimming pool pumps and lifts, but without any free units when applicable for households.**
- (b) **All Households with a prepaid meter using less than 400 kWh (based on the average purchases of the previous four months) will automatically be placed on the domestic two part tariff except in the following cases:**

 - (i) **Indigent or poverty-stricken consumers**

- (ii) Consumers identified as permanent inhabitants for at least nine month of a year. To be identified as such, a consumer has to hand in a sworn affidavit signed by a Commissioner of Oath.
- (iii) Churches, crèches, general lighting, swimming pool pumps and lifts, on prepaid (but without any free units when applicable for households).
- (c) A one-part tariff – all household consumers with single phase pre-paid meters who use more than 400kWh electricity per month and who permanently occupies the property for at least nine month of a year.
- (d) A one-part Indigent inclining block Tariff - for permanent residents who qualify for an indigent subsidy.
- (e) A certain amount of electricity could be [is] distributed free of charge every month. This is decided on by council during the budgetary process.
- (f) A two-part domestic tariff structure for three phase meters, are applied in respect of credit meters as well as prepaid meters and is also applicable to churches, crèches, general lighting, swimming pool pumps and lifts, but without any free units when applicable for households.
- (d) By the amendment of subsection **14.3(a)** [10.14.2(a)] by the deletion of [using less than an average of 1500kWh per month, calculated over a period of six months].
- (e) By the amendment of subsection **14.3(b)** [10.14.2(b)] by the deletion of [using more than an average of 1500kWh per month, calculated over a period of six months].
- (f) By the amendment of subsection **14.3(c)** [10.14.2(c)] by the deletion of [using less than an average of 3000kWh per month, calculated over a period of six months].
- (g) By the amendment of subsection **14.3(d)** [10.14.2(d)] by the deletion of [single] insertion of **three** and deletion of [using more than an average of 3000kWh per month, calculated over a period of six months].
- (h) By the amendment of subsection **14.3** [10.14.2] by the insertion of
- 14.3 **(e) The one part tariff as in (b) and (d) above is only applicable to existing meters and consumers on this tariff. All new commercial installations or new consumers will automatically be placed on the two part tariff as in (a) and (c) above.**

- (f) Domestic as well as Commercial Consumers on the one part tariff can be transferred to the two part tariff if the request is made in writing.
- (g) Pre-paid electricity tokens must be inserted into the meter within three months after the purchase date as the tokens can expire after three months and no refund or replacement of the tokens are allowed.
- (i) By the amendment of subsection **14.5(f)** [10.14.4(f)] by the insertion of **but varying in the following instances:**
- (i) Below 2000 units;
- (ii) Above 2000 units;
- (iii) Off-peak tariff - water pumping only;
- (j) By the amendment of subsection **14.5** [10.14.4] by the insertion of
- 14.5 (g) Sport field lighting
- (k) By amendment of subsection **14.6(b)** [10.14.5(b)] by the deletion of 10.14.5(b) and insertion of 14.6(b) as follows:
- 14.6 (b) A fixed tariff as determined by council is charged for:
- (i) temporary disconnections and re-connections on request of the consumer;
- (ii) temporary disconnections and re-connections for non-payment;
- (iii) new connections;
- (iv) other connections;
- (v) special meter readings;
- (vi) testing of meters;
- (vii) service calls;
- (viii) replacing of breakers;
- (ix) installing of pre-paid meters;
- (x) replacing of meters;
- (xi) conversion from three phase to single phase and vice versa;
- (xii) erecting of street lights;
- (xiii) damage to, or tampering with meters;
- (xiv) moving of meter;
- (xv) damaging of medium or low voltage cables by contractors;
- (xvi) Replacement of traffic- or streetlight pole;
- (xvii) Hiring of power points;
- (xviii) Hiring of equipment;

(xix) **old age homes.**

(l) By the amendment of subsection **14.6** [10.14.5] by the insertion of

14.6 **(e) At no stage may an electricity meter be moved from one premises to another by anyone.**

(f) The owner occupier is at all times responsible for the maintenance and safekeeping of the meter.

(g) If a meter cannot be read by the meter reader due to no access or other obstructions, the municipality has the right to install a pre-paid meter at the expense of the owner.

Amendment of Section 15

6. Section 15 is hereby amended-

(a) By the amendment of section 15 by insertion of a heading

15.1 General

(b) By the amendment of subsection **15.1** [10.15.1] by the insertion of **It is the consumer's responsibility to ensure that the meter is readable and accessible for meter readers. If not the meter may be moved at the expense of the owner/occupier**

(c) By the amendment of subsection **15.2** [10.15.2] by the deletion of 10.15.2 and insertion of 15.2 as follows:

15.2 Categories of consumers and charges:

Provisions are made for the following categories of users:

(a) Consumers with connections up to 25mm

(i) **Single residential, Flats, Other Residential, Complexes with businesses and residential combined. (up to four consumers with one joint meter), as well as Indigent consumers will pay:**

- **The basic per consumer according to domestic tariff**
- **Metered consumption according to the consumers tariff, linked with the size of the connection and/or consumption**
- **Only indigent consumers and domestic users on this tariff will receive the number of free kl (as determined by council) on a monthly basis**

- (ii) Business complexes with more than 4 business consumers and with one joint meter. [Flats, other residential, Accommodation Establishments and business complexes with more than four units and with one joint meter]
 - The basic fee per consumer
 - Metered consumption according to the consumers tariff, linked with the size of the connection and/or consumption
 - (iii) Flats and residential consumers with more than four [but less than 10 and with] consumers with one joint meter.
 - The basic fee per consumer
 - Free kl as determined by council
 - Metered consumption according to the consumers tariff, linked with the size of the connection and/or consumption
- (b) Consumers with connections bigger than 25mm
- (i) Medium connections with up to nine consumers and with one joint meter using less than 1000kl per month
 - A fixed basic fee
 - Metered consumption according to the consumers tariff, linked with the size of the connection and/or consumption
 - (ii) Medium connections with more than nine consumers and with one joint meter using less than 1000kl per month.
 - A basic fee per customer
 - Metered consumption according to the consumers tariff, linked with the size of the connection and/or consumption
 - (iii) Bulk consumers (consuming more than 1000kl per month, for four months over a period of twelve months)
 - A fixed basic fee
 - Metered consumption according to the consumers tariff, linked with the size of the connection and/or consumption (if more than 1000 kl consumed for a 4 month period per year)

(c) **Special Water Tariffs**

- (i) **Raw water**
- (ii) **Searles Slood**
- (iii) **Buffalo Farming**
- (iv) **Buysplaas**
- (v) **JB Hoevers**
- (vi) **Vleesbaai**
- (vii) **Sporting Bodies**
- (viii) **Supply of water from Reverse Osmoses Plant**
- (ix) **Old age homes and retirement villages**

- (d) By the renumbering of section 10.15.6(f) to section 15.2(d)
- (e) By the renumbering of section 10.15.6 to section 15.3
- (f) By the amendment of section **15.4** [10.15.6(c)] by the deletion of 10.15.6(c) and insertion of 15.4 as follows:

15.4 A fixed tariff is charged for:

- (a) **water restrictions**
 - (b) **Water restriction fine**
 - (c) **water connections**
 - (d) **upgrading of water meters to a larger connection**
 - (e) **test of water meter**
 - (f) **water meter inspection - service fee**
 - (g) **Consumer tap to meter**
 - (h) **shift of water meter**
 - (i) **replacement of bulk water meter insert**
 - (j) **uncovering of meters that cannot be read**
 - (k) **Restrict or on restrict of water meter**
 - (l) **Special reading of water meter**
 - (m) **fine for tampering with installation**
 - (n) **water drawn by contractor at the fire station**
 - (o) **filling of pool**
 - (p) **water flow restrictions - programmable flow restrictor**
 - (q) **moving of meters**
 - (r) **replacement of a meter when damaged or stolen**
- (g) By the amendment of section **15** [10.15] by the deletion of 10.15.6(d) and (e) and insertion of 15.5 as follows:

15.5 Water tariff during a Drought

When the dam water supply drops to below a certain percentage, as determined by council during the annual budget, the water tariffs will increase. These tariffs will be included in the annual tariff list as an annexure and will be advertised with the annual budget documents.

(h) By the amendment of subsection **15.6(b)** [10.15.4(b)] by insertion of **by a registered plumber**

(i) By the amendment of subsection **15.6** [10.15.4] by the insertion of

15.6 **(c) No water lost due to the meter being stolen, broken irrigation, broken geyser, leaking toilet or leaking tap can be considered for write off.**

Amendment of Section 16

7. Section 16 is hereby amended-

(a) By the amendment of section **16** [10.16] by insertion of a heading

16.1 General

(b) By the amendment of subsection **16.1(f)** [10.16.6] by the insertion of **unit** and deletion of [tariff].

(c) By the amendment of subsection **16.1(o)** [10.16.2(e)] by the deletion of [vacant] and insertion of **unoccupied**, and by the insertion of **This however is not applicable to a garage on a residential property which is used for storage or as a workshop.**

(d) By the amendment of subsection **16.2** [10.16(1)] by the deletion of 10.16(1) and insertion of 16.2 as follows:

16.2 Categories of consumers

Provisions is made for the following categories of consumers:

- (a) **Domestic consumers**
- (b) **Accommodation establishments**
- (c) **Commercial Industrial**
- (d) **Old age homes and retirement villages**
- (e) **Additional household units**
- (f) **Special Agreements**
- (g) **Caravan Parks and chalets**
- (h) **Removal on Request**
- (i) **Sale of refuse containers**

- (j) **Businesses on Residential Properties**
- (k) **Additional Removals**

Amendment of Section 17

8. Section 17 is hereby amended-

- (a) By the amendment of section **17** [10.17] by insertion of a heading

17.1 General

- (b) By the amendment of subsection **17.3** [10.17.2] by the deletion of 10.17 2 and insertion of 17.3 as follows:

17.3 A fixed rate structure is applicable, which only differentiate between groups of properties:

- (a) **Single residential**
 - (b) **Sectional title units**
 - (c) **Rondawels/chalets with own facilities**
 - (d) **Rondawels (without own facilities)**
 - (e) **Granny flats**
 - (f) **Additional residential units**
 - (g) **Accommodation Establishments**
 - (h) **Business and other properties**
 - (i) **Churches**
 - (j) **Night soil bucket**
 - (k) **Industrial effluent**
- (c) By the amendment of section **17** [10.17] by the insertion of
- ##### **17.4 Discount to Pensioners**
- (a) **Requirements**
 - (i) **The applicant must be the registered owner of the property;**
 - (ii) **The person must be the permanent occupier of the property;**
 - (iii) **Minimum age of the registered owner as well as his/her spouse must be 60 years or older**
 - (b) **Discount to qualifying Pensioners**

Total income of husband and wife may not exceed the amount determined by council during the annual budget.

Amendment of Section 20

9. Section **20** [19] is hereby amended-

- (a) By the amendment of section 20 by the insertion of **charges,** and **The Municipal Manager may extend the period of corrections in cases of incorrect debits due to administrative errors.**

Amendment of Section 21

10. Section 21 is hereby inserted-

- (a) By the insertion of section 21

21 This policy will come into effect on 1 July 2013

DR. M GRATZ, MUNICIPAL MANAGER

MOSSELBAAI MUNISIPALITEIT

WYSIGINGS TOT DIE TARIEF BELEID

Nademaal artikel 75 van die Plaaslike Regering: Munisipale Stelsels Wet, 2000 (Wet Nr. 32 van 2000) bepaal dat 'n Munisipale Raad 'n Tarief Beleid en Verordeninge moet aanneem om uitvoering te gee aan die implementering en uitvoering van die beleid.

En nademaal die Mosselbaai Munisipaliteit die Tarief Beleid gepubliseer het in die Provinsiale Koerant 6767, gedateer 9 Julie 2010 vir algemene inligting;

En nademaal die Mosselbaai Munisipaliteit die wysigings tot die Tarief Beleid gepubliseer het in die Provinsiale Koerant 6902, gedateer 26 Augustus 2011 vir algemene inligting;

En nademaal die Mosselbaai Munisipaliteit die wysigings tot die Tarief Beleid gepubliseer het in die Provinsiale Koerant 7031, gedateer 7 September 2012 vir algemene inligting;

En nademaal die Raad van die Mosselbaai Munisipaliteit die volgende wysigings aangeneem het tot die Tarief Beleid op 30 Mei 2013, Besluit E74-05/2013;

Aldus die wysigings tot die Beleid hiermee gepubliseer word vir algemene inligting.

In die geval van 'n teenstrydigheid tussen die Engels, Afrikaans en Xhosa teks, sal die Engelse teks geldig wees.

Wysiging van Artikel 2

1. Artikel 2 word hiermee gewysig-

(a) Deur die invoeging van **beteken** in die definisie van "belang"

(b) Deur die invoeging van die volgende definisies;

"Privaat Oop Plek (POP)" beteken onverbetterde grond in die besit van privaat eienaars;

"Publieke bevoordeelde organisasie (PBO)" beteken eiendom in die besit van publieke bevoordeelde organisasies en vir die gebruik van enige spesifieke publieke voordeel aktiwiteite gelys in Deel 1 van die 'Negende Skedule tot die Inkomste Belasting Wet;

"Publieke Oop Ruimte Munisipaliteit (PORM)" beteken onverbeterde grond in die besit van die Munisipaliteit;

"Publieke Oop Ruimte Privaat (PORP)" beteken klein gedeeltes onverbeterde grond in privaat komplekse vir die gebruik van speelgronde, parkering, tuine, ens;

"Publieke Diens Infrastrukture (PDI)" beteken publiek beheerde infrastrukture soos, nasionale, provinsiale of ander publieke paaie, spoorweglyne, ens. (volledige definisie ingesluit by MPRA hierbo);

"Publieke Diens Infrastruktuur (PDI)" eiendomme, meestal te vinde in privaat besit in komplekse vir die gebruik van strate, reg van weg, sypaadjies, ens;

Wysiging van Artikel 10

2. Artikel 10 word hiermee gewysig –

(a) Deur die wysiging van subartikel 10.9(g) met die invoeging van en as die eienaar van die deposito nie enige ander agterstallige rekeninge het by die Munisipaliteit het nie.

(b) Deur die wysiging van subartikel 10.9 met die invoeging van

(h) Geen rente sal deur die Munisipaliteit verskuldig wees op die bedrag van 'n deposito gehou deur die Munisipaliteit met betrekking tot hierdie Artikel nie.

(i) Die Raad behou die reg voor om dienste te weier waar geen deposito betaal is nie.

(j) 'n Spesiale Diens deposito is van toepassing vir gesubsidëerde huishoudings, soos jaarliks bepaal deur die Raad gedurende die begroting proses.

- (c) Deur die wysiging van artikel 10 met die invoeging van

10.11 Beëindiging van dienste en die finale rekening

- (a) **Beëindiging van dienste en voorsiening van 'n finale rekening sal altyd tussen twee debiet heffings wees. Dus sal enige versoek vir beëindiging van dienste na die 16de van die maand (of gedurende 'n naweek of publieke vakansiedag, die eerste werksdag daarna) sal slegs gefinaliseer word met die volgende debiet heffing van die daaropvolgende maand en sal die basies vir die periode betaalbaar wees.**
- (b) **Die basiese fooi vir water of elektrisiteit sal slegs gehef word op rekeninge met aktiewe meters. Dit is om te verseker dat die basiese fooi nie gedupliseer word waar een verbruiker 'n eiendom ontruim en 'n nuwe verbruiker intrek nie. Byvoorbeeld indien 'n finale rekening versoek word gedurende 'n periode soos genoem in (d) hierbo, sal die meter aktief bly tot die volgende debiet heffing wanneer die rekening gefinaliseer sal word en na die nuwe verbruiker oorgeplaas word. Alhoewel die nuwe verbruiker verantwoordelik sal wees vir die water verbruik vanaf datum van die finale lesing sal die basiese fooi slegs gehef word vanaf die nuwe debiet heffing wanneer die meter geaktiveer word op die nuwe rekening.**

Wysiging van Artikel 11

3. Artikel 11 word hiermee gewysig-

- (a) Deur die wysiging van subartikel **11.1** [10.11] se opskrif met die skapping van [Sonering en gebruike vir belasting doeleindes] en invoeging van die nuwe opskrif:

11.1 Eiendomsbelasting

- (b) Deur die wysiging van subartikel **11.1** [10.11] met die skapping van [Waar die sonering en gebruik op 'n eiendom verskil,] en die invoeging van **Die gebruik van 'n eiendom sal vasgestel word deur die relevante Belasting Kategorie soos per,** skapping van [die tarief soos vasgestel deur], die invoeging van **die kategorie op die waardasie lys** en die skapping van [sal van toepassing wees].

- (c) Deur die wysiging van subartikel **11.2** [10.11] met die invoeging van **Publieke oop ruimte, Ratio na basis tarief, 50%** en die skapping van [70%] en die invoeging van **12.5%**.

- (d) Deur die wysiging van artikel **11** [10.11] met die invoeging van

11.3 **Kategorieë van toepassing op die Munisipaliteit**

- (a) **Akkommodasie instellings**
- (b) **Addisionele Residensiële Eenhede**
- (c) **Besighede en Kommersiële Eiendomme**
- (d) **Sentrale Besigheids Distrik**
- (e) **Plaas Eiendomme gebruik vir**
 - (i) **Landbou doeleindes**
 - (ii) **akkommodasie doeleindes**
 - (iii) **residensiële doeleindes**
 - (iv) **besigheid en kommersiële doeleindes**
 - (v) **veeldoelige gebruik**
- (f) **Regering**
- (g) **Industrieël**
- (h) **Munisipale Eiendomme**
- (i) **Nasionale Monumente**
- (j) **Plek van aanbidding – Kerk**
- (k) **Plek van aanbidding – Pastorie**
- (l) **Privaat Oop Ruimte**
- (m) **Privaat Besit dorp (slegs van toepassing op Vleesbaai)**
- (n) **Bewaarde Area**
- (o) **Publiek Bevoordeelde Organisasies**
- (p) **Publieke Oop Plek**
- (q) **Publieke Oop Plek Privaat**
- (r) **Publieke Diens Infrastruktuur**

- (s) Publieke Diens Infrastruktuur Privaat
- (t) Residensieël

11.4 Eiendomme vrygestel van betaling van eiendomsbelasting

- (a) Munisipale eiendomme
- (b) Kerke
- (c) Pastorieë

11.5 Spesiale aanslagarea

- (a) Kommersiële eiendomme (SAG)
- (b) Residensiële eiendomme (SAG)

11.6 Vereistes vir pensioenaris afslag

- (a) Die aansoeker moet die geregistreerde eienaar wees
- (b) Die persoon moet die eiendom permanent bewoon
- (c) Minimum ouderdom van die geregistreerde eienaar en sy/haar eggenoot moet ten minste 60 jaar wees.
- (d) Nie die eienaar van meer as een eiendom, nasionaal of internasionaal wees nie.

11.7 Pensioenaris afslag

Totale bruto inkomste van man en vrou mag nie die maandelikse inkomste soos vasgestel deur die Raad gedurende die jaarlikse begroting oorskry nie

11.8 Publieke Diens Infrastruktuur (PSI)

- (a) Vir die publieke diens infrastruktuur (soos omskryf in die MPRA) [kan nie gegradeer word op] is die eerste 30% van sy markwaarde in terme van artikel 17 (1) (a) van die MPRA vrygestel van die betaling van belasting.
- (b) Die Munisipaliteit vergun 'n 75% belastinkorting vir die kategorieë van PDI's (publieke diens infrastruktuur), soos omskryf in paragraaf 4.4 hierbo.

Hierdie kategorieë van eiendomme en / of eienaars van eiendomme word geag om dienste of voordele aan die gemeenskap by te dra.

11.9 Publieke Diens Infrastruktuur Privaat (PDIP)

Die Munisipaliteit vergun 'n 100% belasting korting vir die kategorieë van PDIP's (publieke diens infrastruktuur Privaat), soos bepaal in paragraaf 4.4 hierbo, waar die waardasie van die eiendom minder as R100 000 is. Hierdie kategorieë van eiendomme en/of eienaars word geag om dienste of voordele by te dra aan die gemeenskap.

11.10 Publieke Oop Ruimte Privaat (PORP)

Die Munisipaliteit vergun 'n 100% belasting korting vir die kategorieë van PORP's of publieke oop ruimtes privaat, soos bepaal in paragraaf 4.4 hierbo, waar die waardasie van die eiendom minder as R100 000 is. Hierdie kategorieë van eiendomme en/of eienaars van eiendomme word geag om die gemeenskap te bevoordeel.

Wysiging van Artikel 13

4. Artikel 13 word hiermee gewysig-

- (a) Deur die invoeging van artikels 13.1 tot 13.6 met die invoeging van

13 Depositos

13.1 Elektrisiteits depositos

- (a) **Krediet meters vir huishoudelike gebruik, en alle ander verbruikers behalwe besighede en akkommodasie instellings, wat kerke, skole, crèches, algemene beligting, swembaddens en hysers insluit;**
- (b) **Besighede: Enkel Fase krediet meters op die tweedelige tarief;**
- (c) **Besigheid: Enkel Fase Voorafbetaalde Meters op die tweedelige tarief;**
- (d) **Huishoudelike Drie-Fase tarief vir krediet meters insluitend kerke, skole, crèches, algemene beligting, swembaddens en hysers;**

- (e) Huishoudelike Drie-Fase tarief vir voorafbetaalde krediet insluitend voorafbetaalde meters insluitend kerke, skole, crèches, algemene beligting, swembaddens en hysers;
- (f) Besighede: Drie-Fase krediet meter tweedelige tarief;
- (g) Besigheid: Drie Fase Voorafbetaalde meter tweedelige tarief;
- (h) Ligte Industriële meters;
- (i) Grootmaat meters;
- (j) Gebruikstyd meters.
- (k) Kommersieël, Besigheid en Industrieël;
 - Depositos op besighede sal gehef word in ooreenstemming met twee keer die hoogste rekening gedurende die vorige 12 maande.
 - Nuwe aansluitings by nuwe uitbreidings van besighede sal wees soos in die tarief lys gespesifiseer vir die huidige jaar.

13.2 Water en ander diens depositos

- (i) Gesubsidëer
- (ii) Ekonomies
- (iii) Addisionele huishoudelike-of besigheidseenhede
- (iv) Medium verbruikers
- (v) Grootmaat verbruikers met meer as 1000kl water verbruik

13.3 Bouers depositos

13.4 Terugbetaalbare deposito vir gebruik by Harry Giddy Park

13.5 Plakkate (Maksimum 100)

13.6 Breekware depositos - Sport fasiliteite, Sale en Klub huise.

13.7 Algemeen

- (i) Tariewe sowel as die minimum vlakke van deposito's sal jaarliks hersien word gedurende die begrotingsproses.
- (ii) Die minimum vlakke vir die deposito kan verhoog word vir individuele verbruikers in die diskresie van die Hoof Finansiële Beamppte, sou verbruik vlakke of ander risiko's dit noodsaak.
- (iii) Geen nuwe rekening sal oopgemaak word of 'n deposito aanvaar word indien 'n agterstallige bedrag op die huidige rekening van 'n verbruiker aangedui word behalwe waar die enigste agterstallige dienste op die gekonsolideerde rekening van die eienaar is en die eienaar oorlede of onopspoorbaar is (soos per die Kredietbeheer Beleid van die Munisipaliteit)

Wysiging van Artikel 14

5. Artikel 14 word hiermee gewysig-

- (a) Deur die wysiging van artikel **14** [10.14] met die invoeging van 'n opskrif

14.1 Algemeen

- (b) Deur die wysiging van subartikel **14.1(b)(ii)** [10.14(c)ii] met die invoeging van **en besigheid**
- (c) Deur die wysiging van subartikel **14.2** [10.14.1] met die skrapping van 10.14.1 en die invoeging van 14.2 as volg:

14.2 Huishoudelike lewering

- (a) 'n Tweedeeltariefstruktuur vir enkel fase meter met tot 60 ampère sal toegepas word ten opsigte van kredietmeters, sowel as voorafbetaaldemeters. Die tarief is ook van toepassing op skole, kerke, crèches, algemene beligting, swembad pompe en hysbakke, maar sonder enige gratis eenhede wanneer van toepassing vir huishoudings.
- (b) alle huishoudings met 'n voorafbetaaldemeter met minder as 400 kWh (gebaseer op die gemiddelde aankope van die vorige vier maande) sal

automaties op die huishoudelike tweedeel tarief geplaas word, behalwe in die volgende gevalle:

- (i) Deernis en arm huishoudings
- (ii) Waar gebruikers geïdentifiseer word as permanente inwoners vir minstens nege maande van die jaar. Om so geïdentifiseer te word, moet 'n beëdigde verklaring wat geteken is deur 'n Kommissaris van Ede ingedien word.
- (iii) Kerke, crèches, algemene beligting, swembad pompe en hysers, op voorafbetaalde krag (maar sonder enige gratis eenhede wanneer van toepassing op huishoudings).

(c) 'n Een-deel tarief - alle huishoudelike verbruikers met 'n enkele voorafbetaaldemeter wat meer as 400kWh elektrisiteit gebruik per maand en wat permanent bewoners vir ten minste nege maande van 'n jaar.

(d) 'n Een-deel deernis toenemende bloktarief - vir permanente inwoners wat kwalifiseer vir 'n deernis subsidie.

(e) 'n Sekere hoeveelheid elektrisiteit kan elke maand gratis verskaf word. Dit word deur die Raad besluit tydens die begrotingsproses.

(f) 'n Twee-deel huishoudelike tariefstruktuur vir driefase meters, sal toegepas word ten opsigte van kredietmeters, sowel as voorafbetaaldemeters en is ook van toepassing op kerke, crèches, algemene beligting, swembad pompe en hysbakke, maar sonder enige gratis eenhede wanneer van toepassing op huishoudings.

- (d) Deur die wysiging van subartikel **14.3(a)** [10.14.2(a)] met die skapping van [minder as 'n gemiddeld van 1500kWh per maand gebruik, bereken oor 'n tydperk van ses maande].
- (e) Deur die wysiging van subartikel **14.3(b)** [10.14.2(b)] met die skapping van [van meer as 'n gemiddeld van 1500kWh per maand gebruik, bereken oor 'n tydperk van ses maande].
- (f) Deur die wysiging van subartikel **14.3(c)** [10.14.2(c)] met die skapping van [minder as 'n gemiddeld van 3000kWh per maand gebruik, bereken oor 'n tydperk van ses maande].

- (g) Deur die wysiging van subartikel **14.3(d)** [10.14.2(d)] met die skrapping van [enkel] invoeging van **drie** en die skrapping van [meer as 'n gemiddeld van 3000kWh per maand gebruik, bereken oor 'n tydperk van ses maande.]

- (h) Deur die wysiging van subartikel **14.3** [10.14.2] met die invoeging van

14.3 **(e)** Die een deel tarief soos in (b) en (d) hierbo is slegs van toepassing op bestaande meters en verbruikers op hierdie tarief. Alle nuwe kommersiële installasies of nuwe verbruikers sal outomaties op die tweedelige tarief geplaas word soos in (a) en (c) hierbo.

(f) Huishoudelike en Komersiële Verbruikers op die enkel-deel tarief kan oorgeplaas word na die tweedelige tarief indien 'n skriftelike versoek gerig word.

(g) Voorafbetaalde krag aankope moet binne drie maande na aankoop in die meter gepons word aangesien die aankoop na drie maande verval en geen terugbetaling of vervanging van die aankope toegelaat word nie.

- (i) Deur die wysiging van subartikel **14.5(f)** [10.14.4(f)] met die invoeging van **maar wisselend in die volgende gevalle:**

- (i) **Minder as 2000 eenhede;**
- (ii) **Meer as 2000 eenhede;**
- (iii) **Buite spits tarief – slegs water pomp;**

- (j) Deur die wysiging van subartikel **14.5** [10.14.4] met die invoeging van

14.5 **(g)** **Sportveld beligting**

- (k) Deur wysiging van subartikel **14.6(b)** [10.14.5(b)] met die skrapping van 10.14.5(b) en die invoeging van 14.6(b) as volg:

14.6 **(b)** **'n Vaste tarief soos deur die Raad bepaal word gehef vir:**

- (i) tydelike afsluitings en her-aansluitings op versoek van die verbruiker;
- (ii) tydelike afsluitings en her-aansluitings vir wanbetaling
- (iii) nuwe aansluitings
- (iv) ander aansluitings
- (v) spesiale meterlesings;
- (vi) toets van meter;
- (vii) diensoproepe
- (viii) die vervanging van die stroombrekers
- (ix) installering van voorafbetaaldemeters;
- (x) die vervanging van die meter;
- (xi) omskakeling vanaf drie-fase na enkel fase en omgekeerd;
- (xii) oprigting van straatligte;
- (xiii) beskadiging van en peutering met meters
- (xiv) verskuiwing van meter;
- (xv) beskadiging van medium of lae spanning kables deur kontrakteurs;
- (xvi) vervanging van die verkeer-of straatlig paal;
- (xvii) Huur van kragpunte;
- (xviii) die huur van toerusting;
- (xix) tehuse vir bejaardes

(l) Deur die wysiging van subartikel 14.6 [10.14.5] met die invoeging van

- 14.6 (e) Onder geen omstandighede mag 'n elektrisiteitsmeter deur iemand geskuif word van een perseel na 'n ander nie.
- (f) Die eienaar bewoner is te alle tye verantwoordelik vir die onderhoud en veilige bewaring van die meter.
- (g) Indien 'n meter nie deur die meter leser gelees kan word as gevolg van geen toegang of ander obstruksies nie, het die munisipaliteit die reg om 'n voorafbetaalde meter te installeer teen die eienaar se koste.

Wysiging van Artikel 15

6. Artikel 15 word gewysig-

- (a) Deur die wysiging van artikel 15 met die invoeging van 'n opskrif

15.1 Algemeen

- (b) Deur die wysiging van subartikel **15.1** [10.15.1] met die invoeging van **Dit is die verbruiker se verantwoordelikheid om te verseker dat die meter toeganklik en leesbaar is vir meterlesers. Indien nie, kan die meter verskuif word op koste van die eienaar / bewoner**
- (c) Deur die wysiging van subartikel **15.2(a)(i)** [10.15.2] met die skapping van 10.15.2 en invoeging van 15.2 as volg:

15.2 Kategorieë van verbruikers en gelde:

Voorsiening word gemaak vir die volgende kategorieë van gebruikers:

(a) **Verbruikers met aansluitings tot 25mm**

- (i) **Enkel residensiële, woonstelle, ander residensiële, komplekse met besighede en residensiële gekombineerde. (Tot vier verbruikers met 'n gesamentlike meter), sowel as deernis verbruikers sal betaal:**
- **Die basies per gebruiker volgens die huishoudelike tarief**
 - **Gemeterde verbruik volgens die verbruikerstarief, gekoppel aan die grootte van die aansluiting en / of verbruik**
 - **Slegs deernis verbruikers-en huishoudelike gebruikers op hierdie tarief sal die aantal gratis kl (soos bepaal deur die raad) ontvang op 'n maandelikse basis**
- (ii) **Besigheidskomplekse met meer as 4 besigheid verbruikers met 'n gesamentlike meter. [Woonstelle, ander residensiële, akkommodasie en sake-komplekse met meer as vier eenhede met 'n gesamentlike meter]**
- **Die basiese fooi per verbruiker**
 - **Gemeterde verbruik volgens die verbruikerstarief, gekoppel aan die grootte van die aansluiting en / of verbruik**

(iii) Woonstelle en residensiële verbruikers met meer as vier [maar minder as 10 en met] verbruikers met 'n gesamentlike meter.

- Die basiese fooi per verbruiker
- Gratis kl soos bepaal deur die Raad
- Gemeterde verbruik volgens die verbruikerstarief, gekoppel aan die grootte van die aansluiting en / of verbruik

(b) Verbruikers met aansluitings groter as 25mm

(i) Medium aansluitings met tot nege verbruikers en met 'n gedeelde meter en wat minder as 1000kl per maand gebruik

- 'n Vaste basiese fooi
- Gemeterde verbruik volgens die verbruikerstarief, gekoppel aan die grootte van die aansluiting en / of verbruik

(ii) Medium aansluitings met meer as nege verbruikers met 'n gedeelde meter en wat minder as 1000kl per maand gebruik.

- 'n basiese fooi per kliënt
- Gemeterde verbruik volgens die verbruikerstarief, gekoppel aan die grootte van die aansluiting en / of verbruik

(iii) Grootmaat verbruikers (Verbruik van meer as 1000kl per maand, vir vier maande oor 'n tydperk van twaalf maande)

- 'n vaste basiese fooi
- Gemeterde verbruik volgens die verbruikerstarief, gekoppel aan die grootte van die aansluiting en / of verbruik (indien meer as 1000 kl gebruik is vir 'n 4 maande tydperk per jaar.

(c) Spesiale Water Tariewe

- (i) Rou water
- (ii) Searles Slood
- (iii) Buffel Boerdery
- (iv) Buysplaas
- (v) JB Hoevers
- (vi) Vleesbaai
- (vii) Sport Liggame
- (viii) Voorsiening van water vanaf Tru-Osmose Fasiliteit
- (ix) Tehuse vir bejaardesorg en aftreeoorde.

- (d) Deur die hernumering van subartikel 10.15.6(f) na subartikel 15.2(d).
- (e) Deur die hernumering van subartikel 10.15.65 na subartikel 15.3
- (f) Deur die wysiging van subartikel **15.4** [10.15.6(c)] deur die skrapping van 10.15.6(c) en die invoeging van 15.4 as volg:

15.4 'n Vaste tarief word gehef vir:

- (a) water beperkings
- (b) Water beperkingsboete
- (c) water aansluitings
- (d) opgradering van water meters na 'n groter aansluiting
- (e) watermeter toets
- (f) watermeter inspeksie - diensfooi
- (g) Verbruikerskraan na meter
- (h) skuif van watermeter
- (i) vervanging van grootmaat watermeter inlas
- (j) oopmaak van meters wat nie gelees kan word nie
- (k) Beperking of opbeperking van watermeter
- (l) Spesiale lesing van watermeter
- (m) Boete vir peuter met installasie
- (n) water onttrek deur kontrakteur by die brandweer

(o) vul van swembad

(p) water vloei beperkings – programmeerbare vloei beperker

(q) skuif van meters

(r) vervanging van 'n meter wanneer beskadig of gesteel

- (g) Deur die wysiging van artikel **15** [10.15] deur die skapping van 10.15.6(d) en (e) en die invoeging van 15.5 as volg:

15.5 Water tarief gedurende 'n droogte

Wanneer die dam water voorraad val tot onder 'n sekere persentasie, soos vasgestel deur die Raad gedurende die jaarlikse begroting, sal die water tariewe toeneem. Hierdie tariewe sal ingesluit wees in die jaarlikse tarief lys as 'n aanhangsel en geadverteer word saam met die jaarlikse begroting dokumente.

- (h) Deur die wysiging van subartikel **15.6(b)** [10.15.4(b)] met die invoeging van deur 'n geregistreerde loodgieter

- (i) Deur die wysiging van subartikel **15.6** [10.15.4] met die invoeging van

15.6 (c) Geen water wat verlore gaan as gevolg van die meter wat gesteel is, stukkende besproeiing, stukkende geiser, lekkende toilet of lekkende kraan kan oorweeg word vir afskrywing nie.

Wysiging van Artikel 16

7. Artikel 16 word hiermee gewysig-

- (a) Deur die wysiging van artikel **16** [10.16] met die invoeging van 'n opskrif

16.1 Algemeen

- (b) Deur die wysiging van subartikel **16.1(f)** [10.16.6] met die invoeging van eenheid en skapping van [tarief].

- (c) Deur die wysiging van subartikel **16.1(o)** [10.16.2(e)] met die skapping van [onbesette] en die invoeging van onbewoon, en met die invoeging van Dit is egter nie van toepassing op 'n motorhuis op 'n residensiële eiendom wat gebruik word vir stoor doeleindes of 'n werkswinkel nie.

- (d) Deur die wysiging van subartikel **16.2** [10.16(1)] met die skapping van 10.16(1) en die invoeging van 16.2 as volg:

16.2 Kategorieë van verbruikers

Voorsiening gemaak word vir die volgende kategorieë van verbruikers:

- (a) Huishoudelike gebruikers**
- (b) Akkommodasie instellings**
- (c) Kommersiële Industrieel**
- (d) Tehuis vir bejaardes en aftreeoorde**
- (e) Addisionele huishoudelike eenhede**
- (f) Spesiale ooreenkomste**
- (g) Karavaanparke en chalets**
- (h) Verwydering op aanvraag**
- (i) Verkoop van vullishouers**
- (j) Besighede en residensiële eiendomme**
- (k) Addisionele verwydering**

Wysiging van Artikel 17

8. Artikel 17 word hiermee gewysig-

- (a) Deur die wysiging van artikel **17** [10.17] met die invoeging van 'n opskrif

17.1 Algemeen

- (b) Deur die wysiging van subartikel **17.3** [10.17.2] met die skapping van 10.17.2 en die invoeging van 17.3 as volg:

17.3 'n Vaste tarief struktuur is van toepassing, wat slegs onderskei tussen die volgende groepe van eiendomme:

- (a) Enkel residensiële**
- (b) Deeltiteleenhede**
- (c) Rondawels / chalets met eie geriewe**
- (d) Rondawels (sonder fasiliteite)**
- (e) Tuinwoonstelle**

(f) Addisionele residensiële eenhede

(g) Akkommodasie instellings

(h) Besigheid en ander eiendomme

(i) Kerke

(j) Nagvuil emmer

(k) Nywerheidsuitvloeisel

(c) Deur die wysiging van artikel **17** [10.17] met die invoeging van

17.4 Afslag aan Pensionarisse

(a) Vereistes

(i) **Die aansoeker moet die geregistreerde eienaar van die eiendom wees;**

(ii) **Die persoon moet die permanente bewoner van die eiendom wees;**

(iii) **Minimum ouderdom van die geregistreerde eienaar sowel as sy/haar eggenoot moet 60 jaar en ouer wees**

(b) Afslag aan kwalifiserende Pensionarisse

Totale inkomste van man en vrou mag nie die bedrag soos bepaal deur die Raad gedurende die jaarlikse begroting oorskry nie.

Wysiging van Artikel 20

9. Artikel **20** [19] word hiermee gewysig-

(a) Deur die wysiging van artikel 20 met die invoeging van **heffings**, en **Die Munisipale Bestuurder mag die periode van regstellings wysig in gevalle van foutiewe debiete as gevolg van administratiewe foute.**

Wysiging van Artikel 21

10. Artikel 21 word hiermee gewysig-

(a) Deur die invoeging van artikel 21

21 Hierdie beleid sal inwerking tree op 1 Julie 2013

DR. M GRATZ, MUNISIPALE BESTUURDER

UMASIPALA WASEMOSSEL BHAYI

INGUQULELO KUMGAQO-NKQUBO WAMAXABISO

Nanjengoko icandelo 75 leeNkqubo zooMasipala:uMthetho weeNkqubo zooMasipala,2000(uMthetho 32 ka 2000)limisela ukuba ibhunga likamasipala kufuneka limisele uMgaqo-Nkqubo wamaxabiso kunye nemithetho yangaphakathi kwanokusetyenziswa kwale mithetho kwanokunyanzeliswa kwayo;

Kwaye nanjengokuba uMasipala waseMossel Bhayi eye wawupapasha umgaqo-nkqubo kwiGazethi yePhondo 6767 yomhla we:9 Julayi 2010 khon'ukuze ithatyathelwe ingqwalasela gabalala;

Kwaye nanjengokuba uMasipala waseMossel Bhayi ethe wazipapasha inguqulelo kuloMgaqo-Nkqubo wamaxabiso kwigazethi yePhondo 6902 yomhla wama:26 Agasti 2011 khon'ukuze iqwalaselwe kwaye yaziwe;

Kwaye nanjengokuba iBhunga likaMasipalawaseMossel Bhayi liye lazamkela ezi nguqulelo zoMgaqo-Nkqubo wamaxabiso ngomhla wama:31 Meyi 2013 phantsi kwesigqibo E74-05/2013;

Ngoku ke lo Mgaqo-Nkqubo uyapapashwa ngenjongo yokuba waziwe gabalala.

Kwiimeko apho kuthe kwakho ukungaqondisani phakathi kweziqulatho zeenguqulelo zesiNgesi,isiBhulu okanye isiXhosa,inguqulelo yesiNgesi yiyo eya kusebenza.

Inguqulelo yeCandelo 2

1.iCandelo 2 liyaguqulwa-

- (a) Ngokufakelwa igama elithi **kuthetha** kwisichazi-magama endaweni yegama elithi "umdlu".
- (b) Ngokufakelwa kwezi zichazi-magama zilandelayo:

"Isithuba esivulekileyo sabucala" kuthetha umhlaba ovulekileyo ongowabantu babucala;

"Amaqela apho uluntu luxhamlayo kuwo" kuthetha iindawo ezizezamaqela oluntu nezisetyenziselwa iintshukumo ezixhanyulwa luluntu nezidweliswe kwisiQendu 1 "sesiHlomelo sesiThoba soMthetho weRhafu yeNgeniso;

"Isithuba esivulekileyo sikawonke-wonke kuMasipala kuthetha umhlaba ovulekileyo ongokaMasipala;

"Isithuba esivulekileyo sikawonke-wonke sabucala" kuthetha imihlatyana evulekileyo kwiindawo zabucala nesetyenziselwa amabala ezemidlalo,ukupakisha izithuthi,iizitiya,njalo-njalo;

"Iindawo zeNkonzo kaRhulumente" kuthetha iindawo ezilawulwa ngurhulumente njengeendlela zedolophu,ezePhondo nezikawonke-wonke,imizila kaloliwe,njl.njl; (ingcaciso ephileleyo iye yadityaniswa phomtse kwe MPRA ngentla);

“Iindawo zeNkonzo kaRhulumente wabucala” iindawo ezifumaneka kakhulu kwiindawo zabucala ezisetyenziselwa izitalato, iindlela zokuhamba, ipavemente, nj. njl.

Ukuguqulwa kweCandelo 10

2. iCandelo 10 liyaguqulwa-

- (a) Ngokuguqulwa kwecandelwana 10.9(g) ngokufakelwa kwale ndima **kwaye ukuba umnini depozithi akanawo amanye amatyala asemva ngawo kumasipala.**
- (b) Ngokuguqulwa kwecandelwana 10.9 kufakelwe le ndima
- (h) **Akukho nzala iya kuhlululwa nguMasipala kwimali yedipozithi ebanjiweyo ngokwezimiselo zeli Candelo.**
- (i) **IBhunga linemvume lokwala ukubonelela ngeenkonzo apho kungahlawulwanga khona idipozithi.**
- (j) **Idipozithi eyodwa kwimizi exhaswayo, njengokumiselwa liBhunga rhogo ngonyaka ngexesha lohlahlo-lwabiwo-mali, iya kuhlululeka.**
- (c) Ngokuguqulwa kwecandelo 10 kufakwe oku kulandelayo

10.11 Ukucinywa kwenkonzo kunye netyala lokugqibela

- (a) **Ukupheliswa/ukucinywa kwenkonzo kwanokukhutshwa kwetyala lokugqibela kuya kusoloko kusenzeke phakathi kwesithuba sokunyuka kwamatyala amabini. Kungoko xa kukho isicelo sokupheliswa kwenkonzo emva komhla we: 16 enyangeni (okanye ukuba kungempela-veki okanye iholidi kawonke-wonke, ngosuku lokuqala lomsebenzi emva koko) kuya kuphunyezwa kunye netyala lenyanga elandelayo kwaye netyala elisisiseko lelo xesha liyakuhlululeka.**
- (b) **Ityala elisisiseko lamanzi kunye nombane liyakuhlululeka kuphela xa iimitha zikwimeko esebenzayo. Oku kukugqibela ukuba ityala elisisiseko aliphindaphindwa apho umnini-ndawo uyishiyayo indawo ze kungene omtsha. Umzekelo, ukuba ityala lokugqibela liyafuneka ngexesha elichazwe ku(d) ngentla, imitha iya kuhlala isebenza de libe ityala lihlawulwe ze ityala litshintshelwe kulowo umtsha. Nangona lo umtsha uya kuba noxanduva lokuhlulula ityala lamanzi ukusekela kusuku lokugqibela ekufundwe ngalo imitha, ityala elisisiseko liyakufakwa kuphela ukusukela kwityala elilandelayo xa imitha isebenza ngokwetyala elitsha.**

Ukuguqulwa kwecandelo 11

3. iCandelo 11 liguqulwa ngolu hlobo-

- (a) Ngokuguqulwa kwesihloko secandelwana **11.1** [10.11] ngokucinywa ko[ukucandelwa nokusetyenziselwa ngenjongo zerhafu namaxabiso] kunye nofakelo nesihloko esitsha:

11.1 Iirhafu zendawo umhlaba

- (b) Ngokuguqulwa kwecandelwana **11.1** [10.11] ngokucinywa ko[apho ukucandwa kwanemvume yokusebenzisa indawo yahlukayo] ze kufakwe oku kulandelayo **Ukusetyenziswa kwendawo kuya kumiselwa liNqanaba leRhafu**, kucinywe u[irhafu njengokumiselwa li], kufakwe oku **inqanaba kumqulu wommiselo maxabiso** kucinywe u[liya kusebenza].
- (c) Ukuguqulwa kwecandelwana **11.2** [10.11] ngokufakelwa koku **Indawo evulekileyo kawonke-wonke, Isimiselo esiya kwixabiso elisisiseko, 50%** kucinywe u[70%] kufakwe u **12.5%**.
- (d) Ngokuguqulwa kweCandelo **11** [10.11] kufakwe oku kulandelayo

11.3 Amanganaba achaphazelekayo kuMasipala

- (a) **Iindawo ezinzelwe ukuhlala**
 (b) **Iindawana zongezelelweyo zokuhlala**
 (c) **Iindawo zoShishino nezorhwebo**
 (d) **UMbindi woShishino eDolophini**
 (e) **Iindawo zefama ezisetyenziselwa**
 (i) **Ezolimo**
 (ii) **Ezokuhlalisa abantu**
 (iii) **Ezokuhlala jikelele**
 (iv) **Iinjongo zoshishino norhwebo**
 (v) **Ukusetyenziselwa izinto ezahlukeneyo**
 (f) **uRhulumente**
 (g) **Ushishino**
 (h) **Iindawo nezinto zikaMasipala**
 (i) **Imiyezo yeSizwe**
 (j) **Iindawo zoNqulo-iCawe**
 (k) **Iindawo zoNqulo – Indlu yoMfundisi**
 (l) **Iindawo evulekileyo yabucala**
 (m) **Idolophu yabucala (kuchapazela iVleesbaai kuphela)**
 (n) **Iindawo ekhuselekileyo**
 (o) **Imibutho yokuxhamla bucala**
 (p) **Iindawo kawonke-wonke evulekileyo**
 (q) **Iindawo evulekileyo yabucala**
 (r) **Inkonzo kawonke-wonke**
 (s) **Inkonzo kawonke-wonke yabucala**
 (t) **Ezokuhlala**

11.4 Iindawo ezingamelanga kuhlawula rhafu yomhlaba

- (a) **Iindawo zikaMasipala**
 (b) **liCawa**
 (c) **Izindlu zabeFundisi**

11.5 lindawo ezimiselwa amaxabiso ekhethekileyo

- (a)lindawo zoRhwebo
- (b)lindawo zokuhlala

11.6 limfuno ukuze abamkela ipenshoni bafumane isaphulelo

- (a)Umenzi sicelo kufuneka abe ubhaliswe njengomnini-ndawo
- (b)Umntu kfuneka abe uhlala kuloo ndawo isigxina
- (c)Ubuncinane beminyaka yobudala yomnini-ndawo mayibe li:60
- (d)Akufuneki abe unenye indlu ngaphakathi okanye ngaphandle.

11.7 Isaphulelo sabamkela indodla:

Ingeniso yenkosikazi nomnyeni xa ihlangene akufuneki idlule kuleyo imiselwa liBhunga xa lisenza uhlahlo-lwabiwo-mali lonyaka.

11.8 Izinto zeNkonzo zikaRhulumente

- (a) Malunga nezinto zeNkonzo zikaRhulumente (ngokuchazwa kwiMPRA) [akufuneki imiselwe kwirhafu] kweyokuqala i30% yexabiso yasemarikeni ngokunxulumene necandelo 17(1)(a) ye MPRA ekhutshiweyo ekuhlawuleni iirhafu.
- (b) UMasipala ubuyekeza isixa esiyi 75% kumanqanaba akwiiNkonzo zikawonke-wonke njengokuba kucacisiwe kumqolo 4.4 apha ngentla.Ezi ndawo zithatyanthwa njengezincedisela ngobonelelo leenkonzo kuluntu okanye uluntu luyaxhamla kuzo.

11.9 Izinto zeNkonzo zikaRhulumente zabucala

UMasipala ubuyekeza ngesixa esiyi:100% kumanqanaba achazwe ngentla njengokuba kucacisiwe kumqolo 4.4 ngentla,apho isimiselo sexabiso lendawo lingaphantsi kwe:R100 000.La manqanaba kunye nezindawo zithatyathwa njengeziluncedo kuluntu kaye zikwancedisa nakwiinkonzo zoluntu.

11.10 lindawo ezivulelekileyoabucala

UMasipala ubuyekeza isixa siyi:100% kula manqanaba achaziweyo,njengokuba kucacisiwe kumqolo 4.4 apha ngentla,apho ixabiso lendawo leyo lingaphantsi kwe:R100 000.Ezi ndawo okanye abanini beendawo zithatyathwa njengezincedisela ekuboneleleni ngenkonzo kwaye noluntu luyaxhamla kuzo.

Ukuguqulwa kweCandelo 13

4.iCandelo 13 liyaguqulwa-

- (a) Ngokufakelwa kwamacandelo 13.1 ukuya ku 13.6 ngokufakelwa koku kulandelayo

13 liDipozithi

13.1 lidipozithi zombane

- (a) Imitha zombane ezisetyenziswa emakhaya,nabanye bonke abasebenzisi ngaphandle kwamashishini neendawo zokuhlalisa abantu,kodwa kubandakanya iiCawe,izikolo,ikhritshi,izibane zokukhanyisa,amaqula okuqubha,iilifti;
- (b) Ushishino : Inqanaba elinye lexabiso elintlantlu-mbini;
- (c) Ushishino : Inqanaba elinye lexabiso elintlatlu-mbini;
- (d) Ezasekhaya : Inqanaba lesithathu lexabiso leemithara zombane ongazithengeliyo elibandakanya iiCawe,izikolo,iikhritshi,ukukhanyisa iikelele,amaqula okuqubha,iilifti;
- (e) Ezasekhaya : Inqanaba lesithathu lemithara yombane ongazithengeliyo kakunue nalowo uzithengelayo kubandakanya iiCawe,izikolo,iikhritshi,ukukhanyisa iikelele,amaqula okuqubha,iilifti.
- (f) Ushishino : Inqanaba lesithathu lemithara yombane ontlalu-mbini;
- (g) Ushishino : inqanaba lesithathu Imithara yombane ontlalu-mbini;
- (h) limithara zoShishino;
- (i) limithara ezithwala umthwalo omkhulu;
- (j) limithara ezisetyenziswa ngamaxesha athile;
- (k) Urhwebo,uShishino noShishino olukhulu
 - lidipozithi kumashishi ni ziya kumiselwa kabini ngokwetyala eliphezulu kwisithuba seenyanga ezi-12.
 - Ufakelo olutsha kwizongezelelo ezitsha kumashishini iya kucaciswa kuluhlu lwamaxabiso lonyaka lowo umiyo.

13.2 lidipozithi zamanzi nezinye iinkonzo

- (i)Ezixhaswayo
- (ii)Ezoqoqosho
- (iii)Izindlu ezongezeleleyo kunye nezoshishino
- (iv)Abasebenzisi abakumyinge ophakathi
- (v)Abasebenzi bomthamo omkhulu besebenzisa ngaphezu kwe1000kl zamanzi

13.3 lidipozithi zabakhi

- 13.4 Idipozithi ebuyswayo esetyenziswa eHarry Giddy Park
- 13.5 liposta/Amakhadi axhonywayo okwazisa(ubukhulu 100)
- 13.6 lidipozithi eyahlulwayo-iindawo zemidlalo,amaholo,izindlu zeendibano zolonwabo
- 13.7 Gabalala
- (i) Amaxabiso kwakunye nobuncinane kwizigaba zedipozithi ayakuphengululwa qho ngonyaka ngexesha lenkqubo lohlahlo-lwabiwo-maki.
- (ii) Kunako ukongezwa ubuncinane kwizigaba zedipozithi ngokokubona kweNtloko kwiCandelo lezeMali. Xa inqanzelisa oko.
- (iii) Akukho akhawunti intsha iya kuvulwa okanye kwamkelwe nadipozithi xa kukho ityala elisemva kwityala elimiyo ngaphandle kokuba loo mali isemva ikwityala elidityanisiweyo lomnini kaye umnini lowo akasiphiki okanye akafumaneki.

Ukuguqulwa kwecandelo 14

5.iCandelo 14 liyaguqulwa-

(a)Ngokuguqulwa kwecandelo 14 [10.14] kufakelwe isihloko

14.1 Gabalala

- (b) Ngokuguqulwa kwecandelwana 14.1(d)(ii)[10.14(c)ii]ngokufakelwa u kunye neshishini
- (c) Ngokuguqulwa kwecandelwana 14.2(a)[10.14.1]ngokufakelwa koku Eli xabiso liyasebenza kwakhona kwizikolo,kwiicawa,kwiikhritshi,njl.njl. Kodwa ngaphandle kweeyunithi ezimahala njengakwizindlu.

14.2 Unikelo lombane emakhaya

- (a) Ixabiso elintlantlu-mbini kwinqanaba elinye leemitha esinexilinganiselo samandla ombane aku 60 a setyenziswa ngokunxulumene neemitha zamatyala kauti nego mitha asehlawulelwe. Eli xabiso liyasebenza kwakhona kwizikolo, kwiicawa, kwiikhritshi, ukukhanya gabalala, iimpompo zamaqu (a okuqubha kunye neelifti kodwa ngaphandle kweeyunithi zamahala njengakwizindlu.
- (b) Zonke izindlu ezinemitha esele ihlawulelwe ezisebenzisa umbane ongaphautsi kwe 400kWh (kuyakuxhomekeka ke kumnohlih obuthengwe kwinyanga ezine zangapha-mbili) iyakuzenzekelayo into yokuba zibekwe kwezasekhaya untlalu-mbini mgaphandle kwezi meko zilandelayo:
- (i) Abathengi abangamahlwempu okanye abahlwempuzekileyo.

- (ii) Abathengi ababonwa njengabahlali balapha abasele behleli ixesha elingangenyanga ezilithoba ubuneinane okanye anyaka. Ukuze kubekho isiqhisekiso sexesha elo, umthengi kuzakufeneka anenise ingxelo efungisiweyo nguMfungisi.
- (iii) Iicawa, iikritshi, ukukhanya gabalala, iimpompozamagula okuqubha kunye nelifti kumbane ohlawuleleyo (kodwa ngaphandle kweyunithi zamahala njengakwizindlu)
- (c) Icala lexabiso elimiyo-bonke abathengi abakwinqanaba elinye lee mitha ezihlawuliweyo abasebenzisa umbane ongaphezu kwe 400kWh ngenyanja kwaye abahlala isigxina kulondawo ubuncinane bexesha iinyanga ezilithoba kunyako
- (d) Icala labahlelelekileyo elimiyo abangatha nda ukublokela kwaxabiso-Abahlale abahlala isigxina abalufaneleyo lo-lwabiwo-mali.
- (f) Ixabiso elinthlantlu-mbini kwinqaba leemitha ezintanthu, zisetyenziswa kwimitha zamatyala kanti nezo mitha ezisele zihlausulelwe, ezikwasetyenziswa kwiNkongo, iikwitshi, ukukhanya gabalala, umpompo zamagula okuqubha kune neelifti, kodwa ngaphawle kweyunithi gamaliala njengakwizindlu.
- (d) Ngokuguqulwa kwecandelwana **14.3(a)** [10.14.2(a)] ngokucinywa ko[asebenzisa ngaphantsi kwe 15000kWh ngenyanja, nebalwe kwisithuba seenyanja ezili-6].
- (e) Ngokuguqulwa kwecandelwana **14.3(b)** [10.14.2(b)] ngokucinywa ko [asebenzisa ngaphezu komyinge oyi 15000kWh ngenyanja, ngokubalwe kwisithuba seenyanja ezintandathu].
- (f) Ngokuguqulwa kwecandelwana **14.3(c)** [10.14.2(c)] kucinywe oku[asebenzisa ngaphantsi komyinge oyi:3000kWh ngenyanja, ngokubalwe kwisithuba seenyanja ezintandathu].
- (g) Ngokuguqulwa kwecandelwana **14.3(d)** [10.14.2(d)] ngokucinywa ko[inye]kufakelwe u[ezintathu] ze kucinywe oku[asebenzisa ngaphezu kwe 3000kWh ngenyanja, ngokubalwe kwisithuba seenyanja ezintandathu].
- (h) Ngokuguqulwa kwecandelwana **14.3** [10.14.2] ngokufakelwa kwe
- 14.3 (e) Icala lexabiso elimiyo njengangoku ku(b)naku (d) apha ngentla liyasebenza kwiimithara ezikhoyo nakubathengi. Zonke izifakelo zorhwebo ezitsha okanye abathengi abatsha bayakufakwa kwixabiso elintlalu-mbini njengaku (a) naku (c) apha ngentla.
- (f) Abesebenzisi basekhay kunyenbo bezishishini abakwinqanaba lokuqala bangatshintshelwa kwinqanaba lesibini ukuba isicelo senziwe

(g) Amatikiti abonakalisA ukuhenga kombbane kufuneka abonakalisswe kwimithara kungaphelanhga isithiba seenyanga ezi-3 zombamne ontlatu-nimbini.wa kwecandelwawana 14.5 ngokufakelwa.

(i) Ngokuguqulwa kwecandelwana 14.5(f)[10.14.4(f)] ngokufakelwa kongokwahluka kwazo kwezi meko zilandelayo:

- (i) Ngaphantsi kwe 2000 yeeyunithi
- (ii) Ngaphezu kwee 2000 yeyunithi
- (iii) Ngexesha likaxesha – xa kupontshwa kuphela.

(j) Ngokuguqulwa kwecandelwana 14.5 [10.14.4] ngokufakelwa kwe

14.5 (g) Ukukhanyiswa kwamabala ezemidlalo

(k) Ngokuguqulwa kwecandelwana 14.6(b) [10.14.5(b)] ngokucinywa ko 10.14.5(b) nangokufakelwa ko 14.6(b) ngokulandelayo:

- 14.6(b)(i) ukunqunyanyiswa kweenkonzo okweshana kwanokubuyiswa kwawo ngokucelwa ngumthengi;
- (ii) ukunqunyanyiswa kweenkonzo okwexeshana kwanokubuyiswa kwazo ngenxa yokungahlawuli;
- (iii) ukufakela kwemitha ezintsha;
- (iv) Olunye ufakelo;
- (v) ukufunda kuweemitha ngendlela eyodwa;
- (vi) ukubizwa kweenkonzo;
- (vii) ukubizwa kweenkonzo;
- (viii) ufakelo ngokutsha kwebreakers;
- (ix) ufakelo lweemitha ezihlawuliweyo;
- (x) ukufakelwa kweemitha ezintsha
- (xi) Ukutshintshwa kwentlu yesithathu ukusiwa kwenye okanye ngokuguqukileyo macala;
- (xii) ukumiswa kwezibane zesitalato
- (xiii) ukonakalisa okanye
- (xiv) ukususa iimitha
- (xv) ukonakaliswa kweentambo zombane ngoonokontra;
- (xvi) ukufakelwa kwezibane zezithuthi okanye ezezitalato;
- (xvii) ukuqeshwa kwendawo ezinamandla ombane;
- (xviii) ukuqeshwa kwezinto zokusebenza;
- (xix) izindli zabantu abadala

(l) Ngokuguqulwa kwecandelwana 14.6 [10.14.5] ngokufakelwa

14.6 (e) Akufuneki naphantsi kwaziphina iimeko kususwe imithara yombane kwenye indlu isiwe kwenye nangubanina.

(f) Umnini-ndawo unoxanduva ngawo onke amaxesha okugcina imithara ikhuselekile.

(g) Ukuba imithara ayikwazeki ukufundeka ngenxa yezinto eziyigqumileyo,umasipala uelungelo lokufakela imithara othengwa kwangaphambili ngeendleko zomnini ndawo leyo. **yombane**

Ukuguqulwa kweCandelo 15

6.iCandelo kwe15 liyaguqulwa-

(a) Ngokuguqulwa kwecandelo 15ngokufakelwa kwexihloko

15.1 Gabalala

(b) Ngokuguqulwa kwecandelwana 15.1 [10.15.1] ngokufakelwa ko luxanduxa lomthengi ukuginisekisa okokuba imittara iyafundeka kwaye iyafikeleleka kubantu abafunda ezo Mitha. Ukuba akunjalo imithara isenokususwa ngenleko zomnini-ndawo.

(c) Ngokuguqulwa kwecandelwana 15.2 [10.15.2] ngokucinywa ko 10.15.2 kunye nokufakelwa ko 15.2 ngokulandelayo;

15.2 Iindidi zabathengi namaxabiso Amalungiselelo enzelwe aba bathengi bakoludidi lulandelayo:

(a) Abathengi abanoqhagamshelwano alufikelela ku25mm

(i) Indlu enye, iFlats, Ezinye iindawo zokuhlala, Izakhiwo exinkala zosishino nendawo zokuhlala. (abantu abakumyinge osisine besebenzisa imitha enye ngokuhlangeneyo) kanti nabo bahluphekileyo bazaku hlawula:

- Ixabiso elisisieko elimisiweyo
- Ukusetyenziswa okubalwayo ngokwexabiso komsebenzisi nkonzo ngokungqamene nofakelo kunye nomthamo wenkonzo wokusetyenziswa kwenkonzo leyo
- Abantu abahluphekayo nabo basebanzisa ezo nkonzo emakhaya ngabo kuphela abayakuthi bafamane simhla inani elithile lekl (ngokokubona kweBhunga) qho ngenyanga).

(ii) Iindawo zoshishino zokuhlala ezinabantu abakumyinge osisine besebenzisa imitha enye ngokuhlangeneyo (iiFlats, nezinye iindawo zabahlali, iindawo zaokulala kunye nezakhiwo zoshishino ezineyunthi ezingaphena kunesine besebenzisa imitha enye ngokuhlangeneyo.)

- Ixabiso elisisieko elimisiweyo kumntu ngamnye.

- Ukuseyenziswa okubalwayo ngokwe-xabiso lomsebenzisi-nkonzo, ngokungqamene nofakelo kunye nomthamo wokuseyenziswa kwenkonzo leyo.

(iii) IiFlats nemdawo zokuhlala zabathengi abakuyinge ongaphezu kwesine [kodwa ngaphantsi kwe10 kunye] besebenzisa imitha enye ngokuhlangeneyo.

- Ixabiso elisisiseko elimisiweyo
- Ikilokutga yasimahla ngokuqingqwe liBhunga
- Ukusetyenziswa okubalwayo ngokwezabiso lomsebenzisi-nkonza ngokungqamene nofakelo kunye nomthamo wenkonzo.

(b) Abathengi abanoqhagamshelwano olungaphezu kwe 25mm

(i) Uqhagamshelwano olufikela kwisithoba kubathengi besebenzisa imitha enye ehlanganayo bekwasebenzisa ngaphantsi kwe1000kl ngenyanga.

- Ixabiso elimiselweyo elisisiseko.
- Ukusetyenziswa okubalwayo ngokwexabiso lomsebenzisi-nkonzo, ngokungqamene nobugakanani boqhagamshelwano okan yekunye nokusetyenziswa.

(ii) Uqhangamshelwano olungaphezu kwesithoba kubathengi besebenzisa imitha enye ehlangeneyo, besebenzisa ngaphantsi kwe1000kl ngenyanga.

- Ixabiso elimiselweyo
- Ukusetyenziswa okubalwayo ngokwexabiso lomsebenzisi-nkonzo, ngokungqamene nobugakanani boqhagamshelwano okanye kunye nokusetyenziswa.

(iii) Abathengi besambuku (abasebenzisa ngaphezu kwe1000kl ngenyanga, kwixesa leenyanga ezine kwisitheeba zeenyanga ezilishumi elinesibini.)

- Ixabiso elisigxina elimiselweyo
- Ukusetyenziswa okubalwayo ngokwexabiso lomsebenzisi-nkonzo, ngokungqamene nobugakanani boqhagamshelwano okanye kunye nokusetyenziswa (xa kusetyenziswe ngaphezu kwe1000kl kwixesha elingange-nyanga ezi-4 kunyaka.

(c) Amaxabiso akhethekileyo amanzi

- (i) Amanzi amolaka
- (ii) Amanzi omyqxuma iSearles
- (iii) Ukufama ngeBhafalo
- (iv) iBuysplaas
- (v) iJ.B Hoevers

- (vi) iVleesbaai
- (vii) imibutho yezeMidlalo
- (viii) ukubonelelwa ngamanzi aguqulwe kwawaselwandle
- (ix) amakhaya abantu abadala kunye neendawo zomhlala-phantsi.

- (d) Ngokuguqulwa kwenani kwicandelo 10.15.6(f) ukuya kwicandelo 15.2(d)
- (e) Ngokuguqulwa kwenani kwicandelo 10.15.6 ukuya kwicandelo 15.3
- (f) Ngokuguqulwa kwecandelo **15.4** [10.15.6(c)] ngokucinywa ko10.15.6(c) ngokucinywa ko10.15.6(c) kunye nokufakela u 15.4 njengkulandelayo:

15.4 Ixabiso elimiselweyo liyakubizwa

- (a) Ukunyunwa kwamanzi
- (b) Umdlilo wokunyunwa kwamanzi
- (c) Ukubuyiselwa kwenkonzo yamanzi
- (d) Ukuphuculwa kwemithara zamanzi
- (e) Ukuvavanywa kwemithara zamanzi
- (f) Ukuhlolwa kwemithara zamanzi-ixabiso lenkonzo
- (g) Impompo zamanzi eya kwemithara
- (h) Ukutshintshwa kwemithara zamanzi kwindawo ekuyo
- (i) Ukutshintshwa kwemithara zamanzi enomthamo omkhulu
- (k) Ukufunyanwa kwemithara engafundekiyo
- (l) Ukufundwa okukhethekileyo kwemithara zamanzi
- (m) Umdlilo wokubhuca-bhuca imithara zamanzi
- (n) Amanzi atsalwa ngunokontra kwiziko locimo-mlilo
- (o) Ukugcwaliswa kwequlo lamanzi
- (p) Ukunyunwa kokuhamba kwamanzi-isinyini esiprogranywayo
- (q) Ukuhanjiswa kweemithara zamanzi
- (r) Ukubuyiselwa kwemithara xa yonakele okanye ibiwe.

- (g) Ngokuguqulwa kweandelo **15** [10.15] ngokucinywa ko 10.15.6(d) kunye u (e).

15.5 Amaxabiso amanzi ngexesha leMbalela

Xa umthamo wamanzi edama usihla ukuya kwinganaba elithile elisezantsi, njengokumiselwa liBhunga ngexesha lohlahlo-lwabiwo-mali; amaxabiso amanzi aya kunyuka. La maxabiso aya kufakwa kuluhlu lwamaxabiso onyaka njengesihlomelo kwaye aya kupapashwa kunye namaxwebhu ohlahlo-lwabiwo-mali lonyaka.

- (h) Ngokuguqulwa kweeandelwana **15.6(b)** [10.15.4(b)] ngokufakelwa ngumtywini obhalisiweyo.

- (i) Ngokuguqulwa kwecandelwana **15.6** [10.15.4] ngokufakelwa ko

- 15.6 (c) Akukho tyala lamanzi liya kucinywa ngenxa yokuvuza kwemithara, ukwaphuka kwayo, isishushubezi esonakeleyo, ukuvuza kwendlu yangasese okanye ukuvuza kwempompo zamanzi.

Ukuguqulwa kweCandelo 16

7. iCandelo 16 liyaguqulwa-

- (a) Ngokuguqulwa kwecandelo **16** [10.16] ze kufakwe isihloko esithi-

16.1 Gabalala

- (b) Ngokuguqulwa kwecandelwana **16.1(f)** [10.16.6] ze kufakwe u **iyunithi** ze kucinywe u [ixabiso].
- (c) Ngokuguqulwa kwecandelwana **16.1(o)** [10.16.2(e)] ngokucinywa ko [evulelekileyo] ze kufakwe u **engahlalwa-mntu** ze kufakwe u **Oku akuchaphazeli iigaraji ezikwiindawo zokuhlala ezisetyenziswa njengeendawo zokugcina izinto okanye indawo yokusebenzela nokukhanda.**
- (d) Ngokuguqulwa kwecandelwana **16.2** [10.16(1)] ngokucinywa ko 10.16(1) kufakelwe 16.2 ngokulandelayo:

16.2 IINDIDI ZABATHENGI / ABASEBENZISI-NKONZO

Amalungiselelo enzelwa ezi ndidi zabathengi balandelayo:

- (a) Abasebenzisi-nkonzo basemakhaya**
(b) Izakhiwo zendawo zokuhlala
(c) Amashishini orwebo
(d) Izindlu zabantu abadla umhlala-phantsi
(e) Iiyunithi ezongezeleleweyo zasekhaya
(f) Isivumelwano esisodwa
(g) iCaravan Parks nononta bezindlu
(h) ukususwa ngokwesicelo
(i) Intengiso yezigcina-nkuma
(j) Amashishini ngokweNdawo zokuhlala
(k) Ukususa ngokongezelekileyo

Ukuguqulwa kweCandelo 17

8. Ngokwenjenje siguqulaiCabdelo 17

- (a) Ngokuguqulwa kwecandelo **17** [10.17] kufakwa isihloko

17.1 Gabalala

- (b) Ngokuguqulwa kwecandelwana **17.3** [10.17.2] ngokucinywa ko 10.17.2 nokufakelwa ko 17.3 ngokulandelayo:

17.3 Kusetyenziswa ixabiso elisisigxina elimisiweyo, elizakuthi lohluke kuphela ngokwendidi zezindlulimihlaba:

- (a) Indawo yokuhlala eyodwa**

- (b) Iyunithi ezingamacandelo
- (c) OoRantabile (abanezinto zawo ngaphalathi)
- (d) OoRantabile (abangenazinto ngaphakathi)
- (e) iGranny flats
- (f) Iiyunithi ezongezelekileyo zokuhlala
- (g) Izakhiwo ezenzelwe ukuhlala
- (h) Amashishini nezinye iindawo
- (i) Iinkonzo / licawa
- (j) Amabhakethi asebusuju
- (k) Umjelo wamanzi amdaka ovela efekti

(e) Ngokuguqulwa kwecandelo 17[10.17] ngokufaka

17.4 Isaphulelo kwabamkela indodla

(a) Iimfuno

- (i) Umenzi-sicelo kufuneka abe ngumnini-ndawo obhalisiweyo
- (ii) Umntu lowo kufuneka abe uhlalaisigxina kuloo ndawo
- (iii) Ubuncinane beminyaka yokuzalwa komntu lowo nomlingane wakhe
kufuneka ibe ngama-60nangaphezulu

(b) Isaphulelo kwabamkela indodla

Ingeniso xa ihlangene kamama notata wekhaya kufuneka ingadluli kuleyo imiselwe
liBhunga ngexesha lohlahlo-lwabiwo-mali

Ukuguqulwa kwecandelo 20

9. iCandelo 20[19] liyaguqulwa-

- (a) Ngokuguqulwa kwecandelo 20 kufakwa u iindleko, kunuye UMphathi
kaMasipala usenokulandisa ithuba lokulungiswa kwiimeko apho kukho
amatyala afakwe ngempazamo ngenxa yeempazamo zolawulo.

Ukuguqulwa kweCandelo 21

10. iCandelo 21 liyafakelwa

- (a) Ngokufakelwa kwecandelo 21

21. Lo Mgaqo-Nkqubo uya kuqala ukusebenza ngomhla we:01 Julayi 2013.

GQUIRHA M GRATZ: UMPHATHI KAMASIPALA

WEST COAST DISTRICT MUNICIPALITY

AIR QUALITY MANAGEMENT BY-LAW

To provide for Air Quality Management and matters incidental thereto:

PREAMBLE

The Council of the West Coast District Municipality (WCDM) acting in terms of section 156(2) of the Constitution of the Republic of South Africa Act, 1996. Read with section 13(a) of the Local Government Municipal Systems Act, 2000 (Act No. 32 of 2000) and section 11 (1) of the National Environmental Management: Air Quality Act, 2004 (Act No. 39 of 2004) has made the Air Quality Management By-law hereunder.

AND WHEREAS the West Coast District Municipality seeks to ensure management of air quality and the control of air pollution within the area of jurisdiction of the West Coast District Municipality and to ensure that air pollution is avoided or, where it cannot be altogether avoided, is minimized and remedied.

AND NOW THEREFORE, BE IT ENACTED by the Council of the West Coast District Municipality, as follows:-

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CHAPTER I

DEFINITIONS AND FUNDAMENTAL PRINCIPLES

Definitions

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

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

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

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

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

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

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

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

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

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

“authorised person” means any employee of the West Coast District Municipality delegated by Council to implement any provision of this By-law;

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

“controlled emitter” means any appliance or activity declared as a controlled emitter in terms of section 23 of the National Environmental: Air Quality Act, 2004 (Act No. 39 of 2004);

“council” means the Council of the West Coast District Municipality or any of the other political structures, political office bearers, councillors or staff members, of the West Coast District Municipality duly authorised by delegation;

“environmental management inspector” means an Environmental Management Inspector referred to in section 9(2);

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

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

“listed activity” means a list of activities contemplated in Section 21(1)(a) of the Air Quality Act;

“municipality” means the West Coast District Municipality established by Provincial Notice No. 479 of 2000 in terms of section 12 of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998) and include staff members, of the West Coast District Municipality duly authorised by delegation;

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

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

“offensive odour” means any smell which is considered to be malodorous or a nuisance to a reasonable person;

“operator” means a person who owns or manages a listed activity and/or controlled emitter, or who controls an operation or process, which emits air pollutants;

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

“premises” includes—

- (a) any building or other structure of any listed activity and / or controlled emitter;
- (b) any adjoining land occupied or used in connection with any listed activity and / or controlled emitter carried on in that building or structure;
- (c) any vacant land of any listed activity and / or controlled emitter;
- (d) any locomotive, ship, boat or other vessel which operates in the precincts of any harbour of any listed activity and / or controlled emitter, within the area of jurisdiction of the West Coast District Municipality;

“processing fee” means a fee payable on submission of an application for an atmospheric emission licence as determined by the licensing authority from time to time.

“province” means the Province of the Western Cape;

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

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

“structures Act” means the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998)

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

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

2. Application of this By-law

- (1) This By-law applies to all properties or premises from where listed activities and controlled emitters identified in terms of Section 21 and 23 of the Air Quality Act are conducted within the area of jurisdiction of the West Coast District Municipality that include the five local municipalities.
- (2) The provisions of this By-law do not remove the need for any other permit, consent, or authorisation required under any other statutory acts, By-law and regulatory documents.

3. Objectives

- (1) The objectives of this by-law are to:
 - (a) Give effect to the right contained in Section 24 of the Constitution by regulating air pollution within the area of the municipality's jurisdiction in a cooperative manner between the District and Local Municipalities taking cognizance of the respective air quality management plans;
 - (b) provide, in conjunction with any other applicable law, an effective legal and administrative framework, within which the Council can manage and regulate activities that have the potential to adversely impact on the environment, public health and well being; and
 - (c) ensure that air pollution is avoided, or where it cannot be altogether avoided, mitigated or minimized.
- (2) Any person exercising a power under this by-law must exercise such power in order to give effect to the objectives as set out in subsection (1) above.

4. Administration and Enforcement

- (1) The Council is responsible for the administration and enforcement of this By-law. The Council may delegate any power in terms of this By-law to any official.

5. Municipality's right of access to premises

- (1) The Municipality shall, have access to or over any premises for the purpose of—
 - (a) doing anything authorized or required to be done by the Municipality under this By-law or the Air Quality Act, 2004 (Act 39 of 2004) or any other law regulating air quality matters;

- (b) inspecting and examining atmospheric emissions or anything connected therewith;
 - (c) enquiring into and investigating any possible sources of atmospheric emissions or the suitability of immovable property for any work, scheme or undertaking that results in atmospheric emissions;
 - (d) ascertaining whether there is or has been contravention of the provisions of this By-law or the Air Quality Act, 2004 (Act 39 of 2004); and
 - (e) enforcing compliance with the provisions of this By-law or Air Quality Act, 2004 (Act 39 of 2004).
- (2) The Municipality may, by notice in writing, e-mail, telephonically or verbally served on the owner or occupier of any premises, require such owner or occupier to provide, on the day and at the hour specified in such notice, access to such premises to an authorized person and for a purpose referred to in sub-section (1).
- (3) The Municipality may, gain access to, or over any property without notice and may take whatever steps or action as may, in its opinion, be necessary or desirable in consequence of the existence of, or the occurrence of any emergency or disaster, or for the purpose of sub-section (1)(d).

6. Levying of tariffs

- (1) The Municipality may levy and recover fees, charges or tariffs for any permission granted in terms of this By-law, or implement tariffs as prescribed by the Air Quality Act and may require the deposit of an amount of money as security for damages, repair, losses and other costs.

7. Conflict with other By-laws

- (1) In the event of any conflict between this By-law and any other By-law or any policy which regulates air pollution in the area of jurisdiction of the West Coast District Municipality that include the five Local Municipalities the provisions of this By-law shall prevail, unless it is an exclusive local municipality power or function.

CHAPTER II

DUTY OF CARE

8. Reasonable measures to prevent air pollution

- (1) Any person who is wholly or partially responsible for causing air pollution or creating a risk of air pollution occurring must take all reasonable measures including the best practicable environmental option—
- (a) to prevent any potential significant air pollution from occurring; and
 - (b) to mitigate and, as far as reasonably possible, remedy any significant air pollution that has occurred.
- (2) The Municipality may direct any person who fails to take the measures required under subsection (1) to—
- (a) commence taking specific reasonable measures before a given date;
 - (b) to continue those measures; and;

- (c) complete them before a specified reasonable date, provided that prior to such direction the Municipality must give such person adequate notice and direct him or her to inform the authorised person of his or her relevant interests, and the authorised person may consult with any other organ of state.
- (3) The Municipality may, if a person fails to comply or inadequately complies with a directive contemplated in subsection (2), take reasonable measures to remedy the situation.
- (4) The Municipality may, if a person fails to carry out the measures referred to in subsection (1), recover all reasonable costs incurred as a result of him or her acting under subsection (3) from any or all of the following persons:
 - (a) any person who is or was responsible for, or who directly or indirectly contributed to the air pollution or the potential air pollution;
 - (b) the owner of the land at the time when the air pollution or the potential for air pollution occurred;
 - (c) the person in control of the land or any person who has or had a right to use the land at the time when the—
 - (i) activity or the process in question is or was performed or undertaken; or
 - (ii) situation came about; or
 - (d) any person who negligently failed to prevent the—
 - (i) activity or the process being performed or undertaken; or
 - (ii) situation from coming about.
- (5) No person may:
 - (a) unlawfully and intentionally or negligently commit any act or omission which causes or is likely to cause air pollution; or
 - (b) refuse to comply with a directive issued under this section.
- (6) Any person who fails to comply with subsection (5) commits an offence.
- (7) If more than one person is liable under subsection (4), the liability may be apportioned among the persons concerned according to the degree to which each person was responsible for the harm to the environment resulting from their respective failures to take the measures required under subsections (1) and (2).

CHAPTER III

DESIGNATION OF THE AIR QUALITY OFFICER AND ENVIRONMENTAL MANAGEMENT INSPECTORS

9. Designation of the air quality officer and environmental management inspectors

- (1) The Council must designate an official as the air quality officer to be responsible for co-ordinating matters pertaining to air quality management in the West Coast District Municipality.

- (2) The Council may request the MEC responsible for the environment in the Province to designate Environmental Management Inspectors in terms of section 31C of the NEMA.

10. Duties and functions of the Air Quality Officer and Environmental Management Inspectors

- (1) The Air Quality Officer must –
 - (a) co-ordinate the development of the Air Quality Management Plan for inclusion in the Integrated Development Plan of the West Coast District Municipality, in accordance with Chapter 5 of the Systems Act;
 - (b) prepare an annual report of the West Coast District Municipality on air quality;
 - (c) exercise the duties and powers assigned to him or her under this By-law under the directions of the Council; and
 - (d) submit the annual report referred to in subsection (1) (b) to the Air Quality Officer appointed by the MEC responsible for the environment in the Province.
- (2) The annual report referred to in subsection (1) (b) must, amongst others, include the progress of the West Coast District Municipality towards the implementation of the Air Quality Management Plan.
- (3) The Air Quality Officer may require the holder of a provisional atmospheric emission licence or the holder of an atmospheric emission licence to designate an emission control officer as contemplated in section 48 of the Air Quality Act.

CHAPTER IV

LOCAL EMISSION STANDARDS: NORMS AND STANDARDS

Part 1: Local Emission Standards

11. Legal Mandate

- (1) The Municipality may, by notice –
 - (a) identify substances or mixtures of substances in ambient air which, through ambient concentrations, bioaccumulation, deposition or in any other way, present a threat to health, well-being or the environment in the West Coast District Municipality or which the Air Quality Officer reasonably believes present such a threat; and
 - (b) in respect of each of those substances or mixtures of substances, publish local standards for emissions from point or non-point or mobile sources in the West Coast District Municipality.
- (2) The Municipality shall take the following factors into consideration in setting local emission standards:
 - (a) health, safety and environmental protection objectives;

- (b) analytical methodology;
 - (c) technical feasibility;
 - (d) monitoring capability;
 - (e) socio-economic consequences;
 - (f) ecological role of fire in vegetation remnants; and
 - (g) best practicable environmental option.
- (3) Any person who is emitting substances or mixtures of substances as referred to in subsection(1) must comply with the local emission standards published in terms of this By-law.

Part 2: Norms and Standards

12. Substances identification process

- (1) The authorised person must apply the following criteria when identifying and prioritising the substances in ambient air that present a threat to public health, well-being or the environment:
- (a) the possibility, severity and frequency of effects with regard to human health and the environment as a whole, with irreversible effects being of special concern;
 - (b) ubiquitous and high concentrations of the substance in the atmosphere;
 - (c) potential environmental transformations and metabolic alterations of the substance, as these changes may lead to the production of chemicals with greater toxicity or introduce other uncertainties;
 - (d) persistence in the environment, particularly if the substance is not biodegradable and able to accumulate in humans, the environment or food chains;
 - (e) the impact of the substance taking the following factors into consideration:
 - (i) size of the exposed population, living resources or ecosystems;
 - (ii) the existence of particularly sensitive receptors in the area concerned; and
 - (f) substances that are regulated by international conventions.
- (2) The authorised person must, using the criteria set out in subsection (1), compile a list of substances in ambient air that present a threat to public health, well-being or the environment.

13. Publication of local emission standards

- (1) For the purposes of publication of the local emission standards, the West Coast District Municipality must follow a consultative process in terms of Chapter 4 of the Systems Act.

CHAPTER V

CONTROLLED EMITTERS

14. Installation of controlled emitters. *(To be proclaimed when regulation on controlled emitters are promulgated)*

- (1) No person shall install, alter, extend or replace any controlled emitter on any premises without the prior written authorization of the Municipality, which

may only be given after consideration of the relevant plans and specifications and any applicable emission standards developed for controlled emitters that have been determined in terms of section 24 of the Air Quality Act.

- (2) After considering the application submitted in terms of subsection (1), the Municipality must either:
 - (a) grant an application and issue an authorization, subject to any conditions that may be imposed; or
 - (b) refuse an application with reasons.
- (3) The authorization issued in terms of subsection (1) must specify:
 - (a) the product name and model of the controlled emitter;
 - (b) the premises in respect of which it is issued;
 - (c) the person to whom it is issued;
 - (d) the period for which the authorization is issued;
 - (e) the name of the municipality;
 - (f) the periods at which the authorization may be reviewed;
 - (g) the fuel type and quality;
 - (h) the maximum allowed amount, volume, emission rate or concentration of pollutants that may be discharged in the atmosphere;
 - (i) any other operating requirements relating to atmospheric discharges, including non-point source emission measurement and reporting requirements; and
 - (j) any other matters which are necessary for the protection or enforcement of air quality.
- (4) The Municipality must review the authorization issued in terms of Section 14(2) at intervals specified in the authorization, or when circumstances demand that a review is necessary.
- (5) Any controlled emitter installed, altered, extended or replaced on premises in accordance with plans and specifications submitted to and approved for the purposes of this Chapter by the Municipality, shall be presumed until the contrary is proved to comply with the provisions of subsection (1).
- (6) Where any controlled emitter has been installed, altered, extended or replaced on premises contrary to subsection (1), the Municipality may, on written notice to the owner and occupier of the premises, order the removal of the fuel-burning equipment from the premises at the expense of the owner and operator and within the period stated in the notice.
- (7) The Council may take whatever steps necessary in order to remedy the harm caused by the installation, alteration, extension or replacement on premises and prevent any further occurrence, and may recover the reasonable costs so incurred from the person responsible for causing such harm.

(Commencement date of section 14: to be proclaimed)

15. Operation of controlled emitters

- (1) No person may use or operate any controlled emitter on any premises contrary to the authorisation referred to in section 14.

- (2) Where any controlled emitter has been used or operated on the premises in contrary to subsection (1), the Council may on written notice to the owner and occupier of the premises—
 - (a) revoke his or her authorisation under section 14; and
 - (b) order the removal of the controlled emitter from the premises at the expense of the owner and operator within the period stated in the notice.
- (3) The Municipality may, if the owner or occupier of the premises fails to comply with the notice referred to in subsection (2), remove the controlled emitter from the premises and may recover the reasonable costs incurred from such owner or occupier of such premises.

16. Monitoring and sampling

- (1) An occupier or owner of listed activities, and the operator of controlled emitters, must install emission measuring equipment and or must do emissions monitoring if and when required by an authorized person and must—
 - (a) record all monitoring and sampling results and maintain a copy of this record for at least five years after obtaining the results;
 - (b) if requested to do so by an authorised person, produce the record of the monitoring and sampling results for inspection; and
 - (c) if requested to do so by an authorised person, provide a written report, in a form and by a date specified by the authorised person, of part or all of the information in the record of the monitoring and sampling results.

17. Dust Emissions from listed activities and controlled emitters

- (1) Any person conducting a listed activity or controlled emitter that produces emissions of dust that may be harmful to public health, well-being and/or cause a nuisance must take control measures to prevent or minimize emissions into the atmosphere.
- (2) Any person who undertakes any listed activity or controlled emitter that causes dust emissions must implement one or more of the following control measures:
 - (i) pave;
 - (ii) use dust palliatives or suppressants;
 - (iii) uniformly apply and maintain any surface gravel;
 - (iv) erect physical barriers and signs to prohibit access to the disturbed areas;
 - (v) use ground covers;
 - (vi) re-vegetation which is similar to adjacent undisturbed native conditions; or
 - (vii) any alternative control measure approved in writing by the air quality officer.
- (3) The control measures must be consistent with the provisions of any applicable legislation.
- (4) Any person who contravenes subsection (1) commits an offence.

CHAPTER VI

EMISSIONS THAT CAUSE AN OFFENSIVE ODOUR

18. Prohibition of emissions that cause offensive odours

- (1) No person shall, within the area of jurisdiction of the West Coast District Municipality conduct any listed activity and or part of any listed activity or controlled emitter which cause an offensive odour that is in contravention of Atmospheric Emission Licence conditions or minimum emission standards published in terms of Section 21 of the Air Quality Act ; or
- (2) Any person conducting listed and / or controlled emitter activities that produce emissions of offensive odours that may be harmful to public health and / or well-being or cause a nuisance that is in contravention of Atmospheric Emission Licence conditions or minimum emission standards published in terms of Section 21 of the Air Quality Act, must take control measures to prevent odorous emissions into the atmosphere.
- (3) Any person undertaking an activity referred to in subsection (2) must implement the necessary measures such as, but not limited to, monitoring or any other measure determined by the authorized person to identify the substance(s) causing the offensive odour.
- (4) Any person undertaking an activity referred to in subsection (2) must implement the necessary offensive odour control measures and any alternative control measure approved by the Air Quality Officer or his or her delegated representative.
- (5) If an occupier or owner of any premises from which an offensive odour emanates, or where an offensive odour exists, refuses to control the offensive odour or refuses to implement the control measures referred to in subsection (3) is guilty of an offence.

19. Abatement notice

- (1) An authorised person may serve an abatement notice on any person whom he or she reasonably believes is likely to act in contrary or has acted in contrary of section 18, calling upon that person—
 - (a) to abate the offensive odour within a period specified in the notice;
 - (b) to take all necessary steps to prevent a recurrence of the offensive odour; and
 - (c) to comply with any other conditions contained in the notice.
- (2) An abatement notice under subsection (1) may be served—
 - (a) upon the owner of any premises, by—
 - (i) delivering it to the owner or, if the owner cannot be traced or is living abroad, the agent of the owner;
 - (ii) transmitting it by registered post to the last known address of the owner or the last known address of the agent; or

- (iii) delivering it to the address where the premises are situated, if the address of the owner and the address of the agent are unknown;
- (b) upon the occupier of the premises, by–
 - (i) delivering it to the occupier; or
 - (ii) transmitting it by registered post to the occupier at the address at which the premises are situated.

CHAPTER VII

LICENSING OF LISTED ACTIVITIES

20. Establishment of Atmospheric Emission Licensing (AEL) System

- (1) The Municipality hereby establishes an Atmospheric Emission Licensing System as contemplated in Chapter 5 of the Air Quality Act.

21. Application for atmospheric emission licence (AEL)

- (1) No person shall undertake a listed activity, as published in terms of section 21 of the Air Quality Act, without being in possession of an atmospheric emission licence issued by the Air Quality Officer.
- (2) An application for an atmospheric emission licence must be–
 - (a) made in writing on the West Coast District Municipality application form;
 - (b) accompanied by documents or information as may be required by the Air Quality Officer; and
 - (c) on payment of the prescribed processing fee determined by Council from time to time;
- (3) Before considering an application made in terms of subsection (2), the Air Quality Officer may require the applicant to furnish additional information such as, but not limited to, a specialist air quality impact study and/or proof of a public participation process.
- (4) Any person who undertakes a listed activity without an atmospheric emission licence is guilty of an offence and is subject to the penalties as set out in section 52 of the Air Quality Act.

22. Appeal process for atmospheric emission licensing (AEL)

- (1) The appeal process as governed by section 62 of the Systems Act, will apply.

CHAPTER VIII

OFFENCES AND PENALTIES

23. Offences and penalties

- (1) Any person who continues to commit an offence after notice has been served on him or fails to cease committing such offence after he has been convicted of such offence, is guilty of a continuing offence.
- (2) Any person who–

- (a) contravenes any of the provisions of this By-law, condition or restriction or fails to comply therewith; or
 - (b) contravenes or fails to comply with any order made hereunder or any notice served in connection herewith; or
 - (c) furnishes a false statement, or give false or misleading information knowing it to be false or misleading; is guilty of an offence and liable to a—
 - (i) fine or imprisonment, or to both such fine and such imprisonment and;
 - (ii) in the case of a continuing offence, to an additional fine or an additional period of imprisonment for each day on which such offence is continued and;
 - (iii) a further amount equal to any cost and expenses found by the court to have been incurred by the municipality as result of such contravention or failure.
- (3) In addition to imposing a fine or imprisonment, a court may order any person convicted of an offence under this By-law—
- (a) to remedy the harm caused;
 - (b) to pay damages for harm caused to another person or to property, which order shall have the force and effect of a civil judgment; and
 - (c) to install and operate at the person's own expense emission measuring equipment referred to in section 16.
- (4) In addition to any other penalty the court may impose, it may order a person convicted of an offence under this By-law to take such steps the court considers necessary within a period determined by the court in order to prevent a recurrence of the offense.

CHAPTER IX

GENERAL MATTERS

24. Compliance Monitoring

- (1) For the purposes of compliance monitoring, the designated environmental management inspectors must exercise the powers as set out in sections 31G to 31L of the NEMA.
- (2) The authorized person / environmental management inspectors may request from any polluter that significantly contributes or is likely to contribute to poor air quality, ambient and point or non-point source monitoring and any other air quality related study, programs or reports to be conducted by a recognised and competent third party, at the cost of the polluter.

25. Enforcement

- (1) The authorised person must take all lawful, necessary and reasonable practicable measures to enforce the provisions of this By-law.
- (2) The West Coast District Municipality may develop enforcement procedures which should take into consideration any national or provincial enforcement procedures.
- (3) The Municipality may, in any case where it seems that any action or neglect by any person or owner of property may lead to a contravention of the provisions of

this By-law, give notice in writing to such person or owner of property to comply with such requirements as the Municipality may deem necessary to prevent the occurrence or repetition of such contravention.

26. Recognition programmes

- (1) An Air Quality Officer may establish a programme for the public recognition of significant achievements in the area of pollution prevention.

27. Co-operation between municipalities

- (1) In an effort to achieve optimal service delivery in terms of this By-law, the Council may enter into any written agreement with any person, organ of state or organization with which legislative and executive powers are shared, in respect of the following—
 - (a) the practical arrangements with regard to the execution of the provisions of this By-law;
 - (b) the recovery of costs and expenses related to any action in terms of this By-law;
 - (c) any other matter regarded necessary by the parties to achieve optimal service delivery in terms of this By-law.
- (2) The Municipality must monitor the effectiveness of any agreement entered into in terms of sub-section (1), in achieving the purposes for which it was entered into and may cancel the agreement after giving reasonable notice to the other party if the Municipality has reason to believe that the agreement is not effective, or is inhibiting the attainment of the purpose of this By-law.

28. Appeals

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

29. Exemptions

- (1) Any person may, in writing, apply for exemption from the application of a provision of this By-law to the Municipality.
- (2) An application in terms of subsection (1) must be accompanied by substantive reasons.
- (3) The Municipality may require an applicant applying for exemption to take appropriate steps to bring the application to the attention of relevant interested and affected persons and the public.
- (4) The steps contemplated in subsection (3) may include the publication of a notice in at least two newspapers, one circulating provincially and one circulating within the jurisdiction of the West Coast District Municipality.
 - (a) giving reasons for the application; and
 - (b) containing such other particulars concerning the application as the Air Quality Officer may require.
- (5) The Municipality may—

- (a) from time to time review any exemption granted in terms of this section, and may impose such conditions as it may determine; and
 - (b) on good grounds withdraw any exemption.
- (6) The Municipality may not grant an exemption under subsection (1):
 - (a) until reasonable measures has been taken to ensure that all persons whose rights may be significantly detrimentally affected by the granting of the exemption, including adjacent land owners or occupiers, are aware of the application for exemption and how to obtain a copy of it;
 - (b) until such persons have been provided with a reasonable opportunity to object to the application; and
 - (c) until the municipality has duly considered and taken into account any objections raised.

30. Policy

- (1) The Municipality may adopt and implement in a policy document measures for the regulation of Air Quality, and activities and to provide for incidental matters.
- (2) The application of the provisions of the policy may be limited to a specific area/or any categories of premises or activities and may permit deviation and exemptions from, and the relaxation of, any such provisions on reasonable grounds.
- (3) Any person contravening the provision of the Policy or furnish false or misleading information, is guilty of an offence, and on conviction liable to a fine or imprisonment, or both such fine and imprisonment.
- (4) The Policy must be made public and conveyed to the community in terms of section 21 of the Systems Act.

31. Indemnity

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

32. Repeal and savings

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

33. Short title

- (1) This By-law is called the West District Municipality: Air Quality Management By-law, 2011, and shall come into operation on the date of publication thereof in the Provincial Gazette, with exclusion of section 14, which will come into operation on a date decided by Council.

WESKUS DISTRIKSMUNISIPALITEIT

VERORDENING OP LUG GEHALTEBESTUUR

Om te voorsien vir die bestuur van luggehalte en verwante aangeleenthede:

INLEIDING

Die Raad van die Weskus Distriksmunisipaliteit (WDM) het ingevolge Artikel 156(2) van die Grondwet van die Republiek van Suid-Afrika, 1996 saamgelees met Artikel 13(a) van die Wet op Plaaslike Regering: Munisipale Stelsels, 2000 (Wet nr. 32 van 2000), en Artikel 11(1) van die Nasionale Omgewingsbestuur: Luggehaltewet, 2004, (Wet nr. 39 van 2004), die Verordening op Luggehaltebestuur hieronder uitgevaardig-

EN AANGESIEN die Weskus Distriksmunisipaliteit daarna streef om te verseker dat die luggehalte en lugbesoedeling binne die regsgebied van die Weskus Distriksmunisipaliteit bestuur en beheer word, en om te verseker dat lugbesoedeling verhoed word of, waar dit ten ene male nie verhoed kan word nie, te beperk en die impak te versag.

EN NOU DERHALWE, WORD DIT SOOS VOLG VOORGESKRYF deur die Raad van die Weskus Distriksmunisipaliteit:-

INHOUDSOPGAWE

HOOFSTUK I

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1. Definisies
2. Toepassing van hierdie verordening
3. Doelwitte
4. Administrasie en uitvoering
5. Munisipaliteit se reg van toegang tot persele
6. Heffing van tariewe
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HOOFSTUK II

PLIG TOT SORG

8. Redelike maatreëls om lugbesoedeling te voorkom

HOOFSTUK III

AANWYSING VAN LUGGEHALTEBEAMPTES EN OMGEWINGSBESTUURSINSPEKTEURS

9. Aanwysing van die Luggehaltebeampte en Omgewingsbestuursinspekteurs
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HOOFSTUK IV

PLAASLIKE VRYSTELLINGSTANDAARDE: NORME EN STANDAARDE

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11. Wetlike mandaat

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GEKONTROLEERDE VRYSTELLERS

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HOOFSTUK VI

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18. Verbod op vrystellings wat lei tot onaangename reuke
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HOOFSTUK VIII

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28. **App lle**
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31. **Vrywaring**
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33. **Kort titel**

HOOFSTUK I

DEFINISIES EN FUNDAMENTELE BEGINSELS

Definisies

1. In hierdie Verordening, tensy dit in die konteks iets anders impliseer, beteken -

“nadelige effek” enige werklike of potensi le impak op die omgewing wat die omgewing, of enige aspek daarvan, benadeel of sal benadeel tot ‘n mate wat as meer as onbeduidend of gering beskou kan word;

“lugbesoedelende stof” sluit in stof, rook, dampe en gas wat lugbesoedeling veroorsaak of mag veroorsaak;

“lugbesoedeling” beteken enige verandering in die omgewing veroorsaak deur enige stof van enige aktiwiteit wat in die atmosfeer vrygestel word, waar voormelde verandering ‘n nadelige effek op menslike gesondheid of welstand of op die samestelling, veerkragtigheid en produktiwiteit van natuurlike of bestuurde ekosisteme het, of sodanige effek in die toekoms sal h ;

“wet op luggehalte” beteken die Nasionale Omgewingsbestuur: Luggehaltewet, 2004 (Wet nr. 39 van 2004);

“luggehaltebestuursplan” beteken die Luggehaltebestuursplan waarna verwys word in afdeling 15 van die Wet op Luggehalte;

“luggehaltebeampte” beteken die Luggehaltebeampte as sodanig aangewys in terme van Artikel 14(3) van die Wet op Luggehalte;

“omringende lug” beteken **“omringende lug”** soos gedefinie r in Artikel 1 van die Wet op Luggehalte;

“atmosfeer” beteken die lug wat nie deur ‘n gebou, masjien, skoorsteen of ander soortgelyke struktuur omsluit word nie;

“atmosferiese vrystelling” of **“vrystelling”** beteken enige vrystelling of meeslepingsproses uit ‘n punt, nie-punt of mobiele bron wat lugbesoedeling tot gevolg het;

“gemagtigde persoon” beteken enige werknemer van die Weskus Distriksmunisipaliteit, deur die Raad gedelegeer, om enige bepaling van hierdie Verordening toe te pas;

“beste uitvoerbare omgewingsopsie” beteken die opsie wat die grootste voordeel inhou, of wat die minste skade aan die omgewing as ‘n geheel tot gevolg het, teen ‘n koste aanvaarbaar vir die samelewing op die langtermyn sowel as die korttermyn;

“gekontroleerde vrysteller” beteken enige toestel of aktiwiteit wat as ‘n gekontroleerde vrysteller verklaar word in terme van Artikel 23 van die Nasionale Omgewingsbestuur: Wet op Luggehalte, 2004 (Wet nr. 39 van 2004);

“raad” beteken die Raad van die Weskus Distriksmunisipaliteit of enige van die ander politieke strukture, politieke ampsdraers, raadslede of werknemers van Weskus Distriksmunisipaliteit wat behoorlik daartoe gemagtig is deur delegasie;

“omgewingsbestuursinspekteur” beteken ‘n Omgewingsbestuurs-inspekteur soos na verwys in Artikel 9(2);

“omgewing” beteken die milieu waarin mense leef en wat bestaan uit-

- (a) die grond, water en atmosfeer van die aarde;
- (b) mikro-organismes, plant- en dierelewe;
- (c) enige deel of kombinasie van (a) en (b) en die interverwante verhoudinge onderling en tussen hulle; en
- (d) die fisiese, chemiese, estetiese en kulturele eienskappe en voorwaardes van die voorgaande wat die menslike gesondheid en welstand beïnvloed.

“gelyste aktiwiteit” beteken ‘n lys van aktiwiteite wat oorweeg word in Artikel 21(1)(a) van die Wet op Luggehalte;

“munisipaliteit” beteken die Weskus Distriksmunisipaliteit soos daargestel deur Provinsiale Kennisgewing Nr. 479 van 2000 in terme van afdeling 12 van die Plaaslike Regering Munisipale Strukturewet, 1998 (Wet Nr. 117 van 1998) en sluit personeel van die Weskus Distriksmunisipaliteit behoorlik gemagtig deur delegasie in;

“steurnis” beteken enige lugbesoedeling wat ‘n onredelike of moontlike inbreuk maak op –

- (a) die gesondheid of welstand van enige persoon of lewende organisme;
- of
- (b) die gebruik en plesier van ‘n eienaar of bewoner van sy of haar eiendom of omgewing;

“onaangename reuk” beteken enige reuk wat beskou word as onwelriekend of ‘n steuring vir ‘n redelike persoon;

“operateur” beteken ‘n persoon wat ‘n gelyste aktiwiteit en/of gekontroleerde vrysteller besit of bestuur, of wie ‘n bewerking of proses wat lugbesoedelende stowwe vrystel, kontroleer;

“persoon” beteken ‘n natuurlike persoon of ‘n regspersoon;

“persele” sluit in-

- (a) enige gebou of ander struktuur van enige gelyste aktiwiteit en/of gekontroleerde vrysteller;
- (b) enige aangrensende grond bewoon of gebruik met betrekking tot enige gelyste aktiwiteit en/of gekontroleerde vrysteller in daardie gebou of struktuur;
- (c) enige oop grond van enige gelyste aktiwiteit en/of gekontroleerde vrysteller;

- (d) enige lokomotief, skip, boot of enige ander vaartuig wat bedryf word in die gebied van enige hawe van enige gelyste aktiwiteit en/of gekontroleerde vrysteller binne die area van die regsgebied van die Weskus Distriksmunisipaliteit;

“prosesseringsfooi” beteken ‘n fooi betaalbaar by indiening van ‘n aansoek vir ‘n lisensie vir atmosferiese vrystellings soos van tyd tot tyd deur die lisensieowerheid bepaal word.

“provinsie” beteken die Provinsie van die Wes-Kaap;

“rook” beteken die gasse, materie-deeltjies en produkte van verbranding wat in die atmosfeer vrygestel word wanneer materiaal verbrand word of onderwerp word aan hitte, en sluit in roet, gruis, en gruis-partikels wat in rook vrygestel word;

“spesialis-studie” beteken enige wetenskaplikgebaseerde studie wat verband hou met luggehalte en wat uitgevoer word deur ‘n kenner of erkende spesialis met toepaslike kwalifikasies en bevoegdheid in die dissipline van luggehaltebestuur;

“strukturewet” beteken die Plaaslike Regering Munisipale Strukturewet, 1998 (Wet nr. 117 van 1998);

“stelselwet” beteken die Plaaslike Regering Munisipale Stelselwet, 2000 (Wet nr. 32 van 2000);

“die NOBW” beteken die Nasionale Omgewingsbestuurswet, 1998 (Wet nr. 107 van 1998).

2. Toepassing van hierdie Verordening

- (1) Hierdie Verordening is van toepassing op alle eiendomme of persele vanwaar gelyste aktiwiteite en gekontroleerde vrystellers, geïdentifiseer in terme van Artikels 21 en 23 van die Wet op Luggehalte, bedryf word binne die regsgebied van die Weskus Distriksmunisipaliteit, wat die vyf plaaslike munisipaliteite insluit.
- (2) Die bepalinge van hierdie Verordening vervang nie die nodigheid aan enige ander permit, toestemming of magtiging wat volgens enige ander statutêre wette, verordeninge of regulerende dokumente vereis word nie.

3. Doelwitte

- (1) Die doelwitte van hierdie Verordening is om:
- (a) uitvoering te gee aan die reg vervat in Artikel 24 van die Grondwet deur lugbesoedeling binne die area van die Munisipaliteit se regsgebied te reguleer op ‘n samewerkende wyse tussen die Distriks- en Plaaslike Munisipaliteite, met inagneming van die onderskeie luggehaltebestuursplanne;
 - (b) in samewerking met enige ander toepaslike wet, ‘n effektiewe wetlike en administratiewe raamwerk te voorsien waarbinne die Raad aktiwiteite wat die potensiaal het om ‘n negatiewe invloed op die omgewing, openbare gesondheid en welstand kan hê, te bestuur en reguleer; en
 - (c) te verseker dat lugbesoedeling vermy word, of waar dit nie in sy geheel vermy kan word nie, dit te beperk of die impak te versag.

- (2) Enige persoon wat 'n mag uitoefen onder hierdie Verordening moet sodanige mag uitoefen om uitvoering te gee aan die doelwitte soos uiteengesit in sub- artikel (1) hierbo.

4. Administrasie en toepassing

- (1) Die Raad is verantwoordelik vir die administrasie en toepassing van hierdie Verordening. Die Raad mag enige magte in terme van hierdie Verordening, delegeer aan enige beampte.

5. Munisipaliteit se reg tot toegang op persele

- (1) Die Munisipaliteit sal toegang hê tot of oor enige perseel vir die doel -
- (a) om enigiets te doen wat behoorlik gemagtig is of nodig geag word om gedoen te word deur die Munisipaliteit onder hierdie Verordening of die Wet op Luggehalte, 2004 (Wet nr. 39 van 2004) of enige ander wet wat luggehalte-aangeleenthede reguleer;
 - (b) om atmosferiese vrystellings of enigiets wat daarmee verband hou, te inspekteer en ondersoek;
 - (c) om navraag te doen oor of ondersoek in te stel rondom moontlike bronne van atmosferiese vrystellings of die geskiktheid van vaste eiendom vir enige werk, skema of onderneming wat atmosferiese vrystellings tot gevolg sal hê;
 - (d) om vas te stel of daar 'n oortreding van die bepalings van hierdie Verordening of die Wet op Luggehalte, 2004 (Wet nr. 39 van 2004) is of was; en
 - (e) om onderworpenheid aan die bepalings van hierdie Verordening of die Wet op Luggehalte, 2004 (Wet nr. 39 van 2004) af te dwing.
- (2) Die Munisipaliteit mag by wyse van geskrewe, e-pos, telefoniese of verbale kennisgewing wat op die eienaar of bewoner van enige perseel beteken word, van sodanige eienaar of bewoner verwag om op die dag en op die uur gespesifiseer in sodanige kennisgewing, toegang tot sodanige persele aan 'n gemagtigde persoon te verleen en vir die doel van soos verwys na in sub-artikel (1).
- (3) Die Munisipaliteit mag toegang tot of oor enige eiendom verkry sonder enige kennisgewing en mag enige stappe neem of aksies toepas wat, in sy opinie, nodig of wenslik mag wees as gevolg van die bestaan of die voorkoms van enige noodgeval of ramp, of vir die doel van sub-artikel (1)(d).

6. Heffing van tariewe

- (1) Die Munisipaliteit mag fooie, kostes of tariewe hef of verhaal vir enige toestemming verleen in terme van hierdie Verordening, of tariewe implementeer soos voorgeskryf deur die Wet op Luggehalte en mag die deposito van 'n bedrag geld benodig as sekuriteit vir skade, herstel, verlies of ander kostes vereis.

7. Konflik met ander Verordeninge

- (1) In geval van enige konflik tussen hierdie Verordening en enige ander Verordening of enige beleid wat lugbesoedeling binne die area van die regsgebied van die Weskus

Distriksmunisipaliteit beheer, sal die bepalings van hierdie Verordening geld, tensy dit uitsluitlik 'n mag of funksie van 'n plaaslike munisipaliteit is.

HOOFSTUK II

PLIG TOT SORG

8. Redelike stappe om lugbesoedeling te voorkom

- (1) Enige persoon wat ten volle of gedeeltelik vir die ontstaan van lugbesoedeling of die skep van 'n lugbesoedelingsgevaar verantwoordelik is, moet alle redelike stappe neem, insluitende die beste uitvoerbare omgewingsopsie-
 - (a) om die voorkoms van enige potensiële beduidende lugbesoedeling te voorkom; en
 - (b) om enige beduidende lugbesoedeling wat voorgekom het, te verminder, en sover as redelik moontlik, te herstel
- (2) Die Munisipaliteit mag enige persoon wat nalaat om die vereiste stappe wat onder sub-artikel (1) vereis word, te neem, gelas om-
 - (a) te begin om spesifieke redelike stappe voor 'n gegewe datum te implementeer;
 - (b) met sodanige stappe te vol te hou; en
 - (c) dit teen 'n redelike datum soos gespesifiseer te voltooi, op voorwaarde dat die Munisipaliteit sodanige persoon genoegsame kennis moet gee alvorens die persoon gelas word, dat sodanige persoon die gemagtigde persoon van sy of haar belange moet inlig, en dat die gemagtigde persoon met enige ander instelling van die staat mag konsulteer.
- (3) Die Munisipaliteit mag, indien so 'n persoon nalaat om te voldoen of ontoereikend voldoen aan die riglyn wat in sub-artikel (2) uiteengesit word, redelike stappe neem om die situasie te herstel.
- (4) Die Munisipaliteit mag, indien so 'n persoon nalaat om die stappe waarna verwys word in sub-artikel (1) uit te voer, alle redelike kostes wat aangegaan is as gevolg van hom of haar wat gehandel het onder sub-artikel (3), verhaal van enige of almal van die volgende persone:
 - (a) enige persoon wat verantwoordelik is of was, of wie indirek bygedra het tot die lugbesoedeling of potensiële lugbesoedeling;
 - (b) die eienaar van die grond ten tye van die plaasvinding van die lugbesoedeling of die potensiële lugbesoedeling;
 - (c) die persoon in beheer van die grond of enige persoon wat die reg het of gehad het om die grond te gebruik toe die —
 - (i) aktiwiteit of die proses wat ondersoek word, uitgevoer of onderneem is; of
 - (ii) die situasie plaasgevind het; of
 - (d) enige persoon wat op nalatige wyse versuim het om te voorkom dat die—
 - (i) aktiwiteit of proses uitgevoer of onderneem is; of
 - (ii) dat die situasie ontstaan het.
- (5) Geen persoon mag:

- (a) onregmatig of intensioneel of op nalatige wyse enige daad of versuim pleeg wat lugbesoedeling veroorsaak of waarskynlik lugbesoedeling sal veroorsaak; of
 - (b) weier om te voldoen aan 'n bepaling wat onder hierdie artikel uitgereik is nie.
- (6) Enige persoon wat nalaat om te voldoen aan sub-artikel (5) pleeg 'n misdryf.
- (7) Indien meer as een persoon aanspreeklik is onder sub-artikel (4), mag die aanspreeklikheid tussen die betrokke persone verdeel word tot die mate waartoe elke persoon verantwoordelik was vir die skade wat aan die omgewing aangerig is as gevolg van albei partye se versuim om die stappe te neem wat vereis word onder sub-artikel (1) en (2).

HOOFSTUK III

AANWYSING VAN LUGGEHALTEBEAMPTTE EN OMGEWINGSBESTUURSINSPEKTEURS

9. Aanwysing van die luggehaltebeampte en omgewingsbestuurs-inspekteurs

- (1) Die Raad moet 'n werknemer van die Weskus Distriksmunisipaliteit aanwys as die Luggehaltebeampte wat verantwoordelik sal wees vir die koördinerende van sake wat verband hou met die bestuur van luggehalte in die Weskus Distriksmunisipaliteit.
- (2) Die Raad mag die Lid van die Uitvoerende Raad, verantwoordelik vir Omgewingsake in die Provinsie, versoek om Omgewingsbestuursinspekteurs aan te wys in terme van Artikel 31(C) van die NOBW.

10. Pligte en funksies van die Luggehaltebeampte en die Omgewingsbestuurs-inspekteur

- (1) Die Luggehaltebeampte moet –
 - (a) die ontwikkeling van die Luggehaltebestuursplan, vir insluiting in die Geïntegreerde Ontwikkelingsplan van die Weskus Distriksmunisipaliteit, in ooreenstemming met Hoofstuk 5 van die Stelselwet, koördineer;
 - (b) 'n jaarverslag rakende luggehalte vir die Weskus Distriksmunisipaliteit voorberei;
 - (c) die pligte en magte aan hom of haar toegewys onder hierdie Verordening onder die leiding van die Raad uitvoer; en
 - (d) die jaarverslag waarna sub-artikel (1)(b) verwys, by die Luggehaltebeampte indien wat die Lid van die Uitvoerende Raad verantwoordelik vir Omgewingsbestuur in die Provinsie, aangewys het.
- (2) Die jaarverslag waarna verwys word in sub-artikel (1)(b) moet, onder meer die vordering van die Weskus Distriksmunisipaliteit rakende die implementering van die Luggehaltebestuursplan, insluit.
- (3) Die Luggehaltebeampte mag van die houer van 'n voorlopige lisensie vir atmosferiese vrystellings of die houer van 'n lisensie vir atmosferiese vrystellings vereis om ingevolge Artikel 48 van die Wet op Luggehalte 'n vrystellingsbeheerbeampte aan te wys.

HOOFSTUK IV

PLAASLIKE VRYSTELLINGSTANDAARDE: NORME EN STANDAARDE

Deel 1: Plaaslike vrystellingstandaarde

11. Wetlike mandaat

- (1) Die Munisipaliteit mag, deur kennisgewing -
 - (a) stowwe of mengsels van stowwe in die atmosferiese lug identifiseer wat, deur atmosferiese konsentrasies, bio-akkumulasie, storting of op enige ander wyse 'n bedreiging inhou vir gesondheid, welstand of die omgewing binne die Weskus Distriksmunisipaliteit of wat die Luggehaltebeampte redelik glo so 'n bedreiging inhou; en
 - (b) plaaslike standaarde vir vrystelling vanaf punt of nie-punt of mobiele bronne in die Weskus Distriksmunisipaliteit publiseer met betrekking tot elk van daardie stowwe of mengsels van stowwe.
- (2) Die Munisipaliteit sal die volgende faktore in ag neem wanneer plaaslike vrystellingsstandaarde vasgestel word:
 - (a) gesondheids-, veiligheids- en omgewingsbeskermingsdoelwitte;
 - (b) analitiese metodologie;
 - (c) tegniese haalbaarheid;
 - (d) moniteringsvermoë;
 - (e) maatskaplik-ekonomiese gevolge;
 - (f) ekologiese rol van brande in die oorblyfsels van plantegroei;
 - (g) die bes-uitvoerbare omgewingsopsie.
- (3) Enige persoon wat stowwe of mengsels van stowwe, soos verwys na in sub-artikel (1), vrystel, moet voldoen aan die plaaslike vrystellingstandaarde gepubliseer in terme van hierdie Verordening.

Deel 2: Norme en standaarde

12. Identifikasieproses van stowwe

- (1) Die gemagtigde persoon moet die volgende kriteria toepas wanneer stowwe in die atmosferiese lug, wat 'n bedreiging vir openbare gesondheid, welstand of die omgewing inhou, geïdentifiseer en gepreoritiseer word:
 - (a) die moontlikheid, erns en frekwensie as gevolg hiervan op menslike gesondheid en die omgewing as 'n geheel, met spesiale aandag aan onomkeerbare effekte;
 - (b) die alomteenwoordige en hoë konsentrasie van die stof in die atmosfeer;
 - (c) potensiële omgewingstransformasies en metaboliese wysigings van die stof, aangesien hierdie veranderinge kan lei tot die produksie van chemikalieë wat giftiger is of tot ander onsekerhede kan lei;
 - (d) die voortgesette voorkoms hiervan in die omgewing, veral indien die middel nie bio-afbreekbaar is nie en die vermoë het om in mense, die omgewing of voedselkettings op te hoop;
 - (e) die impak van die middel met inagneming van die volgende faktore:
 - (i) grootte van die blootgestelde bevolking, lewende hulpbronne en ekosisteme;

- (ii) die voorkoms van besonder sensitiewe ontvangers in die betrokke gebied; en
 - (f) stowwe wat gereguleer word deur internasionale konvensies.
- (2) Die gemagtigde persoon moet, deur gebruik te maak van die kriteria soos uiteengesit in sub-artikel (1), 'n lys van stowwe in die atmosferiese lug wat 'n bedreiging inhou vir openbare gesondheid, welstand en die omgewing, opstel.

13. Publikasie van plaaslike vrystellingstandaarde

- (1) Om die plaaslike vrystellingstandaarde te kan publiseer, moet die Weskus Distriksmunisipaliteit 'n konsultasieproses volg soos uiteengesit in Hoofstuk 4 van die Stelselwet.

HOOFSTUK V

GEKONTROLEERDE VRYSTELLERS

14. Installasie van gekontroleerde vrystellers. *(Om geproklameer te word wanneer die regulasie op gekontroleerde vrystellers gepromulgeer is)*

- (1) Geen persoon sal enige gekontroleerde vrysteller op enige perseel installeer, wysig, uitbrei of vervang, sonder die vooraf verkrygte skriftelike magtiging van die Munisipaliteit nie, wat slegs verskaf sal word na oorweging van die relevante planne en spesifikasies en enige toepaslike vrystellingstandaarde wat ontwikkel is vir gekontroleerde vrystellers soos bepaal in terme van Artikel 24 van die Wet op Luggehalte.
- (1) Na oorweging van die aansoek soos ingedien in terme van sub-artikel (1), moet die Munisipaliteit enersyds:
- (a) 'n aansoek toestaan en 'n magtiging uitreik onderworpe aan enige voorwaardes wat ingestel is; of andersyds
 - (b) 'n aansoek met redes weier.
- (3) Die magtiging uitgereik in terme van sub-artikel (1) moet die volgende spesifiseer:
- (a) die produknaam en model van die gekontroleerde vrysteller;
 - (b) die betrokke perseel waarop dit uitgereik is;
 - (c) die persoon aan wie dit uitgereik is;
 - (d) die periode waarvoor die magtiging uitgereik is;
 - (e) die naam van die munisipaliteit;
 - (f) die periodes wanneer die magtiging hersien moet word;
 - (g) die brandstoftipe- en gehalte;
 - (h) die maksimum toegelate hoeveelheid, grootte, vrystellingskaal of die konsentrasie van besoedelende stowwe wat in die atmosfeer uitgelaat kan word;
 - (i) enige ander bedryfsvereistes wat verband hou met atmosferiese uitlate, insluitende die meting en rapportering van vrystellings wat nie van 'n spesifieke bron vrygestel word nie; en

- (j) enige ander sake wat nodig mag wees vir die beskerming of toepassing van luggehalte.
- (4) Die Munisipaliteit moet die magtiging wat uitgereik is in terme van Artikel 14(2) hersien op gereelde tye soos gespesifiseer in die magtiging, of wanneer omstandighede 'n hersiening regverdig.
- (5) Enige gekontroleerde vrysteller wat op 'n perseel geïnstalleer, gewysig, uitgereik of vervang is in ooreenstemming met planne en spesifikasies wat ingedien en goedgekeur is vir die doeleindes van hierdie Hoofstuk by die Munisipaliteit, is veronderstel om van krag te bly totdat die teendeel bewys is en aan die bepalings in sub-artikel (1) voldoen is.
- (6) Waar enige gekontroleerde vrysteller op 'n perseel geïnstalleer, gewysig, uitgebrei of vervang is in teenstelling met sub-artikel (1), mag die Munisipaliteit, deur middel van skriftelike kennisgewing aan die eienaar of bewoner van die perseel, die verwydering van die brandstofverbrandingstoerusting vanaf die perseel gelas op die onkoste van die eienaar en operateur en binne die periode soos vermeld in die kennisgewing.
- (7) Die Munisipaliteit mag enige stappe wat nodig geag word, neem om enige skade te herstel wat veroorsaak is deur die installasie, wysigings, uitbreiding of vervanging op die perseel en om enige verdere voorvalle te verhoed, en mag sodanige redelike kostes verhaal van die persoon verantwoordelik vir die voorkoms van die skade.

(Aanvangsdatum van Artikel 14: moet geproklameer word)

15. Bedryf van gekontroleerde vrystellers

- (1) Geen persoon mag enige gekontroleerde vrysteller gebruik of bedryf in teenstelling met die magtiging waarna verwys word in Artikel 14 nie.
- (2) Waar enige gekontroleerde vrysteller op 'n perseel gebruik of bedryf is in teenstelling met sub-artikel (1), mag die Munisipaliteit deur middel van skriftelike kennisgewing aan die eienaar of okkupeerder van die perseel -
 - (a) sy of haar magtiging onder Artikel 14 herroep; en
 - (b) die verwydering van die gekontroleerde vrysteller van die perseel af gelas, op die onkoste van die eienaar en operateur binne die periode soos vermeld in die kennisgewing.
- (3) Die Munisipaliteit mag, indien die eienaar of okkupeerder van die perseel nalaat om te voldoen aan die kennisgewing waarna verwys word in sub-artikel (2), die gekontroleerde vrysteller vanaf die perseel verwyder en mag die redelike kostes aangegaan, verhaal van die eienaar of okkupeerder van sodanige perseel.

16. Monitering en toetsing

- (1) 'n Okkupeerder of eienaar van gelyste aktiwiteite, asook die operateur van gekontroleerde vrystellers, moet vrystellingsmetingstoerusting installeer en / of moet vrystellingsmonitering toepas soos en wanneer vereis deur die gemagtigde persoon, en moet -

- (a) rekord hou van alle moniterings- en toetsresultate, asook 'n afskrif van hierdie rekord vir ten minste vyf jaar na verkryging daarvan, bewaar;
- (b) wanneer sodanig versoek word deur 'n gemagtigde persoon, die rekord van die moniterings- en toetsresultate vir inspeksie beskikbaar stel; en
- (c) indien sodanig versoek word deur 'n gemagtigde persoon, 'n geskrewe verslag, of 'n deel daarvan of alle inligting in die rekord van die moniterings- en toetsresultate, in 'n formaat en teen 'n datum gespesifiseer deur die gemagtigde persoon, voorsien.

17. Stofvrystellings van gelyste aktiwiteite en gekontroleerde vrystellers

- (1) Enige persoon wat enige gelyste aktiwiteit of gekontroleerde vrysteller bedryf wat vrystellings van stof wat skadelik kan wees vir openbare gesondheid, welstand en/of 'n steuring mag veroorsaak, produseer, moet beheermaatreëls neem om die vrystellings in die atmosfeer te verhoed of te verminder.
- (2) Enige persoon wat enige gelyste aktiwiteit of gekontroleerde vrysteller wat stofvrystelling veroorsaak onderneem, moet een of meer van die volgende beheermaatreëls implementeer:
 - (i) plavei;
 - (ii) stofversagters of –onderdrukkers gebruik;
 - (iii) op eenvormige wyse enige oppervlakgruis aanwend en onderhou;
 - (iv) enige fisiese versperrings en tekens aanbring om toegang tot die versteurde areas te verbied;
 - (v) grondbedekkers gebruik;
 - (vi) plantegroei hêrvestig wat gelyksoortig is aan aangrensende onversteurde inheemse toestande; of
 - (vii) enige alternatiewe beheermaatreël wat op skrif deur die luggehaltebeampte goedgekeur is.
- (3) Die beheermaatreëls moet konsekwent wees met die bepalings van enige toepaslike wetgewing.
- (4) Enige persoon wat sub-artikel (1) oortree, pleeg 'n misdryf.

HOOFSTUK VI

VRYSTELLINGS WAT 'N ONAANGENAME REUK VEROORSAAK

18. Verbod op vrystellings wat onaangename reuke veroorsaak

- (1) Geen persoon mag, binne die regsgebied van die Weskus Distriksmunisipaliteit, enige gelyste aktiwiteit of deel van enige gelyste aktiwiteit of gekontroleerde vrysteller bedryf wat 'n onaangename reuk, wat in teenstelling is met Atmosferiese Vrystellingslisensie voorwaardes of minimum vrystellingstandaarde soos gepubliseer in terme van Artikel 21 van die Wet op Luggehalte, veroorsaak nie.
- (2) Enige persoon wat gelyste en/of gekontroleerde vrystellersaktiwiteite uitvoer wat die vrystelling van onaangename reuke wat skadelik kan wees vir openbare gesondheid en/of welstand, of wat 'n steuring kan veroorsaak wat in teenstelling met die Atmosferiese Vrystellingslisensie voorwaardes of minimum vrystellingstandaarde

- gepubliseer in terme van Artikel 21 van die Wet op Luggehalte, moet beheermaatreëls neem om onwelriekende vrystellings in die atmosfeer te verhoed.
- (3) Enige persoon wat 'n aktiwiteit onderneem waarna verwys word in sub-artikel (2), moet die nodige maatreëls soos, maar nie beperk nie tot, moniterings- en ander maatreëls soos vasgestel deur die gemagtigde persoon, implementeer om die stowwe te identifiseer wat die onaangename reuk veroorsaak.
- (4) Enige persoon wat enige aktiwiteite waarna verwys word in sub-artikel (2), onderneem, moet die nodige beheermaatreëls vir onaangename reuke implementeer, soos goedgekeur deur die lugkwaliteitbeampte of sy of haar gedelegeerde verteenwoordiger.
- (5) Indien die okkupeerder of eienaar van enige perseel vanwaar die onaangename reuk voortspruit, of waar 'n onaangename reuk bestaan, weier om die onaangename reuk te beheer of om die beheermaatreëls waarna verwys word in sub-artikel (3) te implementeer, is sy of hy skuldig aan 'n oortreding.

Kennisgewing van vermindering

19. (1) Enige gemagtigde persoon mag 'n kennisgewing van vermindering bedien aan 'n persoon van wie hy of sy tot 'n redelike mate oortuig is dat die persoon waarskynlik in teenstelling met Artikel 18 sal handel of gehandel het, en daardie persoon noop om -
- (a) die onaangename reuk binne 'n periode gespesifiseer in die kennisgewing, te verminder;
 - (b) alle nodige stappe te neem om die herhaling van die voorkoms van die onaangename reuk te voorkom; en
 - (c) te voldoen aan enige ander voorwaardes soos vervat in die kennisgewing.
- (2) 'n Kennisgewing van vermindering mag bedien word onder sub-artikel(1) -
- (a) op die eienaar van enige perseel, deur -
 - (i) dit af te lewer by die eienaar, of indien die eienaar nie opgespoor kan word nie of in die buiteland woon, die agent van die eienaar;
 - (ii) dit by wyse van geregistreerde pos te stuur na die laaste bekende adres van die eienaar of die laaste bekende adres van die agent; of
 - (iii) dit af te lewer by die adres waar die perseel geleë is, indien die adres van die eienaar of die agent onbekend is;
 - (b) op die okkupeerder van die perseel, deur -
 - (i) dit af te lewer by die okkupeerder; of
 - (ii) dit by wyse van geregistreerde pos na die okkupeerder te stuur by die adres waar die perseel geleë is.

HOOFSTUK VII

LISENSIËRING VAN GELYSSTE AKTIWITEITE

20. Instelling van Atmosferiese Vrystellinglisensie- (AVL) Stelsel

- (1) Hiermee stel die Munisipaliteit 'n Atmosferiese Vrystelling Lisensiëringstelsel in soos beoog word in Hoofstuk 5 van die Wet op Luggehalte.

21. Aansoek vir atmosferiese vrystellinglisensie (AVL)

- (1) Geen persoon mag 'n gelyste aktiwiteit, soos gepubliseer kragtens Artikel 21 van die Wet op Luggehalte, beoefen, sonder om in besit te wees van 'n atmosferiese vrystellinglisensie deur die Luggehaltebeampte uitgereik nie.
- (2) 'n Aansoek vir 'n atmosferiese vrystellinglisensie moet -
 - (a) op skrif gedoen word op die Weskus Distriksmunisipaliteit se voorgeskrewe vorm;
 - (b) vergesel wees van dokumente of inligting soos vereis mag word deur die luggehaltebeampte; en
 - (c) vergesel wees van betaling van die voorgeskrewe prosesseringsfooi soos van tyd tot tyd deur die Raad vasgestel.
- (3) Alvorens 'n aansoek wat gedoen is in terme van sub-artikel (2) oorweeg word, mag die Luggehaltebeampte van die aansoeker verwag om addisionele inligting soos, maar nie beperk nie tot, 'n spesialis luggehalteimpakstudie en/of bewys van 'n openbare deelnameproses, te voorsien.
- (4) Enige persoon wat 'n gelyste aktiwiteit sonder 'n atmosferiese vrystellingslisensie beoefen, is skuldig aan 'n misdryf en is onderworpe aan die boetes soos uiteengesit in Artikel 52 van die Wet op Luggehalte.

22. Appèlproses vir atmosferiese vrystellinglisensie (AVL)

- (1) Die appèlproses soos bepaal deur Artikel 62 van die Stelselwet sal van toepassing wees.

HOOFSTUK VIII

OORTREDINGS EN BOETES

23. Oortredings en boetes

- (1) Enige persoon wat voortgaan om 'n oortreding te begaan nadat 'n kennisgewing op hom bedien is, of wat nalaat om sodanige oortreding te staak nadat hy skuldig bevind is aan sodanige oortreding, is skuldig aan 'n voortgesette oortreding.
- (2) Enige persoon wat-
 - (a) enige bepalings van hierdie Verordening, voorwaarde of beperking oortree, of nalaat om daaraan te voldoen; of
 - (b) enige bevel hieronder uitgereik of enige kennisgewing bedien in verband hiermee, oortree of weier om daaraan te voldoen; of
 - (c) 'n vals verklaring aflê, of vals of misleidende inligting verskaf, wetende dat dit vals of misleidend is; is skuldig aan 'n oortreding en aanspreeklik vir 'n-
 - (i) boete of aanhouding, of vir die boete sowel as die aanhouding; en

- (ii) in geval van 'n voortgesette oortreding, 'n bykomende boete of 'n bykomende periode van aanhouding vir elke dag waarop sodanige oortreding voortgesit is; en
 - (iii) 'n verdere bedrag gelykstaande aan enige koste en uitgawes deur die hof bevind as aangegaan deur die Munisipaliteit as gevolg van sodanige oortreding of nalating.
- (3) Bykomend tot die oplegging van 'n boete of aanhouding, mag 'n hof enige persoon wat skuldig bevind is aan 'n oortreding onder hierdie Verordening, beveel om-
 - (a) die skade wat aangerig is te herstel;
 - (b) skadevergoeding te betaal vir skade veroorsaak aan 'n ander persoon of aan eiendom, welke bevel gelykstaande sal wees aan 'n siviele uitspraak; en
 - (c) op die persoon se eie koste vrystellingmetingsinstrumente soos uiteengesit in Artikel 16, te installeer en bedryf.
- (4) Bykomend tot enige ander straf wat die hof mag oplê, mag die hof 'n persoon wat skuldig bevind is aan 'n oortreding onder hierdie Verordening, beveel om sodanige stappe te neem wat die hof nodig mag ag binne 'n periode soos vasgestel deur die hof, om die herhaling van so 'n oortreding te voorkom.

HOOFSTUK IX

ALGEMENE SAKE

24. Nakomingsmonitering

- (1) Vir die doeleindes van nakomingsmonitering, moet die aangewese omgewingsbestuurinspekteurs die magte uitoefen soos uiteengesit in Artikel 31G tot 31L van die NOBW.
- (2) Die gemagtigde persoon / omgewingsbestuurinspekteurs mag van enige besoedelaar wat beduidend bydra of waarskynlik sal bydra tot swak luggehalte, verwag om die omringende lug en punt of nie-punt bronne te monitor en om enige ander verwante luggehaltetestudie, -programme of -verslae wat deur 'n erkende en bevoegde derde party opgestel word, op die onkoste van die besoedelaar te verskaf.

25. Toepassing

- (1) Die gemagtigde persoon moet alle wetlike, nodige en redelik uitvoerbare stappe neem om die bepalings van hierdie Verordening toe te pas.
- (2) Die Weskus Distriksmunisipaliteit mag wetstoepassingsprosedures ontwikkel met inagneming van enige nasionale of provinsiale wetstoepassingsprosedures.
- (3) Die Munisipaliteit mag, in enige geval waar dit blyk dat enige aksie of nalatigheid deur enige persoon of eienaar van 'n eiendom gelei het tot 'n oortreding van die bepalings van hierdie Verordening, skriftelike kennisgewing aan sodanige persoon of eienaar

van die eiendom bedien om te voldoen aan sodanige vereistes as wat die Munisipaliteit nodig mag ag om die herhaling of voorkoms van so 'n oortreding te voorkom.

26. Erkenningsprogramme

- (1) 'n Luggehaltebeampte mag 'n program vir openbare erkenning van beduidende prestasies op die gebied van besoedelingsvoorkoming instel.

27. Samewerking tussen munisipaliteite

- (1) In 'n poging om optimale dienslewering in terme van hierdie Verordening te verkry, mag die Raad enige geskrewe ooreenkomste met enige persoon, instelling van die staat of organisasie waarmee wetlike en uitvoerende magte gedeel word, in die volgende gevalle aangaan-
 - (a) die praktiese reëlins met betrekking tot die uitvoering van die bepalings van hierdie Verordening;
 - (b) die verhaling van kostes en uitgawes wat verband hou met enige aksie kragtens hierdie Verordening;
 - (c) enige ander saak wat deur die partye as nodig beskou word om optimale dienslewering kragtens hierdie Verordening te bereik.
- (2) Die Munisipaliteit moet die effektiwiteit van enige ooreenkoms wat aangegaan is in terme van sub-artikel (1) monitor vir die bereiking van die doelwitte waarvoor dit aangegaan is, en kan die ooreenkoms kanselleer nadat redelike kennis aan die ander party gegee is, indien die Munisipaliteit rede het om te glo dat die ooreenkoms oneffektief is, of die bereiking van die doelwitte van hierdie Verordening, kortwiek.

28. Appèlle

- (1) Enige persoon mag appèlleer teen 'n besluit wat geneem is deur 'n gemagtigde persoon onder hierdie Verordening, deur skriftelike kennisgewing van die appèl in ooreenstemming met die bepalings van Artikel 62 van die Stelselwet te gee.

29. Vrystellings

- (1) Enige persoon mag, op skrif, by die Munisipaliteit aansoek doen vir die vrystelling van 'n bepaling van hierdie Verordening.
- (2) 'n Aansoek in terme van sub-artikel (1) moet vergesel wees van substantiewe redes.
- (3) Die Munisipaliteit mag van 'n aansoeker wat aansoek doen vir vrystelling, verwag om toepaslike stappe te neem om die aansoek onder die aandag van relevante belanghebbende persone en die publiek te bring.
- (4) Die stappe wat in sub-artikel (3) oorweeg word, mag insluit die publikasie van 'n kennisgewing in ten minste twee koerante, een wat provinsiaal sirkuleer en een wat binne die regsgebied van die Weskus Distriksmunisipaliteit sirkuleer; en
 - (a) wat redes vir die aansoek verskaf; en

- (b) wat ook ander besonderhede betreffende die aansoek uiteensit, soos wat die luggehaltebeampte mag vereis.
- (5) Die Munisipaliteit mag -
 - (a) enige vrystelling wat kragtens hierdie afdeling toegestaan is van tyd tot tyd hersien, en kan sekere voorwaardes na goeie dunnke neerlê; en
 - (b) enige vrystelling gegrond op goeie redes herroep.
- (6) Die Munisipaliteit mag nie 'n vrystelling toestaan onder sub-artikel (1) nie –
 - (a) totdat redelike stappe geneem is om te verseker dat alle persone wie se regte beduidend nadelig beïnvloed word deur die toestaan van die vrystelling, insluitende aangrensende grondeienaars of okkupeerders, bewus is van die aansoek vir vrystelling en hoe om 'n afskrif daarvan te bekom;
 - (b) totdat sodanige persone 'n redelike geleentheid gegun is om teen die vrystelling beswaar aan te teken; en
 - (c) totdat dit behoorlik oorweeg is en met inagneming van enige besware wat aangeteken is.

30. Beleid

- (1) Die Munisipaliteit mag, in 'n beleidsdokument, stappe aanvaar of implementeer vir die regulering van luggehalte, asook aktiwiteite en om te voorsien vir bykomstige sake.
- (2) Die toepassing van die bepalings van die beleid mag beperk word tot 'n spesifieke gebied/of enige kategorieë van persele of aktiwiteite en mag afwykings toelaat asook vrystellings van, en die verslapping van, enige sodanige bepalings op redelike gronde.
- (3) Enige persoon wat die bepalings van die beleid oortree of vals of misleidende inligting verskaf, is skuldig aan 'n misdryf, en op skuldigbevinding aanspreeklik vir 'n boete of aanhouding, of sodanige boete sowel as aanhouding.
- (4) Die beleid moet openbaar gemaak word en oorgedra word aan die gemeenskap in terme van Artikel 21 van die Stelselwet.

31. Vrywaring

- (1) Die Weskus Distriksmunisipaliteit sal nie aanspreeklik wees vir enige skade wat aan enige eiendom of perseel aangebring word deur enige aksie of weglating van die werknemers of amptenare van die Weskus Distriksmunisipaliteit wanneer enige funksie uitgeoefen word of wanneer enige plig verrig word in terme van hierdie Verordening nie, op voorwaarde dat sodanige werknemers en amptenare, wanneer sodanige funksie uitgeoefen word of sodanige pligte verrig word, alle redelike stappe sal neem om enige skade aan sodanige eiendom of perseel te voorkom.

32. Herroeping en uitsonderingsbepalings

- (1) Enigiets wat gedoen is, of nodig geag word om gedoen te word onder enige wet, bly van krag tot die mate waarmee dit in ooreenstemming is met hierdie Verordening, of totdat enigiets wat gedoen word onder hierdie Verordening, dit nietig verklaar.

33. Kort titel

- (1) Hierdie Verordening sal bekend staan as die Weskus Distriksmunisipaliteit: Verordening op Luggehaltebestuur, 2011, en sal in werking tree op die datum van publikasie daarvan in die Provinsiale Koerant, met die uitsondering van Artikel 14, wat in werking sal tree op 'n datum soos deur die Raad besluit.

WEST COAST DISTRICT MUNICIPALITY



MANUAL

**IN TERMS OF SECTION 14 OF THE PROMOTION OF
ACCESS TO INFORMATION ACT, ACT 2 OF 2000
("THE ACT")**

A. CONTENT

1. Chapter 1 - **Functions and Structure of the West Coast District Municipality**
 - 1.1 Functions
 - 1.2 Schematic representation of structure
2. Chapter 2 - **Contact Details of Information Officers**
 - 2.1 Contact details
3. Chapter 3 - **Section 10: Guidelines on the application of the Act**
4. Chapter 4 - **Access to records**
 - 4.1 Automatic disclosure
 - 4.2 Records that should be requested formally
 - 4.3 Request procedure
 - 4.4 Legal aids for non-compliance with the Law
5. Chapter 5 - **Available services**
 - 5.1 Business details
 - 5.2 Agendas and minutes
 - 5.3 Councillors
 - 5.4 Structures
 - 5.5 Municipal legislation, by-laws and policies
 - 5.6 Delegations
 - 5.7 Authorisation granted to political office bearers, councillors and personnel
 - 5.8 Resolutions by individuals
 - 5.9 Budget
 - 5.10 Financial records
 - 5.11 Registers
 - 5.12 Tariffs, fees, levies, et cetera
 - 5.13 Personal information on personnel
 - 5.14 Statistics
 - 5.15 Personal information of personal requester
 - 5.16 Research
 - 5.17 Publications
 - 5.18 Tenders
 - 5.19 Service providers
 - 5.20 Planning
 - 5.21 Land
 - 5.22 Organisational structure
6. Chapter 6 - **Miscellaneous**
 - 6.1 Updating of the Manual
 - 6.2 Availability of the Manual
 - 6.3 Appeal against refusal of access to information
7. Schedule 1 - **Prescribed fees**
8. Schedule 2 - **Prescribed forms for access to records**

WEST COAST DISTRICT MUNICIPALITY

ACCESS TO INFORMATION

This manual has been compiled in accordance with the Promotion of Access to Information Act (Act 2 of 2000).

This manual has been compiled with a view to:

- establish a culture of transparency and accountability and to be able to afford every person the right of access to information;
- actively promote a community where people residing in the West Coast District Municipal Area can have access to information that will enable them to effectively promote and protect all their rights.

REGULATIONS

- 2007 - PAIA, 2000 - Amendment of Regulations - Insertion of Regulation 5A & 9A (R466 - Eng or Afr)
- 2006 - Government Notice R. 990 of 13 October 2006 was published in Gazette 29278 dated 13 October 2006. Amendment to the PAIA regulations section 91a(7) and section 92(4)
- 2003 - Amended Regulations - The Minister for Justice and Constitutional Development has, under section 92 of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000), made the regulations in the Schedule. (R1244 - ENG or AFR)
- 2003 - Notice 25411: Amendment of regulations regarding the Promotion of Access to Information Act, 2000 (Eng or Afr)
- 2002 - Regulations relating to the Promotion of Access to Information, 15 February 2002 (R. 187)
- 2001 - Regulations relating to the Promotion of Access to Information, 09 March 2001 (R.223)

CHAPTER 1

WEST COAST DISTRICT MUNICIPALITY: DESCRIPTION OF STRUCTURES AND FUNCTIONS (DC1)

The West Coast District Municipality was instituted on 5 December 2000 in accordance with a Section 12 Notice Provincial Notice No. PN 666 dated 4 December 2000.

1.1 **FUNCTIONS**

Office of the Municipal Manager

Human Resource Management
Internal Auditing
Strategic Services
Tourism

Directorate Administration and Community Services

Administration
Municipal Environmental Health
Disaster Management
Fire Services

Directorate Finance

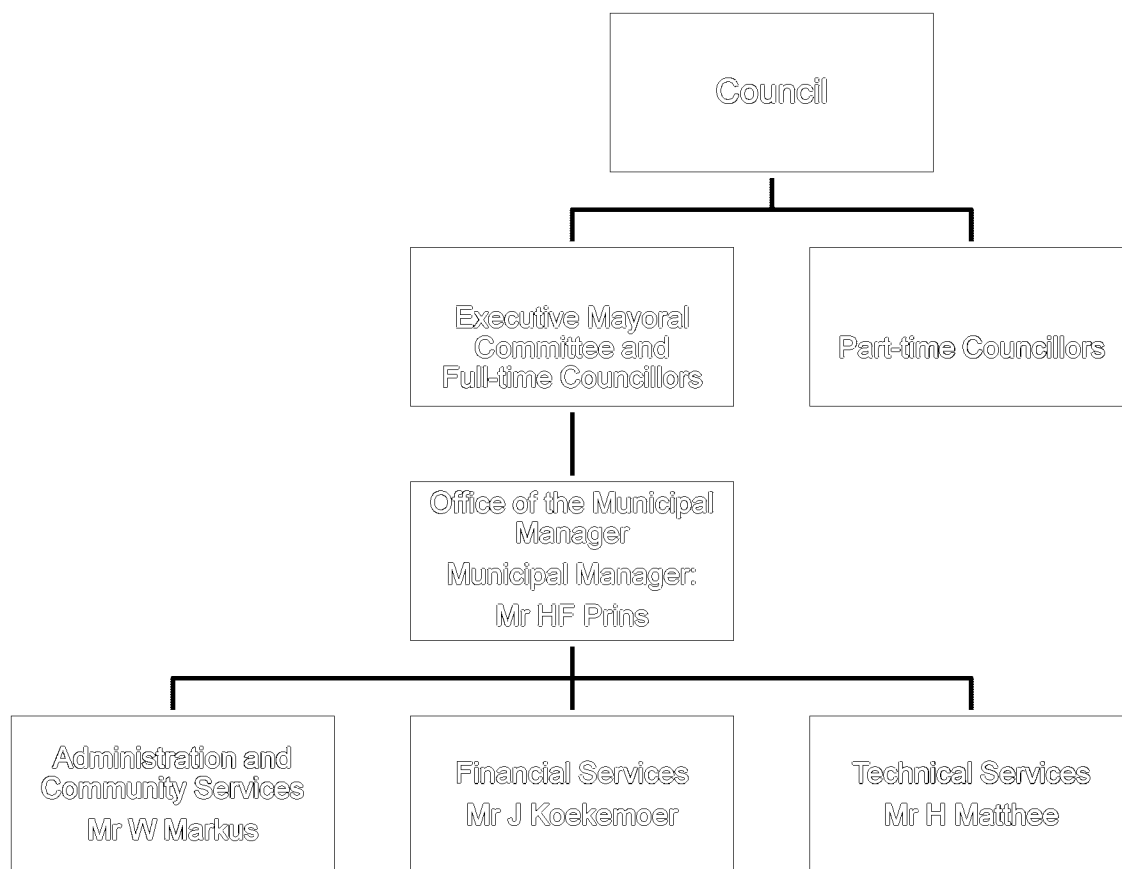
Financial Management & Control
Income and Expenditure
Supply Chain Management
Information Technology
Ganzekraal Resort

Directorate Technical Services

Spatial Planning and Development
Roads Maintenance, Construction and Regravel
Mechanical Services
Projects
Water Supply, Distribution, Purification and Quality control
Instrumentation Services
Electrical Services

Functions as stipulated in Section 84 of the Municipal Structures Act, Act 117 of 1998

**WEST COAST DISTRICT MUNICIPALITY
MACRO - \ MICRO ORGANISATIONAL STRUCTURE**



CHAPTER 2

CONTACT DETAILS OF INFORMATION OFFICERS

2.1 CONTACT DETAILS

2.1.1 Information Officer

Municipal Manager: Mnr HF Prins

2.1.2 Assistant Information Officers

2.1.2 Assistant Information Officers

2.1.2.1 Director : Administration and Community Services
Mr W Markus: wmarkus@wcdm.co.za

2.1.2.3 Director : Financial Services
Mr J Koekemoer: jkoekemoer@wcdm.co.za

2.1.2.5 Director : Technical Services
Mr H Matthee: hjmatthee@wcdm.co.za

2.1.3 Street Address

58 Long Street
MOORREESBURG
7310

2.1.4 Postal Address

PO Box 242
MOORREESBURG
7310

2.1.5 Tel No: 022 – 433 8400

2.1.6 Fax No: 086 6926113

2.1.7 Website: www.westcoastdm.co.za

2.1.8 Email: westcoastdm@wcdm.co.za

CHAPTER 3

SECTION 10 GUIDELINES ON THE APPLICATION OF THE ACT

This Guide will be obtainable from the South African Human Rights Commission.

Any enquiries in this regard should be directed to:

The Department of Research and Documentation
South African Human Rights Commission
PAIA Unit
Private Bag 2700
HOUGHTON
2041

Tel No.: +27 11 484 8300

Fax No.: +27 11 484 1360

Website: www.sahrc.org.za

E-mail: paia@sahrc.org.za

CHAPTER 4

RECORDS AND CATEGORIES OF SUBJECTS HELD BY THE MUNICIPALITY

4.1 SUBJECTS

The Municipality holds records of the following subjects. The different categories of records within these subjects follow hereafter.

1. Legislation
2. Organisation and control
3. Political system
4. Policy
5. Accommodation and fixed property
6. Financial
7. Tenders and contracts
8. Personnel
9. Legal matters
10. Services
11. Community services
12. Protection services
13. Town planning, building control and advertising
14. Licences and permits
15. Reports, returns and statistics
16. Publications

4.2 RECORD CATEGORIES

The Municipality holds records in the following categories:

4.2.1 Legislation

- a) National acts applicable to local government.
- b) Provincial acts applicable to local government.
- c) Municipal ordinances and those of its predecessors.
- d) Regulations, notices and proclamations applicable to local government and the municipality, issued by the president, national ministers and MECs.

4.2.2 Organisation and Control

- a) Organisational structure.
- b) Integrated development Plan.
- c) The Municipality's vision and mission.
- d) Strategies.
- e) Delegation of powers to personnel.
- f) Delegation of powers to political structures, political office bearers and councillors.
- g) Signing powers.
- h) Filing system.
- i) Performance management system.
- j) Business plans.
- k) Policy statements see category 2.4.

4.2.3 Political system

- a) Institution notice.
- b) Political structure: name, composition, terms of reference, party political representation, office bearers, time and date of meeting.
- c) Political office bearers: names, official job title, party-political affiliation, contact details.
- d) Councillors: names, party-political affiliation, ward or proportional status, contact details, financial declaration in accordance with the code of conduct.
- e) Remuneration and allowances of office bearers and councillors.
- f) Agendas and minutes of all meetings of political structures.
- g) Reports to all political structures.
- h) Rules of procedure governing meetings.
- i) Details of contracts entered into between councillors and the municipality.
- j) List of councillors representing the Council on external organisations.
- k) Election results.

4.2.4 Policy

- a) West Coast District Municipality Air Quality Management Plan
- b) Records Management Policy
- c) Catering Policy
- d) Fire Reservist Employment Policy
- e) Conferment of Aldermanship on Councillors of the WCDM
- f) Overtime Policy
- g) Subsistence and Travel Policy
- h) Study Bursary Policy
- i) Code of Conduct on Political Activities of Municipal Employees
- j) Fire Services: Fire Progress Policy
- k) Long Service Award Policy
- l) Fire Services: Brigade Orders
- m) Dress Code Policy
- n) West Coast District Municipality: Handbook on Human Resource Policies and Procedures
- o) Language Policy
- p) Internet and E-mail Policy
- q) Supply Chain Management Policy
- r) Free 6l Water Policy
- s) Policy for the renting of the houses at the various water installations
- t) Unallocated Revenue Policy
- u) Code of Conduct of SCM Practitioners and Other Roleplayer
- v) Indigent Policy
- w) Asset Management Policy
- x) Property Rates Policy
- y) Fraud Prevention Plan
- z) Fraud Policy and Response Plan
- aa) Debt Management Policy
- bb) Investment and Cash Management Policy
- cc) Tariff policy
- dd) Integrated Transport Plan 2010/2015: West Coast District Municipality

4.2.5 Accommodation and fixed property

- a) Asset register
- b) Property leased for municipal purposes: description and details
- c) Property rented: description and details
- d) Property purchased: description and details
- e) Property sold: description and details
- f) Titles in, on or to property obtained: description and details
- g) Titles in, or to property granted: description and details
- h) Panel of transfer attorneys
- i) Panel of surveyors
- j) Housing see category 2.12.

4.2.6 Financial

- a) Operating budget
- b) Capital budget
- c) Management information: financial statements, spending patterns, revenue figures, details of bad debt, budget control mechanisms.
- d) Property valuations.
- e) Rates, taxes, fees and levies on surcharges.
- f) Taxes: Details on fixing, differentiation, discounts, exemptions and non-payments.
- g) Loans: Details of external loans.
- h) Equable share: Details of government allocations.
- i) Collection of monies: statistics.
- j) Revenue derived from the rendering of agency functions.
- k) Deposits: details of deposits retained.
- l) Funds: Name, purpose and financial standing.
- m) Investments: Investment amount, institution, terms.
- n) Insurance portfolio: insurer, premium, ensured risks.
- o) Losses suffered: Details, actions taken to prevent repetition, reports and returns.
- p) Audit reports.
- q) Donations: Amounts and beneficiaries.
- r) Bursaries: Amounts and beneficiaries.
- s) Loans: Amounts and beneficiaries.
- t) Bank accounts: Name of banker, reports and statements.

4.2.7 Tenders and contracts

- a) Tender procedure
- b) Tenders accepted, rejected and not accepted: details and reasons.
- c) Annual tenders: details of goods, services and supplier.
- d) Guarantees.
- e) Insurance policies
- f) Progress and completion certificates.

4.2.8 Personnel

- a) Personnel structure
- b) Job descriptions
- c) Main performance indicators
- d) Job evaluations
- e) Monetary values of positions
- f) Allowances
- g) Conditions of service
- h) Appointments: details of candidates, assessments, unsuccessful candidates.
- i) Termination of service and disciplinary action
- j) Training statistics
- k) Merit awards
- l) Injuries on duty
- m) Members authorised to do private work
- n) Legal aid for personnel
- o) Union representatives
- p) Rules governing pension/retirement and medical funds.

4.2.9 Legal matters

- a) Legal opinions
- b) Court judgements
- c) Legal practitioners appointed.
- d) Legal actions instituted by the Municipality
- e) Legal actions instituted against the Municipality
- f) Legal publications
- g) Appeals in accordance with s 62 of the Systems Act
- h) Appeals in accordance with other acts
- i) Legal costs incurred.

4.2.10 Services

- a) Servitudes on, above and below property.
- b) Usage concessions on municipal property.
- c) Agreements in respect of installations and connections.
- d) Agreements in respect of services rendered to or by other bodies of state.
- e) Details of private service providers.

4.2.11 Community services [Environmental health, public amenities]

- a) Record of exhumations and re-burials.
- b) Health records
- c) Health statistics
- d) Environmental health records
- e) Housing contracts.
- f) Housing waiting list.
- g) Housing: statistics and reports.
- h) Rental agreements and conditions of usage: halls, sports grounds, community centres, swimming-pools, parks, gardens, resorts, museums, et cetera.

4.2.12 Protection services [Fire brigade, disaster management, law enforcement]

- a) Reports on incidents
- b) Disaster plans
- c) Reports and returns
- d) Notices to appear in court and summonses
- e) Agreements with reference to service rendering to and by other bodies of state.

4.2.13 Town planning, building control and advertising

- a. Surveys: trigonometrically, aerial, geological
- b. Spatial development framework
- c. Structure plan
- d. Register of land uses
- e. Building plans
- f. Agreements with regard to billboards and signage.

4.2.14 Licences and permits

- a) Mining
- b) Air Quality
- c) In-Land Water

4.2.15 Reports, returns and statistics

- a) Mayoral report
- b) Reports to other organs of state
- c) Returns to other organs of state
- d) Internal reports, returns and statistics

4.2.16 Publications

- a) Press and other media releases
- b) Advertisements placed by the Municipality
- c) Brochures and newsletters
- d) Departmental telephone directory
- e) Maps and tourism guides
- f) Speeches delivered by political office bearers
- g) Annual Report
- h) IDP
- i) Budget
- j) Newsletter

CHAPTER 5

CATEGORIES OF RECORDS THAT ARE AVAILABLE AUTOMATICALLY

5.1. Business details

The name, location, address, telephone number, contact person, business hours, et cetera of all municipal offices, depots, installations, facilities and amenities.

5.2. Agendas and minutes

The agendas and minutes of all meetings held by the Council, its structure as well as formal personnel meetings and those of its predecessors, excluding agendas and minutes that have been marked as confidential.

5.3. Councillors

(Including the mayor, deputy mayor, speaker and other office bearers)

Information regarding each and every councillor's

- name, address, telephone numbers
- proportional, political party and election details
- office in Council, eg. member of committee A and whether he/she is a full-time office bearer or not
- representation on other bodies
- salary, allowances, et cetera
- details of travels outside the municipal area
- declaration of interest in terms of item 7 of the code of conduct

5.4 Structures

(Including Council, executive committee, other committees)

- * compilation, names of members, office bearers, political affiliation
- * time and venue of meetings

5.5 Municipal legislation, by-laws and policies

All such documentation

5.6 Delegations

Delegations to:

- * political office bearers
- * councillors
- * personnel
- * structures (executive committee, committees)

5.7 Authorisation granted to political office bearers, councillors and personnel

Authorisation to --

- * enter into contracts
- * sign legal documents, cheques, et cetera

5.8 Resolutions by individuals

Resolutions by any political office bearer, councillor or personnel member in accordance with the authority or duty that has been delegated or sub-delegated to him/her.

5.9 Budget

All documentation with regard to --

- * IDP
- * capital budget
- * operational budget
- * budget control
- * business plans

5.10 Financial records

- * annual statements
- * monies in arrears (excluding personal details)

5.11 Registers

Registers in connection with --

- * assets (movable and immovable)
- * agreements
- * contractors, service providers
- * tenders awarded

5.12 Tariffs, fees, levies, et cetera

- All tariffs, fees, levies, et cetera approved by the Council for the current financial year.
- All tariffs, fees, levies, et cetera approved by the Council for the previous financial years.

5.13 Personal information on personnel

Personal information on personnel in accordance with Section 34(2)(f) with regard to

- the fact whether a person is or has been an official
- the title, business address, business telephone number, e-mail address of an official
- the post level, salary scale and allowances of an official
- responsibilities related to an official's position

5.14 Statistics

(Excluding individual's personal details)

- * statistics maintained for departmental use in the format in which it is available
- * statistics in the format as prescribed by law.

5.15 Personal information of personal requester

Personal information requested by 'n personal requester for access to a record that contains personal information of the requester on positive identification.

5.16 Research

Information with reference to research conducted by or on behalf of the Municipality with the proviso that such research results have already been submitted to the Council or one of its structures and that no copyright rests with persons or institutions that are not associated with the Municipality.

5.17 Publications

All publications by or on behalf of the Municipality which have already been made public or have already been submitted to the Council and in terms of which no copyright rests with a person or institution that is not associated with the municipality.

5.18 Tenders

Tenders and development proposals once they have been opened in public (excluding adjudication and recommendations to the Council prior to submission thereof to the Council)

5.19 Service providers

Details of providers of services to the Council.

5.20 Planning

- * zoning and structure plans
- * individual zonings and conditions
- * register of approved deviating usage and special approvals.

5.21 Land

Only a few records of landowners.

5.22 Organisational structure

- * Organogram
- * Personnel structure

CHAPTER 6

CATEGORIES OF INFORMATION THAT NEED TO BE REQUESTED FORMALLY

6.1 Information that must be requested formally

West Coast District Municipality retains certain information with regard to the following subjects that must be requested formally in terms of the conditions set out in the undermentioned clause.

6.1.1 Personal information of individuals (medical reports, disciplinary actions, salary deductions)

6.1.2 In-committee minutes (marked confidential)

6.1.3 Summons issued to persons

Request procedure

6.2.1 Access to information listed above will be requested by:

6.2.1.1 Completion of the prescribed Form A ("request form"); and

6.2.1.2 Payment of the prescribed fee as set out in Schedules 1 and 2 of this manual. A requester who seeks access to a record containing personal information about that requester is, however, not required to pay the request fee.

6.2.2 After the Information Officer has made a decision on the request, the requester must be notified of such a decision in the way in which the requester wanted to be notified.

6.2.3 The requester must indicate whether the request is for a copy of the record or whether the requester wants to come in and scrutinise the record at the offices of the West Coast District Municipality.

6.2.4 Access to the above information will only be granted to the requester in the form requested, unless doing so would interfere unreasonably with the running or operation of the West Coast District Municipality, or damage the record, or infringe a copyright.

6.2.5 If for practical reasons access cannot be given in the required form but in an alternative form, then the fee will be calculated according to the form that the requester first asked for.

6.2.6 If the requester is unable to read or write, or has a disability, he/she can submit the request for the record verbally, in which case the Information Officer will fill out the form on behalf of such a requester and give the requester a copy of the completed form.

6.2.7 The requester must clearly indicate the following on the requisition form:-

6.2.7.1 whether the requester would like to be informed telephonically about how successful his/her request has been, or in any other way.

6.2.7.2 the capacity in which the request is made, in case of the information being requested on behalf of someone else.

6.3 Appeal against refusal of access to information

6.3.1 If, on compliance with the requirements for the procedure to be followed as set out in 6.2 above:

6.3.1.1 the Assistant Information Officer refuses to grant access to information; and

6.3.1.2 such refusal is not based on any valid grounds for refusal as set out in the Act;

the applicant may lodge an appeal with the Information Officer against the decision taken by such an Assistant Information Officer.

6.3.2 If the requester is not satisfied with the decision taken by the Information Officer as set out in 6.3.1 above, an appeal may be lodged with the Mayor of the West Coast District Municipality.

6.3.3 The requester may file for a court order as additional assistance if the decision taken by the Mayor on appeal is not satisfactory.

CHAPTER 7

MISCELLANEOUS

7.1 This manual will be:

7.1.1 Updated annually

7.1.2 Be available in the following places:

7.1.2.1 Each sub-office of the West Coast District Municipality

7.1.2.2 The South African Human Rights Commission

7.1.2.3 West Coast District Municipality libraries

SCHEDULE 1

Scale of prescribed fees

PART II OF NOTICE 187 IN THE GOVERNMENT GAZETTE OF 15 FEBRUARY 2002 FEES IN RESPECT OF PUBLIC BODIES

1. The fee for a copy of the manual as contemplated in regulation 5(c) is **as published in the Budget** for every photocopy of an A4-size page or part thereof.
2. The fees for reproduction referred to in regulation 7(1) are as **as published in the Budget** :
 - (a) For every photocopy of an A4-size page or part thereof
 - (b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form
 - (c) For a copy in a computer-readable form on –
 - (i) stiffy disc
 - (ii) compact disc
 - (d)
 - (i) For a transcription of visual images, for an A4-size page or part thereof
 - (ii) For a copy of visual images
 - (e)
 - (i) For a transcription of an audio-record, for an A4-size page or part thereof

- (ii) For a copy of an audio-record
- 3. The request fee payable by every requester, other than a personal requester, referred to in regulation 7(2), is R35.00.
- 4. The access fees payable by a requester referred to in regulation 7(3) are as **published in the Budget**:
 - (a) For every copy of an A4-size page or part thereof
 - (b) For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form
 - (c) For a copy in a computer-readable form on –
 - (i) stiffy disc
 - (ii) compact disc
 - (d)
 - (i) For a transcription of visual images, for an A4-size page or part thereof
 - (ii) For a copy of visual images
 - (e)
 - (i) For a transcription of an audio-record, for an A4-size page or part thereof
 - (ii) For a copy of an audio-record
 - (f) To search for and prepare the record for disclosure, as published in **the Budget** for each hour or part of an hour, excluding the first hour, reasonably required for such search and preparation.
- (2) For the purposes of section 22(2) of the Act, the following applies:
 - (a) Six hours as the hours to be exceeded before a deposit is payable; and
 - (b) one third of the access fee is payable as a deposit by the requester.
- (3) The actual postage is payable when a copy of a record must be posted to a requester.

Indigent customer” means a domestic customer who is qualified to be and who is egistered with the local or district municipality as an indigent in accordance with heir Indigent policy. Requests submitted by the local municipality, confirming the equester is an Indigent customer, receive the record free of charge.

SCHEDULE 2

PRESCRIBED FORMS FOR ACCESS TO RECORDS

The prescribed form for access to a record has been published in

**ANNEXURE B OF NOTICE 187 IN THE GOVERNMENT GAZETTE OF
15 FEBRUARY 2002**

A copy of the form is an annexure hereto marked "RAI".

**ANNEXURE B OF NOTICE 187 IN THE GOVERNMENT GAZETTE OF
15 FEBRUARY 2002**

FORM A

REQUEST FOR ACCESS TO RECORD OF PUBLIC BODY

(Section 18(1) of the Promotion of Access to Information Act, 2000)
(Act No. 2 of 2000)

(Regulation 2)

FOR DEPARTMENTAL USE

Reference number:

Request received by (state rank, name and surname of the information officer/deputy information officer) on (date) at (place).

Request fee (if any): R : Receipt No.....

Deposit (if any): R : Receipt No.....

Access fee: R

SIGNATURE OF INFORMATION OFFICE/DEPUTY INFORMATION OFFICER

A. Particulars of public body

The Information Officer/Deputy Information Officer:

B. Particulars of person requesting access to the record

(a) The particulars of the person who requests access to the record must be given below.

(b) The address and/or fax number in the Republic to which the information is to be sent, must be given.

(c) Proof of the capacity in which the request is made, if applicable, must be attached.

Full names and surname: Identity number: Postal address:

Fax number: Telephone number: E-mail address:

Capacity in which request is made, when made on behalf of another person:

C. Particulars of person on whose behalf request is made

This section must be completed only if a request for information is made on behalf of another person.

Identity number:

D. Particulars of record

- (a) Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located.
- (b) If the provided space is inadequate, please continue on a separate folio and attach it to this form. **The requester must sign all the additional folios.**

1. Description of record or relevant part of the record:
2. Reference number, if available:
3. Any further particulars of record:

E. Fees

- (a) A request for access to a record, other than a record containing personal information about yourself, will be processed only after a request fee has been paid.
- (b) You will be notified of the amount required to be paid as the request fee.
- (c) The fee payable for access to a record depends on the form in which access is required and the reasonable time required to search for and prepare a record.
- (d) If you qualify for exemption of the payment of any fee, please state the reason therefore.

F. Form of access to record

If you are prevented by a disability to read, view or listen to the record in the form of access provided for in 1 to 4 hereunder, state your disability and indicate in which form the record is required.

Disability:		Form in which record is required:	
Mark the appropriate box with an "X"			
NOTES:			
(a) Your indication as to the required form of access depends on the form in which the record is available. (b) Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form. (c) The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.			
1. If the record is in written or printed form:			
<input type="checkbox"/>	Copy of record	<input type="checkbox"/>	Inspection of record
2. If record consists of visual images: (this includes photographs, slides, video recordings, computer-generated images, sketches, etc.)			
<input type="checkbox"/>	View the images	<input type="checkbox"/>	Copy of the images*
<input type="checkbox"/>		<input type="checkbox"/>	Transcription of the images*
3. If record consists of recorded words or information which can be reproduced in sound:			
<input type="checkbox"/>	Listen to the soundtrack (audio cassette)	<input type="checkbox"/>	Transcription of soundtrack* (written or printed document)
4. If record is held on computer or in an electronic or machine-readable form:			
<input type="checkbox"/>	Printed copy of record*	<input type="checkbox"/>	Printed copy of information derived from the record*
<input type="checkbox"/>		<input type="checkbox"/>	Copy in computer-readable form* (stiffy or compact disc)
*If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you?			<input type="checkbox"/> YES <input type="checkbox"/> NO
A postal fee is payable.			
Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available.			
In which language would you prefer the record?			

G. Notice of decision regarding request for access

You will be notified in writing whether your request has been approved/denied. If you wish to be informed thereof in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request.

How would you prefer to be informed of the decision regarding your request for access to the record?

Signed at 20..

SIGNATURE OF REQUESTER / PERSON ON WHOSE BEHALF REQUEST IS MADE.

.....

WESTERN CAPE GAMBLING AND RACING BOARD**NOTICE****RECEIPT OF AN APPLICATION FOR A BOOKMAKER PREMISES LICENCE**

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

Applicant for a new: bookmaker licence:	Dymanex (Pty) Ltd <i>(Trading as GoldRush Bets – A South African registered company)</i>
Registration number:	2012/121966/07
Entities having a direct financial interest of 5% or more in the applicant:	Goldrush Group (Pty) Ltd (100%)
Persons having an indirect financial interest of 5% or more in the applicant:	Raymond George Hipkin (40.28%) Carl Thomas Peters (5.20%) Mergan Naidoo (5.20%) Allan Michael Scott (5.20%) Lawrence Kilner Smith (5.20%) Phelelani Percy Shabalala (5.20%) Sundri Padayachee (5.20%)
Address of proposed bookmaker premises:	Unit 3B, Prestige Business Park Democracy Way, Milnerton 7441
Erf Number:	32263

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 27 September 2013** at the address listed below.

The application is open for inspection by interested persons, during normal office hours before **16:00 on 27 September 2013** at the Board's offices at the address listed below.

**Objections or comments must be forwarded to the Chief Executive Officer,
Western Cape Gambling and Racing Board, 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 e-mailed to:
objections.racingandbetting@wcgrb.co.za**

WES-KAAPSE RAAD OP DOBBELARY EN WEDRENNE**KENNISGEWING****ONTVANGS VAN 'N AANSOEK OM 'N
BOEKMAKERSPERSEELLISENSIE**

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

**Aansoeker vir 'n nuwe:
boekmakerslisensie:**

Dymanex (Edms) Bpk
(Handel as GoldRush Bets – 'n Suid- Afrikaanse
geregistreeerde maatskappy)
2012/121966/07

Registrasienommer:

**Entiteite wat 'n geldelike
belang van 5% of meer
in die aansoeker het:**

Goldrush Group (Edms) Bpk
(100%)

**Persone wat 'n indirekte
geldelike belang van 5% of
meer in die aansoeker het:**

Raymond George Hipkin (40.28%)
Carl Thomas Peters (5.20%)
Mergan Naidoo (5.20%)
Allan Michael Scott (5.20%)
Lawrence Kilner Smith (5.20%)
Phelelani Percy Shabalala (5.20%)
Sundri Padayachee (5.20%)

**Adres van voorgestelde
boekmakerperseel:**

Eenheid 3B, Prestige Besigheidspark
Democracyweg, Milnerton 7441

Erfnommer:

32263

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 verstrek 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 op die laaste teen **16:00 op 27 September 2013** by ondergemelde adres bereik nie.

Die aansoek is voor **16:00 op 27 September 2013** gedurende normale kantoorure, oop vir inspeksie deur persone wat 'n belang het, by die kantoor van die Dobbeldraad by die adres hieronder aangedui.

Besware of kommentaar moet gestuur word aan die Hoof- Uitvoerende Beampte, Wes-Kaapse Raad op Dobbeldary en Wedrenne, Posbus 8175, Roggebaai 8012, of ingehandig word by die Hoof- Uitvoerende Beampte, Wes-Kaapse Raad op Dobbeldary 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.

The “Provincial Gazette” of the Western Cape	Die “Provinsiale Koerant” van die Wes-Kaap
<p>appears every Friday, or if that day is a public holiday, on the last preceding working day.</p>	<p>verskyn elke Vrydag of, as die dag 'n openbare vakansiedag is, op die laaste vorige werkdag.</p>
<p>Subscription Rates</p>	<p>Tarief van Intekengelde</p>
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<p>Selling price per copy through post R21,00</p>	<p>Prys per eksemplaar per pos is R21,00</p>
<p>Subscriptions are payable in advance.</p>	<p>Intekengeld moet vooruitbetaal word.</p>
<p><i>Single copies</i> are obtainable at Room M21, Provincial Legislature Building, 7 Wale Street, Cape Town 8001.</p>	<p><i>Individuele eksemplare</i> is verkrygbaar by Kamer M21, Provinsiale Wetgewersgebou, Waalstraat 7, Kaapstad 8001.</p>
<p>Advertisement Tariff</p>	<p>Advertensietarief</p>
<p>First insertion, R35,00 per cm, double column.</p>	<p>Eerste plasing, R35,00 per cm, dubbelkolom.</p>
<p>Fractions of cm are reckoned as a cm.</p>	<p>Gedeeltes van 'n cm word as een cm beskou.</p>
<p>Notices must reach the Director-General not later than 10:00 on the last working day but one before the issue of the <i>Gazette</i>.</p>	<p>Kennisgewings moet die Direkteur-generaal voor 10:00 op die voorlaaste werksdag voor die uitgawe van die <i>Koerant</i> bereik.</p>
<p>Whilst every effort will be made to ensure that notices are published as submitted and on the date desired, the Administration does not accept responsibility for errors, omissions, late publications or failure to publish.</p>	<p>Hoewel alle pogings aangewend sal word om te sorg dat kennisgewings soos ingedien en op die vereiste datum gepubliseer word, aanvaar die Administrasie nie verantwoordelikheid vir foute, weglatings, laat publikasies of versuim om dit te publiseer nie.</p>
<p>All correspondence must be addressed to the Director-General, PO Box 659, Cape Town 8000, and cheques, bank drafts, postal orders and money orders must be made payable to the Department of the Premier.</p>	<p>Alle briefwisseling moet aan die Direkteur-generaal, Posbus 659, Kaapstad 8000, gerig word en tjeks, bankwissels, posorders en poswissels moet aan die Departement van die Premier betaalbaar gemaak word.</p>

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