



# Western Cape Government • Wes-Kaapse Regering

PROVINCE OF THE WESTERN CAPE

PROVINSIE WES-KAAP

## Provincial Gazette

## Provinsiale Koerant

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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. 332/2013

4 October 2013

**CITY OF CAPE TOWN  
(BLAAUWBERG ADMINISTRATION)**

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

I, Riette Fourie, in my capacity as Chief Land Use Management Regulator in the Department of Local Government, Environmental Affairs and Development Planning: Western Cape, acting in terms of the powers contemplated by Section 2(1) of the Removal of Restrictions Act, 1967 (Act 84 of 1967), duly delegated to me in terms of Section 1 of the Western Cape Delegation of Powers Law, 1994, and on application by the owner of Erf 18607, Rugby, remove condition B.3 (b) contained in Deed of Transfer No. T. 26909 of 2004.

P.N. 333/2013

4 October 2013

**DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND  
DEVELOPMENT PLANNING**

**LAND USE PLANNING ORDINANCE, 1985  
(ORDINANCE NO. 15 OF 1985)**

**AMENDMENT OF THE CAPE TOWN ZONING SCHEME  
REGULATIONS IN TERMS OF SECTION 9(2)**

The Minister of Local Government, Environmental Affairs and Development Planning intends to amend in terms of Section 9(2) of the Land Use Planning Ordinance, 1985 (Ordinance No. 15 of 1985) (LUPO), Schedule C of the Cape Town Zoning Scheme Regulations published in Provincial Notice 337 of 26 November 2012, regarding the powers of the City of Cape Town in terms of the Ordinance to grant or refuse applications for departures and subdivisions, including instances where restrictive title conditions are involved, as follows:

Paragraph 4 of Schedule C of the Cape Town Zoning Scheme Regulations, published in Provincial Notice 337/2012 of 26 November 2012 intends to be withdrawn.

Any comment should be lodged in writing at the Office of the Director: Land Management, Region 2, Department of Environmental Affairs and Development Planning, Private Bag X9086, Cape Town 8000, or e-mail to riette.fourie@westerncape.gov.za on or before 20 November 2013. Should you have any queries relating to the above, please contact Ms Fourie at (021) 483-8778.

P.N. 334/2013

4 October 2013

**GEORGE MUNICIPALITY**

**REMOVAL OF RESTRICTIONS ACT, 1967**

I, Bulelwa Nkwatani, in my capacity as Chief Land Use Management Regulator in the Department of Environmental Affairs & Development Planning: Western Cape, acting in terms of the powers contemplated by Section 2(1) of the Removal of Restrictions Act, 1967 (Act 84 of 1967), duly delegated to me in terms of Section 1 of the Western Cape Delegation of Powers Law, 1994, and on application by the owner of Erf 1261, Wilderness, remove conditions 1. B. 2. and 1. C. (a), as well as the reference to the said conditions in conditions II. B and II. C, as contained in Deed of Transfer No. T. 80720 of 2008.

**PROVINSIALE KENNISGEWINGS**

Die volgende Provinsiale Kennisgewings word vir algemene inligting gepubliseer.

ADV. B. GERBER,  
DIREKTEUR-GENERAAL

Provinsiale Wetgewer-gebou,  
Waalstraat,  
Kaapstad.

P.K. 332/2013

4 Oktober 2013

**STAD KAAPSTAD  
(BLAAUWBERG ADMINISTRASIE)**

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

Ek, Riette Fourie, in my hoedanigheid as Hoof Grondgebruiksbestuur Reguleerder in die Departement van Plaaslike Regering, Omgewingsake en Ontwikkelingsbeplanning: Wes-Kaap, handelende ingevolge die Wet op Opheffing van Beperkings, 1967 (Wet 84 van 1967), behoortlik aan my gedelegeer ingevolge Artikel 1 van die Wes-Kaapse Wet op Delegasie van Bevoegdheids, 1994, en op aansoek van die eienaars van Erf 18607, Rugby, hef voorwaarde B.3 (b) soos vervat in Transportakte Nr. T. 26909 van 2004, op.

P.K. 333/2013

4 Oktober 2013

**DEPARTEMENT VAN OMGEWINGSAKE EN  
ONTWIKKELINGSBEPLANNING**

**ORDONNANSIE OP GRONDGEBRUIKBEPLANNING, 1985  
(ORDONNANSIE NR. 15 VAN 1985)**

**WYSIGING VAN DIE KAAPSTAD  
SONERINGSKEMAREGULASIES INGEVOLGE ARTIKEL 9(2)**

Die Minister van Plaaslike Regering, Omgewingsake en Ontwikkelingsbeplanning is van voorneme om ingevolge Artikel 9(2) van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie Nr. 15 van 1985) (LUPO), Skedule C van die Soneringskemaregulasies vir Stad Kaapstad, gepubliseer in Provinsiale Kennisgewing 337 van 26 November 2012 insake die magte van Stad Kaapstad om aansoeke vir afwykings en ondervdelings ingevolge die Ordonnansie goed of af te keur, insluitende waar beperkende titelvoorwaardes van toepassing is, as volg te wysig:

Paragraaf 4 van Skedule C van die Stad Kaapstad se Soneringskemaregulasies, gepubliseer in Provinsiale Kennisgewing 337/2012 van 26 November 2012, is van voorneme om teruggetrek te word.

Enige kommentare moet skriftelik ingedien word by die Kantoor van die Direkteur: Grondbestuur, Streek 2, Departement van Omgewingsake en Ontwikkelingsbeplanning, Privaatsak X9086, Kaapstad 8000, of e-pos aan riette.fourie@westerncape.gov.za op of voor 20 November 2013. Indien u enige navrae rakende bogenoemde het, kan u met me Fourie skakel by (021) 483-8778.

P.K. 334/2013

4 Oktober 2013

**GEORGE MUNISIPALITEIT**

**WET OP OPHEFFING VAN BEPERKINGS, 1967**

Ek, Bulelwa Nkwatani, in my hoedanigheid as Hoof Grondgebruiksbestuur Reguleerder in die Departement Omgewingsake en Ontwikkelingsbeplanning: Wes-Kaap, handelende ingevolge die bevoegdheid beoog in Artikel 2(1) van die Wet op Opheffing van Beperkings, 1967 (Wet 84 van 1967), behoortlik aan my gedelegeer ingevolge Artikel 1 van die Wes-Kaapse Wet op die Delegasie van Bevoegdheids, 1994, en op aansoek van die eienaar van Erf 1261, Wildernis, hef voorwaardes 1. B. 2. en 1. C. (a), sowel as die verwysing na die genoemde voorwaardes in voorwaardes II. B en II. C, vervat in Transportakte Nr. T. 80720 van 2008, op.

P.N. 335/2013

4 October 2013

**CITY OF CAPE TOWN  
(SOUTHERN DISTRICT)**

**REMOVAL OF RESTRICTIONS ACT, 1967**

Notice is hereby given that the Minister of Local Government, Environmental Affairs and Development Planning, properly designated as Competent Authority in terms of paragraph (a) of State President Proclamation No. 160 of 31 October 1994, in terms of Section 2(1) of the Removal of Restrictions Act, 1967 (Act 84 of 1967), duly delegated to me in terms of Section 1 of the Western Cape Delegation of Powers Law, 1994, and on application by the owners of Erf 7684, Fish Hoek, remove condition (e) contained in Annexure X attached to Deed of Transfer No. T. 11586 of 1919, which condition is hidden behind condition B.(b) contained in Deed of Transfer No. T. 39946 of 2005.

P.N. 336/2013

4 October 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 48, Bredasdorp, remove condition C.(i)(b) contained in Deed of Transfer No. T. 35801 of 2007.

P.N. 337/2013

4 October 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 Remainder Erf 97188, Cape Town at Newlands, remove condition (a) contained in Deed of Transfer No. T. 5196 of 1928 and which condition is hidden behind condition C.(a) contained in Deed of Transfer No. T. 87521 of 2005.

P.N. 338/2013

4 October 2013

**RECTIFICATION  
CITY OF CAPE TOWN  
(TABLE BAY DISTRICT)**

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

Notice is hereby given that the Minister for Local Government, Environmental Affairs and Development Planning, properly designated as competent authority in terms of paragraph (a) of State President Proclamation No. 160 of 31 October 1994, in terms of Section 2(1) of the Removal of Restrictions Act, 1967 (Act 84 of 1967), and on application by the owner of Erf 2276, Pinelands, removes conditions C.1., C.3., D.3.(a) and D.3.(b) and amends condition D.3.(d) contained in Deed of Transfer No. T. 126918 of 2004 to read as follows:

Condition D.3.(d): "No building or structure or any portion therefore, except boundary walls and fences, shall be erected nearer than 15 feet to the street line which forms a boundary of this erf."

Provincial Notice 249 of 8 August 2010 is hereby cancelled.

P.K. 335/2013

4 Oktober 2013

**STAD KAAPSTAD  
(SUIDELIKE DISTRIK)**

**WET OP OPHEFFING VAN BEPERKINGS, 1967**

Kennis geskied hiermee dat die Minister van Plaaslike Regering, Omgewingsake en Ontwikkelingsbeplanning, behoorlik aangewys as die Bevoegde Gesag ingevolge paragraaf (a) van Staatspresident Proklamasie Nr. 160 van 31 Oktober 1994, kragtens 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 Bevoegdheede, 1994, en op aansoek van die eienaars van Erf 7684, Vishoek, hef voorwaarde (e) vervat in Aanhangsel X aangeheg aan Transportakte Nr. T. 11586 van 1919, welke voorwaarde skuil agter voorwaarde B.(b) vervat in Transportakte Nr. T. 39946 van 2005, op.

P.K. 336/2013

4 Oktober 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 Bevoegdheede, 1994, en op aansoek van die eienaar van Erf 48, Bredasdorp hef voorwaarde C.(i)(b) vervat in Transportakte Nr. T. 35801 van 2007, op.

P.K. 337/2013

4 Oktober 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 Bevoegdheede, 1994, en op aansoek van die eienaar van Restant Erf 97188, te Kaapstad, Nuweland, hef voorwaarde (a) vervat in Transportakte Nr. T. 5196 van 1928 welke voorwaarde skuil agter voorwaarde C.(a) vervat in Transportakte Nr. T. 87521 van 2005, op.

P.K. 338/2013

4 Oktober 2013

**REGSTELLING  
STAD KAAPSTAD  
(TAFELBAAI DISTRIK)**

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

Kennis geskied hiermee dat die Minister van Plaaslike Bestuur, Omgewingsake en Ontwikkelingsbeplanning, behoorlik aangewys as bevoegde gesag ingevolge paragraaf (a) van Staatspresident Proklamasie Nr. 160 van 31 Oktober 1994, kragtens Artikel 2(1) van die Wet op Opheffing van Beperkings, 1967 (Wet 84 van 1967), en op aansoek van die eienaar van Erf 2276, Pinelands, hef voorwaardes C.1., C.3., D.3.(a) en D.3.(b) en wysig voorwaarde D.3.(d) vervat in Transportakte Nr. T. 126918 van 2004 om soos volg te lees:

Voorwaarde D.3.(d) "No building or structure or any portion therefore, except boundary walls and fences, shall be erected nearer than 15 feet to the street line which forms a boundary of this erf."

Provinsiale Kennisgewing 249 van 8 Augustus 2013 word hiermee gekanselleer.

**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  
(CAPE FLATS DISTRICT)

**REZONING**

- Portion 17 of Cape Farm 609, Sweet Home, Philippi

Notice is hereby given in terms of Section 17(2) of the Land Use Planning Ordinance (Ordinance No. 15 of 1985) that the undermentioned application has been received and is open to inspection at the Office of the District Manager at Planning & Building Development Management, Ledger House, corner of Aden Avenue and George Street, Athlone. Enquiries may be directed to Mrs F Currie, PO Box 283, Athlone 7760, or e-mail [fran.currie@capetown.gov.za](mailto:fran.currie@capetown.gov.za), Tel. (021) 684-4342 or fax (021) 684-4410 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.capeflats@capetown.gov.za](mailto:comments_objections.capeflats@capetown.gov.za)) on or before 4 November 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:* Urban Dynamics Western Cape

*Owner:* Martin & East (Pty) Ltd

*Application No.:* 232667

*File reference:* LUM/55/609-17

*Nature of application:* Proposed rezoning of a 2.049ha portion located north of the proposed Sheffield Road of Cape Farm 609-17, Philippi from Agricultural to General Industrial zone (GI1) in terms of Section 17 of the Land Use Planning Ordinance (Ordinance No. 15 of 1985) to permit a maximum of 6147m<sup>2</sup> Gross Leasable Area of General Industrial use.

ACHMAT EBRAHIM, CITY MANAGER

4 October 2013

53175

CITY OF CAPE TOWN  
(NORTHERN DISTRICT)

**CLOSURE**

- Road adjoining Erven 3497-3503, 3505-3508, 3810, 5107, Eversdale

Notice is hereby given in terms of Section 137(1) of the Municipal Ordinance No. 20 of 1974 that Road adjoining Erven 3497-3503, 3505-3508, 3810, 5107, Eversdale has been closed.

(SG Ref.: S/12451 v4 p v2 p.153)

ACHMAT EBRAHIM, CITY MANAGER

4 October 2013

53207

CITY OF CAPE TOWN  
(NORTHERN DISTRICT)

**CLOSURE**

- Road adjoining Erven 7363, 9709, 17959, Brackenfell

Notice is hereby given in terms of Section 137(1) of the Municipal Ordinance No. 20 of 1974 that Road adjoining Erven 7363, 9709, 17959, Brackenfell has been closed.

(SG Ref.: Stel.936 v11 p.70)

ACHMAT EBRAHIM, CITY MANAGER

4 October 2013

53201

**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 OWERHEDE**

STAD KAAPSTAD  
(KAAPSE VLAKTE-DISTRIK)

**HERSONERING**

- Gedeelte 17 van Kaapse Plaas 609, Sweet Home, Philippi

Kennisgewing geskied hiermee ingevolge Artikel 17(2) 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, Beplanning en Bou-ontwikkelingsbestuur, Ledger House, h/v Adenlaan en Georganestraat, Athlone. Navrae kan gerig word aan mev F Currie, Posbus 283, Athlone 7760, of e-pos [fran.currie@capetown.gov.za](mailto:fran.currie@capetown.gov.za), Tel. (021) 684-4342 of faks (021) 684-4410 op woensdae van 08:00 tot 14:30. Enige besware, met volledige redes daarvoor, kan voor of op 4 November 2013 skriftelik by die Kantoor van bogenoemde Distriksbestuurder ingedien word, of per e-pos na [comments\\_objections.capeflats@capetown.gov.za](mailto:comments_objections.capeflats@capetown.gov.za) gestuur word, met vermelding van bogenoemde toepaslike wetgewing, die aansoeknommer en die beswaarmaker se erf- en telefoonnommer en adres. Enige besware wat ná voormelde sluitingsdatum ontvang word, kan as ongeldig geag word.

*Aansoeker:* Urban Dynamics Wes-Kaap

*Eienaar:* Martin & East (Edms) Bpk

*Aansoeknommer:* 232667

*Lêerverwysing:* LUM/55/609-17

*Aard van aansoek:* Voorgestelde hersonering van 'n 2.048ha-gedeelte, wat noord van die voorgestelde Sheffieldweg van Kaapse Plaas 609-17, Philippi geleë is, van landbou- na algemeenindustriële sone (GI1) ingevolge Artikel 17 van die Ordonnansie op Grondgebruikbeplanning (Ordonnansie Nr. 15 van 1985) om 'n maksimum 6147m<sup>2</sup> bruto verhuurbare gebied van algemeenindustriële gebruik toe te laat.

ACHMAT EBRAHIM, STADSBESTUURDER

4 Oktober 2013

53175

STAD KAAPSTAD  
(NOORDELIKE DISTRIK)

**SLUITING**

- Pad aangrensend Erwe 3497-3503, 3505-3508, 3810, 5107, Eversdal

Kennis geskied hiermee ingevolge Klousule 137(1) van die Munisipale Ordonnansie Nr. 20 van 1974 dat pad aangrensend Erwe 3497-3503, 3505-3508, 3810, 5107, Eversdal gesluit is.

(LG Verw.: S/12451 v4 p v2 p.153)

ACHMAT EBRAHIM, STADSBESTUURDER

4 Oktober 2013

53207

STAD KAAPSTAD  
(NOORDELIKE DISTRIK)

**SLUITING**

- Pad aangrensend Erwe 7363, 9709, 17959, Brackenfell

Kennis geskied hiermee ingevolge Klousule 137(1) van die Munisipale Ordonnansie Nr. 20 van 1974 dat pad aangrensend Erwe 7363, 9709, 17959, Brackenfell gesluit is.

(LG Verw.: Stel.936 v11 p.70)

ACHMAT EBRAHIM, STADSBESTUURDER

4 Oktober 2013

53201

CITY OF CAPE TOWN  
(HELDERBERG DISTRICT)  
REZONING & SUBDIVISION

- Erf 34357, Asbiyan Street/Dallas Crescent, Strand

Notice is hereby given in terms of Sections 17 & 24 of Ordinance 15 of 1985 and 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 the First Floor, Municipal Offices, c/o Victoria & Andries Pretorius Streets, Somerset West. Enquiries may be directed to Renee Arendse, PO Box 19, Somerset West, e-mail to comments\_objections.helderberg@capetown.gov.za, Tel. (021) 850-4346 or fax (021) 850-4487 weekdays during 08:00-14:30. Any objections, with full reasons therefor, may be lodged in writing at the Office of the abovementioned District Manager on or before 4 November 2013, quoting the above relevant legislation, the application number and the objector's erf and phone numbers and address. Any objections received after aforementioned closing date may be considered invalid.

*Applicant:* Messrs IC@Plan

*Owner:* Tech-Sure Fin CC (in liquidation)

*Application number:* 234300

*Notice number:* 23/2013

*Address:* Asbiyan Street/Dallas Crescent, Strand

*Nature of Application:*

- The rezoning of Erf 34357, Asbiyan Street/Dallas Crescent, Strand from Limited Use Zone to Single Residential Zone 1 purposes;
- The subdivision of the property into 12 Single Residential Zone 1 erven.

ACHMAT EBRAHIM, CITY MANAGER

4 October 2013

53178

CITY OF CAPE TOWN  
(NORTHERN DISTRICT)

CLOSURE

- Road adjoining Erven 2584, 9710, 17959 Brackenfell and Portions 64 and 65 of the Farm 936, Stellenbosch

Notice is hereby given in terms of Section 137(1) of the Municipal Ordinance No. 20 of 1974 that Road adjoining Erven 2584, 9710, 17949, Brackenfell and Portions 64 and 65 of the Farm 936, Stellenbosch has been closed.

(SG Ref.: Stel.936 v11 p.68)

ACHMAT EBRAHIM, CITY MANAGER

4 October 2013

53202

CITY OF CAPE TOWN  
(NORTHERN DISTRICT)

CLOSURE

- Road adjoining Erven 2585, 5715-5716, 17888, 19009, Brackenfell

Notice is hereby given in terms of Section 137(1) of the Municipal Ordinance No. 20 of 1974 that Road adjoining Erven 2585, 5715-5716, 17888, 19009, Brackenfell has been closed.

(SG Ref.: S/9715/39 v1 p.54)

ACHMAT EBRAHIM, CITY MANAGER

4 October 2013

53203

STAD KAAPSTAD  
(HELDERBERG-DISTRIK)

HERSONERING EN ONDERVERDELING

- Erf 34357, Asbiyanstraat/Dallassingel, Strand

Kennisgewing geskied hiermee ingevolge Artikels 17 en 24 van Ordonnansie 15 van 1985 en die Kaapstadse Soneringskemaregulasies dat onderstaande aansoek ontvang en ter insae beskikbaar is by die Kantoor van die Distriksbestuurder, Eerste Verdieping, Munisipale Kantore, h/v Victoria- en Andries Pretoriusstraat, Somerset-Wes. Navrae kan gerig word aan Renee Arendse by Posbus 19, Somerset-Wes 7129, per e-pos gestuur word na comments\_objections.helderberg@capetown.gov.za, Tel. (021) 850-4346 of faks (021) 850-4487, weekdae van 08:00 tot 14:30. Enige besware, met volledige redes daarvoor, kan voor of op 4 November 2013 skriftelik by die Kantoor van bogenoemde Distriksbestuurder ingedien word, met vermelding van die toepaslike wetgewing, die aansoeknommer en die beswaarmaker se erf- en telefoonnommer en adres. Enige besware wat ná voormelde sluitingsdatum ontvang word, kan as ongeldig geag word.

*Aansoeker:* Mnre IC@Plan

*Eienaar:* Tech-Sure Fin BK (in likwidasie)

*Aansoeknommer:* 234300

*Kennisgewingnommer:* 23/2013

*Adres:* Asbiyanstraat/Dallassingel, Strand

*Aard van aansoek:*

- Die hersonering van erf 34357, Asbiyanstraat/Dallassingel, Strand van beperkte gebruiksone na enkelresidensiële sone 1;
- Die onderverdeling van die eiendom in 12 enkelresidensiële sone 1-erwe.

ACHMAT EBRAHIM, STADSBESTUURDER

4 Oktober 2013

53178

STAD KAAPSTAD  
(NOORDELIKE DISTRIK)

SLUITING

- Pad aangrensend Erwe 2584, 9710, 17959, Brackenfell en Gedeeltes 64 en 65 van die Plaas 936, Stellenbosch

Kennis geskied hiermee ingevolge Klousule 137(1) van die Munisipale Ordonnansie Nr. 20 van 1974 dat pad aangrensend Erwe 2584, 9710, 17959 en gedeeltes 64 en 65 van die Plaas 936, Stellenbosch gesluit is.

(LG Verw.: Stel.936 v11 p.68)

ACHMAT EBRAHIM, STADSBESTUURDER

4 Oktober 2013

53202

STAD KAAPSTAD  
(NOORDELIKE DISTRIK)

SLUITING

- Pad aangrensend Erwe 2585, 5715-5716, 17888, 19009, Brackenfell

Kennis geskied hiermee ingevolge Klousule 137(1) van die Munisipale Ordonnansie Nr. 20 van 1974 dat pad aangrensend Erwe 2585, 5715-5716, 17888, 19009, Brackenfell gesluit is.

(LG Verw.: S/9715/39 v1 p.54)

ACHMAT EBRAHIM, STADSBESTUURDER

4 Oktober 2013

53203

CITY OF CAPE TOWN  
(HELDERBERG DISTRICT)  
SUBDIVISION & REZONING

- Erf 1045 and a Portion of Portion 2 of Farm 644, c/o Eastburn Road & Hastings Road, Croydon

Notice is hereby given in terms of Sections 24 & 17 of Ordinance 15 of 1985 that the undermentioned application has been received and is open to inspection at the Office of the District Manager at the First Floor, Municipal Offices, c/o Victoria & Andries Pretorius Streets, Somerset West. Enquiries may be directed to Renee Arendse, PO Box 19, Somerset West, e-mail to comments\_objections.helderberg@capetown.gov.za, Tel. (021) 850-4346 or fax (021) 850-4487 weekdays during 08:00-14:30. Any objections, with full reasons therefor, may be lodged in writing at the Office of the abovementioned District Manager on or before 4 November 2013, quoting the above relevant legislation, the application number and the objector's erf and phone numbers and address. Any objections received after aforementioned closing date may be considered invalid.

*Applicant:* Messrs IC@Plan

*Owner:* S & K van Schoor

*Application number:* 230240

*Notice number:* 22/2013

*Address:* c/o Eastburn Road & Hastings Road, Croydon

*Nature of Application:*

- The subdivision of Remainder of Portion 2 of Farm 644, Croydon into two portions, Portion 1 (approximately 153m<sup>2</sup> in extent) and Remainder;
- The rezoning of the abovementioned Portion 1 of the subdivision of Remainder of Portion 2 of Farm 644, Croydon from Transport Zone 2 to Single Residential Zone 1 purposes;
- The subdivision of the consolidation of Erf 1045 and abovementioned Portion 1 of the subdivision of the Remainder of Portion 2 of Farm 644, Croydon into two portions, Portion 1 (approximately 451.1m<sup>2</sup> in extent) and Portion 2 (approximately 452.9m<sup>2</sup> in extent).

ACHMAT EBRAHIM, CITY MANAGER

4 October 2013

53176

CITY OF CAPE TOWN  
(TABLE BAY DISTRICT)  
SUBDIVISION & REZONING

- Erf 3779, cnr Njoli Avenue & Johnson Ngwevela Street, Langa

Notice is hereby given in terms of Sections 24 & 17 of the Land Use Planning Ordinance 15 of 1985 that the undermentioned application has been received and is open to inspection at the Office of the District Manager: Table Bay District at 2nd Floor, Media City, cnr Hertzog Boulevard & Heerengracht, Cape Town. Any enquiries may be directed to Ms Joy San Giorgio, Planning & Building Development Management, PO Box 4529, Cape Town 8000 or 2nd Floor, Media City, cnr Hertzog Boulevard & Heerengracht, Cape Town, Tel. (021) 400-6453 or fax (021) 421-1963, weekdays during 08:00-14:30. Any objections, with full reasons, may be lodged in writing at the Office of the abovementioned District Manager: Table Bay District at 2nd Floor, Media City, cnr Hertzog Boulevard & Heerengracht, Cape Town, and may be directed to Ms Joy San Giorgio, Planning & Building Development Management, PO Box 4529, Cape Town 8000 or 2nd Floor, Media City, cnr Hertzog Boulevard & Heerengracht, Cape Town, or e-mail your comments/objections to: comments\_objections.tablebay@capetown.gov.za, or fax (021) 421-1963 on or before 4 November 2013, quoting the above Act and the objector's erf number. Any objections received after aforementioned closing date may be disregarded.

*Applicant:* Elco Properties

*Application number:* LM9079 (233810)

*Nature of Application:* It is proposed to subdivide the property into two portions. The remainder portion will be 3.7041ha in extent and portion 1 will be 300m<sup>2</sup> in extent. It is further proposed to rezone portion 1 from a Community Zone 1: Local to a Utility Zone to permit a Utility Service (electrical substation) on portion 1 of the property. The remainder portion will retain its Community Zone 1: Local.

ACHMAT EBRAHIM, CITY MANAGER

4 October 2013

53174

STAD KAAPSTAD  
(HELDERBERG-DISTRIK)  
ONDERVERDELING EN HERSONERING

- Erf 1045 en 'n gedeelte van Gedeelte 2 van Plaas 644, h/v Eastburn- en Hastingsweg, Croydon

Kennisgewing geskied hiermee ingevolge Artikels 24 en 17 van Ordonnansie 15 van 1985 dat onderstaande aansoek ontvang en ter insae beskikbaar is by die Kantoor van die Distriksbestuurder, Eerste Verdieping, Munisipale Kantore, h/v Victoria- en Andries Pretoriusstraat, Somerset-Wes. Navrae kan gerig word aan Renee Arendse by Posbus 19, Somerset-Wes 7129, per e-pos gestuur word na comments\_objections.helderberg@capetown.gov.za, Tel. (021) 850-4346 of faks (021) 850-4487, weksdae van 08:00 tot 14:30. Enige besware, met volledige redes daarvoor, kan voor of op 4 November 2013 skriftelik by die Kantoor van bogenoemde Distriksbestuurder ingedien word, met vermelding van die toepaslike wetgewing, die aansoeknommer en die beswaarmaker se erf- en telefoonnommer en adres. Enige besware wat ná voormelde sluitingsdatum ontvang word, kan as ongeldig geag word.

*Aansoeker:* Mnre IC@Plan

*Eienaar:* S en K van Schoor

*Aansoeknommer:* 230240

*Kennisgewingnommer:* 22/2013

*Adres:* h/v Eastburn- en Hastingsweg, Croydon

*Aard van aansoek:*

- Die onderverdeling van restante gedeelte 2 van plaas 644, Croydon in twee gedeeltes; gedeelte 1 (ongeveer 153m<sup>2</sup> groot) en restant;
- Die hersonering van bovermelde gedeelte 1 van die onderverdeling van restante gedeelte 2 van plaas 644, Croydon van vervoersone 2 na enkelresidensiële sone 1;
- Die onderverdeling van die konsolidasie van erf 1045 en bovermelde gedeelte 1 van die onderverdeling van die restante gedeelte 2 van plaas 644, Croydon in twee gedeeltes, naamlik gedeelte 1 (ongeveer 451.1m<sup>2</sup> groot) en gedeelte 2 (ongeveer 452.9m<sup>2</sup> groot).

ACHMAT EBRAHIM, STADSBESTUURDER

4 Oktober 2013

53176

STAD KAAPSTAD  
(TAFELBAAI-DISTRIK)  
ONDERVERDELING EN HERSONERING

- Erf 3779, h/v Njoli-iaan en Johnson Ngwevela-straat, Langa

Kennisgewing geskied hiermee ingevolge Artikels 24 en 17 van die Ordonnansie op Grondgebruikbeplanning (Ordonnansie Nr. 15 van 1985) dat onderstaande aansoek ontvang en ter insae beskikbaar is by die Kantoor van die Distriksbestuurder, Tafelbaai-distrik op die Tweede Verdieping, Media City, h/v Hertzog-boulevard en Heerengracht, Kaapstad. Navrae kan weksdae van 08:00 tot 14:30 gerig word aan me Joy San Giorgio, Beplanning en Bou-ontwikkelingsbestuur, Posbus 4529, Kaapstad 8000 of Tweede Verdieping, Media City, h/v Hertzog-boulevard en Heerengracht, Kaapstad, Tel. (021) 400-6453 of faks (021) 421-1963. Enige besware, met volledige redes, moet voor of op 4 November 2013 skriftelik by die Kantoor van bogenoemde Distriksbestuurder, Tafelbaai-distrik op die Tweede Verdieping, Media City, h/v Hertzog-boulevard en Heerengracht, Kaapstad ingedien word en kan gerig word aan me Joy San Giorgio, Beplanning en Bou-ontwikkelingsbestuur, Posbus 4529, Kaapstad 8000 of Tweede Verdieping, Media City, h/v Hertzog-boulevard en Heerengracht, Kaapstad of stuur u kommentaar of besware per e-pos na: comments\_objections.tablebay@capetown.gov.za of faks (021) 421-1963, met vermelding van bovermelde wetgewing en die beswaarmaker se erfnummer. Enige besware wat ná voormelde sluitingsdatum ontvang word, kan buite rekening gelaat word.

*Aansoeker:* Elco Eiendomme

*Aansoeknommer:* LM9079 (233810)

*Aard van aansoek:* Daar word voorgestel dat die eiendom in twee gedeeltes onderverdeel word. Die restante gedeelte sal 3.7041ha groot wees en gedeelte 1 sal 300m<sup>2</sup> groot wees. Daar word verder voorgestel om gedeelte 1 van 'n gemeenskapone 1: plaaslik na 'n nutssone te hersoneer om 'n nutsdiens (elektriese substasie) op gedeelte 1 van die eiendom toe te laat. Die restante gedeelte sal die titel van gemeenskapone 1: plaaslik behou.

ACHMAT EBRAHIM, STADSBESTUURDER

4 Oktober 2013

53174

CITY OF CAPE TOWN  
(SOUTHERN DISTRICT)

REMOVAL OF TITLE DEED RESTRICTIONS & DEPARTURES

- Erf 7943, Fish Hoek (*second placement*)

Notice is hereby given in terms of Section 3(6) of the Removal of Restrictions Act, 1967 (Act No. 84 of 1967) and Section 15 of the Land Use Planning Ordinance (Ordinance No. 15 of 1985), that the undermentioned application has been received and is open to inspection at the Office of the District Manager, Department: Planning & Building Development Management, City of Cape Town, Ground Floor, 3 Victoria Road, Plumstead and any enquiries may be directed to M Walker, Tel. (021) 710-8277, from 08:30 to 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 to 12:30 and 13:00 to 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 faxed to (021) 710-9446 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 (021) 483-3098 on or before the closing date, quoting, the above legislation, the belowmentioned 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 as a consequence arrives late, it will be deemed to be invalid. For any further information in this regard, contact M Walker, Tel. (021) 710-8277 or michelle.walker@capetown.gov.za. The closing date for objections and comments is Monday, 4 November 2013.

*Location address:* 10 Ranger Road, Fish Hoek

*Applicant/Owner:* K Kamer

*Application No.:* 231037

*Nature of application:*

- Removal of restrictive title condition to enable the owner to erect a garage and a second dwelling (granny flat) on the property. The 3.5m street building line restriction will be encroached upon.
- Application is made in terms of the City of Cape Town Zoning Scheme Regulations for:
  - Consent Use in terms of Section 5.1.1(c) to permit a second dwelling.
  - Departures in terms of Section 5.1.2(d) to permit a street building of 0m in of lieu 3.5m (for the garage and second dwelling).

ACHMAT EBRAHIM, CITY MANAGER

4 October 2013

53177

STAD KAAPSTAD  
(SUIDELIKE DISTRIK)

OPHEFFING VAN TITELAKTEBEPERKINGS EN AFWYKINGS

- Erf 7943, Vishoek (*tweede plasing*)

Kennisgewing geskied hiermee ingevolge Artikel 3(6) van die Wet op die Opheffing van Beperkings (Wet 84 van 1967) en Artikel 15 van die Ordonnansie op Grondgebruikbeplanning (Ordonnansie Nr. 15 van 1985) dat onderstaande aansoek ontvang en ter insae beskikbaar is by die Kantoor van die Distriksbestuurder, Departement Beplanning en Bou-ontwikkelingsbestuur, Stad Kaapstad, Grondverdieping, Victoriaweg 3, Plumstead. Navrae kan op weksdae van 08:30 tot 14:30 gerig word aan M Walker by Tel. (021) 710-8277. Die aansoek is ook op weksdae 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, Wes-Kaapse Regering, Utilitas-gebou, Dorpstraat 1, Kaapstad. Enige besware en/of kommentaar, met volledige redes daarvoor, moet voor of op die sluitingsdatum skriftelik gestuur word aan sowel (1) die Kantoor van die Distriksbestuurder, departement Beplanning en Bou-ontwikkelingsbestuur, Stad Kaapstad, Privaatsak X5, Plumstead 7801, faksnommer (021) 710-9446 of e-pos 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, faksnommer (021) 483-3098, 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. As u reaksie nie na dié adresse en/of faksnommer gestuur word nie en gevolglik laat ontvang word, sal dit as ongeldig geag word. Vir nadere inligting in hierdie verband, skakel M Walker by Tel. (021) 710-8277 of stuur e-pos na michelle.walker@capetown.gov.za. Die sluitingsdatum vir besware en kommentaar is Maandag, 4 November 2013.

*Liggingsadres:* Rangerweg 10, Vishoek

*Aansoeker/eienaar:* K Kamer

*Aansoeknommer:* 231037

*Aard van aansoek:*

- Opheffing van beperkende titelvoorwaarde om die eienaar in staat te stel om 'n motorhuis en 'n tweede woning (oumawoonstel) op die eiendom te bou. Die straatboulynbeperking van 3.5m sal oorskry word.
- Aansoek word ingevolge die Stad Kaapstad se Soneringskemaregulasies gedoen om:
  - Vergunningsgebruik ten opsigte van Artikel 5.1.1(c) om 'n tweede woning toe te laat.
  - Afwyking ten opsigte van Artikel 5.1.2(d) om 'n straatboulyn van 0m in plaas van 3.5m toe te laat (vir die motorhuis en tweede woning).

ACHMAT EBRAHIM, STADSBESTUURDER

4 Oktober 2013

53177

## CITY OF CAPE TOWN

## (SOUTHERN DISTRICT)

## UKUSUSWA KWEZITHINTELO ZETAYITILE YOBUNINI NOTYESHELO LWEMIQATHANGO

- Isiza-7943, esise-Fish Hoek (*sikhutshwa okwesibini*)

Kukhutshwa isaziso ngokweCandelo-3(6) loMthetho wokuSuswa kweziThintelo onguNomb. 84 wangowe-1967 nangokweCandelo-15 loMmiselo woCwanciso lokuSetyenziswa koMhlaba onguNomb. 15 wangowe-1985, sokuba isicelo esikhankanywe ngezantsi apha, sifunyenwe kwaye sivulelekile ukuba sihlolwe kwi-ofisi yoMphathi wesiThili, loCwanciso noPhuhliso loLwakhiwo kwisiXeko saseKapa, kuMgangatho olingana nomhlaba, 3 Victoria Road, e-Plumstead kwakhona nayiphina imibuzo ingajoliswa ku-M Walker, umnxeba (021) 710-8277, ukususela ngeye-08:30-14:30 ngoMvulo ukuya ngoLwesihlanu. Isicelo esi sikwavulelekile ukuba sihlolwe kwi-ofisi yoMlawuli woLawulo lokusiNgqongileyo ngokuHlangeneyo, kwiSebe leMicimbi yokusiNgqongileyo noPhuhliso loCwanciso, kubuRhulumente bePhondo laseNtshona Koloni, kwiSakhiwo i-Utilitas, 1 Dorp Street, eKapa kwiintsuku eziphakathi evikini ukususela ngeye-08:00-12:30 nokususela ngeye-13:00-15:30. Naziphina izichaso okanye izimvo ezinezizathu ezipheleleyo kufuneka zingeniswe ngokubhaliweyo (1) kwi-ofisi yoMphathi wesiThili, kwiSebe loLawulo loCwanciso noPhuhliso loLwakhiwo, kwisiXeko saseKapa, Private Bag X5, Plumstead 7801, okanye kwifeksi (021) 710-9446 okanye kwi-imeyile objections.southern@capetown.gov.za (2) kwakhona kuMlawuli woLawulo lokusiNgqongileyo ngokuHlangeneyo, kwiSebe leMicimbi yokusiNgqongileyo noCwanciso loPhuhliso, kubuRhulumente bePhondo laseNtshona Koloni, kwiSakhiwo i-Utilitas, 1 Dorp Street, eKapa okanye zifekselse kwa (021) 483-3098 ngomhla okanye phambi kowokuvalwa, ucaphule uMthetho okhankanywe ngezantsi inombolo yesicelo, kwakhona inombolo yesiza somchasi neenombolo zomnxeba nedilesi yakhe. Izichaso nezimvo zingangeniswa kwakhona ngesandla kwezi dilesi zezitrato ezikhankanywe ngentla apha ungadlulanga umhla wokuvalwa. Ukuba impendulo yakho ithethwe ayathunyelwa kwezi dilesi okanye kwiinombolo zefeksi, kwakhona ukuba kuthe kwenzeka ukuba ifike emva komhla omiselweyo, iyakuthi ithatyathwe njengengekho-mthethweni. Ukuze ufumane enye ingcaciso ngokuphatelene nalo mbandela, ungaqhagamshelana no-M Walker, umnxeba (021) 710-8277 okanye kwi-imeyile michelle.walker@capetown.gov.za. Umhla wokuvalwa kokungeniswa kwezimvo nezichaso nguMvulo we-4 Novemba 2013.

*Idilesi yendawo:* 10 Ranger Road, Fish Hoek

*Umfaki-sicelo/umnini:* K Kamer

*Inombolo yesicelo:* 231037

*Ubume besicelo:*

- Ukususwa komqathango wesithintelo setayitile yobunini ukuze umnini abenakho ukwakha igaraji nendawo yokuhlala yesibini (iflethi ehlala abaqeshiselweyo) kwipropati. Kuyakuthi kufakelelwe isithintelo somda wesitrato ukususela kwisakhiwo esi-3.5m.
- Isicelo senziwa ngokweMigaqo yeNkqubo yezoCando yesiXeko saseKapa kulungiselelwa:

UkuSetyenziswa ngeMvume ngokweCandelo-5.1.1(c) ukuze kuvumeleke indlu yokuHlala yesibini

Utyeshelo lwemiqathango ngokweCandelo-5.1.2(d) ukuze kuvumeleke umda wesitrato osusela kwisakhiwo ukuba ucuthwe ubengu-0m endaweni ye-3.5m.

ACHMAT EBRAHIM, CITY MANAGER

4 October 2013

53177

## BEAUFORT WEST MUNICIPALITY

Notice No. 95/2013

**PROPOSED REZONING AND CONSENT USE:  
ERF 3589, 33 GORDON STREET,  
BEAUFORT WEST**

Notice is hereby given in terms of Section 17 of Ordinance No. 15 of 1985 and Regulation 4.7.1 of the Scheme Regulations applicable to Beaufort West that the Local Council has received an application from the owner of erf 3589, 33 Gordon Street, Beaufort West for the rezoning of the aforementioned property from Residential Zone I to Business Zone I with a consent use for a dwelling-house and liquor store in order to conduct the business of a liquor store on the property and still to occupy the property for residential purposes.

Full details regarding the abovementioned application are available for inspection at the Office of the Director: Corporative Services, 112 Donkin Street, Beaufort West from Mondays to Fridays between 07:30 till 13:00 and 13:45 till 16:15.

Objections, if any, against the proposed partial rezoning and consent uses must be lodged in writing with the undersigned on or before FRIDAY, 25 OCTOBER 2013 stating full reasons for such objections.

J BOOYSEN, MUNICIPAL MANAGER, MUNICIPAL OFFICES,  
112 DONKIN STREET, BEAUFORT WEST 6970

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

4 October 2013

53170

## MUNISIPALITEIT BEAUFORT-WES

Kennisgewingnr. 95/2013

**VOORGESTELDE HERSONERING EN  
VERGUNNINGSGEBRUIK: ERF 3589, GORDONSTRAAT 33,  
BEAUFORT-WES**

Kennis geskied hiermee ingevolge Artikel 17 van Ordonnansie 15 van 1985 en Regulasie 4.7.1 van die Skemaregulasies van toepassing op Beaufort-Wes dat die Plaaslike Raad 'n aansoek ontvang het van die eienaar van erf 3589, geleë te Gordonstraat 33, Beaufort-Wes vir die hersonering van voormelde eiendom vanaf Residensiële Sone I na Sakesone I met 'n vergunningsgebruik vir 'n woonhuis en 'n drankwinkel ten einde die eiendom te kan bewoon en die besigheid van 'n bottelstoor vanaf die eiendom te onderneem.

Volledige besonderhede met betrekking tot die bogemelde aansoek lê ter insae by die Kantoor van die Direkteur: Korporatiewe Dienste, Donkinstraat 112, Beaufort-Wes vanaf Maandae tot Vrydae vanaf 07:30 tot 13:00 en 13:45 tot 16:15.

Besware, indien enige, teen die voorgestelde hersonering en vergunningsgebruik moet skriftelik en met vermelding van volledige redes vir sodanige besware by die ondergetekende ingedien word voor of op VRYDAG, 25 OKTOBER 2013.

J BOOYSEN, MUNISIPALE BESTUURDER, MUNISIPALE  
KANTORE, DONKINSTRAAT 112, BEAUFORT-WES 6970

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

4 Oktober 2013

53170



## BERGRIVIER MUNICIPALITY

APPLICATION FOR REZONING & SUBDIVISION: ERF 2976,  
PORTERVILLE

Notice is hereby given in terms of Sections 17 and 24 of the Land Use Planning Ordinance, 1985 (Ordinance No. 15 of 1985) that the undermentioned application has been received and is open to inspection at the Office of the Municipal Manager, Bergrivier Municipality and any enquiries may be directed to Mr K Abrahams: Technician: Planning and Development, PO Box 60 (13 Church Street), Piketberg 7320 at Tel. No. (022) 913-6000 or fax (022) 913-1406. Any objections, with full reasons therefor, must be lodged in writing at the Office of the Municipal Manager on or before 11 November 2013, quoting the above Ordinance and the objector's farm/erf number.

*Applicant:* South Consulting Project Management (on behalf of RL Manzoni)

*Nature of application:* Subdivision of Erf 2976, Porterville into five portions, namely Portion A ( $\pm 1463\text{m}^2$ ), Portion B ( $\pm 2196\text{m}^2$ ), Portion C ( $\pm 422\text{m}^2$ ), Portion D ( $\pm 246\text{m}^2$ ) and Remainder ( $\pm 12071\text{m}^2$ ) as well as rezoning of Portions A, B, C & D from Agricultural Zone 1 to Residential Zone 1 for residential purposes.

ADV HANLIE LINDE, MUNICIPAL MANAGER, MUNICIPAL OFFICES, 13 CHURCH STREET, PO BOX 60, PIKETBERG 7320

M.N. 116/2013

4 October 2013

53172

## BERGRIVIER MUNICIPALITY

LAND USE PLANNING ORDINANCE, 1985  
(ORDINANCE NO. 15 OF 1985)REMOVAL OF RESTRICTIONS ACT, 1967  
(ACT 84 OF 1967)APPLICATION FOR REMOVAL OF RESTRICTIONS, REZONING  
& DEPARTURE: ERF 511, PIKETBERG

Notice is hereby given in terms of Sections 15 and 17 of the Land Use Planning Ordinance, 1985 (Ordinance No. 15 of 1985) as well as Section 3(6) of the Removal of Restrictions Act, 1967 (Act 84 of 1967) that the undermentioned application has been received and is open to inspection at the Office of the Municipal Manager, Bergrivier Municipality, and any enquiries may be directed to K Abrahams, Technician: Planning & Development, PO Box 60, 13 Church Street, Piketberg 7320, Tel No. (021) 913-6000 and fax number (021) 913-1406. The application is also open to inspection at the Office of the Director: Land Management: Region B2, Provincial Government of the Western Cape, at Room 604, 1 Dorp Street, Cape Town, from 08:00-12:30 and 13:00-15:30 (Monday to Friday). Telephonic enquiries in this regard may be made at (021) 483-8332 and the Directorate's fax number is (021) 483-3098. Any objections, with full reasons therefor, should be lodged in writing at the Office of the abovementioned Director: Land Management: Region B2, at Private Bag X9086, Cape Town 8000, with a copy to the abovementioned Municipal Manager on or before 11 November 2013, quoting the above Act and the objector's erf number. Any comments received after the aforementioned closing date may be disregarded.

*Applicant:* Jan Truter Town & Regional Planning

*Nature of Application:* Rezoning of Erf 511, Piketberg from Single Residential Zone to General Residential Zone and departure from the side building lines from 3m to 2m as well as removal of restrictive title condition pertaining to Erf 511, Piketberg, 9 Hoop Street, to enable the owner to establish three (3) additional townhouse units on the property.

ADV HANLIE LINDE, MUNICIPAL MANAGER, MUNICIPAL OFFICES, 13 CHURCH STREET, PO BOX 60, PIKETBERG 7320

M.N. 117/2013

4 October 2013

53173

## BERGRIVIER MUNISIPALITEIT

AANSOEK OM HERSONERING & ONDERVERDELING:  
ERF 2976, PORTERVILLE

Kragtens Artikels 17 en 24 van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie Nr. 15 van 1985) word hiermee kennis gegee dat die onderstaande aansoek ontvang is en ter insae lê by die Kantoor van die Munisipale Bestuurder, Bergrivier Munisipaliteit en enige navrae kan gerig word aan mnr K Abrahams: Tegnikus: Beplanning & Ontwikkeling, Posbus 60 (Kerkstraat 13), Piketberg 7320, Tel. (022) 913-6000 of faks (022) 913-1406. Enige besware, met die volledige redes daarvoor, moet skriftelik by die Kantoor van die Munisipale Bestuurder ingedien word op of voor 11 November 2013 met vermelding van bogenoemde Ordonnansie en die beswaarmaker se plaas-/erfnommer.

*Aansoeker:* South Consulting Projekbestuur (namens RL Manzoni)

*Aard van Aansoek:* Onderverdeling van Erf 2976, Porterville in vyf gedeeltes, naamlik Gedeelte A ( $\pm 1463\text{m}^2$ ), Gedeelte B ( $\pm 2196\text{m}^2$ ), Gedeelte C ( $\pm 422\text{m}^2$ ), Gedeelte D ( $\pm 246\text{m}^2$ ) en Restant ( $\pm 12071\text{m}^2$ ) asook hersonering van Gedeeltes A, B, C & D vanaf Landbousone 1 na Residensiële Sone 1 vir residensiële doeleindes.

ADV HANLIE LINDE, MUNISIPALE BESTUURDER, MUNISIPALE KANTORE, KERKSTRAAT 13, POSBUS 60, PIKETBERG 7320

M.K. 116/2013

4 Oktober 2013

53172

## BERGRIVIER MUNISIPALITEIT

ORDONNANSIE OP GRONDGEBRUIKBEPLANNING, 1985  
(ORDONNANSIE NR. 15 VAN 1985)WET OP OPHEFFING VAN BEPERKINGS, 1967  
(WET 84 VAN 1967)AANSOEK OM OPHEFFING VAN BEPERKINGS, HERSONERING  
EN AFWYKING: ERF 511, PIKETBERG

Kragtens Artikels 15 en 17 van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie Nr. 15 van 1985) asook kragtens Artikel 3(6) van Wet 84 van 1967 word hiermee kennis gegee dat die onderstaande aansoek ontvang is en ter insae lê by die Kantoor van die Munisipale Bestuurder, Bergrivier Munisipaliteit, en enige navrae kan gerig word aan K Abrahams, Tegnikus: Beplanning & Ontwikkeling, Posbus 60, Kerkstraat 13, Piketberg 7320, Tel. No. (022) 913-6000 en faksnummer (022) 913-1406. Die aansoek lê ook ter insae by die Kantoor van die Direkteur, Grondbestuur: Streek B2, Provinsiale Regering van die Wes-Kaap, by Kamer 604, Dorpstraat 1, Kaapstad, vanaf 08:00-12:30 en 13:00-15:30 (Maandag tot Vrydag). Telefoniese navrae in hierdie verband kan gerig word aan (021) 483-8332 en die Direkoraat se faksnummer is (021) 483-3098. Enige besware, met die volledige redes daarvoor, moet skriftelik by die Kantoor van die bogenoemde Direkteur: Grondbestuur: Streek B2, Privaatsak X9086, Kaapstad 8000, met 'n afskrif aan die bogenoemde Munisipale Bestuurder ingedien word op of voor 11 November 2013 met vermelding van bogenoemde Wet en die beswaarmaker se erfnummer. Enige kommentaar wat ná die voorgemelde sluitingsdatum ontvang word, mag moontlik nie in ag geneem word nie.

*Aansoeker:* Jan Truter Stads- & Streeksbeplanning

*Aard van Aansoek:* Hersonering van Erf 511, Piketberg vanaf Enkelresidensiële Sone na Algemene Residensiële Sone en afwyking van die kantboulyne vanaf 3m na 2m asook opheffing van 'n beperkende titelvoorwaarde van toepassing op Erf 511, Piketberg, Hoopstraat 9, ten einde die eienaar in staat te stel om drie (3) addisionele dorphuiseenhede op die eiendom op te rig.

ADV HANLIE LINDE, MUNISIPALE BESTUURDER, MUNISIPALE KANTORE, KERKSTRAAT 13, POSBUS 60, PIKETBERG 7320

M.K. 117/2013

4 Oktober 2013

53173

## DRAKENSTEIN MUNICIPALITY

## APPLICATION FOR REZONING AND DEPARTURES: ERF 14715, WELLINGTON

Notice is hereby given in terms of Sections 17(2)(a) and 15(1)(a)(ii) of the Land Use Planning Ordinance, 1985 (Ordinance No. 15 of 1985), that an application as set out below has been received and can be viewed during normal office hours at the Office of the Head: Planning Services, Administrative Offices, c/o Main and Market Streets, Paarl, Tel. (021) 807-4770:

*Property:* Erf 14715, Wellington

*Owner:* GL Ehlers (BMS Trust)

*Applicant:* Louis Hugo Town and Regional Planner

*Locality:* The property is centrally situated with access from Bain Street, Wellington

*Size:* 1065m<sup>2</sup>

*Zonings:* Single Residential Zone

*Proposal:* Rezoning of Erf 14715, Wellington from Single Dwelling Residential Zone to General Single Residential Zone for the purposes of five (5) (three bedroom, double storey) dwelling units with sizes ranging from 102m<sup>2</sup>-108m<sup>2</sup>; and

Departures of the following land use parameters:

- Relaxation of the eastern side building line to 1.0m;
- Relaxation of the southern side building line to 1.0m;
- Relaxation of the western side building line to 1.0m; and
- Relaxation of the maximum permitted coverage from 25% to ±32%.

Motivated objections to the above can be lodged in writing to the Municipal Manager, Drakenstein Municipality, PO Box 1, Paarl 7622 by no later than Monday, 4 November 2013. No late objections will be considered.

Persons who are unable to read or write, can submit their objections verbally at the Municipal Offices, Berg River Boulevard, Paarl, where they will be assisted by a staff member, to put their comments in writing.

JF METTLER, MUNICIPAL MANAGER

15/4/1 (14715) W

4 October 2013

53179

## DRAKENSTEIN MUNICIPALITY

## CLOSURE, REZONING AND ALIENATION OF UNNAMED ROAD PORTION OF ERF 1592, WELLINGTON

Notice is hereby given in terms of Sections 124(2) and 137(2) of the Municipal Ordinance (Ordinance No. 20 of 1974) and Section 17(2) of the Land Use Ordinance (Ordinance No. 15 of 1985), that the Council intends to close, rezone from Public Road to Industrial Zone and alienate Erf 8422, an unmade road portion of Erf 1592, Wellington (311m<sup>2</sup> in extent), to the adjoining land owner for consolidation with his property. The transaction is subject to certain conditions.

A plan and particulars regarding the above proposal are open for inspection during office hours at the Office of the Head: Planning and Economic Development, c/o Market and Main Streets, Paarl and any objections to the aforesaid proposal must be lodged in writing to the undersigned by no later than Monday, 11 November 2013. Late objections will not be considered.

JF METTLER, MUNICIPAL MANAGER

15/4/1 (1592) W

4 October 2013

53180

## DRAKENSTEIN MUNISIPALITEIT

## AANSOEK OM HERSONERING EN AFWYKINGS: ERF 14715, WELLINGTON

Kennis geskied hiermee ingevolge Artikels 17(2)(a) en 15(1)(a)(ii) van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie Nr. 15 van 1985), dat 'n aansoek soos hieronder uiteengesit, ontvang is en gedurende normale kantoorure ter insae is by die Kantoor van die Hoof: Beplanningdienste, Administratiewe Kantore, h/v Hoof- en Markstraat, Paarl, Tel. (021) 807-4770:

*Eiendom:* Erf 14715, Wellington

*Eienaar:* GL Ehlers (BMS Trust)

*Aansoeker:* Louis Hugo Stads- en Streekbeplanner

*Ligging:* Die perseel is sentraal geleë met toegang vanaf Bainstraat, Wellington

*Grootte:* 1065m<sup>2</sup>

*Sonering:* Enkelresidensiële Sone

*Voorstel:* Hersonerings van Erf 14715, Wellington vanaf Enkelresidensiële Sone na Algemene Residensiële Sone vir die doeleindes van vyf (5) (drie-slaapkamer, dubbelverdieping) wooneenhede met grotes wat wissel vanaf 102m<sup>2</sup>-108m<sup>2</sup>; en

Afwykinge van die volgende grondgebruikbeperkings:

- Verslapping van die oostelike boulyn na 1.0m
- Verslapping van die suidelike boulyn na 1.0m;
- Verslapping van die westelike boulyn na 1.0m; en
- Verslapping van die maksimum toelaatbare dekking vanaf 25% na ±32%.

Gemotiveerde besware kan skriftelik by die ondergetekende ingedien word, teen nie later nie as Maandag, 4 November 2013. Geen laat besware sal oorweeg word nie.

Indien 'n persoon nie kan lees of skryf nie, kan so 'n persoon sy kommentaar mondelings by die Munisipale Kantore, Bergrivier Boulevard, Paarl, afleë, waar 'n personeelid sal help om sy kommentaar/vertoë op skrif te stel.

JF METTLER, MUNISIPALE BESTUURDER

15/4/1 (14715) W

4 Oktober 2013

53179

## DRAKENSTEIN MUNISIPALITEIT

## SLUITING, HERSONERING EN VERVREEMDING VAN NAAMLOSE PADGEDEELTE VAN ERF 1592, WELLINGTON

Kennis geskied hiermee ingevolge Artikels 124(2) en 137(2) van die Munisipale Ordonnansie (Ordonnansie Nr. 20 van 1974) en Artikel 17(2) van die Ordonnansie op Grondgebruikbeplanning (Ordonnansie Nr. 15 van 1985), dat die Raad van voorneme is om Erf 8422, 'n ongeboude padgedeelte van Erf 1592, Wellington (groot 311m<sup>2</sup>), te sluit, hersoneer van Publieke Pad na Nywerheidsone en aan aangrensende eienaar te vervreem vir konsolidasie met sy eiendom. Die transaksie is onderworpe aan sekere voorwaardes.

'n Plan en besonderhede aangaande bogenoemde voorstel is gedurende kantoorure ter insae by die Kantoor van die Hoof: Beplanningdienste, h/v Mark- en Hoofstraat, Paarl en enige besware teen voorgenoemde voorstel moet skriftelik by die ondergetekende ingedien word teen nie later nie as Maandag, 11 November 2013. Laat besware sal nie oorweeg word nie.

JF METTLER, MUNISIPALE BESTUURDER

15/4/1 (1592) W

4 Oktober 2013

53180

## GEORGE MUNICIPALITY

NOTICE NO. 082/2013

CLOSING OF PORTION OF SAAGMEUL STREET ADJOINING  
ERF 7415, GEORGE

Notice is hereby given in terms of the provisions of Section 137(1) of Ordinance 20 of 1974 that the Council has closed a Portion of Saagmeul Street adjoining Erf 7415, George and that such closure will take effect from the date on which this notice appears. (S/8775/55 v12 p.13)

T BOTHA, MUNICIPAL MANAGER, CIVIC CENTRE, YORK STREET, GEORGE 6530

4 October 2013

53182

## GEORGE MUNICIPALITY

NOTICE NO. 074/2013

PROPOSED DEPARTURES: ERF 7105, RIJK TULBACH STREET,  
GEORGE

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

1. Departure in terms of Section 15 of Ordinance 15 of 1985 for an additional dwelling unit;
2. Departure in terms of Section 15 of Ordinance 15 of 1985 to relax the following building lines:
  - (i) Western side building line from 3.0m to 0.0m for an existing garage;
  - (ii) Rear building line from 3.0m to 2.361m for an existing swimming pool;
  - (iii) Eastern side building line from 3.0m to 1.0m for an additional dwelling unit;
  - (iv) Street building line (Rijk Tulbach Street) from 4.5m to 0.0m for an existing carport;
  - (v) Eastern side building line from 3.0m to 0.0m for an existing carport.

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

*Enquiries:* MARISA ARRIES

*Reference:* ERF 7105, GEORGE

Motivated objections, if any, must be lodged in writing with the Registration Office, 1st Floor, George Municipality by not later than 4 NOVEMBER 2013. Please note that no objections by e-mail will be accepted.

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

T BOTHA, MUNICIPAL MANAGER, CIVIC CENTRE, YORK STREET, GEORGE 6530

MARISA ARRIES, Tel.: (044) 801-9473, Fax: 086 570 1900

E-mail: marisa@george.org.za

4 October 2013

53183

## MUNISIPALITEIT GEORGE

KENNISGEWINGNR. 082/2013

SLUITING VAN GEDEELTE VAN SAAGMEULSTRAAT  
AANGRENSEND AAN ERF 7415, GEORGE

Kennisgewing geskied hiermee ingevolge die bepalings van Artikel 137(1) van Ordonnansie 20 van 1974 dat die Raad 'n Gedeelte van Saagmeulstraat aangrensend aan Erf 7415, George gesluit het en dat gemelde sluiting vanaf die datum waarop hierdie kennisgewing verskyn van krag sal wees. (S/8775/55 v12 p.13)

T BOTHA, MUNISIPALE BESTUURDER, BUGERSENTRUM, YORKSTRAAT, GEORGE 6530

4 Oktober 2013

53182

## GEORGE MUNISIPALITEIT

KENNISGEWINGNR. 074/2013

VOORGESTELDE AFWYKINGS: ERF 7105,  
RIJK TULBACHSTRAAT, GEORGE

Kennis geskied hiermee dat die Raad die volgende aansoeke ontvang het op bogenoemde eiendom:

1. Afwyking ingevolge Artikel 15 van Ordonnansie 15 van 1985 vir 'n bestaande addisionele wooneenheid;
2. Afwyking ingevolge Artikel 15 van Ordonnansie 15 van 1985 vir die verslapping van die volgende boulyne:
  - (i) Westelike sygrensboulyn vanaf 3.0m na 0.0m vir die bestaande motorhuis;
  - (ii) Agtergrensboulyn vanaf 3.0m na 2.361m vir die bestaande swembad;
  - (iii) Oostelike sygrensboulyn vanaf 3.0m na 1.0m vir die addisionele wooneenheid;
  - (iv) Straatboulyn (Rijk Tulbachstraat) vanaf 4.5m na 0.0m vir die bestaande skadunet motorafdak;
  - (v) Oostelike sygrensboulyn vanaf 3.0m na 0.0m vir 'n bestaande skadunet motorafdak.

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

*Navrae:* MARISA ARRIES

*Verwysing:* ERF 7105, GEORGE

Gemotiveerde besware, indien enige, moet skriftelik by die Registrasiekantoor, 1ste Vloer, George Munisipaliteit ingedien word nie later as 4 NOVEMBER 2013. Let asseblief daarop dat geen e-pos besware aanvaar sal word nie.

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

T BOTHA, MUNISIPALE BESTUURDER, BURGERSENTRUM, YORKSTRAAT, GEORGE 6530

MARISA ARRIES, Tel.: (044) 801-9473, Faks: 086 570 1900

E-pos: marisa@george.org.za

4 Oktober 2013

53183

## GEORGE MUNICIPALITY

NOTICE NO. 073/2013

PROPOSED TEMPORARY DEPARTURE: REMAINDER ERF 532,  
UNIONDALE

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

Temporary Departure in terms of Section 15 of Ordinance 15 of 1985 for a departure to permit mining activities (burrow pit) on the property.

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

*Enquiries:* MARISA ARRIES

*Reference:* REMAINDER ERF 532, UNIONDALE

Motivated objections, if any, must be lodged in writing with the Deputy Director: Planning by not later than 4 NOVEMBER 2013. Please note that no objections by e-mail will be accepted.

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

T BOTHA, MUNICIPAL MANAGER, CIVIC CENTRE, YORK STREET, GEORGE 6530

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

E-mail: marisa@george.org.za

4 October 2013

53184

## GEORGE MUNICIPALITY

NOTICE NO. 072/2013

PROPOSED TEMPORARY DEPARTURE: REMAINDER OF FARM  
29, DOORNRIVIER

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

Temporary Departure in terms of Section 15 of Ordinance No. 15 of 1985 for a departure to permit mining activities (burrow pit) on the property.

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

*Enquiries:* MARISA ARRIES

*Reference:* REMAINDER OF FARM 29, DOORNRIVIER

Motivated objections, if any, must be lodged in writing with the Deputy Director: Planning by not later than 4 NOVEMBER 2013. Please note that no objections by e-mail will be accepted.

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

T BOTHA, MUNICIPAL MANAGER, CIVIC CENTRE, YORK STREET, GEORGE 6530

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

E-mail: marisa@george.org.za

4 October 2013

53185

## GEORGE MUNISIPALITEIT

KENNISGEWINGNR. 073/2013

VOORGESTELDE TYDELIKE AFWYKING: RESTANT ERF 532,  
UNIONDALE

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

Tydlike afwyking ingevolge Artikel 15 van Ordonnansie Nr. 15 van 1985 om mynbou werksaamhede (leengroef) toe te laat op die eiendom.

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

*Navrae:* MARISA ARRIES

*Verwysing:* RESTANT ERF 532, UNIONDALE

Gemotiveerde besware, indien enige, moet skriftelik by die Adjunk Direkteur: Beplanning ingedien word nie later nie as 4 NOVEMBER 2013. Let asseblief daarop dat geen e-pos besware aanvaar sal word nie.

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

T BOTHA, MUNISIPALE BESTUURDER, BURGERSENTRUM, YORKSTRAAT, GEORGE 6530

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

E-pos: marisa@george.org.za

4 Oktober 2013

53184

## GEORGE MUNISIPALITEIT

KENNISGEWINGNR. 072/2013

VOORGESTELDE TYDELIKE AFWYKING: RESTANT VAN  
PLAAS 29, DOORNRIVIER

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

Tydlike afwyking ingevolge Artikel 15 van Ordonnansie Nr. 15 van 1985 om mynbou werksaamhede (Leengroef) toe te laat op die eiendom.

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

*Navrae:* MARISA ARRIES

*Verwysing:* RESTANT VAN PLAAS 29, DOORNRIVIER

Gemotiveerde besware, indien enige, moet skriftelik by die Adjunk Direkteur: Beplanning ingedien word nie later nie as 4 NOVEMBER 2013. Let asseblief daarop dat geen e-pos besware aanvaar sal word nie.

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

T BOTHA, MUNISIPALE BESTUURDER, BURGERSENTRUM, YORKSTRAAT, GEORGE 6530

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

E-pos: marisa@george.org.za

4 Oktober 2013

53185

## HESSEQUA MUNICIPALITY

## APPLICATION FOR DEPARTURE OF HEIGHT AND BUILDING LINE ON ERF 1121, STILL BAY WEST

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 Hessequa Council has received the following application on the abovementioned property:

*Property:* Erf 1121, Still Bay West

*Proposal:*

- Departure for height restriction from 7.5m to 8m;
- Departure for street building line restriction from 4.5m to 0m.

*Applicant:* Dr SC van As

Details concerning the application are available at the office of the undersigned during office hours. Any objections to the proposed application should be submitted in writing to reach the office of the undersigned not later than 25 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

4 October 2013

53186

## HESSEQUA MUNISIPALITEIT

## AANSOEK OM AFWYKING VIR 'N HOOGTE EN BOULYN- OORSKRYDING OP ERF 1121, STILLBAAI-WES

Kennis geskied hiermee ingevolge die bepaling van Artikel 15(1)(a)(ii) van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie Nr. 15 van 1985) dat die Hessequa Raad die volgende aansoek op bogenoemde eiendom ontvang het:

*Eiendomsbeskrywing:* Erf 1121, Stilbaai-Wes

*Aansoek:*

- Afwyking van hoogtebeperking van 7.5m na 8m;
- Afwyking van straatboulyn van 4.5m na 0m.

*Applikant:* Dr SC van As

Besonderhede rakende die aansoek is ter insae by die kantoor van die ondergetekende gedurende kantoorure. Enige besware teen die voorgename aansoek moet skriftelik gerig word om die ondergetekende te bereik nie later as 25 Oktober 2013.

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

MUNISIPALE BESTUURDER, HESSEQUA MUNISIPALITEIT, POSBUS 29, RIVERSDAL 6670

4 Oktober 2013

53186

## LANGEBERG MUNICIPALITY

## PROPOSED REZONING: PORTION 85 OF THE FARM GOEDEMOED NO. 128, ROBERTSON

In terms of Section 16 of the Land Use Planning Ordinance (Ordinance No. 15 of 1985) (P.N. 1048 of 1988), notice is hereby given that an application has been received for rezoning as set out below. This application is to be submitted to Council and will be available for scrutiny at Council's Department: Town Planning at 3 Piet Retief Street, Montagu. Further details are obtainable from Tracy Brunings (023) 614-8000 during office hours.

*Applicant:* Boland Plan

*Property:* Portion 85 of the Farm Goedemoed No. 128, Robertson

*Owner:* Pierre Marais Familietrust

*Size:* 76.9831ha

*Proposal:* Rezoning from Agricultural zone I to Agricultural zone II (Expansion of Packstore for cold storage facility)

*Existing zoning:* Agricultural zone I

Written, legal and fully motivated objections/comments, if any, against the application must be lodged in writing with the undersigned or at any Langeberg municipal office on or before 8 November 2013. Any person who cannot write may come to the Montagu office during office hours where a staff member of the municipality will assist that person to transcribe that person's comments or representations. Late objections will not be considered.

SA MOKWENI, MUNICIPAL MANAGER, LANGEBERG MUNICIPALITY, PRIVATE BAG X2, ASHTON 6715

Notice No. M.N. 78/2013

4 October 2013

53171

## LANGEBERG MUNISIPALITEIT

## VOORGESTELDE HERSONERING: GEDEELTE 85 VAN DIE PLAAS GOEDEMOED NR. 128, ROBERTSON

Kennis geskied hiermee ingevolge Artikel 16 van die Ordonnansie op Grondgebruikbeplanning (Ordonnansie Nr. 15 van 1985) (P.K. 1048 van 1988) dat 'n aansoek om hersonering soos hieronder uiteengesit by die Raad voorgelê gaan word en dat dit gedurende kantoorure ter insae lê by die Raad se Afdeling: Stadsbeplanning te Piet Retiefstraat 3, Montagu. Nadere besonderhede is gedurende kantoorure by Tracy Brunings (023) 614-8000 beskikbaar.

*Aansoeker:* Boland Plan

*Eiendom:* Gedeelte 85 van die Plaas Goedemoed Nr. 128, Robertson

*Eienaar:* Pierre Marais Familietrust

*Grootte:* 76.9831ha

*Voorstel:* Hersonering vanaf Landbousone I na Landbousone II (Uitbreiding van Pakstoor vir Verkoelingsstoornis)

*Huidige sonering:* Landbousone I

Skriftelike, regsgeldige en goed gemotiveerde besware/kommentaar, indien enige, kan by die ondergemelde adres of enige van die Langeberg munisipale kantore ingedien word voor of op 8 November 2013. 'n Persoon wat nie kan skryf nie kan gedurende kantoorure na bogenoemde Montagu kantoor kom waar 'n personeelid van die Munisipaliteit daardie persoon sal help om die persoon se kommentaar of vertoe af te skryf. Geen laat besware sal oorweeg word nie.

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

Kennisgewingnr. M.K. 78/2013

4 Oktober 2013

53171

**LANGEBERG MUNICIPALITY**

**PROPOSED REZONING AND CONSENT USE: PORTION 40 OF THE FARM GOEDEMOED NO. 128, ROBERTSON (BON COURAGE)**

In terms of the Scheme Regulations promulgated in terms of Section 8 of the Land Use Planning Ordinance (Ordinance No. 15 of 1985), (P.N. 1048 of 1988), notice is hereby given that an application has been received for the rezoning and consent use as set out below. This application is to be submitted to Council and will be available for scrutiny at Council's Section: Town Planning at 3 Piet Retief Street, Montagu. Further details are obtainable from Ms Tracy Brunings (023) 614-8000 during office hours.

*Applicant:* Boland Plan

*Property:* Portion 40 of the Farm Goedemoed No. 128, Robertson (Bon Courage)

*Owner:* Bon Courage Trust

*Size:* 66.1671ha

*Locality:* ±9km south-east of Robertson

*Proposal:* Rezoning from Agricultural zone I to Agricultural zone II to expand Wine Cellar and consent use — Tourist Facility (Restaurant)

*Existing zoning:* Agricultural zone I

Written, legal and fully motivated objections/comments, if any, against the application must be lodged in writing with the undersigned or at any Langeberg Municipal Office on or before 8 November 2013. Any person who cannot write may come to the Montagu Office during office hours where a staff member of the municipality will assist that person to transcribe that person's comments or representations. Late objections will not be considered.

SA MOKWENI, MUNICIPAL MANAGER, LANGEBERG MUNICIPALITY, PRIVATE BAG X2, ASHTON 6715

Notice No. M.N. 79/2013

4 October 2013

53204

**LANGEBERG MUNICIPALITY**

**PROPOSED CONSENT USE: PORTION 47 OF THE FARM VROLYKHEID NO. 135, ROBERTSON**

In terms of the Scheme Regulations promulgated in terms of Section 8 of the Land Use Planning Ordinance (Ordinance No. 15 of 1985) (P.N. 1048 of 1988), notice is hereby given that an application has been received for a consent use as set out below. This application is to be submitted to Council and will be available for scrutiny at Council's Section: Town Planning at 3 Piet Retief Street, Montagu. Further details are obtainable from Jack van Zyl, Tel. (023) 614-8000 during office hours.

*Applicant:* TPS Land Use Planners

*Property:* Portion 47 of the Farm Vrolykheid No. 135, Robertson

*Owner:* AB Naude Family Trust

*Locality:* ±2km north-east of McGregor

*Size:* 319.2610ha

*Proposal:* Consent Use for 1 Additional Dwelling Unit & 1 Guest House

*Existing zoning:* Agricultural zone I

Written, legal and fully motivated objections/comments, if any, against the application must be lodged in writing with the undersigned or at any Langeberg Municipal Office on or before 8 November 2013. Any person who cannot write may come to the Montagu Office during office hours where a staff member of the municipality will assist that person to transcribe that person's comments or representations. Late objections will not be considered.

SA MOKWENI, MUNICIPAL MANAGER, LANGEBERG MUNICIPALITY, PRIVATE BAG X2, ASHTON 6715

Notice No. M.N. 76/2013

4 October 2013

53187

**LANGEBERG MUNISIPALITEIT**

**VOORGESTELDE HERSONERING EN VERGUNNINGSGEBRUIK: GEDEELTE 40 VAN DIE PLAAS GOEDEMOED NR. 128, ROBERTSON (BON COURAGE)**

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

*Aansoeker:* Boland Plan

*Eiendom:* Gedeelte 40 van die Plaas Goedemoed Nr. 128, Robertson (Bon Courage)

*Eienaar:* Bon Courage Trust

*Grootte:* 66.1671ha

*Ligging:* ±9km suidoos van Robertson

*Voorstel:* Herosnering van Landbousone I na Landbousone II vir uitbreiding van Wynkelder & vergunningsgebruik vir Toeristefasiliteit — (Restaurant)

*Huidige sonering:* Landbousone I

Skriftelike, regsgeldige en goed gemotiveerde besware/kommentaar, indien enige, kan by die ondergemelde adres of enige van die Langeberg Munisipale Kantore ingedien word voor of op 8 November 2013. 'n Persoon wat nie kan skryf nie, kan gedurende kantoorure na bogenoemde Montagu kantoor kom waar 'n personeelid van die Munisipaliteit, daardie persoon sal help om die persoon se kommentaar of vertoe af te skryf. Geen laat besware sal oorweeg word nie.

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

Kennisgewingnr. M.K. 79/2013

4 Oktober 2013

53204

**LANGEBERG MUNISIPALITEIT**

**VOORGESTELDE VERGUNNINGSGEBRUIK: GEDEELTE 47 VAN DIE PLAAS VROLYKHEID NR. 135, ROBERTSON**

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

*Aansoeker:* TPS Grondgebruik Beplanners

*Eiendom:* Gedeelte 47 van die Plaas Vrolykheid Nr. 135, Robertson

*Eienaar:* AB Naude Family Trust

*Ligging:* ±1.35km noordoos vanaf McGregor

*Grootte:* 319.2610ha

*Voorstel:* Vergunningsgebruik vir 1 Addisionele Woonheid en 1 Gastehuis

*Huidige sonering:* Landbousone I

Skriftelike, regsgeldige en goed gemotiveerde besware/kommentaar, indien enige, kan by die ondergemelde adres of enige van die Langeberg Munisipale Kantore ingedien word voor of op 8 November 2013. 'n Persoon wat nie kan skryf nie, kan gedurende kantoorure na bogenoemde Montagu Kantoor kom waar 'n personeelid van die Munisipaliteit daardie persoon sal help om die persoon se kommentaar of vertoe af te skryf. Geen laat besware sal oorweeg word nie.

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

Kennisgewingnr. M.K. 76/2013

4 Oktober 2013

53187

LANGEBERG MUNICIPALITY

PROPOSED CONSENT USE: PORTION 1 OF THE FARM  
VROLYKHEID NO. 135, ROBERTSON

In terms of the Scheme Regulations promulgated in terms of Section 8 of the Land Use Planning Ordinance (Ordinance No. 15 of 1985) (P.N. 1048 of 1988), notice is hereby given that an application has been received for a consent use as set out below. This application is to be submitted to Council and will be available for scrutiny at Council's Section: Town Planning at 3 Piet Retief Street, Montagu. Further details are obtainable from Jack van Zyl, Tel. (023) 614-8000 during office hours.

*Applicant:* TPS Land Use Planners

*Property:* Portion 1 of the Farm Vrolykheid No. 135, Robertson

*Owner:* KJ Stanford Family Trust

*Locality:* ±1.35km north-east from McGregor

*Size:* 266.63ha

*Proposal:* Consent Use for 3 Additional Dwelling Units & 1 Tourist Facility (Functions Venue)

*Existing zoning:* Agricultural zone I

Written, legal and fully motivated objections/comments, if any, against the application must be lodged in writing with the undersigned or at any Langeberg Municipal Office on or before 8 November 2013. Any person who cannot write may come to the Montagu Office during office hours where a staff member of the municipality will assist that person to transcribe that person's comments or representations. Late objections will not be considered.

SA MOKWENI, MUNICIPAL MANAGER, LANGEBERG MUNICIPALITY, PRIVATE BAG X2, ASHTON 6715

Notice No. M.N. 76/2013

4 October 2013

53188

LANGEBERG MUNICIPALITY

M.N. NO. 80/2013

PROPOSED AMENDMENT OF SUBDIVISIONAL PLAN AND  
AMENDMENT OF CONDITIONS OF APPROVAL OF  
REMAINDER ERF 599, MAIN ROAD, ASHTON

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

Notice is hereby given in terms of Sections 30(2) and 42(3) of the Land Use Planning Ordinance, 1985 (Ordinance No. 15 of 1985) that Council has received an application from M Coetzee for the amendment of the previously approved subdivisional plan and conditions of approval related to Remainder erf 599, Ashton.

The application will be open for inspection at the Ashton Office during normal office hours. Written, legal and fully motivated objections/comments, if any, must be lodged with the undersigned before or on 8 November 2013. Further details are obtainable from Mr Jack van Zyl, Tel. (023) 614-8000 during office hours. Any person who cannot write may come to the office mentioned above, during office hours, where a staff member of the municipality will assist that person to transcribe his/her comments or representations.

SA MOKWENI, MUNICIPAL MANAGER, LANGEBERG MUNICIPALITY, PRIVATE BAG X2, ASHTON 6715

4 October 2013

53189

LANGEBERG MUNISIPALITEIT

VOORGESTELDE VERGUNNINGSGEBRUIK: GEDEELTE 1 VAN  
DIE PLAAS VROLYKHEID NR. 135, ROBERTSON

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

*Aansoeker:* TPS Grondgebruik Beplanners

*Eiendom:* Gedeelte 1 van die Plaas Vrolykheid Nr. 135, Robertson

*Eienaar:* KJ Stanford Family Trust

*Ligging:* ±1.35km Noordoos vanaf McGregor

*Grootte:* 226.63ha

*Voorstel:* Vergunningsgebruik vir 3 Addisionele Wooneenhede en 1 Toeriste Fasiliteit (Funksie lokaal)

*Huidige sonering:* Landbousone I

Skriftelike, regsgeldige en goed gemotiveerde besware/kommentaar, indien enige, kan by die ondergemelde adres of enige van die Langeberg munisipale kantore ingedien word voor of op 8 November 2013. 'n Persoon wat nie kan skryf nie kan gedurende kantoorure na bogenoemde Montagu kantoor kom waar 'n personeelid van die Munisipaliteit daardie persoon sal help om die persoon se kommentaar of vertoë af te skryf. Geen laat besware sal oorweeg word nie.

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

Kennisgewingnr. M.K. 76/2013

4 Oktober 2013

53188

LANGEBERG MUNISIPALITEIT

M.K. NR. 80/2013

VOORGESTELDE WYSIGING VAN ONDERVERDELINGSPLAN  
EN WYSIGING VAN GOEDKEURINGSVOORWAARDES VAN  
REMAINDER ERF 599, HOOFWEG, ASHTON

(Ordonnansie Nr. 15 van 1985, Grondgebruikbeplanning)

Kennis geskied hiermee ingevolge Artikels 30(2) en 42(4) van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie Nr. 15 van 1985) dat die Raad 'n aansoek van M Coetzee ontvang het vir die wysiging van die voorheen goedgekeurde onderverdelingsplan en goedkeuringsvoorwaardes ten opsigte van Restant erf 599, Ashton.

Die aansoek lê ter insae gedurende kantoorure in die Ashton Kantoor en skriftelike, regsgeldige en goed gemotiveerde besware/kommentaar, indien enige, moet nie later as 8 November 2013 skriftelik by die ondergetekende ingedien word nie. Navrae kan gerig word aan mnr Jack van Zyl by telefoonnommer (023) 614-8000. 'n Persoon wat nie kan skryf nie kan gedurende kantoorure na bogenoemde kantoor kom waar 'n personeelid van die Munisipaliteit daardie persoon sal help om sy/haar kommentaar of vertoë af te skryf.

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

4 Oktober 2013

53189

MOSSEL BAY MUNICIPALITY

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

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

APPLICATION FOR CONSENT USE AND DEPARTURE: ERF  
3247, 2 - 17TH AVENUE, MOSSEL BAY

Notice is hereby given that the undermentioned application has been received by the Municipality in terms of Regulation 2.4.4 of the Mossel Bay Zoning Scheme Regulations, 1984 and Section 15(1)(a)(1) of the Land Use Planning Ordinance, 1985 and is open to inspection at the Directorate: Planning & Integrated Services, Town Planning Division, 4th Floor, Montagu Place Building, Montagu Street, Mossel Bay. Any objections, with full reasons therefor, must be lodged in writing with the Municipal Manager, Private Bag X29, Mossel Bay 6500 on or before Monday, 4 November 2013, quoting the above legislation and objector's erf number. Any comment or objection received after the aforementioned closing date may be disregarded. Any enquiries in this regard may be directed to Ms H Vorster, Town Planning, at telephone number (044) 606-5077 or fax number (044) 690-5786.

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

*Applicant:* Ms G Argyropoulos, PO Box 641, MOSSEL BAY 6500

*Nature of Application:*

1. Proposed Consent Use on Erf 3247, Mossel Bay, measuring 2222m<sup>2</sup> and zoned "Single Residential Zone", in order to permit the operation of a place of instruction (Kids Kingdom) on the property.
2. Departure from the Scheme Regulations as the property will not primarily be used for residential purposes.

File Reference: 15/4/2/5

DR M GRATZ, MUNICIPAL MANAGER

4 October 2013

53191

SALDANHA BAY MUNICIPALITY

APPLICATION FOR REZONING OF PORTION 30 OF THE FARM  
EENZAAMHEID NO. 135, VREDENBURG

Notice is hereby given that Council is considering the following:

- (a) rezoning of Portion 30 of the Farm Eenzaamheid No. 135, in terms of Section 17 of the Land Use Planning Ordinance (Ordinance No. 15 of 1985) from Agricultural zone to Local Authority, in order to utilise a portion of the property for an animal pound.

Details are available for scrutiny at the Municipal Manager's Office, Town Planning, 17 Main Street, Vredenburg, weekdays: 08:00-13:00 and 13:30-16:30.

*Enquiries:* Doreen Dunn, Tel. (022) 701-7034 and Doreen.Dunn@sbm.gov.za

Objections/comment to the proposal, with relevant reasons, must be lodged in writing before or on 4 November 2013 with the Municipal Manager, Private Bag X12, Vredenburg 7380.

MUNICIPAL MANAGER

4 October 2013

53192

MOSSELBAAI MUNISIPALITEIT

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

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

AANSOEK OM VERGUNNINGSGEBRUIK EN AFWYKING:  
ERF 3247, 17DE LAAN 2, MOSSELBAAI

Kennis geskied hiermee dat die ondergemelde aansoek ingevolge Regulasie 2.4.4 van die Mosselbaai Soneringskema-regulasies, 1984 en Artikel 15(1)(a)(1) van die Ordonnansie op Grondgebruikbeplanning, 1985 deur die Munisipaliteit ontvang is en ter insae lê by die Direkoraat: Beplanning en Geïntegreerde Dienste, Afdeling Stadsbeplanning, 4de Vloer, Montagu Plek Gebou, Montagustraat, Mosselbaai. Enige besware, met volledige redes daarvoor, moet skriftelik by die Munisipale Bestuurder, Privaatsak X29, Mosselbaai 6500 ingedien word op of voor Maandag, 4 November 2013, met vermelding van bogenoemde wetgewing 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 H Vorster, Stadsbeplanning, by telefoonnummer (044) 606-5077 of faksnummer (044) 690-5786.

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

*Aansoeker:* Me G Argyropoulos, Posbus 641, MOSSELBAAI 6500

*Aard van Aansoek*

1. Voorgestelde Vergunningsgebruik op Erf 3247, Mosselbaai, groot 2222m<sup>2</sup> en gesoneer "Enkel Residensiële Sone" ten einde 'n onderwysplek (Kids Kingdom) op die eiendom te bedryf.
2. Afwyking van die Skemaregulasies deurdat die eiendom nie primêr vir residensiële doeleindes aangewend sal word nie.

Lêerverwysing: 15/4/2/5

DR M GRATZ, MUNISIPALE BESTUURDER

4 Oktober 2013

53191

MUNISIPALITEIT SALDANHABAAI

AANSOEK OM HERSONERING VAN GEDEELTE 30 VAN DIE  
PLAAS EENZAAMHEID NR. 135, VREDENBURG

Kennis geskied hiermee dat die Raad die volgende oorweeg:

- (a) hersonering van Gedeelte 30 van die Plaas Eenzaamheid Nr. 135, in terme van Artikel 17 van die Ordonnansie op Grondgebruikbeplanning (Ordonnansie Nr. 15 van 1985), vanaf Landbousone na Plaaslike Owerheidsdoeleindes ten einde 'n gedeelte van die perseel aan te wend vir 'n skut vir diere.

Nadere besonderhede lê ter insae by die Munisipale Bestuurder se kantoor, Stadsbeplanning, Hoofstraat 17, Vredenburg, weksdae: 08:00-13:00 en 13:30-16:30.

*Navrae:* Doreen Dunn (022) 701-7034 en Doreen.Dunn@sbm.gov.za

Kommentaar en/of besware, met relevante redes, moet skriftelik voor of op 4 November 2013 by die Munisipale Bestuurder, Privaatsak X12, Vredenburg 7380, ingedien word.

MUNISIPALE BESTUURDER

4 Oktober 2013

53192



## STELLENBOSCH MUNICIPALITY

ALLOCATION OF STREETNAMES AND NUMBERS FOR  
UNNAMED STREETS IN NUUTGEVONDEN ESTATE: ERF 10496,  
STELLENBOSCH

Notice is hereby given in terms of the Policy on Place Naming, Street Naming & Renaming & Numbering has been received and is open to inspection at the Office of the Director: Planning & Economic Development at the Planning Advice Centre, Plein Street, Stellenbosch, Tel. (021) 808-8606). Enquiries may be directed to Ms C Charles, PO Box 17, Stellenbosch 7599, Tel. (021) 808-8699 and fax number (021) 808-8651 weekdays during the hours of 08:30 to 15:00. Any objections, with full reasons therefor, may be lodged in writing at the office of the abovementioned Director on or before 4 November 2013 quoting the above relevant legislation and the objector's erf and phone numbers and address. Any objections received after aforementioned closing date may be considered invalid.

This advertisement is also available on the Municipal website [www.stellenbosch.gov.za](http://www.stellenbosch.gov.za), on the Planning and Development page.

*Applicant:* TV3 Architects and Town Planners

*Erf/Erven number(s):* Erf 10496, Nuutgevonden Estate, Stellenbosch

*Locality/Address:* Erf 10496, Nuutgevonden Estate, Stellenbosch

*Nature of application:* Proposed application for allocation of streetnames and numbers to public and private roads located on Erf 10496, Nuutgevonden Estate, Stellenbosch. The following street names have been recommended:

1. Nuutgevonden Boulevard
2. Vouvray Close
3. Bordeaux Close

A map indicating the location of the proposed streetnames and numbers can be viewed at the Planning Advice Centre, Plein Street, Stellenbosch during office hours (between 08:30-15:00).

MUNICIPAL MANAGER

Notice No. P24/13

4 October 2013

53205

## SWARTLAND MUNICIPALITY

## NOTICE 32/2013/2014

NOTICE FOR THE INSPECTION OF THE SUPPLEMENTARY  
VALUATION ROLL 2013/2014 OF ALL PROPERTIES SITUATED  
IN THE SWARTLAND MUNICIPAL AREA AND LODGING OF  
OBJECTIONS

Notice is hereby given, in terms of the provisions of Section 49(1)(a)(i) read together with Section 78(2) of the Local Government: Municipal Property Rates Act (Act No. 6 of 2004), hereinafter referred to as the "Act", that the Supplementary Valuation Roll 2013/2014 lies open for Public Inspection at the various offices of the Municipality or the Webpage [www.swartland.org.za](http://www.swartland.org.za) as from 9 October 2013 to 18 November 2013. An invitation is also extended, in terms of the provisions of Section 49(1)(a)(ii), read together with Section 78(2) of the Act, that any owner of immovable property or any other person may submit an objection to the Municipal Manager regarding any matter or omission in connection with the Valuation Roll within the abovementioned period. Your attention is specifically drawn to the provisions of Section 50(2) of the Act that any objection must refer to a particular property and not to the Valuation Roll as a whole. The prescribed form for the lodging of objections is available on the reverse side of the notice which is posted to the owners of the properties involved where supplementary valuations have been completed. Enquiries may be directed to Hermaine van der Sluys or Elaine Openshaw, Tel. (022) 487-9400.

*Address:* The Municipal Manager, Private Bag X52, Malmesbury 7299.

JJ SCHOLTZ, MUNICIPAL MANAGER, MUNICIPAL OFFICE,  
1 CHURCH STREET, PRIVATE BAG X52, MALMESBURY

4 October 2013

53193

## MUNISIPALITEIT STELLENBOSCH

TOEKENNING VAN STRAATNAME EN NOMMERS VIR DIE  
ONBENOEMDE STRATE IN NUUTGEVONDEN ESTATE:  
ERF 10496, STELLENBOSCH

Kennis geskied hiermee ingevolge die Beleid op die Benoeming, Herbenoeming en Nommering van plekke en strate, dat die onderstaande aansoek ontvang is en by die Kantoor van die Direkteur: Beplanning & Ontwikkelingsdienste by die Advieskantoor, Tel. (021) 808-8606 in Pleinstraat, Stellenbosch ter insae lê. Navrae kan aan me C Charles by Posbus 17, Stellenbosch 7599, Tel. nr. (021) 808-8699 en Faksnr. (021) 808-8651 weksdae gedurende 08:30 tot 15:00 gerig word. Besware, met volledige redes daarvoor, mag skriftelik by die kantoor van die bogenoemde Direkteur, op of voor 4 November 2013 ingedien word, met vermelding van die relevante wetgewing, die beswaarmaker se erf- en telefoonnommer sowel as adres. Enige besware ontvang na voormelde sluitingsdatum, mag as ongeldig geag word.

Hierdie kennisgewing is ook beskikbaar op die Munisipale webtuiste [www.stellenbosch.gov.za](http://www.stellenbosch.gov.za), op die Beplanning en Ontwikkelingsblad.

*Applikant:* TV3, Argitekte en Stadsbeplanners

*Erf/Erwe nommer(s):* Erf 10496, Nuutgevonden Estate, Stellenbosch

*Ligging/Adres:* Erf 10496, Nuutgevonden Estate, Stellenbosch

*Aard van aansoek:* Voorgestelde aansoek vir die toekenning van straatname en nommers aan publieke en private paaië op Erf 10496, Nuutgevonden Estate, Stellenbosch. Die volgende straatname is aanbeveel:

1. Nuutgevonden Boulevard
2. Vouvray Close
3. Bordeaux Close

'n Kaart met die ligging van die bogenoemde straatname en straatnommers kan besigtig word by die Beplanningsadvieskantoor te Pleinstraat, Stellenbosch, gedurende kantoorure (08:30-15:00).

MUNISIPALE BESTUURDER

Kennisgewingnr. P24/13

4 Oktober 2013

54205

## MUNISIPALITEIT SWARTLAND

## KENNISGEWING 32/2013/2014

KENNISGEWING VIR DIE INSPEKSIE VAN AANVULLENDE  
WAARDASIEROL 2013/2014 VAN ALLE EIENDOMME GELEË IN  
DIE SWARTLAND MUNISIPALE GEBIED EN INDIENING VAN  
BESWARE

Kennis word hiermee gegee kragtens die bepalings van Artikel 49(1)(a)(i) saamgelees met Artikel 78(2) van die Plaaslike Regering: Munisipale Wet op Eiendomsbelasting (Wet Nr. 6 van 2004), hierna verwys as die "Wet", dat die Aanvullende Waardasierol 2013/2014 ter insae lê vir openbare inspeksie by die onderskeie Munisipale kantore of die webblad [www.swartland.org.za](http://www.swartland.org.za) vanaf 9 Oktober 2013 tot 18 November 2013. 'n Uitnodiging word ook gerig ingevolge die bepalings van Artikel 49(1)(a)(ii) saamgelees met Artikel 78(2) van die Wet dat enige eienaar van vaste eiendom of enige ander persoon 'n beswaar kan indien by die Munisipale Bestuurder ten opsigte van enige aangeleentheid of uitsluitel rakende die eiendomswaardasierol binne bogenoemde tydperk. Daar word spesifiek verwys na die bepalings van Artikel 50(2) van die Wet dat 'n beswaar moet verwys na spesifieke eiendom en nie teen die waardasierol in geheel nie. Die voorgeskrewe vorm vir die indiening van 'n beswaar is beskikbaar op die keersy van die kennisgewing wat gepos is aan die eienaars van die betrokke erwe waarop aanvullende waardasies plaasgevind het. Enige navrae kan gerig word aan Hermaine van der Sluys of Elaine Openshaw, Tel. (022) 487-9400.

*Adres:* Die Munisipale Bestuurder, Privaat sak X52, Malmesbury 7299.

JJ SCHOLTZ, MUNISIPALE BESTUURDER, MUNISIPALE  
KANTOOR, KERKSTRAAT 1, PRIVAATSAK X52, MALMESBURY

4 Oktober 2013

53193

## THEEWATERSKLOOF MUNICIPALITY

APPLICATION FOR REZONING AND SUBDIVISION OF  
ERF 6573, GRABOUW

Notice is hereby given that an application by J van Rhyn on behalf of Theewaterskloof Municipality has been submitted to the Theewaterskloof Municipality for:

- (i) rezoning in terms of Section 17 of the Land Use Planning Ordinance, 1985 (Ordinance No. 15 of 1985); and
- (ii) subdivision in terms of Section 24 of the Land Use Planning Ordinance, 1985 (Ordinance No. 15 of 1985) of erf 6573, Grabouw.

*Nature of the application:* The application comprises the rezoning of erf 6573, Grabouw from Authority Zone to Subdivisional area Zone and subsequently the subdivision of the erf into 49 Single Residential Zone 1 erven and 1 Transport Zone 2 erf.

Further particulars regarding the proposal are available for inspection at the Municipal Offices, Grabouw from 25 September 2013 to 5 November 2013. Objections to the proposal, if any, must be in writing and reach the undermentioned on or before 5 November 2013. Persons who are unable to write will be assisted, during office hours, at the Municipal office in Caledon, to write down their objections.

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

Reference No. G/6573

Notice No. KOR 69/2013

4 October 2013

53194

## THEEWATERSKLOOF MUNICIPALITY

APPLICATION FOR CONSENT USE ON ERF 2292,  
GRABOUW

Notice is hereby given in terms of Section 5.1.1(b) of the Theewaterskloof Municipality Integrated Zoning Scheme Regulations P.N. 120/2011, that an application for consent use, applicable to Single Residential Zone 1, on erf 2292, Grabouw, Theewaterskloof Municipality, has been submitted to the Theewaterskloof Municipality by MA Smit.

*Nature of the application:* The application comprises the proposed erection of a second dwelling on the erf.

Further particulars regarding the proposal are available for inspection at the Municipal Offices, Grabouw from 25 September 2013 to 5 November 2013. Objections to the proposal, if any, must be in writing and reach the undermentioned on or before 5 November 2013. Persons who are unable to write will be assisted, during office hours, at the Municipal Office in Caledon, to write down their objections.

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

Reference No. G/2292

Notice No. KOR 68/2013

4 October 2013

53195

## THEEWATERSKLOOF MUNICIPALITY

APPLICATION FOR SUBDIVISION OF PORTION 148 OF THE  
FARM NO. 811, CALEDON DISTRICT

Notice is hereby given that an application from DM McKerchar for the subdivision of Portion 148 of the Farm No. 811, Caledon District into four portions, namely Portion A (3.7125ha), Portion B (3.1875ha), Portion C (3.3460ha) and Remainder (3.8493ha), in terms of Section 24 of the Land Use Planning Ordinance, 1985 (Ordinance No. 15 of 1985) and the Act on the Subdivision of Agricultural Land (Act 70 of 1970), has been submitted to the Theewaterskloof Municipality.

Further particulars regarding the proposal are available for inspection at the Municipal Offices, Caledon from 25 September 2013 to 5 November 2013. Objections to the proposal, if any, must be in writing and reach the undermentioned on or before 5 November 2013. Persons who are unable to write will be assisted during office hours, at the Municipal office in Caledon, to write down their objections.

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

Reference No. T811/148

Notice No. KOR 67/2013

4 October 2013

53196

## THEEWATERSKLOOF MUNISIPALITEIT

AANSOEK OM HERSONERING EN ONDERVERDELING  
VAN ERF 6573, GRABOUW

Kennis geskied hiermee dat 'n aansoek van J van Rhyn namens Theewaterskloof Munisipaliteit ingedien is by die Theewaterskloof Munisipaliteit vir:

- (i) hersonering in terme van Artikel 17 van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie Nr. 15 van 1985); en
- (ii) onderverdeling in terme van Artikel 24 van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie Nr. 15 van 1985); van erf 6573, Grabouw.

*Aard van die aansoek:* Die aansoek behels die hersonering van die erf vanaf Owerheidsone na Onderverdelingsgebied en die onderverdeling daarna van die erf in 49 Enkelwoningone 1 erwe en 1 Vervoersone 2 erf.

Verdere besonderhede van die voorstel lê ter insae by die Grabouw Munisipale Kantoor vanaf 25 September 2013 tot 5 November 2013. Skriftelike besware teen die voorstel, indien enige, moet die ondergemelde bereik voor of op 5 November 2013. Persone wat nie kan skryf nie, sal gedurende kantoorure by die Munisipale Kantoor, Caledon gehelp word om hul besware neer te skryf.

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

Verwysingsnr. G/6573

Kennisgewingnr. KOR 69/2013

4 Oktober 2013

53194

## THEEWATERSKLOOF MUNISIPALITEIT

AANSOEK OM VERGUNNINGSGEBRUIK OP ERF 2292,  
GRABOUW

Kennis geskied hiermee in terme van Artikel 5.1.1(b) van die Theewaterskloof Munisipaliteit Geïntegreerde Soneringskema P.K. 120/2011, dat 'n aansoek om vergunningsgebruik, van toepassing op Enkelwoningone 1, op erf 2292, Grabouw, Theewaterskloof Munisipaliteit, ingedien is by die Theewaterskloof Munisipaliteit deur MA Smit.

*Aard van die aansoek:* Die aansoek behels die voorgenome oprigting van 'n tweede woonhuis op die erf.

Verdere besonderhede van die voorstel lê ter insae by die Grabouw Munisipale Kantoor vanaf 25 September 2013 tot 5 November 2013. Skriftelike besware teen die voorstel, indien enige, moet die ondergemelde bereik voor of op 5 November 2013. Persone wat nie kan skryf nie, sal gedurende kantoorure by die Munisipale Kantoor, Caledon gehelp word om hul besware neer te skryf.

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

Verwysingsnr. G/2292

Kennisgewingnr. KOR 68/2013

4 Oktober 2013

53195

## THEEWATERSKLOOF MUNISIPALITEIT

AANSOEK OM ONDERVERDELING VAN GEDEELTE 148 VAN  
DIE PLAAS NR. 811, CALEDON DISTRIK

Kennis geskied hiermee dat 'n aansoek deur DM McKerchar vir tile onderverdeling van Gedeelte 148 van die Plaas Nr. 811, Caledon Distrik in vier gedeeltes, naamlik Gedeelte A (3.7125ha), Gedeelte B (3.1875ha), Gedeelte C (3.3460ha) en Restant (3.8493ha), in terme van Artikel 24 van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie Nr. 15 van 1985) en die Wet op die Onderverdeling van Landbougrond (Wet 70 van 1970), ingedien is by die Theewaterskloof Munisipaliteit.

Verdere besonderhede van die voorstel lê ter insae by die Caledon Munisipale Kantoor vanaf 25 September 2013 tot 5 November 2013. Skriftelike besware teen die voorstel, indien enige, moet die ondergemelde bereik voor of op 5 November 2013. Persone wat nie kan skryf nie, sal gedurende kantoorure by die Munisipale Kantoor, Caledon gehelp word om hul besware neer te skryf.

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

Verwysingsnr. T811/148

Kennisgewingnr. KOR 67/2013

4 Oktober 2013

53196

## THEEWATERSKLOOF MUNICIPALITY

## APPLICATION FOR DEPARTURE ON REMAINDER OF THE FARM DUNGHYE PARK NO. 528, CALEDON DISTRICT

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

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

Further particulars regarding the proposal are available for inspection at the Municipal Offices, Caledon from 25 September 2013 to 5 November 2013. Objections to the proposal, if any, must be in writing and reach the undermentioned on or before 5 November 2013. Persons who are unable to write will be assisted, during office hours, at the Municipal Office in Caledon, to write down their objections.

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

Reference No.: 1/483

Notice No.: KOR 64/2013

4 October 2013

53197

## THEEWATERSKLOOF MUNICIPALITY

## APPLICATION FOR DEPARTURE ON PORTION 1 OF THE FARM OSKOP NO. 112, CALEDON DISTRICT

Notice is hereby given in terms of Section 15(1)(a)(ii) of the Land Use Planning Ordinance, 1985 (Ordinance No. 15 of 1985) that an application for departure from the Theewaterskloof Municipality Integrated Zoning Scheme Regulations P.N. 120/2011 on Portion 1 of the Farm Oskop No. 112 has been submitted by Rode & Associates (Pty) Ltd to the Theewaterskloof Municipality.

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

Further particulars regarding the proposal are available for inspection at the Municipal Offices, Caledon from 25 September 2013 to 5 November 2013. Objections to the proposal, if any, must be in writing and reach the undermentioned on or before 5 November 2013. Persons who are unable to write will be assisted during office hours, at the Municipal office in Caledon, to write down their objections.

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

Reference No.: L/482

Notice No.: KOR 63/2013

4 October 2013

53198

## THEEWATERSKLOOF MUNISIPALITEIT

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

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

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

Verdere besonderhede van die voorstel lê ter insae by die Caledon Munisipale Kantoor vanaf 25 September 2013 tot 5 November 2013. Skriftelike besware teen die voorstel, indien enige, moet die ondergemelde bereik voor of op 5 November 2013. Persone wat nie kan skryf nie, sal gedurende kantoorure by die Munisipale Kantoor, Caledon gehelp word om hul besware neer te skryf.

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

Verwysingsnr.: L/483

Kennisgewingnr.: KOR 64/2013

4 Oktober 2013

53197

## THEEWATERSKLOOF MUNISIPALITEIT

## AANSOEK OM TYDELIKE AFWYKING OP GEDEELTE 1 VAN DIE PLAAS OSKOP NR. 112, CALEDON DISTRIK

Kennis geskied hiermee in terme van Artikel 15(1)(a)(ii) van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie Nr. 15 van 1985) dat 'n aansoek vir tydelike afwyking op Gedeelte 1 van die Plaas Oskop Nr. 112, Caledon Distrik ingedien is deur Rode & Associates (Pty) Ltd by die Theewaterskloof Munisipaliteit.

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

Verdere besonderhede van die voorstel lê ter insae by die Caledon Munisipale Kantoor vanaf 25 September 2013 tot 5 November 2013. Skriftelike besware teen die voorstel, indien enige, moet die ondergemelde bereik voor of op 5 November 2013. Persone wat nie kan skryf nie, sal gedurende kantoorure by die Munisipale Kantoor, Caledon gehelp word om hul besware neer te skryf.

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

Verwysingsnr.: L/482

Kennisgewingnr.: KOR 63/2013

4 Oktober 2013

53198

## THEEWATERSKLOOF MUNICIPALITY

APPLICATION FOR CONSENT USE ON REM. OF THE FARM NO. 791, REM. AND PORT. 2 OF THE FARM NO. 350, REM. OF THE FARM NO. 351, REM. AND PORT. 2 OF THE FARM NO. 357, PORT. 1 AND REM. OF PORT. 2 OF THE FARM NO. 362, REM. OF PORT. 6 AND REM. OF PORT. 26 OF THE FARM NO. 426, PORT. 1 OF THE FARM NO. 348, PORT. 11 OF THE FARM NO. 259, THE FARM NO. 354, THE FARM NO. 355, THE FARM NO. 356 AND THE FARM NO. 749, CALEDON DISTRICT

Notice is hereby given in terms of Section 14.1.1(b) of the Theewaterskloof Municipality Integrated Zoning Scheme Regulations that an application by Warren Petterson Planning on behalf of Langhoogte Wind Farm (Pty) Ltd for consent use applicable to Agricultural Zone I, on the Rem. of the Farm No. 791, Rem. and Port. 2 of the Farm No. 350, Rem. of the Farm No. 351, Rem. and Port. 2 of the Farm No. 357, Port. 1 and Rem. of Port. 2 of the Farm No. 362, Rem. of Port. 6 and Rem. of Port. 26 of the Farm No. 426, Port. 1 of the Farm No. 348, Port. 11 of the Farm No. 259, the Farm No. 354, the Farm No. 355, the Farm No. 356 and the Farm No. 749, Caledon District, has been submitted to the Theewaterskloof Municipality.

*Nature of the application:* The application comprises the proposed construction of 44 (forty-four) wind turbines and an electricity sub-station for the purpose of generating electric energy through the use of wind energy.

Further particulars regarding the proposal are available for inspection at the Municipal Offices, Caledon from 1 October 2013 to 11 November 2013. Objections to the proposal, if any, must be in writing and reach the undermentioned on or before 11 November 2013. Persons who are unable to write will be assisted, during office hours, at the Municipal office in Caledon, to write down their objections.

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

Reference No.: L/478

Notice No.: KOR 57/2013

4 October 2013

53199

## THEEWATERSKLOOF MUNISIPALITEIT

AANSOEK OM VERGUNNINGSGEBRUIK OP REST. VAN PLAAS NR. 791, REST. EN GED. 2 VAN DIE PLAAS NR. 350, REST. VAN DIE PLAAS NR. 351, REST. EN GED. 2 VAN DIE PLAAS NR. 357, GED. 1 EN REST. VAN GED. 2 VAN DIE PLAAS NR. 362, REST. VAN GED. 6 EN REST. VAN GED. 26 VAN DIE PLAAS NR. 426, GED. 1 VAN DIE PLAAS NR. 348, GED. 11 VAN DIE PLAAS NR. 259, DIE PLAAS NR. 354, DIE PLAAS NR. 355, DIE PLAAS NR. 356 EN DIE PLAAS NR. 749, CALEDON DISTRIK

Kennis geskied hiermee in terme van Artikel 14.1.1(b) van die Theewaterskloof Geïntegreerde Soneringskema dat 'n aansoek van Warren Petterson Planning namens Langhoogte Wind Farm (Pty) Ltd om vergunningsgebruik van toepassing op Landbousone I, op die Rest, van die Plaas Nr. 791, Rest. en Ged. 2 van die Plaas Nr. 350, Rest. van die Plaas Nr. 351, Rest. en Ged. 2 van die Plaas Nr. 357, Ged. 1 en Rest. van Ged. 2 van die Plaas Nr. 362, Rest. van Ged. 6 en Rest. van Ged. 26 van die Plaas Nr. 426, Ged. 1 van die Plaas Nr. 348, Ged. 11 van die Plaas Nr. 259, die Plaas Nr. 354, die Plaas Nr. 355, die Plaas Nr. 356 en die Plaas Nr. 749, Caledon Distrik, ingedien is by die Theewaterskloof Munisipaliteit.

*Aard van die aansoek:* Die aansoek behels die voorgenome oprigting van 44 (vier-en-veertig) windturbines en 'n elektrisiteitssubstasie vir doeleindes van die opwekking van elektriese energie deur middel van windenergie.

Verdere besonderhede van die voorstel lê ter insae by die Caledon Munisipale Kantoor vanaf 1 Oktober 2013 tot 11 November 2013. Skriftelike besware teen die voorstel, indien enige, moet die ondergemelde bereik voor of op 11 November 2013. Persone wat nie kan skryf nie, sal gedurende kantoorure by die Munisipale Kantoor, Caledon gehelp word om hul besware neer te skryf.

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

Verwysingsnr.: L/478

Kennisgewingnr.: KOR 57/2013

4 Oktober 2013

53199

**MOSSEL BAY MUNICIPALITY****AIR QUALITY CONTROL BY-LAW****Adopted by Resolution E148-07/2013 of the Municipal Council of Mossel Bay**

The Municipality of Mossel Bay hereby publishes the Air Quality Control By-Law set out below in terms of section 156 of the Constitution of the Republic of South Africa, 1996, the Mossel Bay Municipality, enacts as follows:

The Afrikaans and Xhosa version of this By-Law will be available upon request.

**Ngokwamkela kweSigqibo E148-07/2013 seBhunga kaMasipala waseMossel Bhayi**

uMasipala waseMossel Bhayi uvakalisa uMthetho Olawula Umoya ngokuqulathwe apha ngezantsi ngokunqamene necandelo 156 woMgaqo-siseko yeRiphabliki yoMzantsi Africa, uMasipala waseMossel Bhayi uwisa umthetho ngokulandelayo:

Iyafumaneka ingxelo ebhalwe nge-Afrikaans nangesiNgesi ngalomthetho xa ucela.

**Aangeneem deur Resolusie E148-07/2013 van die Munisipale Raad van Mosselbaai**

Die Munisipaliteit van Mosselbaai, publiseer hiermee die Luggehaltebeheer Verordening uiteengesit hieronder in terme van artikel 156 van die Grondwet van die Republiek van Suid-Afrika, 1996, die Munisipaliteit van Mosselbaai, bepaal soos volg:

Die Afrikaanse en Xhosa-weergawe van hierdie Verordening sal beskikbaar wees op aanvraag.

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#### **PART 1 INTERPRETATION AND OBJECTIVES**

##### **1. Definitions**

In this By-Law, unless the context indicates otherwise—

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

**“air pollutant”** means any substance (including but not limited to dust, smoke, fumes and gas) that causes or may cause air pollution;

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

**“air pollution control zone”** means the geographical area to which Part III of the By-Law is declared to apply;

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

**“atmospheric emission”** or **“emission”** means energy or substance or combination of substances emanating from a point, non-point or mobile source that results in air pollution;

**“authorised person”** means any person authorised by the municipality to implement any provision of this By-Law;

**“best practicable means”** means the most effective measures that can reasonably be taken to prevent, reduce or minimize air pollution, having regard to all relevant factors including, among others, local conditions and circumstances, the likelihood of adverse effects, the current state of technical knowledge and the financial implications relative to the

degree of environmental protection expected to be achieved by application or adoption of the measures;

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

**“compressed ignition powered vehicle”** means a vehicle powered by an internal combustion, compression ignition, diesel or petrol driven engine;

**“dark smoke”** means in respect of Part VII of this By-Law:

- (a) smoke which has a density of 60 Hartridge smoke units or more, provided that in relation to emissions from turbo-charged compressed ignition powered engines, it means a density of 66 Hartridge smoke units or more; or
- (b) smoke which has a light absorption co-efficient of more than 2.125 m, provided that in relation to emissions from turbo-charged compressed ignition powered engines, it means a light absorption coefficient of more than 2.51 m;

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

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

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

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

**“environmental management practitioner”** means an environmental management practitioner referred to in section 5; 30 July 2010 Province of Western Cape: Provincial Gazette 6772 1227;

**“free acceleration test”** means the method described in section 18(2) employed to determine whether vehicles are being driven or used in contravention of section 17(1);

**“fuel-burning equipment”** means any furnace, boiler, incinerator, or other equipment, including a chimney excluding controlled emitters and listed activities:

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



**“fumes”** means any pungent or toxic vapour, gas, or smoke including but not limited to diesel fumes, spray painting fumes and exhaust fumes;

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

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

**“mobile source”** means a single identifiable source of atmospheric emission which does not emanate from a fixed location;

**“municipality”** means the Mossel Bay Municipality and includes any political structure, political office bearer, duly authorised agent thereof, or a service provider fulfilling a responsibility under this By-Law assigned to it in terms of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) or any other law, as the case may be, or any employee thereof acting in connection with this By-Law by virtue of a power vested in the municipality and delegated, to such political structure, political office bearer, agent or employee;

**“municipal manager”** means a person appointed as such by the municipality in terms of section 82 of the Local Government: Municipal Structures Act, 1998 (Act 117 of 1998);

**“non-point source”** means a source of atmospheric emissions which cannot be identified as having emanated from a single identifiable source or fixed location, and includes veld, forest and open fires, mining activities, agricultural activities and stockpiles;

**“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 or enjoyment by an owner or occupier of his or her property;
- (c) the ordinary comfort, convenience, peace or quiet of another person; and
- (d) the natural state of the environment;

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

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

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

**“point source”** means a single identifiable source and fixed location of atmospheric emission, and includes smoke stacks and residential chimneys;

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

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

**“premises”** means any building or other structure together with the land on which it is situated and any adjoining land occupied or used in connection with any activities carried on in that building or structure, and includes any land without any buildings or other structures and any locomotive, ship, boat or other vessel which operates or is present within the area under the jurisdiction of the municipality or the precincts of any harbour;

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

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

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

## **2. Purpose and objectives**

- (1) The purpose and objectives of this By-Law is:
  - (a) to give effect to the right contained in section 24 of the Constitution of the Republic of South Africa, 1996 by controlling air pollution within the area of the municipality’s jurisdiction; and
  - (b) to ensure that air pollution is avoided, or where it cannot be altogether avoided, is minimized and remedied.
- (2) The municipality, aware of the Constitutional right of every person to an environment that is not harmful to his or her health or well-being adopts this By-Law with the aim of protecting and promoting the health and well-being of all people in the Mossel Bay area by providing, in conjunction with applicable laws, a legal and administrative framework within which the municipality can develop and manage its obligations.
- (3) In the implementation and enforcement of this By-Law, the municipality may take into consideration the realities of the Mossel Bay area, the different customs, cultures, circumstances, geographical areas, kinds of property levels of development and conventions and the municipality may use the devices provided for in this By-Law, including the application of different norms, standards and guidelines, the granting of exemptions and the utilisation of liaison forums as contemplated in section 36 of this By-Law.

## **PART II DUTY OF CARE**

### **3. Duty to take care**

- (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:
  - (a) to prevent any potential air pollution from occurring; and
  - (b) to mitigate and, as far as reasonably possible, to remedy any air pollution that has occurred.

- (2) The municipality may monitor the impact and effectiveness of the measures taken in terms of subsection (1) and, if necessary, issue instructions to a person contemplated in subsection (1) with regard to specific measures to be undertaken.
- (3) The municipality may direct any person who fails to take the measures required under subsection (1) –
  - (a) to investigate, evaluate and assess the impact of specific activities and report thereon;
  - (b) to commence taking effective control measures to abate the air pollution before a given date;
  - (c) to diligently continue with those measures; and
  - (d) to complete the measures before a specified reasonable date.
- (4) Should a person fail to comply, or inadequately comply, with a directive under subsection (3), the municipality may take reasonable measures to remedy the situation.
- (5) If any person fails to take the measures required of him or her under subsection (1) or (2), the municipality may recover all reasonable costs incurred as a result of it acting under subsection (4) from any or all of the following persons–
  - (a) any person who is or was responsible for, or who directly or indirectly contributed to, the air pollution or the potential air pollution;
  - (b) the owner of the land at the time when the air pollution or the potential for air pollution occurred, or that owner's successor in title;
  - (c) the person in control of the land or any person who has or had a right to use the land at the time when–
    - (i) the activity or the process in question is or was performed or undertaken; or
    - (ii) the situation came about; or
  - (d) any person who negligently failed to prevent–
    - (i) the activity or the process being performed or undertaken; or
    - (ii) the situation from coming about.
- (6) If more than one person is liable under subsection (5), the liability may be apportioned among the persons concerned according to the degree to which each was responsible for the harm to the environment resulting from their respective failures to take the measures required under subsection (1), (2) and (3).

**PART III**  
**DESIGNATION OF THE AIR QUALITY OFFICER AND ENVIRONMENTAL**  
**MANAGEMENT PRACTITIONERS**

**4. Designation or appointment of the air quality officer and environmental management practitioners**

- (1) The Municipal Manager must, in consultation with the Director: Community Services, designate or appoint an employee of the Municipality or any person as the air quality officer to be responsible for co-ordinating matters pertaining to air quality management within the Municipality.
- (2) The Director: Community Services may request the MEC responsible for environment in the Province to appoint environmental management practitioners in terms of section 31C of the NEMA.

**5. Duties and functions of the air quality officer and environmental management officers**

- (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 Municipality, in accordance with Chapter 5 of the Systems Act;
  - (b) prepare an annual report of the Municipality on air quality;
  - (c) exercise the duties and powers assigned to him or her under this By-law under the directions of the Director: Community Services; and
  - (d) submit the annual report referred to in paragraph (b) to the air quality officer appointed by the MEC responsible for environment in the Province.
- (2) The annual report referred to in subsection (1)(b) must, amongst others, include the progress of the 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

**PART IV**  
**AIR POLLUTION CONTROL ZONE**

**6. Declaration of air pollution control zone**

- (1) The whole area within the jurisdiction of the municipality is hereby declared an air pollution control zone.
- (2) Within an air pollution control zone the municipality may from time to time by notice in the Provincial Gazette:
  - (a) prohibit or restrict the emission of one or more air pollutants from all premises or certain premises;

- (b) prohibit or restrict the combustion of certain types of fuel;
- (c) prescribe different requirements in an air pollution control zone relating to air quality in respect of:
  - (i) different geographical portions;
  - (ii) specified premises;
  - (iii) classes of premises; or
  - (iv) premises used for specified purposes.
- (3) The municipality may develop and publish policies and guidelines, including technical guidelines, relating to the regulation of activities which directly and indirectly cause air pollution within an air pollution control zone.
- (4) Subject to section 36, the municipality may in writing exempt certain premises, classes of premises or premises used for specified purposes from the operation of measures adopted by the municipality under this section.

**PART V**  
**SMOKE EMISSIONS FROM PREMISES OTHER THAN DWELLINGS**

**7. Application**

For the purposes of this Part, "premises" does not include dwellings.

**8. Control of smoke emissions from premises other than dwellings**

- (1) Subject to subsection (2), smoke must not be emitted from any premises for an aggregate period exceeding three minutes during any continuous period of thirty minutes.
- (2) This section does not apply to smoke which is emitted from fuel-burning equipment which occurs while the equipment is being started or while the equipment is being overhauled or repaired, or awaiting overhaul or repair, unless such emission could have been prevented using the best practicable means available.
- (3) If smoke is emitted in contravention of subsection (1) the owner, operator and/or the occupier of the premises shall be guilty of an offence.

**9. Installation of fuel-burning equipment**

- (1) No person shall install, alter, extend or replace any fuel-burning equipment on any premises without the prior written authorization of the municipality, which may only be given after consideration of the relevant plans and specifications.
- (2) Any fuel-burning equipment installed, altered, extended or replaced on premises in accordance with plans and specifications submitted to and approved, for the purposes of this section, by the municipality shall be presumed until the contrary is proved to comply with the provisions of subsection (1).

- (3) Where fuel-burning equipment has been installed, altered, extended or replaced on premises in contravention of subsection (1):
- (a) the owner and occupier of the premises and the installer of the fuelburning equipment shall be guilty of an offence;
  - (b) 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.

#### **10. Operation of fuel-burning equipment**

- (1) No person shall use or operate any fuel-burning equipment on any premises contrary to the authorization referred to in section 9.
- (2) Where fuel-burning equipment has been used or operated on the premises in contravention of subsection (1):
- (a) the owner and occupier of the premises and the operator of the fuelburning equipment shall each be guilty of an offence;
  - (b) The municipality may on written notice to the owner and occupier of the premises:
    - (i) revoke its authorization under section 9;
    - (ii) 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.

#### **11. Presumption**

In any prosecution for an offence under section 8 smoke shall be presumed to have been emitted from premises if it is shown that any fuel or material was burned on the premises and the circumstances were such that the burning would be reasonably likely to give rise to the emission of smoke, unless the owner, occupier or operator, as the case may be, shows that no smoke was emitted.

#### **12. Installation and operation of measuring equipment**

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

- (a) unauthorised and unlawful emissions of smoke from the relevant premises have occurred consistently or regularly;
- (b) fuel-burning equipment has been or is intended to be installed on the relevant premises which is reasonably likely in the opinion of an authorised person to emit smoke;
- (c) the person on whom the notice is served has been convicted more than once under this Part V and has not taken adequate measures to prevent further contravention of the provisions of this Part; or

- (d) the authorised person considers that the nature of the air pollutants emitted from the relevant premises is reasonably likely to create a hazard or nuisance to human health or the environment.

### **13. Monitoring and sampling**

- (1) An occupier or owner of premises, and the operator of any fuel-burning equipment, who is required to install air pollution measuring equipment in terms of section 12 must:
  - (a) record all monitoring and sampling results and maintain a copy of this record for at least four years after obtaining the results;
  - (b) if requested to do so by an authorised person, produce the record of the monitoring and sampling results for inspection;
  - (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; and
  - (d) ensure that the air pollution measuring equipment is calibrated at least once per year or at intervals as specified by the manufacturer of the equipment and provide records of such calibration on request by the authorised person.

### **14. Exemption**

- (1) Subject to section 30 and on application in writing by the owner or occupier of premises or the operator of fuel-burning equipment, the municipality may grant a temporary exemption in writing from one or all the provisions of this Part.
- (2) Any exemption granted under subsection (1) must state at least the following:
  - (a) a description of the fuel-burning equipment and the premises on which it is used or operated;
  - (b) the reasons for granting the exemption;
  - (c) the condition attached to the exemption, if any;
  - (d) the period for which the exemption has been granted; and
  - (e) any other relevant information.

## **PART VI SMOKE EMISSIONS FROM DWELLINGS**

### **15. Smoke emissions from dwellings**

- (1) Subject to section 6(2), no person shall emit or permit the emission of smoke from any dwelling that may cause a nuisance.
- (2) Any person who emits or permits the emission of smoke in contravention of subsection (1) commits an offence.

- (3) Subject to section 30 and on application in writing by the owner or occupier of any dwelling, the municipality may grant temporary exemption in writing from one or all of the provisions of this Part.

## **PART VII EMISSIONS CAUSED BY OPEN BURNING**

### **16. Emissions caused by open burning**

- (1) Subject to subsection (4), any person who carries out open burning of any material on any land or premises is guilty of an offence, unless the prior written authorization of the municipality, which may include the imposition of further conditions with which the person requesting authorization must comply, has been obtained.
- (2) The municipality may not authorize open burning under subsection (1) unless it is satisfied that:
- (a) the applicant in terms of subsection (1) has investigated and assessed every reasonable alternative for reducing, re-using or recycling the material in order to minimize the amount of material to be burnt in the open, to the satisfaction of the municipality;
  - (b) no warning has been published for the region in terms of section 10(1)(b) of the National Veld and Forest Fire Act, 1998 (Act 101 of 1998);
  - (c) the open burning will not pose a nuisance or potential hazard to human health or safety, private property or the environment; and
  - (d) the prescribed fee has been paid to the municipality.
- (3) Any person who undertakes or permits to be undertaken open burning in contravention of subsection (1) commits an offence.
- (4) The provisions of this section shall not apply to:
- (a) recreational outdoor barbecue or braai activities on private premises;
  - (b) small controlled fires in informal settlements for the purposes of cooking, heating water and other domestic purposes; or
  - (c) any other defined area or defined activity to which the municipality has declared this section not to apply.

## **PART VIII EMISSIONS FROM COMPRESSED IGNITION POWERED VEHICLES**

### **17. Control of emissions from compressed ignition powered vehicles**

- (1) No person may drive or use, or cause to be driven or used, a compressed ignition powered vehicle that emits dark smoke.
- (2) If dark smoke is emitted in contravention of subsection (1) the owner and the driver of the vehicle shall each be guilty of an offence.



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

### **18. Stopping of vehicles for inspection and testing**

- (1) In order to enable an authorised person to enforce the provisions of this Part, the driver of a vehicle must comply with any reasonable direction given by an authorised person:
- (a) to stop the vehicle; and
  - (b) to facilitate the inspection or testing of the vehicle.
- (2) Failure to comply with a direction given under subsection (1) is an offence.
- (3) When a vehicle has stopped in compliance with a direction given under subsection (1), the authorised person may:
- (a) inspect and test the vehicle at the roadside, in which case inspection and testing must be carried out:
    - (i) at or as near as practicable to the place where the direction to stop the vehicle is given; and
    - (ii) as soon as practicable, and in any case within one hour, after the vehicle is stopped in accordance with the direction; or
  - (b) conduct a visual inspection of the vehicle and, if the authorised person reasonably believes that an offence has been committed under section 17(2), instruct the driver of the vehicle, who is presumed to be the owner of the vehicle unless he or she produces evidence to the contrary, in writing to take the vehicle to a testing station, within a specified period of time, for inspection and testing in accordance with section 19.

### **19. Testing procedure**

- (1) An authorised person must use the free acceleration test method in order to determine whether a compressed ignition powered vehicle is being driven or used in contravention of section 17(1).
- (2) The following procedure must be adhered to in order to conduct a free acceleration test:
- (a) when instructed to do so by the authorised person, the driver must start the vehicle, place it in neutral gear, engage the clutch and disengage the exhaust brake;
  - (b) the authorised person or the driver of the vehicle must in less than one second smoothly and completely depress the accelerator throttle pedal of the vehicle;
  - (c) while the throttle pedal is depressed, the authorised person must measure the smoke emitted from the vehicle's emission system with a Hartridge Smoke meter, or any other relevant meter, in order to determine whether or not it is dark smoke; and

- (d) the authorised person or the driver of the vehicle may only release the throttle pedal of the vehicle, when directed to do so by the authorised person.
- (3) If, having conducted the free acceleration test, the authorised person is satisfied that the vehicle:
- (a) is not emitting dark smoke, then the authorised person must furnish the driver of the vehicle with a certificate indicating that the vehicle is not being driven or used in contravention of section 17(1); or
  - (b) is emitting dark smoke, the authorised person must issue the driver of the vehicle with:
    - (i) a notice to pay a fine in terms of section 341 of the Criminal Procedure Act, Act 51 of 1977; or
    - (ii) a repair notice in accordance with section 20.

## **20. Repair notice**

- (1) A repair notice must direct the owner of the vehicle to take the vehicle to a place identified in the notice for re-testing.
- (2) The repair notice must contain the following information:
  - (a) the make, model and registration number of the vehicle;
  - (b) the name, address and identity number of the driver of the vehicle; and, if the driver is not the owner, the name and address of the vehicle owner;
  - (c) the measures required to remedy the situation; and
  - (d) the time period within which the owner of the vehicle must comply with the repair notice.
- (3) A person who fails to comply with the requirements and conditions of the notice in terms of sub section (1) commits an offence.
- (4) It shall not be a defence in proceedings under subsection (3) to aver that the driver of the vehicle failed to bring the repair notice to the attention of the owner of that vehicle

## **PART IX EMISSIONS THAT CAUSE A NUISANCE**

### **21. Control of offensive emissions**

- (1) No person may create or permit emissions that cause a nuisance.
- (2) Any person who contravenes subsection (1) commits an offence.

## 22. Spray Painting Emissions

- (1) No person shall, within the municipality's jurisdiction, spray, coat, plate, or epoxy-coat any vehicle, article, object or allow them to be sprayed, coated, plated, or epoxy-coated with any substance outside approved spray painting room or booth.
- (2) No person may spray, coat, plate, or epoxy-coat any vehicle, article, object, or building or part thereof or allow them to be sprayed, coated, plated or epoxy-coated with any substance unless:
  - (a) that person is in possession of a spraying authorisation contemplated in subsection (1);
  - (b) the spraying, coating, plating or epoxy-coating as the case may be is conducted in a spraying room approved by the designated fire officer, in consultation with the air quality officer, on premises registered for that purpose.
- (3) A person that contravenes subsections (1) and (2) commits an offence.
- (4) Any person who wishes to obtain a spraying authorisation must complete and submit to the designated fire officer an application form for such permit in the form and manner as prescribed.
- (5) The designated fire officer, in consultation with the air quality officer, may grant or refuse a spraying authorisation contemplated in subsection (1) based on the Information submitted.
- (6) A spray room or booth or area designated for the application of a substance must be constructed and equipped according to the requirements as determined by the Department of Environmental Affairs by means of notice in the Government Gazette.
- (7) The designated fire officer may cancel the spraying authorisation if there is reason to believe that the holder of the spraying authorisation contravenes or fails to comply with any provision of this By-Law.
- (8) Subject to subsection (9), before the designated fire officer cancels the spraying authorisation as contemplated in subsection (7), that officer must:
  - (a) give the holder of the spraying authorisation written notice of the intention to cancel the spraying authorisation and the reasons for such cancellation;
  - (b) give the holder a period of at least 30 days to make written representations regarding the matter to the municipality.
- (9) If the designated fire officer has reason to believe that the failure to cancel the spraying authorisation may endanger any person, that officer may cancel the spraying authorisation without prior notice to the holder as contemplated in subsection (7).

### **23. Sand Blasting Emissions**

- (1) Any person conducting sand blasting activities which customarily produce emissions of dust that may be harmful to public health, well-being and/or cause a nuisance shall take control measures to prevent emissions into the atmosphere.
- (2) Any person who undertakes any sand blasting activity that causes dust emissions must implement the following control measure:
  - (a) dust extraction control measure; or
  - (b) any alternative dust control measure approved in writing by the air quality officer.
- (3) A person that contravenes subsections (1) and (2) commits an offence.

### **PART X OFFENSIVE ODOURS**

### **24. Control of offensive odours**

- (1) The occupier or owner of any premises must take all reasonable steps to prevent the emission of any offensive odour caused by any activity on such premises.
- (2) Any person who emits or permits the emission of any offensive odour in contravention of subsection (1) commits an offence.

### **PART XI DUST NUISANCE**

### **25. Control of dust**

- (1) The occupier or owner of any premises must take all reasonable steps to prevent the creation of nuisance by dust caused by any activity on such premises.
- (2) Any person who emits or permits the emission of dust in contravention of subsection (1) commits an offence.

### **PART XII FUME NUISANCE**

### **26. Control of fumes**

- (1) The occupier or owner of any premises must take all reasonable steps to prevent the nuisance by fumes caused by any activity on such premises.
- (2) Any person who emits or permits the emission of fumes in contravention of subsection (1) commits an offence.

### **PART XIII PESTICIDE AND/OR HERBICIDE SPRAYING EMISSIONS**

### **27. Control of Pesticide and/or Herbicide Spraying Emissions**

- (1) No person may carry out or permit the spraying of pesticides and/or herbicides, except as permitted by:

- (a) section 3 of the Fertilisers, Farm Feeds, Agricultural Remedies and;
  - (b) Stock Remedies Act, 1947 (Act No. 36 of 1947).
- (2) Any person who contravenes subsection (1) of this By-Law is guilty of an offence, as set out in section 18(1)(c) of the Fertilisers, Farm Feeds, Agricultural Remedies and Stock Remedies Act, 1947 (Act No. 36 of 1947).
- (3) A person who carries out or permits the spraying of pesticides and/or herbicides, within the municipal jurisdiction, must also comply with the following controlled measures:
- (a) the prior written authorisation of the Municipality must be obtained, which authorisation may be granted by the Municipality with conditions, including:
    - (i) the area of land on which the pesticide and/or herbicide may be applied; and
    - (ii) the period of time in which the pesticide and/or herbicide may be applied.
  - (b) the applicant must notify in writing the owners and occupiers of all adjacent properties within 150 metres of the treatment area of:
    - (i) the details of the proposed treatment area;
    - (ii) the reason for the pesticide and/or herbicide use;
    - (iii) the active ingredient;
    - (iv) the date and approximate time of the pesticide and/or herbicide use;
    - (v) in the event of inclement weather conditions, an alternative date or dates on which the pesticide and/or herbicide use may occur;
    - (vi) the time, if any, indicated on the product label specifying when the area can safely be re-entered after application;
    - (vii) the right of owners and occupiers of adjacent properties to lodge written objections to the proposed spraying of pesticides and/or herbicides with the Municipality within seven days of being notified; and
    - (viii) the prescribed fee has been paid to the Municipality.
- (4) Any person who contravenes subsection (3) is guilty of an offence.
- (5) A person may apply to the Municipality for an exemption if the spraying of the pesticide and/or herbicide is for:
- (a) the management of pests that transmit human diseases or adversely impact agriculture or forestry;

- (b) the management of pests that threaten the integrity of sensitive ecosystems; or
  - (c) the need for the use of the pesticide or herbicide is urgent.
- (6) The provisions of this section are not applicable to:
- (a) residential areas of farms;
  - (b) buildings or inside buildings;
  - (c) domestic use of pesticides or herbicides; or
  - (d) any other defined area or defined activity to which the Municipality has declared this section not to apply.

**PART XIV**  
**COMPLIANCE NOTICE AND STEPS TO ABATE NUISANCE/TRANSGRESSIONS**

**28. Compliance Notice**

- (1) An authorised person may serve a notice on any person whom he or she reasonably believes is likely to commit or has committed an offence under this By-Law, calling upon that person;
- (a) to abate the nuisance/transgressions within a period specified in the notice;
  - (b) to take all necessary steps to prevent a recurrence of the nuisance/transgressions; and
  - (c) to comply with any other conditions contained in the notice.
- (2) For the purposes of subsection (1), an authorised person may form a reasonable belief based on his or her own experience that an air pollutant was emitted from premises occupied or owned by the person on whom the compliance notice is to be served.
- (3) A compliance 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 that person's agent;
    - (ii) transmitting it by registered post to the owner's last known address, or the last known address of the agent; or
    - (iii) delivering it to the address where the premises are situated, if the owner's address and the address of the agent are unknown;
  - (b) upon the occupier of the premises, by:
    - (i) delivering it to the occupier;
    - (ii) transmitting it by registered post to the occupier at the address at which the premises are situated.

- (4) Any person who fails to comply with a compliance notice served on that person in terms of subsection (1) commits an offence.
- (5) In addition to any other penalty that may be imposed, a court may order a person convicted of an offence under subsection (4) to take steps the court considers necessary within a period determined by the court in order to prevent a recurrence of the nuisance/transgressions.

### **29. Steps to abate nuisance/transgressions**

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

## **PART XV GENERAL PROVISIONS**

### **30. Appeal**

- (1) A person whose rights are affected by a decision delegated by the municipality may appeal against that decision by giving written notice of the appeal and the reasons therefore in terms of section 62 of the Local Government: Municipal Systems Act (Act 32 of 2000) to the municipal manager within 21 days of the date of the notification of the decision.
- (2) Pending confirmation, variation or revocation of the decision against which the appeal is lodged, any person appealing the said decision, unless the municipality provides otherwise:
  - (a) must nonetheless substantively comply with any obligations that may have been imposed as a result of the decision that is the subject of the appeal; and
  - (b) may not exercise any rights that may have accrued as a result of the decision that is the subject of the appeal application, provided that no other person may exercise any right that may accrue either.

### **31. Municipality**

This By-Law is binding on every person within the Municipal jurisdiction.

### **32. Co-operation between municipalities**

- (1) In an effort to achieve optimal service delivery in terms of this By-Law, the Municipality may enter into any written agreements with any person, organ of state or organisation 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 subsection (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.

### **33. Policy**

The Municipality may adopt and implement a policy indicating measures for the regulation of Air Quality, and activities and to provide for matters incidental thereto.

### **34. Conflict**

- (1) In the event of a conflict within any other By-Law which directly or indirectly regulates air pollution, the provisions of this By-Law shall prevail.
- (2) In the event of a conflict with the National Environmental Management: Air Quality Act, 2004 (Act 39 of 2004) the provisions of these Acts will prevail within the area of jurisdiction of the Municipality.
- (3) In the event of an inconsistency between the English, Afrikaans or Xhosa text, the English text shall prevail.

### **35. Offences and penalties**

- (1) Any person who contravenes any provision of this By-Law commits an offence and shall, upon conviction, be liable to a fine or in default of payment, to imprisonment, or to such imprisonment without the option of a fine, or to both such fine and such imprisonment, and in the case of a successive or continuing offence, to a fine for every day such offence continues, or in default of payment thereof, to imprisonment.
- (2) It is an offence to:
  - (a) supply false information to an authorised person in respect of any issue pertaining to the By-Law, or;
  - (b) to refuse to co-operate with the request of an authorised person made in terms of this By-Law.
- (3) Failure to comply with a notice, direction or instruction referred to in this By-Law constitutes a continuing offence.
- (4) 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 air pollution measuring equipment in accordance with the provisions of section 12.



### **36. Exemptions**

- (1) The municipality may grant temporary exemption in writing from one or all of the provisions of this By-Law provided that the municipality:
- (a) is satisfied that granting the exemption will not significantly prejudice the purpose referred to in section 2(1); and
  - (b) grants any exemption subject to conditions that promote the attainment of the purpose referred to in section 2(1).
- (2) The municipality may not grant an exemption under subsection (1) until the municipality has:
- (a) taken reasonable measures to ensure that all persons whose rights may be significantly detrimentally effected by the granting of the exemption, including but not limited to adjacent land owners or occupiers, are aware of the application for exemption and how to obtain a copy of it;
  - (b) provided such person with a reasonable opportunity to object to the application; and
  - (c) duly considered and taken into account any objections raised.

### **37. Savings**

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.

### **38. Repeal of By-Laws**

The provisions of any By-Laws previously promulgated by the municipality or by any of the disestablished municipalities now incorporated in the municipality are hereby repealed as far as they relate to matters provided for in this By-Law.

### **39. Indemnity**

The Mossel Bay 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 Eden District Municipality when exercising any function or performing any duty in terms of this By-Law.

### **40. Short title and commencement**

This By-Law shall be known as the Air Quality Control By-Law of the Mossel Bay Municipality and comes into effect on the date of publication thereof in the Provincial Gazette.

**PUBLIC PARTICIPATION PROCESS****MN81/2013****PROPOSED CONSTRUCTION OF A WATER RESERVOIR & ASSOCIATED  
INFRASTRUCTURE ON REMAINDER OF FARM 174, ERVEN 842, 854, 907,  
909, 957 & 1134, BONNIEVALE****DEA&DP REF NO FOR BA APPLICATION: 16/3/1/1/B1/4/1019/13****DEA&DP REF NO FOR EXEMPTION APPLICATION: 16/3/1/4/B1/4/1007/13**

Notice is hereby given in terms of the EIA Regulations (2010) under the NEMA (Act 107 of 1998) of the intent by the applicant, **Langeberg Municipality**, to carry out the following **listed activities**:

- *The construction of reservoirs for bulk water supply with a capacity of more than 250 m<sup>3</sup> outside urban areas (R546 Activity No 2).*
- *The construction of a road wider than 4 m with a reserve less than 13.5 m outside urban areas (R546 Activity No 4).*
- *The clearance of an area of 300 m<sup>2</sup> or more of vegetation where 75% or more of the vegetative cover constitutes indigenous vegetation within critical biodiversity areas identified in bioregional plans (R546 Activity No 12).*

**Location:** Hill between Bonnievale and the Happy Valley township.

**Proposal:** Application is made for the construction of a new 3.5 Mℓ water reservoir on the east ridge of a koppie just outside Bonnievale. An area of 2000-2500 m<sup>2</sup> will need to be prepared for the reservoir itself. Associated infrastructure includes 200-355 mm ø uPVC pipelines (total length = ±2000 m), a booster pump at the water treatment works and a pressure reducing valve in the gravity line. Nearly 900 m of the pipeline will pass through good quality Renosterveld, while the remainder of the pipeline will laid next to existing pipelines and tracks. A service road will also need to be built to the reservoir. Route options are investigated for the latter.

**Deviation:** We wish to deviate from the requirement to notify all the owners and occupiers of land adjacent to the properties on which the activity is be undertaken due to the size of properties and practical difficulty.

**Exemption:** Application is also made for exemption from the requirement to publish a decision notice in the media (see Regulation 10(2)(d) of the EIA Regulations). You are duly informed of this application and invited to comment. Please observe the separate reference number for commenting purposes.

**Comments:** Should you wish to register as an Interested & Affected Party and want to comment, please send your details to Mark Berry at the address below. The draft Basic Assessment Report is available for review at the Bonnievale Library and upon request. Please quote the DEA&DP ref. no. above in your correspondence. Please respond by 18 November 2013 with your comments.



**Mark Berry Environmental Consultants**  
PO Box 1456, Gordon's Bay, 7151  
Tel (021) 856-1148, Fax 086 759-1908, Cell 083 286-9470  
**E-MAIL [MBERRY@TELKOMSA.NET](mailto:MBERRY@TELKOMSA.NET)**

## PUBLIEKE DEELNAME PROSES

**MK81/2013**

### **VOORGESTELDE KONSTRUKSIE VAN 'N WATER OPGAARTENK EN VERWANTE INFRASTRUKTUUR OP RESTANT VAN PLAAS 174, ERWE 842, 854, 907, 909, 957 & 1134, BONNIEVALE**

**DEA&DP VERW NR VIR BA AANSOEK: 16/3/1/1/B1/4/1019/13**

**DEA&DP VERW NR VIR VRYSTELLINGSAAANSOEK: 16/3/1/4/B1/4/1007/13**

Kennis geskied hiermee, ingevolge die NEMA Omgewingsimpakbepalings-regulasies (2010) onder die Wet op Nasionale Omgewingsbestuur (Wet Nr. 107 van 1998), van die voorneme deur die aansoeker, **Langeberg Munisipaliteit**, om die ondergenoemde **gelyste aktiwiteite** uit te voer:

- *Die bou van 'n opgaartenk vir grootmaat watervoorsiening met 'n kapasiteit van meer as 250 m<sup>3</sup> buite 'n dorpsgebied (R546 Aktiwiteit Nr 2).*
- *Die bou van 'n pad wyer as 4 m met 'n reserwe van minder as 13.5 m buite 'n dorpsgebied (R546 Aktiwiteit Nr 4).*
- *Die verwydering van 300 m<sup>2</sup> of meer plantegroei waar 75% of meer uit inheemse plantegroei bestaan binne 'n kritiese biodiversiteitsgebied (CBA) soos geïdentifiseer op 'n biostreekplan (R546 Aktiwiteit Nr 12).*

**Ligging:** Op koppie tussen Bonnievale en die Happy Valley dorpsgebied.

**Voorstel:** Aansoek word gedoen vir die konstruksie van 'n nuwe 3.5 Ml water opgaartenk op 'n koppie net buitekant Bonnievale. 'n Area van 2000-2500 m<sup>2</sup> word benodig vir die opgaartenk. Verwante infrastruktuur sluit in 200-355 mm ø uPVC pyplyne (totale lengte = ±2000 m), 'n aanjaagpomp by the watersuiweringswerke en 'n drukverlagingsklep in die afvoeryn. Sowat 900 m van die pyplyne sal deur goeie kwaliteit Renosterveld gelê word. 'n Dienspad sal ook na die opgaartenk gebou moet word. Belyningsalternatiewe word vir laasgenoemde ondersoek.

**Afwyking:** Aansoek word gedoen vir afwyking van die vereiste om kennisgewings te rig aan al die inwoners/eienaars aanliggend aan die eiendomme ter sprake weens die grootte en prakties moeilik uitvoerbaarheid daarvan.

**Vrystelling:** Aansoek word ook gedoen om vrystelling van die vereiste om 'n besluit-kennisgewing in 'n plaaslike koerant te plaas. Sien Artikel 10(2)(d) van die OIB Regulasies (2010). Neem asseblief kennis van die aparte verwysingsnommer vir kommentaar doeleindes.

**Kommentaar:** Indien u sou verlang om te registreer as 'n Belanghebbende & Geaffekteerde Party (I&AP) en kommentaar will lewer, stuur asseblief u kontakbesonderhede aan Mark Berry by die adres hieronder. Die konsep Basiese Beoordelingsverslag is beskikbaar vir besigtiging by die Bonnievale biblioteek en op aanvraag. Meld asseblief die bogenoemde DEA&DP verw. nr. in alle korrespondensie. U word vriendelik versoek om asseblief teen 18 November 2013 te reageer met u kommentaar.



**Mark Berry Omgewingskonsultante**  
**Posbus 1456, Gordonsbaai, 7151**  
**Tel (021) 856-1148, Faks 086 759-1908, Sel 083 286-9470**  
**E-POS [MBERRY@TELKOMSA.NET](mailto:MBERRY@TELKOMSA.NET)**

**DRAKENSTEIN MUNICIPALITY  
INTEGRATED WASTE MANAGEMENT BY-LAW**

In terms of Section 156(2) of the Constitution, 1996 Drakenstein Municipality hereby enacts as follows:-

**CHAPTER 1  
GENERAL PROVISIONS**

1. Definitions and interpretation
2. Principles
3. Main objectives
4. Duties and obligations

**CHAPTER 2  
INTEGRATED WASTE MANAGEMENT**

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

**CHAPTER 3  
COLLECTION OF WASTE**

9. Levels of service
10. Compulsory use of service
11. Frequency
12. Volume
13. Containers
14. Communal collection
15. Collection in rural areas
16. Recycling
17. Accumulation of waste

**CHAPTER 4  
HANDLING DIFFERENT TYPES OF WASTE**

**Part 1  
Garden Waste**

18. Composting
19. Disposal of garden waste

**Part 2  
Bulky Waste**

20. Removal and disposal

**Part 3  
Building Waste**

21. Plans and inspection  
22. Generation and storage  
23. Removal and disposal

**Part 4  
Special Industrial, Health Care and Hazardous Waste**

24. Notification and verification  
25. Storage  
26. Collection and disposal

**Part 5  
Industrial Waste and Special Waste**

27. Storage  
28. Collection and disposal

**Part 6  
Tyres, Disused Vehicles or Machinery and Scrap Metal**

29. Storage and disposal

**Part 7  
Recyclable Waste**

30. Storage, collection and disposal

**Part 8  
Agriculture and Farm Waste**

31. Disposal

**CHAPTER 5  
TRANSPORTATION AND DISPOSAL**

**Part 1  
Transportation of Waste**

32. Safe transportation  
33. No wastage or spillage

34. Legal Compliance

**Part 2  
Waste Disposal**

35. Permitted use  
36. Liability  
37. Conduct at facilities  
38. Accepting waste from others

**CHAPTER 6  
LITTERING AND DUMPING**

39. Provision of facilities for litter  
40. Littering and dumping  
41. Burning of waste  
42. Abandoned objects

**CHAPTER 7  
EXTERNAL SERVICE PROVIDERS**

**Part 1  
Licensed Service Providers of Commercial Services**

43. Licence application  
44. Terms and conditions of licences  
45. Renewal of licences  
46. Suspension and revocation of licences  
47. Licence exemptions  
48. Consumer responsibilities

**Part 2  
Municipal Service Providers**

49. Outsourcing of services  
50. Consumer charter

**CHAPTER 8  
GENERAL**

51. Ownership  
52. Access to premises

**CHAPTER 9  
COMPLIANCE AND ENFORCEMENT**

53. Compliance with this by-law and other laws  
54. Authorisation of an authorised official  
55. Functions and powers of an authorised official  
56. Service of notices and documents

57. Compliance notices
58. Power of entry and inspection
59. Using force to enter
60. Liabilities and compensation
61. False statement or information
62. Appeal
63. Offences
64. Penalties
65. Application of this by-law
66. Exemptions
67. Repeal of by-laws
68. Short title and commencement

## CHAPTER 1 GENERAL PROVISIONS

### 1. Definitions and interpretation

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

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

**“applicable charge”** means the rate, charge, tariff, flat rate, subsidy or any other cost prescribed by the municipality ;

**“approved”** in the context of containers, bins, bin liners, waste bags, containers and wrappers, means approved by the municipality or a licensed service provider for the collection and storage of waste;

**“approved container”** means a container approved for the temporary storage of domestic or business waste until removed by the municipality or an approved service provider;

**“approved business waste container”** means a container with a storage capacity of 240 litre, a container with a storage capacity of 770 litre or any other approved container prescribed by the municipality;

**“approved domestic waste container”** means a container with a storage capacity of 240 litres or any other approved container prescribed by the municipality;

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

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

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

**“business waste”** means waste, other than hazardous waste, health care waste, building waste, industrial waste, garden waste, bulky waste, special waste and special industrial waste generated on premises used for commercial purposes and at residential premises where commercial activities are being conducted;

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

**“collection”** means the act of collecting waste at the place of generation or storage by the municipality or a licensed service provider and removal has a similar meaning;

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

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

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

**“DEA”** means the national Department of Environmental Affairs;

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

**“disposal coupon”** means a coupon approved by and purchasable from the municipality and entitling the holder thereof to use it to dispose waste of a prescribed volume and type at an approved waste disposal facility or a waste handling facility;



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

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

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

- (a) residential purposes;
- (b) educational, sport or recreational purposes; and
- (c) purposes of public worship, including a hall or other building used for religious purposes, and includes domestic health care waste and domestic hazardous waste; but excludes hazardous waste, business waste, building waste, garden waste, bulky waste, special waste, liquid matter or night soil;

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

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

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

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

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

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

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

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

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

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

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

**“general waste”** means waste that does not pose an immediate hazard or threat to health or to the environment;

**“development”** means a high density residential development with common property or facilities and which is managed by a home owners’ association, body corporate or other managing body;

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

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

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

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

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

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

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

**“inert waste”** means waste that—

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

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

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

**“interest”** means a levy with the same legal property as service fees and calculated in terms of this by-law on all amounts in arrears in respect of prescribed fees for waste management services at a standard rate equal to an interest rate as determined by the municipality;

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

**“licensed service provider”** means a person or entity approved by and registered with the municipality and having obtained a licence to collect and transport specified types of waste in the municipal area;

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

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

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

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

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

**“NEMA”** means the National Environmental Management Act, 1998 (Act 107 of 1998);

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

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

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

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

**“owner”** includes –

- (a) the person in whom is vested the legal title to premises, including, but not limited to, the registered owner according to the title deed;
- (b) where the person in whom the legal title to the premises is vested is insolvent or dead, or is under any form of legal disability whatsoever, the person in whom the administration and control of such premises is vested as curator, trustee, executor, administrator, judicial manager, liquidator or other legal representative;
- (c) in any case where the municipality is unable to determine the identity of such person, a person who is entitled to the benefit of the use of such premises or a building or buildings thereon; and
- (d) in the case of premises for which a lease agreement of ten years or longer has been entered into and registered in the Deeds Office, the lessee thereof;
- (e) in relation to
  - (i) a piece of land delineated on a sectional plan registered in terms of the Sectional Titles Act, 1986 (Act 95 of 1986), the developer or the body corporate in respect of the common property; or
  - (ii) a section as defined in the Sectional Titles Act, the person in whose name such section is registered under a sectional title deed, and includes the lawfully appointed agent of such a person;
- (f) the person who has purchased immovable property from the municipality, in terms of a scheme that allows for the purchase price to be paid in instalments and who has not received transfer from the municipality;

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

**“pollution”** means any change in the environment caused by –

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

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

**"prescribed fee"** means a fee including a tariff or charge determined by council resolution;

**"prescribed tariff"** means a schedule of prescribed fees as entailed in the municipality's budget;

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

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

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

(a) the verge of any such road, street or thoroughfare;

(b) any bridge, ferry or drift traversed by any such road, street or thoroughfare; and

(c) any other work or object forming part of or connected with or belonging to such road, street or thoroughfare;

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

**"recyclable waste"** means waste that could be separated from the waste stream and set aside for purposes of re-use;

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

**"SANS"** means South African National Standard;

**"SAWIS"** means the national waste information system established by the national government in accordance with NEM:WA;

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

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

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

**"Structures Act"** means the Local Government: Municipal Structures Act, 1998 (Act 117 of 1998);

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

**"Systems Act"** means the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000);

**"tariff"** means the annually revised user charge for the provision of the municipal service, determined by the municipality;

**"transport"** means the movement of waste from one place to another;

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

(a) that is surplus, unwanted, rejected, discarded, abandoned or disposed of;

(b) which the generator has no further use of for the purposes of production

(c) that must be treated or disposed of; or

(d) that is identified as a waste by the Minister by notice in the Gazette, and includes waste generated by the mining, medical or other sectors, but—

(i) a by-product is not considered waste; and

(ii) any portion of waste, once re-used, recycled and recovered ceases to be waste;

**"waste bag"** means a plastic bag at least 22 micron thick with dimensions of 750mm x 950mm or as otherwise prescribed by the municipality and the same applies to a bin liner;

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

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

**“waste information system”** means SAWIS;

**“waste management activity”** means any one or more of the activities, as listed in NEM:WA, that a holder of waste may be involved in;

**“waste management officer”** means a person designated by the municipality for co-ordinating matters pertaining to waste management.

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

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

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

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

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

## **2. Principles**

- (1) The municipality has the responsibility to ensure that all waste generated within the municipal area is—
  - (a) collected, disposed of or recovered in accordance with this by-law; and
  - (b) such collection, disposal or recovery takes account of the waste management hierarchy outlined in subsection (2).
- (2) The principle underpinning this by-law is the establishment of a waste management hierarchy in the following order of priority—
  - (a) avoidance, minimisation and reduction of waste;
  - (b) re-use of waste;
  - (c) recycling, re-claiming, reprocessing and treatment of waste; and
  - (d) disposal of waste.
- (3) An authorised official must as is reasonably possible, take the hierarchy specified in subsection (2) into account.

## **3. Main objectives**

- (1) The main objectives of this by-law are—
  - (a) to regulate the collection, handling, storage, transport, recycling, treatment and disposal of waste;
  - (b) to promote the pursuance of an integrated waste management approach;
  - (c) to regulate the provision of municipal services by a service provider and commercial services by licensees; and
  - (d) to enhance sustainable development.
- (2) In pursuing the main objects of this by-law, the municipality shall, within its financial and administrative capacity—
  - (a) endeavour to ensure local community involvement in waste planning;
  - (b) endeavour to minimise the consumption of natural resources;

- (c) promote the recycling and re-use of waste;
- (d) encourage waste separation to facilitate re-use and recycling;
- (e) promote the effective resourcing, planning and delivery of municipal services and commercial services;
- (f) endeavour to achieve integrated waste management, planning and services in a local context;
- (g) promote and ensure environmentally responsible municipal services and commercial services; and
- (h) endeavour to ensure compliance with the provisions of this by-law.

#### **4. Duties and obligations**

- (1) A holder of waste must take all reasonable measures to:
  - (a) reduce or avoid waste generation and minimise the toxicity of waste generated;
  - (b) re-use, recycle and recover waste;
  - (c) dispose waste in an environmentally sound manner;
  - (d) manage waste in a manner not endangering health or the environment and cause no nuisance related to sight, noise or odour;
  - (e) prevent waste from being used for an unauthorised purpose including the prevention of persons under his supervision from contravening this by-law;
- (2) A person who sells a product which may be used by the public and is likely to result in the generation of hazardous waste must take all reasonable steps to inform the public of the impact of that waste on health and the environment.
- (3) Any person subject to the duties and obligations imposed in subsections (1) and (2) may be required by the municipality or an authorised official to take measures to ensure compliance with these duties and obligations, which measures may be to—
  - (a) investigate and evaluate the impact on the environment;
  - (b) inform and educate employees about the environmental risks of their work and the manner in which their tasks must be performed in order to avoid causing significant pollution or degradation of the environment;
  - (c) cease, modify or control any act, activity or process causing the pollution or degradation;
  - (d) contain or prevent the movement of pollutants or the cause of degradation;
  - (e) eliminate any source of the pollution or degradation;
  - (f) remedy the effects of the pollution or degradation.

## **CHAPTER 2 INTEGRATED WASTE MANAGEMENT**

### **5. Waste management plans**

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

### **6. Waste information system**

- (1) The municipality must establish and maintain a waste information system including information on the levels and extent of waste management services provided by it and enters such information on the SAWIS and the provincial waste information system as and when required.
- (2) The municipality may require from a holder of waste to submit within a reasonable time or on a regular basis such data, documents, information, samples or materials;
- (3) The municipality may request a person or holder of waste that should be registered on the SAWIS or a provincial waste information system, to effect such registration and submit proof thereof or to submit proof of not conducting a waste management activity obligating such registration within a reasonable time.

### **7. Waste minimisation and recycling**

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

### **8. Waste management activities**

- (1) The municipality may require a holder of waste in possession of or responsible for waste that must be classified, recorded, labelled or in any way assessed or re-assessed, to submit proof of compliance with the relevant prescriptions of national and provincial legislation and standards as applicable thereto and the

municipality will strictly adhere to any such legislation or standards in respect of its own waste management activities.

(2) The municipality's approval, inspection and monitoring of waste storage facilities, vehicle scrapping or recovery facilities and any other facilities where materials suitable for re-use or recycling are recovered must be in accordance with national and provincial legislation and standards and the municipality's by-laws and may require the owners or occupiers of these premises to submit such information, plans and records as the municipality deems necessary to fulfil its duties as a waste management authority.

### **CHAPTER 3 COLLECTION OF WASTE**

#### **9. Levels of service**

The levels of waste collection may differ between areas based on the practicality and cost-efficiency of delivering the service. Service levels in areas may vary between:

- (a) on-site and regularly supervised or monitored disposal;
- (b) community transfer to a central collection point;
- (c) organised transfer to a central collection point and kerbside collection; and
- (d) a combination of these levels.

#### **10. Compulsory use of service**

(1) Subject to the provisions of section 66, no one except the municipality or a person authorised by the municipality may remove any waste from any premises or dispose thereof and each owner of premises must make use of the service provided by the municipality for the removal or disposal of waste.

(2) The tariff for waste removal as fixed by the municipality shall be payable to the municipality by the owner, irrespective whether the service is being used, or not, except where exemption is granted in terms of section 66.

(3) The waste collection service rendered in terms of subsection (1) must be in accordance with the agreement for services concluded with the municipality; which agreement may be amended in writing to make provision for an increase in the frequency or volume of the waste removal service rendered should it be required by the municipality or in response to a request by the owner or occupier of residential or business premises.

(4) Availability charges may be charged on vacant premises.

(5) The municipality may determine which waste items are unsuitable for collection if it does not constitute domestic waste or business waste or could be classified as bulky waste, and if waste is determined to be unsuitable for collection, a process for removal and disposal of such waste may be recommended by the municipality to the owner of the waste or occupier of the premises.

(6) If the municipality's scheduled waste collection services are interrupted for whatever reason, the municipality must resume the service as soon as reasonably possible and address backlogs as a matter of priority.

(7) Complaints about the waste collection service will be dealt with in accordance with the municipality's customer care policy.

#### **11. Frequency**

(1) The municipality must collect domestic waste and business waste at least once per week on scheduled dates for different areas. Occupiers or owners of premises will be informed of revised collection arrangements reasonably in advance.

(2) The municipality may determine which business premises generate waste that can be regarded as dailies and may instruct an increase in the frequency of waste collection from such premises as provided for in section 10(2).

(3) If the municipality is of the opinion that a business creates a nuisance, health risk, odour or danger to



public health due to the fact that waste is not removed during weekends, it may instruct the owner or occupier to make use of an additional waste collection service that may be rendered by the municipality at a prescribed fee..

(4) An owner or occupier of a business premise that receives a waste removal service once per week may apply to the municipality in writing to increase the number of removals to multiple times per week if so available and as provided for in section 10(2).

## **12. Volume**

(1) The municipality may determine—

- (a) the number of containers to be collected from each residential premise per collection;
- (b) the number of containers to be collected from each business premise per collection based on an inspection of the waste volumes with the owner or occupier; and
- (c) the maximum amount of business waste that may be placed for collection without the provision of an additional service or the payment of an additional prescribed fee.

(2) Should the municipality require the provision of an additional service to a residential or business premise or the owner or occupier of a residential or business premise apply to the municipality in writing to increase the number of containers to be collected per collection from its premises, these changes will be effected as provided for in section 10(2).

## **13. Containers**

(1) The municipality will collect domestic and business waste placed in approved containers from a location and in a condition as determined. Waste placed in a location or a container not meeting the prescriptions of the municipality will not be collected.

(2) The municipality shall in accordance with the collection service rendered in an area, supply:

- (a) each individual household in high density areas with two refuse bags per week;
- (b) each single urban residential premise with one container;
- (c) each group development or other premises such as schools, churches and hospitals generating domestic waste with the number of containers determined by the municipality; and
- (d) each business premise with the number of containers as determined by the municipality.

(3) Should the owner or occupier of a business premise or a residential premise including a group development require additional containers, either by written request or as required by the municipality, the municipality will supply such additional containers as agreed and may do so at an extra cost including a repayable deposit that the owner or occupier must pay before delivery thereof to the premises.

(4) Containers supplied by the municipality in terms of subsections (2) and (3) must:

- (a) have serial numbers linked to the service agreement of the owner or occupier of the premises with the municipality;
- (b) remain the property of the municipality;
- (c) be returned to the municipality upon termination of the service agreement by the owner or occupier of the premises and if a refundable deposit was paid for it such deposit will be refunded to the owner or occupier of the premises provided the receptacle is in the opinion of the municipality still in a usable condition;
- (d) be replaced by the municipality free of cost if such replacement is in the opinion of the municipality warranted due to normal wear and tear;
- (e) in case of theft-
  - (i) if it is a first occurrence, be replaced free of cost by the municipality;
  - (ii) if it is a second occurrence, be replaced at fifty percent of the cost thereof by the municipality; or
  - (iii) if it occurs for a third or more times, be replaced at hundred percent of the cost thereof by the municipality; provided the municipality receives a written request for such replacement including documentary proof of the case being reported to a police station;

- (5) Where the municipality notices the absence of a container and no request for replacement has been lodged, it may replace it and recover the cost from the owner or occupier.
- (6) In case of damage caused through the negligence of the owner or occupier of the premises the container may be replaced by the municipality after receiving a written request for such replacement and full payment of the cost involved.
- (7) The owner or occupier of a residential or business premise shall be responsible for marking his or her container with the stand number to ensure easy identification thereof and to assist the municipal employees to return it to the correct stand.
- (8) Containers for the temporary storage of waste at business and residential premises must be kept in good condition and fit for the safe storage of waste to prevent damage to the environment and harm to health.
- (9) No person may allow an animal in his or her control to interfere with, overturn or damage a container which has been placed for collection.
- (10) The owner or occupier of business or residential premises must ensure that—
- (a) a container contains no hot ash, unwrapped glass or other domestic waste, business waste including dailies which may cause injury to the municipal employees while carrying out their duties or damage to the container;
  - (b) no material, including any liquid, which by reason of its mass or other characteristics is likely to render a container unreasonably difficult for the municipal employees to handle or carry, is placed in such receptacle;
  - (c) containers are kept closed and in a clean and hygienic condition to avoid animal and insect interference and wind-blown litter;
  - (d) containers are placed outside the entrance to the premises on a date and time specified by the municipality by written notice to the owner or occupier of the premises;
  - (e) in accordance with the municipality's specifications, space and any other facility deemed necessary by the municipality be provided on the premises for the storage of containers without these being visible from a public road or public place and the space so allowed permitting convenient access to and egress for the municipality's waste collection vehicles;
  - (f) the pavement in front of or abutting the premises is kept clean and free of waste.
- (9) If dailies are generated, the owner or occupier must ensure that—
- (a) the dailies are not placed in a container where they could contaminate another waste stream;
  - (b) the containers are placed not more than 20 metres from the entrance to the premises from where the waste is collected by the municipality.
- (10) Notwithstanding anything to the contrary contained in this by-law, the municipality may, having regard to the avoidance of a nuisance and the convenience of collection of waste, indicate a specific position within or outside the premises concerned where containers must be placed for the collection and removal of waste and such containers must then be placed in that position at such times and for such period as the municipality may require.
- (11) No owner or occupier of premises is allowed to place any waste bags or other containers containing waste other than domestic or business waste outside the premises unless approved by the municipality for a specific purpose and subject to conditions as the municipality may impose.

#### **14. Communal collection**

- (1) The municipality shall in high density areas where a sustainable, formalised domestic waste collection service can be rendered, collect the waste of individual households on a weekly basis.
- (2) The municipality shall place appropriate bulk containers at central communal collection points determined by the municipality as suitable for communal collection.
- (3) Communal collection points will be clearly demarcated areas.
- (4) The bulk containers must be in accordance with the municipality's specifications and its location will as far as reasonably possible—
  - (a) allow secure and easy access to the community;

- (b) prevent windblown litter;
  - (c) enable easy access for the municipality's waste collection vehicles.
- (5) The waste will as far as reasonably possible be collected once per week or within 24 hours of a bulk container being reported full to the municipality.
- (6) Waste separation at source will be encouraged in respect of communal collection by providing separate bulk containers for non-recyclable and recyclable waste at the communal collection points should the municipality determine it to be viable.

#### **15. Collection in rural areas**

- (1) Where it is not economically viable for the municipality to provide bulk waste containers or any other form of collection of waste in its rural areas, communities and farmers are encouraged to make use of the municipality's coupon system to dispose of waste at designated municipal waste handling or waste disposal facilities.
- (2) Notwithstanding the above, the municipality will in co-operation with rural communities work to find cost-effective ways to expand waste collection practices to the rural areas.
- (3) The municipality is in accordance with national legislation not in favour of on-site disposal of waste but may allow on-site waste disposal in rural areas if no other feasible alternatives could be made available; in which case, the municipality will supervise or monitor such practices and exercise control over it in so far as it is reasonably possible.

#### **16. Recycling**

- (1) Any owner or occupier of a business or residential premise or any other holders of waste as determined by the municipality and in areas as determined by the municipality may be required to—
- (a) separate their waste in recyclable, e.g. e-waste; plastics, paper and glass and non-recyclable waste in accordance with the directives of the municipality;
  - (b) use different containers for waste so separated as directed or provided by the municipality;
  - (c) place containers containing the recyclable waste outside the entrance to the premises at a time and day specified by the municipality or, if so requested, drop containers off at places as directed by the municipality; and
  - (d) follow any other reasonable prescribed procedures.
- (2) The municipality may locate drop-off centres for recyclables at places ensuring easy and safe access for the public.

#### **17. Accumulation of waste**

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

## **CHAPTER 4 HANDLING DIFFERENT WASTE TYPES**

### **Part 1 Garden Waste**

#### **18. Composting**

The owner or occupier of premises on which garden waste is generated may compost garden waste on the property, provided that such composting does not cause a nuisance nor has a detrimental impact on human and environmental health.

#### **19. Removal and disposal of garden waste**

- (1) The owner or occupier of premises on which garden waste is generated must remove and dispose of it within a reasonable time after generation of the waste at a waste handling or waste disposal facility determined by the municipality.
- (2) At the request of the owner or occupier of any premises the municipality could remove garden waste from premises subject to the payment of the charge and the conditions determined by the municipality.

### **Part 2 Bulky Waste**

#### **20. Removal and disposal**

- (1) The owner or occupier of premises on which bulky waste is generated, shall ensure that such waste is removed and disposed of within fourteen days after generation thereof at a waste handling or waste disposal facility determined by the municipality.
- (2) At the request of the owner or occupier of any premises the municipality may remove bulky waste from premises, provided that the municipality is able to do so with its waste removal equipment and subject to the payment of the prescribed charges.

### **Part 3 Building Waste**

#### **21. Plans and inspection**

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

#### **22. Generation and storage**

- (1) Notwithstanding the waste arrangements contemplated in section 21, the owner or occupier of premises on which building waste is generated or the person engaged in any activity which causes such waste to be generated, must ensure that—
  - (a) all building waste and the containers used for the storage thereof is kept on the premises on which the building waste is generated;
  - (b) the premises on which the building waste is generated does not become unsightly or cause a nuisance as a result of accumulated building waste;
  - (c) any building waste which is blown off the premises, is promptly retrieved.
- (2) Upon written request and subject to conditions as it may determine the municipality may approve the use of a bulk container placed on a verge for a specified duration.

- (3) The municipality may instruct an owner or occupier of premises on which building waste is generated or the person engaged in any activity which causes such waste to be generated to make use of special containers to dispose of it and will determine a tariff for the use of such containers should these be provided by the municipality.

### **23. Removal and disposal**

- (1) The owner or occupier of premises on which building waste is generated or the person engaged in any activity which causes such waste to be generated, must ensure that all building waste is removed and disposed of continuously during construction so as to prevent unnecessary accumulation of such waste.
- (2) Building waste must be disposed of at a waste handling or waste disposal facility determined by the municipality.

## **Part 4**

### **Special Industrial, Health Care and Hazardous Waste**

### **24. Notification and verification**

- (1) A person that engages in activities which will generate special industrial, hazardous or health care waste must prior to the generation of such waste, notify the municipality in writing of—
- the expected or known composition of such waste;
  - the quantity to be generated
  - how and where it will be stored,
  - how it will be collected and disposed of; and
  - the identity of the licensed service provider who will be responsible for its removal, transportation and disposal.
- (2) A person engaged in waste activities as referred to in subsection (1) which were established and in operation prior to the commencement of this by-law, must notify the municipality within ninety days of the commencement of this by-law of such activities and provide the information required in terms of subsection (1).
- (3) If so required by the municipality, a notification referred to in subsection (1) or (2) must be substantiated by—
- an assessment and analysis of the waste composition certified by an appropriately qualified industrial chemist;
  - safety data sheets or completed waste documents; and
  - such other records required to verify compliance with applicable legislation, national standards and SANS Codes.
- (4) The person referred to in subsection (1) or (2) must, when changes occur and annually before or on the 30<sup>th</sup> of June submit to the municipality a written report containing—
- the information stipulated in subsection (1);
  - the substantiating documents referred to in subsection (3); and
  - any other information which the municipality may reasonably require.
- (5) An authorised official may enter premises at any reasonable time to ascertain whether waste referred to in subsection (1) is generated or stored on such premises and may take samples and test any waste found on such premises to ascertain its composition.

### **25. Storage**

- (1) Special industrial, health care and hazardous waste generated on premises must be stored thereon in an approved container until it is collected from the premises and it must be stored in a manner not creating a nuisance or causing harm to human health or polluting the environment and in accordance with applicable legislation, national standards and SANS Codes.
- (2) If the waste referred to in subsection (1) is not stored as stipulated, the municipality may require

information of the waste content, date of containment and quantity and if such information is not available the municipality may instruct the person generating the waste or the owner or the occupier of the premises where it is stored to remove the waste immediately failing which the municipality may proceed to do so at the cost of the owner or occupier of the premises where the waste is stored.

#### **26. Collection and disposal**

(1) Only a licensed service provider may collect special industrial, health care and hazardous waste from premises where it is stored and dispose of it at a waste disposal site licensed and designated by the municipality to receive such waste.

(2) A licensed service provider must collect, transport and dispose of the waste referred to in sub section (1) in accordance with its licence terms and conditions and in compliance with applicable legislation, national standards and SANS Codes.

### **Part 5**

#### **Industrial Waste and Special Waste**

#### **27. Storage**

The owner or occupier of premises on which industrial waste or special waste is generated must ensure that until such time as the waste is collected by a licensed service provider from the premises on which it was generated—

- (a) the waste is stored in accordance with applicable legislation, national standards and SANS Codes in approved containers which are not kept in a public place; and
- (b) no nuisance, health risk or environmental damage is caused by the waste in the course of generation or storage.

#### **28. Collection and disposal**

(1) Only a licensed service provider may collect industrial or special waste from premises where it is stored dispose of it at a waste disposal site licensed and designated by the municipality to receive such waste.

(2) A licensed service provider must collect, transport and dispose of the waste referred to in subsection (1) in accordance with its licence terms and conditions and subject to the requirements of any applicable legislation, national standards and SANS Codes.

(3) The municipality may determine specific times for acceptance of special waste at the site referred to in subsection (1).

### **Part 6**

#### **Tyres, Disused Vehicles or Machinery and Scrap Metal**

#### **29. Storage and disposal**

(1) No owner or occupier of premises with an operational area in excess of the statutory determined limit in terms of GN R718 dated 7 July 2009 (List of waste management activities that are likely to have a detrimental effect on the environment) may temporary accumulate, store or stockpile waste tyres, disused, scrapped, dismantled or recovered vehicles or machinery or scrap metal unless the waste management activity is managed in accordance with national standards or licensed in terms of national legislation, whichever is applicable.

(2) Waste as contemplated in sub section (1) are not accepted at any of the municipality's own waste handling or waste disposal facilities and any person having to dispose of any of these materials must dispose thereof at a waste disposal site as directed by the municipality and in terms of conditions determined for such waste disposal site.

(3) The municipality may enter the premises of any person contemplated in sub section (1) and request proof of any plans including its integrated waste management plan, licenses or other applicable documents to verify compliance with applicable legislation.

## **Part 7 Recyclable Waste**

### **30. Storage, collection and disposal**

- (1) An owner or occupier of premises or any other person may not temporarily accumulate, sort, store or stockpile recyclable waste on any premises within the municipal area unless acting in accordance with subsection (2).
- (2) An owner or occupier of premises or any other person must prior to commencing an activity involving the re-use, reclamation or recycling of waste, comply with national and provincial legislation and standards and applicable SANS Codes for such activity and provide the municipality with a copy of his integrated waste management plan and such other information as the municipality may require.
- (3) Only a licensed service provider may collect recyclable waste from premises where it is generated or separated from other waste and transport and dispose of it at a waste handling facility or a waste disposal facility designated by the municipality to receive such waste.

## **Part 8 Agricultural and Farm Waste**

### **31. Disposal**

- (1) An owner or occupier of farm land may subject to subsections (2) and (3) use on-site disposal of waste but burning of waste is strictly prohibited unless authorised by the Chief Fire Officer in terms of the Fire Safety By-law of the municipality.
- (2) An owner or occupier of farm land may not dispose any quantity of hazardous waste which may be present in agricultural waste to the land unless in possession of the applicable waste management license in terms of national legislation, and if applicable, provincial legislation.
- (3) An owner or occupier of farm land may dispose of general waste, which may include agricultural and farm waste, to the land provided this is done in accordance with applicable legislation, national standards and SANS Codes and, if the quantity of waste requires it, authorisation thereof by a valid waste management license.
- (4) An authorised official of the municipality may request an owner or occupier of farm land that he or she suspects of disposing of hazardous waste or general waste exceeding the quantity allowed for disposal, to provide proof of the licences referred to in subsections (2) or (3) and, irrespective of the composition or quantity of the waste disposed of by an owner or occupier, the municipality may request him or her to submit an integrated waste management plan within a determined time frame.
- (5) An owner or occupier of farm land may apply in writing to make use of the municipality's waste handling and waste disposal facilities, the approval of which will provide the applicant access to the municipality's coupon system and disposal of waste, excluding hazardous and health care waste, at waste handling or waste disposal facilities as directed by the municipality in its approval.

## **CHAPTER 5 TRANSPORTATION AND DISPOSAL**

### **Part 1 Transportation of Waste**

#### **32. Safe transportation**

No person may—

- (a) operate a vehicle for the conveyance of waste upon a public road unless the vehicle has a body of adequate size and construction for the type of waste being transported; and
- (b) fail to maintain a vehicle used for the conveyance of waste in a clean, sanitary and roadworthy condition at all times.

#### **33. No wastage or spillage**

A person transporting waste through the municipal area must ensure that—

- (a) loose waste on an open vehicle is covered with a tarpaulin or suitable net; and
- (b) no waste become detached, leak or fall from the vehicle transporting it.

#### **34. Legal compliance**

A transporter of waste, specifically hazardous waste, must ensure he or she operates in compliance with all relevant national and provincial legislation, national standards and SANS Codes.

### **Part 2 Waste Disposal**

#### **35. Permitted use**

- (1) The municipality may prescribe which types of waste may be disposed of at a particular waste handling or waste disposal facility as permitted in terms of the license stipulations of each facility.
- (2) Different tariffs for the disposal of different waste types and volumes are applicable but residents are allowed free disposal of a certain volume of general waste as determined by the municipality.

#### **36. Liability**

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

#### **37. Conduct at facilities**

- (1) No person may enter a waste handling or a waste disposal facility for any purpose other than the disposal of waste in terms of this by-law and only at such times and between such hours as the municipality may determine and display on a clearly visible notice board at the entrance of the waste handling or waste disposal facility.
- (2) Every person who, for the purpose of disposing waste enters a waste handling or a waste disposal facility must—
  - (a) enter and leave the facility at the designated entrance and exit points;
  - (b) supply all the particulars required regarding the source and composition of the waste, which waste may be inspected by the municipality;



- (c) follow all instructions with regard to access to the actual disposal, transfer or recycling point and the place where and the manner in which the waste should be deposited; and
  - (d) where applicable, purchase or show the required disposal coupon in accordance with the weight of the waste disposed.
- (3) No person may bring any intoxicating liquor or narcotic substances into any waste handling or waste disposal facility.
- (4) The municipality may prescribe the maximum size of a vehicle allowed to enter a waste handling or waste disposal facility.

### **38. Accepting waste from others**

- (1) The municipality may consider an application from another municipality to dispose waste at a designated waste disposal facility provided that the acceptance of waste from another municipality will not impact on the municipality's authority and ownership of the said waste disposal facility.
- (2) The municipality may allow a person to dispose waste generated outside the municipality's municipal area at a designated waste disposal facility of the municipality provided such person first becomes a licensed service provider as provided for in this by-law.
- (3) The tariffs applicable to licensed service providers referred to in subsection (2) may differ from the waste disposal tariffs stipulated in the municipality's Tariff by-laws.

## **CHAPTER 6 LITTERING AND DUMPING**

### **39. Provision of facilities for waste**

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

### **40. Littering and dumping**

- (1) No person may drop, throw, deposit, spill, dump or in any other way discard, any waste into or onto any public place, public road, road, municipal drain, land, vacant erf, stream or any other places not allowed for in this by-law or allow any person under their control to do so.
- (2) An authorised official may act against any of the contraventions listed in subsection (1) through a written notice directing such person to—
- (a) cease the contravention within a specified time;
  - (b) prevent a repeat of the contravention or a further contravention;
  - (c) take whatever measures that the municipality considers necessary to clean up or remove the waste and rehabilitate the affected environment within a specified time; or
  - (d) to pay a fine or appear in court in terms of section 56 of the Criminal Procedure Act, 1977 (Act 51 of 1977);
- (3) An owner or occupier of land or premises or any other person in control of land or premises, may not use or permit the land or premises to be used for unlawful dumping of waste and must take reasonable steps to prevent the use of the land or premises for that purpose.
- (4) Should the municipality regard it necessary to remove waste from land or premises, the owner, occupier or person having control over the land or premises will be held liable for the costs incurred by the municipality for the removal operation.
- (5) In the case of hazardous waste, the municipality will remove such waste as soon as possible and thereafter issue notices to the person liable for the cost of removal and rehabilitation of the environment.

**41. Burning of waste**

Burning of waste is strictly prohibited unless authorised by the Chief Fire Officer in terms of the Fire Safety By-law of the municipality.

**42. Abandoned objects**

A person who abandons any article which may be classified as waste in terms of this by-law, is liable for any damage which that article has caused or may cause as well as for the cost of removing that article notwithstanding the fact that such person may no longer be the owner thereof.

**CHAPTER 7  
EXTERNAL SERVICE PROVIDERS****Part 1****Licensed Service Providers for Commercial Services****43. Licence applications**

(1) No person may provide commercial services for the collection and transport of waste in the municipal area unless he or she has registered with the municipality and obtained a licence authorising these waste management activities.

(2) An application for a license must be submitted in writing in a format or on a form prescribed by the municipality accompanied by the prescribed fee and, unless subsection (3) applies, the municipality's prior approval for the collection and transportation of waste.

(3) Any person already providing these commercial services at the commencement of this by-law, must within ninety days of such commencement date submit an application for a licence in terms of subsection (1), failing which the person will as from the date that the said ninety days' period expired no longer be able to render such services in the municipal area.

(4) The municipality must consider and grant or reject an application submitted in terms of this section within thirty days of its receipt having regard to the health, safety and environmental record of the applicant and the nature of the commercial service to be provided and will furnish written reasons if such application is rejected.

(5) Registration as a service provider does not entitle the service provider to render a removal service without the municipality's approval of an exemption in terms of section 66.

**44. Terms and conditions of licences**

(1) A licence must—

- (a) clearly identify the license holder;
- (b) specify the licence period;
- (c) specify the categories of waste which the licensed service provider may collect, transport and dispose;
- (d) outline the information recording and submission requirements of the municipality for its own integrated waste management plan and SAWIS; and
- (e) specify other procedural matters that may be necessary.

(2) A licence—

- (a) may not be ceded or assigned without the prior written consent of the municipality;
- (b) is valid for one year from the date of issue; and
- (c) is valid only for the categories of waste specified therein.

(3) A licence authorisation will include a display sticker for each of the vehicles identified in the application indicating the validity period and the category of waste for which the licence is granted, which sticker must be clearly displayed on the front window of the vehicles.

(4) The municipality will not receive waste at its waste handling facilities or waste disposal facilities from service providers who are not able to provide proof of the licence authorisation should it be requested and without a licence sticker on the vehicle.

(5) A licensed service provider may not fail or refuse to provide the municipality with any information reasonably requested with regards to the terms and conditions of the licence or give false or misleading information.

(6) A licensed service provider is fully liable for any act or omission by any of his or her employees if such an act or omission is a transgression of the licence conditions or have a detrimental impact on human health or the environment.

#### **45. Renewal of licences**

(1) A licence renewal application must be submitted at least sixty days prior to the expiry date thereof and must be considered and either granted or rejected by the municipality within thirty days of receipt of the renewal application. The municipality must provide reasons for the rejection of a licence renewal.

(2) Notwithstanding anything to the contrary in this by-law, the municipality must temporarily extend a licence for a period not exceeding thirty days if a service provider followed the correct procedure as contemplated in subsection (1) and due to the municipality's processes, the renewal application has not been considered.

#### **46. Suspension and revocation of licences**

(1) The municipality may suspend or revoke a licence if a service provider failed to comply with any of the terms and conditions of the licence or any other provision of this by-law, or any national or provincial legislation regulating the collection, transportation or disposal of waste or any other grounds considered by the municipality as substantive reason to revoke or suspend a licence.

(2) The municipality must give a licensed service provider written notice of the intended suspension or revocation of his or her licence and thirty days from the date of issuing the notification to submit reasons for such action not to be taken by the municipality.

(3) Irrespective of a representation being made by the licensed service provider, the municipality must notify him or her of its decision within 14 days after expiry of the time given for response.

#### **47. Licence exemptions**

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

#### **48. Consumer responsibilities**

(1) The owner or occupier of premises or the holder of waste that contracts with a licensed service provider must ensure that—

- (a) the service provider is licensed to collect and transport the categories of waste for which he or she is contracted;
- (b) until such time as the licensed service provider collects such waste from the premises on which it was generated, the waste is stored in an approved container and no nuisance with regard to dust, odours or health, is caused by the handling of the waste in the course of its generation, storage or collection; and
- (c) the service rendered is only in respect of the categories of waste authorised in the licence.

## **Part 2 Municipal Service Providers**

### **49. Outsourcing of services**

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

### **50. Consumer charter**

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

## **CHAPTER 8 GENERAL**

### **51. Ownership**

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

### **52. Access to premises**

- (1) Should the municipality be impeded from collecting or handling waste due to the layout of the premises or such layout is likely to result in damage to private property or municipal property or injury to the municipality's employees, the municipality may require the owner or occupier to do such alterations as necessary at own cost to remove any impediments.
- (2) Should the owner or occupier refuse to comply with the municipality's request, the municipality may suspend the service and require the owner or occupier to indemnify it in writing in respect of such damage or injury or any claims arising of either before resuming the service.

## **CHAPTER 9 COMPLIANCE AND ENFORCEMENT**

### **53. Compliance with this by-law and other laws**

- (1) The owner or occupier of premises is responsible for ensuring compliance with this by-law.
- (2) Any person entity who requires a waste related license or authorisation must submit proof of such license or authority to an authorised official upon request.

### **54. Authorisation of an authorised official**

- (1) The municipality or a service provider as contemplated in section 49 of this by-law, may authorise any person in its employ give effect to the provisions of this by-law.
- (2) The waste management officer of the municipality is an authorised official.

### **55. Functions and powers of an authorised official**

An authorised official may execute work, conduct an inspection and monitor and enforce compliance with this by-law and, as applicable, national and provincial legislation relating to waste management.

**56. Service of notices and documents**

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

**57. Compliance notices**

- (1) An authorised official may issue a written notice to any person contravening the provisions of this by-law.
- (2) A notice in terms of subsection (1) must:
  - (a) provide details of the provision of the by-law that has not been complied with;
  - (b) provide the owner, occupier, or other party a reasonable opportunity to make representations within a specified period;
  - (c) specify the steps that the owner, occupier or other person must take to rectify or remedy the failure;
  - (d) specify the period within which the owner, occupier or other person must take these steps to rectify the failure; and
  - (e) indicate that the municipality may-
    - (i) if the notice is not complied with, undertake or allow the work that is necessary to rectify the failure to be undertaken and recover from the owner, occupier or other person the actual cost of such work; and
    - (ii) take any other action it deems necessary to ensure compliance.
- (3) If an owner or occupier or any other person fails to comply with a written notice in terms of this by-law, the municipality may take such action as is necessary to ensure compliance, including-
  - (a) undertaking the actions or work necessary and recovering the cost of such actions or work from the owner, occupier or other person; or
  - (b) instituting legal proceedings against the owner, occupier, or other person in terms of the Criminal Procedures Act, 1977 (Act 51 of 1977);
- (4) In the event of an emergency the municipality may without prior notice undertake the work contemplated in subsection (3) and recover such costs from the owner, occupier or other person.
- (5) The actual costs recoverable by the municipality in terms of subsections (3) and (4) shall be the full costs associated with such work.
- (6) In the case where compliance with a notice is required within a specified number of working days, such period shall be deemed to commence on the date of issue of such notice.

(7) A notice or document issued in terms of subsection (2) is valid until one of the following events occurs:

- (a) it is carried out;
- (b) it is cancelled by the authorised official who issued it or, in that person's absence, by a person with similar authority;
- (c) the purpose for which it was issued, has lapsed.

### **58. Power of entry and inspection**

(1) An owner or occupier must, on request, allow an authorised official access to premises to carry out such inspection and examination as he or she may deem necessary to investigate any contravention of this by-law and ensure compliance therewith.

(2) When accessing the premises, the authorised official must, if requested, identify himself or herself by means of an appointment certificate..

### **59. Using force to enter**

Force may not be used to affect entry to execute work or conduct an inspection on any premises unless an emergency arises.

### **60. Liabilities and compensation**

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

### **61. False statement or information**

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

### **62. Appeal**

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

### **63. Offences**

(1) It is an offence for any person to -

- (a) refuse to grant an authorised official access to premises to which that authorised official is duly authorised to have access;
- (b) obstruct, interfere or hinder an authorised official who is exercising a power or carrying out a duty under this by-law;
- (c) fail or refuse to provide an authorised official with a document or information that the person is required to provide under this by-law;
- (d) give false or misleading information to an authorised official;
- (e) prevent the owner of any premises, or a person working for that owner, from entering the premises in order to comply with a requirement of this by-law;
- (f) pretend to be an authorised official;
- (g) alter an authorisation to an authorised official or written authorisation, compliance notice or compliance certificate issued in terms of this by-law;
- (h) enter any premises without a written notification in circumstances requiring such notification;
- (i) act contrary to a written notice or document issued in terms of this Chapter;
- (j) disclose any information relating to the financial or business affairs of any person which was acquired in the performance of any function or exercise of any power in terms of this by-law,

except –

- (i) to a person who requires that information in order to perform a function or exercise a power in terms of this by-law;
  - (ii) if the disclosure is ordered by a court of law; or
  - (iii) if the disclosure is in compliance of the provisions of any law.
- (k) contravene or fail to comply with any of the provisions of this by-law;
  - (l) fail to comply with any notice issued in terms of this by-law;
  - (m) fail to comply with any lawful instruction given in terms of this by-law;
  - (n) contravene or fail to comply with any conditions imposed upon the granting of any licence, consent approval, concession, exemption or authority in terms of this by-law.
- (2) A person who causes or incites another person to commit an offence referred to in subsection (1), or who, being in a position of authority over another person, permits or allows him or her to commit an offence, will be guilty of that offence.

#### **64. Penalties**

- (1) Any person who contravenes any of the provisions of section 63 shall be guilty of an offence and liable on conviction to:
- (a) a fine or imprisonment or to such imprisonment without the option of a fine or to both such fine and such imprisonment and,
  - (b) in the case of a continuing offence, to an additional fine or an additional period of imprisonment or to such additional imprisonment without the option of a fine or to both such additional fine and imprisonment for each day on which such offence is continued and,
  - (c) a further amount equal to any costs and expenses found by the court to have been incurred by the municipality as a result of such contravention or failure.
- (2) In addition to any penalty imposed in terms of subsection (1) the municipality may terminate the rendering of waste services to such a person.

#### **65. Application of this By-Law**

This by-law applies to all persons or entities, including organs of State, situated within the area of jurisdiction of the Drakenstein Local municipality.

#### **66. Exemptions**

- (1) Any person may, by means of a written application, in which the reasons are given in full, apply to the municipality for exemption from any provision of this by-law.
- (2) The municipality may:
- (a) grant an exemption in writing in which the conditions and terms, if any, and the period for which such exemption is granted is stipulated;
  - (b) alter or cancel any existing exemption or condition in such exemption after due notice to the person concerned; or
  - (c) refuse to grant an exemption in which case reasons for the refusal must be furnished to the person concerned.
- (3) An exemption does not take effect before the applicant has undertaken in writing to comply with all conditions imposed by the municipality under subsection (2); however, if an activity is commenced before such undertaking has been submitted to the municipality, the exemption lapses.
- (4) If any condition of an exemption is not complied with, the municipality may revoke the exemption after due notice to the person concerned.

**67. Repeal of by-laws**

The provisions of any by-laws previously promulgated by the municipality or by any of the disestablished municipalities now incorporated in the municipality, are hereby repealed as far as they relate to matters provided for in this by-law.

**68. Short title and commencement**

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



**DRAKENSTEIN MUNISIPALITEIT  
GEÏNTEGREERDE AFVALBESTUURSVERORDENING**

Ingevolge Artikel 156(2) van die Grondwet, 1996 verorden die munisipaliteit van Drakenstein, soos volg:-

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## HOOFSTUK 1 ALGEMENE BEPALINGS

### 1. Definisies en interpretasie

In hierdie verordening verwys manlik ook na vroulik; enkelvoud sluit meervoud in en andersom en ingeval van 'n teenstrydigheid in die Engelse en Afrikaanse weergawes, sal die Engelse weergawe beslissend wees; en tensy dit uit die samehang anders blyk beteken

**“afval”** enige stof, ongeag of dit verminder, hergebruik, hersirkuleer of herwin kan word of nie—

- (a) wat surplus, ongewens, verwerp, weggegooi, agtergelaat of mee weggedoen is;
- (b) waarvoor die persoon wat dit gegeneer het geen verdere produktiewe gebruik het nie;
- (c) wat behandel of mee weggedoen moet word; of
- (d) wat per proklamasie deur die Minister as 'n afval geïdentifiseer is insluitende afval gegeneer deur die mynbou, mediese of ander sektore, maar—
  - (i) 'n nuwe-produk word nie as afval gereken nie; en
  - (ii) enige gedeelte van afval wat hergebruik, hersirkuleer of herwin word, is nie meer afval nie;

**“afvalband”** 'n nuwe, gebruikte, versoolde, of onpadwaardige band, ongeskik om versool, herstel of verkoop te word as 'n gebruikte band en ook nie geskik vir wat dit oorspronklik bedoel was nie;

**“afvalbestuursaktiwiteit”** enige een of meer van die aktiwiteite gelys in die NOBW, waarin 'n houder van afval betrokke mag wees;

**“afvalbestuursbeampte”** 'n persoon deur die munisipaliteit aangewys vir die koördinerende van afvalbestuursaangeleenthede;

**“afvalbestuursdienste”** dienste verwant aan enige een of meer van die afvalbestuursaktiwiteite;

**“afvalbestuursplan”** 'n afvalbestuursplan deur die munisipaliteit benodig ingevolge hierdie verordening en die NOB:AW;

**“afvalhanteringsfasiliteit”** enige terrein of perseel wat afval ontvang, opgaar, hanteer, herwin, sorteer en tydelik berg of behandel voordat dit vir finale wegdoening oorgeplaas of oorgeplaas word en wat bedryf word ingevolge 'n lisensie uitgereik deur 'n statutêre lisensie-owerheid of andersins in gevolge die bepalinge van die NOBW;

**“afvalinligtingstelsel”** SAAIS;

**“afvalsak”** 'n plastieksak van 750mm x 950mm en ten minste 22 mikron dik of soos andersins voorgeskryf deur die munisipaliteit en dieselfde is van toepassing op 'n blikuitvoering;

**“afvalverwyderingstelsel”** beteken 'n stelsel waardeur afval verwyder en weggedoen word deur die munisipaliteit;

**“afvalwegdoeningsfasiliteit”** enige terrein of perseel wat afval vir die behandeling of wegdoening daarvan ontvang en wat bedryf word ingevolge 'n lisensie uitgereik deur 'n statutêre lisensie-owerheid of ingevolge die bepalinge van die NOBW en afvalstortingsfasiliteit het dieselfde beteken;

**“algemene afval”** afval wat nie 'n onmiddellike gevaar of bedreiging vir gesondheid of die omgewing inhou nie en sluit in huishoudelike afval, besigheidsafval, bouafval, onaktiewe afval en tuinafval;

**“berging”** die opgaar van afval op 'n wyse wat nie neerkom op die behandeling of wegdoening van sodanige afval nie;

**“besigheidsafval”** afval, ander dan gevaarlike afval, gesondheidsorg afval, bouafval, industriële afval, tuinafval, lywige afval, spesiale afval en spesiale industriële afval gegeneer op persele wat gebruik word vir kommersiële doeleindes en op woonpersele waar kommersiële aktiwiteite plaasvind en sake-ondernemingsafval het 'n soortgelyke betekenis;

**“besmetlike afval”** afval wat gegeneer word tydens diagnose, behandeling of immunisering van mense of diere, as deel van die navorsing verwant hieraan, in die vervaardiging of toetsing van biologiese agente insluitende bloedprodukte, kulture, patologiese afval, skerp voorwerpe, mens -en dier liggaamlike afval en geïsoleerde afval wat besmetlike stowwe bevat of kan bevat;

**“besoedeling”** enige verandering in die omgewing wat veroorsaak is deur:

- (a) stowwe; of

- (b) radio-aktiewe of ander golwe; of
- (c) geraas, reuke, stof of hitte, vrygestel van enige aktiwiteit, insluitende die berging of behandeling van afval of stowwe, konstruksie en die voorsiening van dienste, ongeag of enige persoon of 'n staatsinstelling daarby betrokke is, waar die verandering ter sprake 'n nadelige uitwerking het op menslike gesondheid of welstand of op die samestelling, herstelvermoë en produktiwiteit van natuurlike of bestuurde ekosisteme, of op materiale wat vir mense gebruikswaarde het of in die toekoms sodanige effek sal hê;

**“bouafval”** afval geproduseer gedurende die konstruksie, verbouing, herstel of sloping van enige struktuur, mensgemaak of natuurlik, en sluit in rommel, grond, plantegroei, hout en rots verplaas gedurende sodanige konstruksie, verbouing, herstel of sloping, maar uitgesluitgevaarlike afval en tuinafval;

**“daaglikse”** bederfbare besigheidsafval wat deur hotelle, restaurante, voedselwinkels, hospitale, of kroëë gegeneer word en wat op 'n meer gereelde, dikwels daaglikse, basis verwyder moet word om te verhoed dat die afval dekomposteer en 'n oorlas of omgewings –of gesondheidsrisiko word;

**“diensvlakke”** die frekwensie van munisipale diens en die tipe dienspunt;

**“DOS”** die nasionale Departement van Omgewingsake;

**“DOS&OP”** die provinsiale Departement van Omgewingsake en Ontwikkelingsbeplanning;

**“DW”** die nasionale Departement van Waterwese;

**“e-afval”** elektriese en elektroniese toerustingafval soos beligtingstoerusting, stroombaanborde, mobiele fone, rekenaars, televisiestelle, en oudio-visuele toerusting wat steeds hoofsaaklik as huishoudelike of besigheidsafval hanteer word maar ten opsigte waarvan daar 'n groot behoefte en potensiaal is vir herwinning;

**“eienaar”** sluit in:

- (a) die persoon by wie die regstitel ten opsigte van die perseel berus, insluitende, maar nie beperk nie, tot die geregistreerde eienaar ooreenkomstig die titelakte;
- (b) waar die persoon by wie die regstitel van 'n perseel berus insolvent of oorlede is of wat om welke rede ook al regsonbevoeg is, die persoon by wie die administrasie en beheer van sodanige perseel as kurator, trustee, eksekuteur, administreerder, geregtelike bestuurder, likwidateur of ander regsverteenvoorder berus;
- (c) in die geval waar die munisipaliteit nie die identiteit van so 'n persoon kan vasstel nie, 'n persoon wat geregtig is op die voordeel van die gebruik van sodanige perseel of gebou of geboue daarop;
- (d) in die geval van 'n perseel waarvan die huurooreenkoms vir 'n tydperk van tien jaar of langer aangegaan en in die akteskantoor geregistreer is, die huurder daarvan;
- (e) met betrekking tot:
- (i) 'n stuk grond afgebaken op 'n deelplan wat ingevolge die Wet op Deeltitels, 1986 (Wet 95 van 1986), geregistreer is, die ontwikkelaar of die regspersoon ten opsigte van die gemeenskaplike eiendom; of
- (ii) 'n deel soos omskryf in die Wet op Deeltitels, die persoon op wie se naam sodanige deel kragtens 'n deeltitelakte geregistreer is, en ook die wettig aangestelde verteenwoordiger van so 'n persoon;
- (f) die persoon wat onroerende eiendom by die munisipaliteit gekoop het ingevolge 'n skema waarvolgens die koopprijs in paaiemente betaal word en nie oordrag van die munisipaliteit ontvang het nie;

**“geïntegreerde afvalbestuursplan”** 'n geïntegreerde afvalbestuursplan benodig deur die munisipaliteit in terme van hierdie verordening of soos vereis in terme van enige ander toepaslike wetgewing;

**“geleentheidsafval”** afval afkomstig van die aktiwiteite verwant aan 'n geleentheid wat in die munisipale gebied plaasgevind het;

**“gelisensieerde diensverskaffer”** ‘n persoon of entiteit goedgekeur deur en geregistreer by die munisipaliteit en in besit van ‘n lisensie vir die verwydering en vervoer van spesifieke tipes afval in die munisipale gebied;

**“gemagtigde amptenaar”** ‘n afvalbestuursbeampte of ‘n ander persoon in diens van die munisipaliteit en gemagtig daartoe deur die munisipaliteit vir die implementering van hierdie verordening, of ‘n werknemer van ‘n diensverskaffer aangestel deur die munisipaliteit om munisipale dienste te verrig en gemagtig daartoe deur die munisipaliteit in terme van hierdie verordening binne die omvang van die magte, funksies en verpligtinge aan die diensverskaffer toegesê in terme van artikel 81(2) van die Stelselwet of ‘n ander toepaslike wet;

**“gesondheidsorgafval”** alle afval gegeneer deur of afkomstig van mediese sorg of mediese navorsing met inbegrip van, maar nie beperk tot besmetlike afval, patologiese afval, skerp afval, farmaseutiese afval, genotoksiese afval, chemiese afval, drukhouerafval, afval met swaar metale, radio-aktiewe afval, of enige afval wat met bloed, liggaamsvloei-stowwe of menslike weefsel of geïnfecteerde diere van veeartsenykundige praktyke in aanraking was;

**“gesondheidsorg risiko afval”** alle gevaarlike afval gegeneer by enige gesondheidsorgfasiliteit soos ‘n verswakingsorgeenheid, hospitaal, kliniek, laboratorium, mediese navorsingsinstituut, tandheelkundige of mediese praktisyn of veearts insluitende, maar nie beperk tot besmetlike afval, patologiese afval, skerp afval, farmaseutiese afval, genotoksiese afval, chemiese afval, drukhouerafval, afval met swaar metale, radio-aktiewe afval, of enige afval wat met bloed, liggaamsvloei-stowwe of menslike weefsel of geïnfecteerde diere van veeartsenykundige praktyke in aanraking was;

**“gevaarlike afval”** enige afval wat organiese of nie-organiese elemente of samestellings bevat wat as gevolg van die inherente fisiese, chemiese of toksikologiese eienskappe daarvan, ‘n wesentlike nadelige uitwerking op gesondheid en die omgewing kan hê;

**“gevaarlike chemiese stof”** enige toksiese, skadelike, korroderende, branderige, bytende of verstikkende stof of mengsels van sodanige stowwe ten opsigte waarvan-

(a) ‘n beroeps blootstellingslimiet voorgeskryf is;

(b) ‘n beroeps blootstellingslimiet nie voorgeskryf is nie maar wat ‘n gevaar vir gesondheid en die omgewing inhou;

**“gevaarlike huishoudelike afval”** gevaarlike afval gegeneer in ‘n huishouding in klein hoeveelhede in ooreenstemming met die huisverbruik van materiale soos verwe en oplosmiddels, outomobielaafval, insekdodende middels, elektroniese goedere, lugverfrissers of sodanige middels in drukhouers, skoonmaakmiddels, batterye, fluoresserlampe en toestelle wat koelgas bevat;

**“goedgekeurde”** in die konteks van houer, houervoerings, afvalsakke, afvalhouers en omhulsels goedgekeur deur die munisipaliteit of ‘n gelisensieerde diensverskaffer vir die verwydering en berging van afval;

**“goedgekeurde besigheidafvalhouer”** ‘n goedgekeurde houer met ‘n bergingskapasiteit van 240 liter, ‘n goedgekeurde houer met ‘n bergingskapasiteit van 770 liter of enige ander goedgekeurde houer vir besighede soos deur die munisipaliteit voorgeskryf;

**“goedgekeurde houer”** ‘n houer goedgekeur om huishoudelike –of besigheidsafval tydelik te berg totdat dit deur die munisipaliteit of ‘n gelisensieerde diensverskaffer verwyder word;

**“goedgekeurde huishoudelike afvalhouer”** ‘n goedgekeurde houer met ‘n bergingskapasiteit van 240 liter of enige ander goedgekeurde houer vir huishoudings soos deur die munisipaliteit voorgeskryf;

**“groepsontwikkeling”** ‘n hoë digtheid residensiële ontwikkeling met gemeenskaplike grond of fasiliteite wat beheer word deur ‘n huiseienaarsvereniging, regs persoon of bestuursliggaam;

**“lywige afval”** beteken afval wat as huishoudelike –of besigheidsafval geklassifiseer kan word maar wat as gevolg van die massa, vorm, grootte of omvang daarvan nie maklik in ‘n goedgekeurde houer opgehoop of daaruit verwyder kan word nie;

**“herwinbare afval”** afval wat van die afvalstroom geskei kan word en opsygesit word vir doeleindes van hergebruik;

**“herwinning”** ‘n proses waardeur afval herwin word en kan insluit die skeiding van afval van ‘n afvalstroom vir verdere gebruik;

**“herwinning van stowwe”** enige proses waar stowwe uit die afvalstroom verwyder word met die doel om dit weer te gebruik of te hersirkuleer of te behandel;

**“houer van afval”** enige persoon of entiteit wat afval invoer, genereer, kollekteer, versamel, verwyder, hanteer, opgaar, berg, vervoer, verwerk, oorlaai, behandel, verhandel, uitvoer, herwin, hergebruik of daarmee wegdoen insluitende sorteerders en herwinnaars van afval, afvalminimiseringsgroepe, skroothandelaars en terugkoopinisiatiewe;

**“huishoudelike afval”** afval wat op ‘n perseel gegeneer word voortspruitend uit die primêre gebruik van die perseel vir:

(a) residensiële doeleindes;

(b) onderwys, sport -en ontspanningsdoeleindes;

(c) openbare aanbidding, insluitende ‘n saal of ander gebou vir godsdienstige doeleindes; en sluit in huishoudelike gesondheidsorgafval en gevaarlike huishoudelike afval, maar uitsluitend van gevaarlike afval, besigheidsafval, bouafval, tuinafval, lywige afval, spesiale afval, vloeistowwe of nagvuil;

**“huishoudelike gesondheidsorgafval”** gesondheidsorgafval gegeneer in ‘n huishouding in klein hoeveelhede inooreenstemming met die huisverbruik van materiale vir mediese doeleindes en sluit in afval soos spuitnaalde, ongebruikte medisynes en pille en gebruikte verbande wat ‘n gesondheidsgevaar kan inhou as die wegdoening daarvan nie op ‘n geskikte wyse geskied nie;

**“industriële afval”** afval gegeneer deur middel van vervaardigings, industriële, fabrieks, prosesserings, aftakelings of onderhoudsaktiwiteite en sluit in afval gegeneer deur kommersiële landbou of mynbou aktiwiteite of ‘n kragstasie, maar sluit nie enige ander kategorie van afval in nie;

**“kommersiële dienste”** enige afvalbestuursdiens, verwant tot of gekoppel aan die opgaar, kollektering, verwydering, bestuur, herwinning, sortering, berging, behandeling, vervoer, wegdoening, koop of verkoop van afval of enige ander wyse van afvalhantering uitsluitende dienste wat deur die munisipaliteit gelewer word;

**“landbou en plaas afval”** alle afval gegeneer op plase as deel van landbouprosesse of deur gewone huishoudelike of besigheidsaktiwiteite en mag verskillende tipes afval insluit;

**“minimisering”** die maatreëls wat die munisipaliteit, inwoners, besighede en industrieë implementeer om die generering en wegdoening van afval te vermy en die volume en toksisiteit van afval te verminder;

**“Minister”** die Minister van die Departement van Omgewingsake;

**“munisipaliteit”** die Munisipaliteit van Drakenstein, gestig ingevolge Artikel 12 van die Wet op Plaaslike Regering: Munisipale Strukture, 1998 (Wet 117 van 1998), en sluit enige politieke struktuur, politieke ampsdraer, raadslid, behoorlik gemagtigde agent daarvan of enige werknemer daarvan in wat optree in verband met hierdie verordening uit hoofde van ‘n mag wat in die munisipaliteit gevestig is en na sodanige politieke struktuur, politieke ampsdraer, raadslid, agent of werknemer gedelegeer of gesubdelegeer is;

**“munisipale diens”** die diens gelewer met betrekking tot die verwydering van afval insluitende huishoudelike afval, besigheidsafval en daaglikse en die verwante afvalaktiwiteite voorsien deur die munisipaliteit of ‘n diensverskaffer namens die munisipaliteit; ingevolge hierdie verordening;

**“nuwe produk”** ‘n stof wat geproduseer word as deel van ‘n proses wat primêr daarop gerig is om ‘n ander substansie of produk te produseer en wat die eienskappe het van ‘n ekwivalente nuwe produk of materiaal;

**“NOB:AW”** die Nasionale Omgewingsbestuur: Afvalwet, 2008 (Wet 59 van 2008);

**“NOBW”** die Nasionale Omgewingsbestuurswet, 1998 (Wet 107 van 1998);

**“OBW”** die Omgewingsbewaringswet, 1989 (Wet 73 van 1989) of enige regulasies ingevolge daarvan of enige vervangende wetgewing;

**“OIA”** ‘n omgewingsimpakevaluering soos beoog in die NOBW, of die OBW en die OIA Regulasies soos gepubliseer in Regeringskennisgewing R1183 op 5 September 1997 soos gewysig;

**“okkupeerder”** ‘n persoon wat enige perseel of ‘n gedeelte daarvan okkupeer ongeag die titel waaronder hy of sy so okkupeer en sluit in –



- (a) enige persoon wat werklike okkupasie van die perseel het;
- (b) enige persoon wat regtens aanspraak het om die perseel te okkupeer;
- (c) die persoon wat vir eie reg of as 'n agent vir enige ander persoon, daarin geïnteresseerd of daarop geregtig, die huurgelde betaalbaar ontvang in die geval van die onderverdeling van die perseel en die verhuring daarvan aan loseerders of verskeie huurders;
- (d) enige persoon wat in beheer of bestuur van die perseel is insluitende die agent van enige sodanige persoon terwyl die persoon nie in die Republiek van Suid-Afrika is nie of dit nie bekend is waar die persoon hom of haarself bevind nie; of
- (e) die eienaar van die perseel;

**“omgewing”** die individuele dele en totale som van al die elemente, eienskappe toestande wat gesamentlik die omgewing skep waarin lewende organismes bestaan insluitende enige deel of kombinasie van die interverwantskappe onder en tussen hulle;

**“omgewingsnoodtoestand”** enige situasie wat ernstige skade aan menslike gesondheid of beskadiging van die omgewing veroorsaak het of kan veroorsaak, ongeag of die potensiaal vir skade onmiddellik of vertraag is;

**“onaktiewe afval”** afval wat—

- (a) na die wegdoening daarvan nie enige betekenisvolle fisiese, chemiese of biologiese verandering ondergaan nie;
- (b) nie brand, fisies reageer of chemies afbreek of andersins enige ander stowwe of die omgewing waarmee dit in kontak mag kom, nadelig affekteer nie; en
- (c) as gevolg van die besoedelingsinhoud en die onbeduidende toksisiteit van die logging nie 'n negatiewe uitwerking op die omgewing het nie;

**“oorlas”** enige besering, skade, benadeling, ongerief, of ergernis teenoor 'n persoon veroorsaak op enige wyse deur die onbehoorlike hantering of bestuur van afval, insluitende maar nie beperk tot die berging, plasing, verwydering, vervoer of wegdoening van afval of deur rommelstrooiing;

**“openbare kennisgewing”** 'n kennisgewing aan die publiek op 'n wyse vasgestel deur die munisipaliteit;

**“openbare pad”** enige pad, straat of deurgang of enige ander plek (of dit 'n deurgang is of nie) wat algemeen deur die publiek of enige gedeelte van die publiek gebruik word of waartoe die publiek of enige gedeelte van die publiek die reg van toegang het en sluit in—

- (a) die rand van enige sodanige pad, straat of deurgang;
- (b) enige brug, pont of drif deurkruis deur enige sodanige pad, straat of deurgang; en
- (c) enige ander werk of objek wat of deel vorm van of gekoppel is aan of behoort aan sodanige pad, straat of deurgang;

**“openbare plek”** enige openbare gebou, openbare pad, oorhoofse brug, duikweg, tunnel, geplaveide of natuurlike voetpad, sypaadjie, laning, oop ruimte, sportgronde tuin, munisipaal-omheinde ruimte en enige pad, plek of deurgang ongeag hoe dit ontstaan het maar wat ongesteurd deur die publiek gebruik word of waartoe die publiek die reg van toegang of gebruik het;

**“perseel”** 'n erf of enige ander gedeelte van grond, insluitende die gebou daarop of enige ander struktuur wat vir besigheids, industriële -of residensiële doeleindes gebruik word;

**“persoon”** enige natuurlike persoon, plaaslike regeringsliggaam of soortgelyke owerheid, 'n firma geïnkorporeer onder enige wet, 'n eenheid van mense hetsy geïnkorporeer of nie, 'n statutêre liggaam, 'n publieke utiliteitsliggaam, vrywillige assosiasie of trust;

**“rente”** 'n heffing met dieselfde regseienskappe as diensgelde en bereken in terme van hierdie verordening op alle agterstallige bedrae gehef as voorgeskrewe fooie vir afvalbestuursdienste teen 'n standaardtarief gelykstaande aan die rentekoers soos deur die munisipaliteit bepaal;

**“rommel”** enige objek, stof of materiaal wat deur 'n persoon weggegooi word in enige plek behalwe 'n goedgekeurde afvalafvalhouer voorsien vir wegdoening van die spesifieke afval of by 'n afvalstorting –of afvalhanteringsfasiliteit;

**“SAAIS”** die nasionale afvalinligtingstelsel deur die nasionale regering totstand gebring in ooreenstemming met NOB:AW;

“SANS” beteken Suid-Afrikaanse Nasionale Standaard;

“skade aan die omgewing” enige sigbare of onsigbare besoedeling, benadeling of skade aan die omgewing;

“spesiale afval” nie-gevaarlike industriële afval wat ‘n paar verskillende tipes afval kan insluit waarvan die fisiese of chemiese eienskappe of beide, vereis dat die afval by ‘n afvalstortingsfasiliteit op ‘n spesiale wyse hanteer moet word insluitend gekontameneerde grond, rou dieremis, dooie diere en enige ander stof wat spesiale afval is;

“spesiale industriële afval” afval bestaande uit vloeistof, slik of soliede stof, wat die resultaat is ‘n vervaardigingsproses, industriële behandeling of die behandeling wat die wegdoening van enige industriële of vloeibare mynbou afval voorafgaan;

“Stelselwet” die Plaaslike Regering: Munisipale Stelselwet, 2000 (Wet 32 van 2000);

“stort” die plasing van of wegdoening met afval op enige plek anders as binne ‘n goedgekeurde afvalhouer of ‘n plek deur die munisipaliteit aangewys as ‘n afvalhanteringsfasiliteit of ‘n afvalstortingsfasiliteit;

“Strukturewet” die Plaaslike Regering: Munisipale Strukturewet, 1998 (Wet 117 van 1998);

“tarief” die jaarliks hersiene verbruikersgelde vir die voorsiening van die munisipale diens soos deur die munisipaliteit bepaal;

“toepaslike koste” die diensgeld, tarief, basiese tarief, subsidie of enige ander koste wat deur die munisipaliteit voorgeskryf word;

“tuinafval” organiese afval wat uit huishoudelike tuinaktiwiteite voortspruit insluitende grassnysels, blare, plante, blomme, takke, boomstompe en ander soortgelyke afval;

“tuindienste-aktiwiteite” die voorsiening van tuindienste insluitende die sny van gras, snoei van bome of enige ander tuinboukundige aktiwiteit insluitende landskapskepping vir enige huishoudelike, besigheid, kommersiële, institusionele, onderwys en opleiding, ontspanning of industriële persele;

“vervoer” die beweging van afval van een plek na ‘n ander;

“verwydering” die aktiwiteit gerig op die kollektering van afval by die plek waar dit gegenerer of geberg word deur die munisipaliteit of ‘n gelisensieerde diensverskaffer en versameling het ‘n soortgelyke betekenis;

“volhoubare ontwikkeling” die integrasie van sosiale, ekonomiese -en omgewingsfaktore in beplanning, implementering en besluitneming om te verseker dat ontwikkeling die huidige en toekomstige generasies dien;

“voorgeskrewe geld” ‘n fooi insluitende ‘n tarief of ander kostevastelling deur raadsbesluit bepaal;

“voorgeskrewe tarief” beteken ‘n skedule van voorgeskrewe gelde soos vervat in die munisipaliteit se begroting;

“voorrangafval” afval wat as sodanig deur die munisipaliteit of deur nasionale of provinsiale wetgewing verklaar is en mag bepaal dat ten opsigte daarvan noodmaatreëls deur die munisipaliteit geneem word;

“wegdoeningskoepon” ‘n koepon goedgekeur deur en verkrygbaar van die munisipaliteit wat die houer daarvan magtig om dit te gebruik vir die wegdoening van ‘n voorgeskrewe volume en tipe afval by ‘n goedgekeurde afvalstortingsfasiliteit of ‘n afvalhanteringsfasiliteit;

“werksdag” ‘n dag anders as ‘n Saterdag, Sondag of openbare vakansiedag maar in die konteks van die munisipaliteit se afvalwegdoening- en afvalhanteringsfasiliteite sluit dit alle kalenderdae in behalwe Sondag, en geestelike vakansiedae.

## 2. Beginsels

(1) Dit is die munisipaliteit se verantwoordelikheid om te verseker dat alle afval wat binne die munisipale gebied gegenerer word—

(a) ingevolge hierdie verordening verwyder, mee weggedoen of herwin word; en

(b) dat sodanige verwydering, wegdoening of herwinning die afvalbestuurshiërargie wat in subartikel (2) uiteengesit is, in ag neem.

(2) Die beginsel wat hierdie verordening onderlê is die vestiging van ‘n afvalbestuurshiërargie in die volgende prioriteitsorde—

- (a) vermyding, minimalisering en vermindering van afval;
- (b) hergebruik van afval;
- (c) herwinning, herverwerking en behandeling van afval; en
- (d) wegdoening met afval.

(3) 'n Gemagtigde amptenaar moet waar redelik moontlik, die afvalhiërargie gespesifiseer in subartikel (2) in ag neem.

### 3. Hoof doelwitte

(1) Die hoof doelwitte van hierdie verordening is—

- (a) om die verwydering, hantering, berging, vervoer, herwinning, behandeling en wegdoening van afval te reguleer;
- (b) om die nastrewing van 'n geïntegreerde afvalbestuursbenadering te bevorder;
- (c) om die voorsiening van munisipale dienste deur 'n diensverskaffer en kommersiële dienste deur gelisensieerde diensverskaffers te reguleer; en
- (d) om volhoubare ontwikkeling te bevorder.

(2) In nastrewing van die hoofdoelwitte van hierdie verordening, sal die munisipaliteit binne sy administratiewe en finansiële vermoë—

- (a) poog om plaaslike gemeenskapsdeelname in afvalbeplanning te verseker;
- (b) poog om die verbruik van natuurlike hulpbronne te minimiseer;
- (c) die herwinning en hergebruik van afval bevorder;
- (d) die skeiding van afval om die hergebruik en herwinning daarvan te bevorder;
- (e) die effektiewe verkryging, beplanning en lewering van munisipale dienste en kommersiële dienste bevorder;
- (f) poog om in plaaslike verband geïntegreerde afvalbestuur, beplanning en dienste te bereik;
- (g) omgewingsverantwoordelike munisipale dienste en kommersiële dienste bevorder en verseker; en
- (h) daarna streef om nakoming van die bepalinge van hierdie verordening te verseker.

### 4. Take en verpligtinge

(1) 'n Houer van afval moet alle redelike maatreëls tref om:

- (a) afvalgenerering te vermy of te verminder en die toksisiteit van die afval wel gegeneer te minimiseer;
- (b) afval te herwin en te hergebruik;
- (c) op 'n omgewingsverantwoordelike wyse met afval weg te doen;
- (d) afval so te bestuur dat dit nie gesondheid of die omgewing in gevaar stel nie en geen geraas, reuk- of gesigsteurnis veroorsaak nie;
- (e) te voorkom dat afval gebruik word vir 'n ongemagtigde doel insluitende optrede om te voorkom dat persone onder sy of haar beheer hierdie verordening oortree.

(2) 'n Persoon wat 'n produk verkoop wat deur die publiek gebruik mag word en waarskynlik die generering van gevaarlike afval tot gevolg sal hê, moet alle redelike stappe neem om die publiek oor die uitwerking van sodanige afval op gesondheid en die omgewing, in te lig.

(3) Die munisipaliteit of 'n gemagtigde amptenaar mag van enige persoon wat onderhewig is aan die take en verpligtinge soos opgelê in subartikels (1) en (2) vereis om maatreëls te tref om nakoming van hierdie take en verpligtinge te verseker; welke maatreëls mag wees om—

- (a) die uitwerking op die omgewing te ondersoek en te evalueer;
- (b) werknemers omtrent die omgewingsrisikos van hulle werk en die wyse waarop hulle hul take moet uitvoer in te lig en op te lei ten einde die veroorsaking van besoedeling of degradering van die omgewing te vermy;

- (c) enige handeling, aktiwiteit of proses wat besoedeling of degradering veroorsaak, te beëindig, verander of te beheer;
- (d) die beweging van besoedelende stowwe of oorsake van degradering inperk of voorkom;
- (e) enige bronne van besoedeling of degradering uitskakel;
- (f) die effek van besoedeling of degradering reg te stel.

## **HOOFTUK 2 GEÏNTEGREERDE AFVALBESTUUR**

### **5. Afvalbestuursplanne**

- (1) Die munisipaliteit moet—
  - (a) 'n geïntegreerde afvalbestuursplan ingevolge die voorskrifte van nasionale wetgewing daarstel, nagaan en hersien;
  - (b) jaarliks verslag doen oor die implementering van sy geïntegreerde afvalbestuursplan; en
  - (c) die voorgeskrewe gemeenskapskonsultasie ten opsigte van van subartikels (1)(a) en (b) nakom.
- (2) 'n Persoon wat 'n geleentheid in die munisipale gebied wil organiseer of aanbied moet ten minste een maand voor die gebeurtenis by die munisipaliteit 'n afvalbestuursplan indien wat insluit die afvalbestuursdienste wat voorsien sal word en enige ander inligting wat deur die munisipaliteit vereis word.
- (3) Die munisipaliteit mag afhangende van die grootte, aard en duur van die geleentheid, voorwaardelike vrystelling van subartikel (2) toestaan;
- (4) 'n Eienaar of okkupeerder of enige ander persoon verantwoordelik vir 'n nuwe ontwikkeling moet voor die aanvang daarvan en tydens die ontwikkeling 'n geïntegreerde afvalbestuursplan indien insluitende sodanige inligting as wat die munisipaliteit mag benodig.
- (5) Die munisipaliteit mag van 'n houer van afval wat betrokke is by 'n afvalbestuursaktiwiteit gelys in terme van artikel 19 van die NOB:WA, vereis om 'n geïntegreerde afvalbestuursplan binne 'n spesifieke tyd in te dien en daarna met tussenposes samehangend met die vereistes van nasionale en provinsiale wetgewing of standarde.
- (6) Die munisipaliteit mag van enige houer van afval, uitsluitend huishoudelike afval, vereis om binne 'n redelike tyd en daarna met tussenposes, 'n geïntegreerde afvalbestuursplan, insluitend inligting soos deur die munisipaliteit bepaal, of, indien van toepassing, 'n kopie van sy industrie se afvalbestuursplan soos deur nasionale wetgewing vereis, in te dien.
- (7) Indien 'n geïntegreerde afvalbestuursplan soos na verwys in subartikels (4), (5) of (6) op enige wyse verander of gewysig word, moet die houer van afval die veranderde of gewysigde plan by die munisipaliteit indien.

### **6. Afvalinligtingstelsel**

- (1) Die munisipaliteit moet 'n afvalinligtingstelsel daarstel en onderhou insluitende inligting betreffende die vlakke en omvang van afvalbestuursdienste en wanneer vereis, moet sodanige inligting op die SAAIS en die provinsiale afvalinligtingstelsel geplaas word.
- (2) Die munisipaliteit mag van 'n houer van afval vereis om binne 'n redelike tyd of op 'n gereëlde basis, van data, dokumente, inligting, monsters of materiale in te dien of te verskaf
- (3) Die munisipaliteit mag 'n persoon of houer van afval wat op die SAAIS of die provinsiale afvalinligtingstelsel geregistreer behoort te wees, versoek om sodanige registrasie te doen en bewys daarvan in te dien of om binne 'n redelike tydperk bewys te lewer dat hy of sy nie 'n afvalbestuursaktiwiteit uitvoer wat sodanige registrasie verplig nie.

### **7. Minimisering en herwinning van afval**

- (1) Die munisipaliteit moet ooreenkomstig sy verantwoordelikhede en hulpbronne, progressief maatreëls implementeer om afval te verminder en die herwinning, hergebruik en hersirkulasie van afval insluitende die skeiding van afval by die bron daarvan te bevorder.

(2) Die munisipaliteit mag op 'n gereelde basis en wyse wat as toepaslik beskou word erkenning gee aan uitstaande prestasie met betrekking tot afvalvermyding, afvalminimisering, herwinning of ander afvalbestuurspraktyke wat omgewingsverantwoordelike en geïntegreerde afvalbestuur bevorder.

### **8. Afvalbestuursaktiwiteite**

(1) Die munisipaliteit mag van 'n houer van afval wat geklassifiseer, opgeteken, geëtiketteer of op enige wyse geassesseer of hergeassesseer moet word, vereis om bewys te lewer dat dit aan die toepaslike voorskrifte van nasionale en provinsiale wetgewing en standarde voldoen en die munisipaliteit moet ten opsigte van sy eie afvalbestuursaktiwiteite streng hou by sodanige wetgewing en standarde.

(2) Die munisipaliteit moet afvalbergingsfasiliteite, voertuigskroting of herwinningsfasiliteite en enige ander fasiliteite waar materiale geskik vir herbenutting of hersirkulasie herwin word, goedkeur, inspekteer en monitor in ooreenstemming met nasionale en provinsiale wetgewing en standarde asook hierdie verordening en mag van die eienaars of okkupeerders van sodanige persele vereis om sodanige inligting, planne en rekords as wat die munisipaliteit nodig mag ag, in te dien ten einde die munisipaliteit in staat te stel om sy pligte as afvalbestuursowerheid te vervul.

## **HOOFSTUK 3 AFVALVERWYDERING**

### **9. Diensvlakke**

Die afvalverwyderingsdiensvlakke mag tussen areas verskil gegrond op praktiese en koste- oorweginge vir dienslewering. Diensvlakke in gebiede mag wissel tussen-

- (a) terplaatsse en gereelde gekontroleerde of gemoniteerde wegdoening;
- (b) verwydering deur die gemeenskap na 'n sentrale verwyderingspunt;
- (c) georganiseerde verwydering na 'n sentrale verwyderingspunt en sypaadje-verwydering; en
- (d) 'n kombinasie van hierdie diensvlakke.

### **10. Verpligte gebruik van diens**

(1) Onderhewig aan die bepalings van artikel 66 mag niemand, uitgesonderd die munisipaliteit of 'n persoon deur die munisipaliteit daartoe gemagtig, enige afval vanaf enige perseel verwyder of daarmee wegdoen nie en die eienaar of okkupeerder van 'n perseel moet van die afvalverwyderingsdiens van die munisipaliteit gebruik maak.

(2) Die tariewe vir afvalverwydering soos deur die munisipaliteit vasgestel is deur die eienaar betaalbaar aan die munisipaliteit, ongeag of van die diens gebruik gemaak word, al dan nie, uitgesonderd waar vrystelling ingevolge artikel 66 verleen is.

(3) Die afvalverwyderingsdiens gelewer ingevolge subartikel (1) sal vervat word in die diensooreenkoms gesluit met die munisipaliteit welke ooreenkoms skriftelik gewysig mag word om voorsiening te maak vir 'n toename in die frekwensie of volume van die afvalverwyderingsdiens indien so vereis deur die munisipaliteit of op versoek van die eienaar of okkupeerder van 'n huishoudelike of besigheidperseel.

(4) Besikbaarheidsgelde mag op onbeboude persele gehef word.

(5) Die munisipaliteit mag bepaal watter afval items nie geskik is vir verwydering nie of as lywige afval geklassifiseer kan word en, indien sodanige bepaling gemaak word, mag die munisipaliteit vir die eienaar van die afval of okkupeerder van die perseel 'n proses vir verwydering en wegdoening van sodanige afval aanbeveel.

(6) Indien die munisipaliteit se geskeduleerde afvalverwyderingsdienste vir watter rede ookal onderbreek word, moet die munisipaliteit die diens so gou as redelik moontlik hervat en agterstande as 'n prioriteit hanteer.

(7) Klagtes oor die afvalverwyderingsdiens sal ingevolge die die munisipaliteit se kliëntesorgbeleid hanteer word.

## 11. Frekwensie

- (1) Die munisipaliteit moet huishoudelike afval en besigheidsafval ten minste een keer per week op geskeduleerde datums vir die verskillende gebiede, verwyder. Indien verwyderingsreëlings hersien word, sal okkupeerders of eienaars redelike vooraf kennisgewing van veranderings ontvang.
- (2) Die munisipaliteit mag bepaal watter besigheidspersele afval genereer wat as daaglikse gesien kan word en mag opdrag gee dat die frekwensie van afvalafvalverwydering wat ten opsigte van sodanige persele geld verhoog word soos voorsien in artikel 10(2).
- (3) Indien die munisipaliteit van mening is dat 'n besigheid 'n oorlas, gesondheidsrisiko, reukergernis of gevaar vir openbare gesondheid veroorsaak omdat afval nie oor naweke verwyder word nie, mag die dit opdrag gee dat die eenaar of okkupeerder gebruik maak van 'n addisionele afvalverwyderingsdiens wat teen 'n voorgeskrewe koste gedurende naweke deur die munisipaliteit voorsien mag word.
- (4) 'n Eenaar of okkupeerder van 'n besigheidsperseel wat 'n weeklikse afvalverwyderingsdiens ontvang mag, soos voorsiening gemaak in artikel 10(2), skriftelik by die munisipaliteit aansoek doen om die verwyderingsdiens meermale per week te ontvang indien beskikbaar.

## 12. Volume

- (1) Die munisipaliteit mag—
  - (a) die aantal houers wat per afvalverwydering vanaf elke residensiële perseel verwyder sal word bepaal;
  - (b) die aantal houers bepaal wat per afvalverwydering van elke besigheidsperseel verwyder sal word gebaseer op 'n inspeksie van die afval volumes saam met die eenaar of okkupeerder; en
  - (c) die maksimum hoeveelheid besigheidsafval bepaal wat vir verwydering geplaas mag word sonder die voorsiening van 'n addisionele diens of die betaling van addisionele gelde.
- (2) Indien die munisipaliteit die voorsiening van 'n addisionele diens aan 'n residensiële of besigheidsperseel vereis of die eenaar of okkupeerder van 'n residensiële of besigheidsperseel versoek skriftelik dat die aantal goedgekeurde houers per afvalverwydering verhoog word, moet dit ooreenkomstig artikel 10(2) geskied.

## 13. Afvalhouers

- (1) Die munisipaliteit sal huishoudelike afval en besigheidsafval wat in 'n goedgekeurde afvalhouer geplaas is op 'n plek en in 'n toestand soos vasgestel verwyder. Afval wat in 'n houer of op 'n plek geplaas word wat nie volgens munisipale voorskrifte is nie, sal nie verwyder word nie.
- (2) Die munisipaliteit sal ooreenkomstig die afvalverwyderingsdiens wat in 'n gebied gelewer word, die volgende voorsien:
  - (a) elke individuele huishouding in hoë digtheidsgebiede met twee vullissakke per week;
  - (b) elke enkele stedelike residensiële perseel met een huishoudelike afvalhouer;
  - (c) elke groepsontwikkeling of ander perseel wat huishoudelike afval genereer soos skole, kerke en hospitale met die aantal huishoudelike afvalhouers soos deur die munisipaliteit bepaal; en
  - (d) elke besigheidsperseel met die aantal besigheidafvalhouers deur die munisipaliteit bepaal.
- (3) Indien die eenaar of okkupeerder van 'n besigheid -of residensiële perseel insluitende 'n groepsontwikkeling meer afvalhouers benodig, hetsy op skriftelike versoek of soos vereis deur die munisipaliteit, mag die munisipaliteit teen die voorgeskrewe gelde addisionele afvalhouers voorsien en 'n terugbetaalbare deposito vereis wat die eenaar of okkupeerder moet betaal voor aflewering daarvan by die perseel.
- (4) Afvalhouers deur die munisipaliteit voorsien in terme van subartikels (2) en (3) moet:
  - (a) reeksnommers hê wat gekoppel is aan die diensooreenkoms van 'n eenaar of okkupeerder van die perseel;;
  - (b) die munisipaliteit se eiendom bly;
  - (c) by beëindiging van die diensooreenkoms met die munisipaliteit deur die eenaar of okkupeerder aan die munisipaliteit terugbesorg word en indien 'n terugbetaalbare deposito

- daarvoor ontvang is, sal die deposito aan die eienaar of okkupeerder van die perseel terugbetaal word mits dit nog in 'n bruikbare toestand is;
- (d) gratis deur die munisipaliteit vervang word indien sodanige vervanging geregverdig is deur normale verwerking;
- (e) in die geval van diefstal-
- (i) indien dit 'n eerste keer gebeur, gratis deur die munisipaliteit vervang word;
  - (ii) indien dit 'n tweede keer gebeur, teen vyftig persent van die koste daarvan deur die munisipaliteit vervang word; of
  - (iii) indien dit 'n derde of meer kere gebeur, teen honderd persent van die koste daarvan deur die munisipaliteit vervang word; met dien verstande dat 'n skriftelike versoek vir die vervanging, insluitende dokumentêre bewys dat die saak by 'n polisiekantoor aangemeld is, ingedien word;
- (5) Waar die munisipaliteit self 'n houer as vermis waarneem, en geen versoek om vervanging ingedien is nie, mag die munisipaliteit dit vervang en die koste daarvan van die eienaar of okkupeerder verhaal.
- (6) In die geval van beskadiging veroorsaak deur die eienaar of okkupeerder se nalatigheid, mag die houer deur die munisipaliteit vervang word na ontvangs van 'n skriftelike versoek en betaling van die vervangingskoste;
- (7) Die eienaar of okkupeerder van 'n residensiële –of besigheidsperseel sal verantwoordelik wees om die perseel se nommer op sy of haar houers aan te bring vir maklike identifisering daarvan en om munisipale werknemers te help met terugplasing daarvan by die regte perseel.
- (8) Houers vir die tydelike berging van afval by besigheids –of residensiële persele moet in goeie toestand onderhou word en geskik wees vir die veilige berging van afval sodat beskadiging van die omgewing en skade aan gesondheid voorkom word.
- (9) Geen persoon mag toelaat dat 'n dier in sy of haar beheer met 'n houer wat vir verwydering uitgeplaas is lol of dit omgooi of beskadig nie.
- (10) Die eienaar of okkupeerder van 'n besigheid of residensiële perseel moet verseker dat—
- (a) 'n houer nie warm as, oop glas of ander huishoudelike afval of besigheidafval insluitende daaglikse bevat wat die munisipale werknemers in die uitvoering van hul pligte kan beseer of skade aan die houer kan veroorsaak nie;
  - (b) geen stowwe of materiale, insluitende enige vloeistof, wat as gevolg van massa of ander eienskappe die hantering van 'n houer deur die munisipale werknemers onredelik moeilik sal maak, daarin geplaas word nie;
  - (c) houers toegehou word vir skoon en higiëniese toestande en om dier –en inseksteurnisse en windgewaaide rommel te voorkom;
  - (d) houers op 'n dag en tyd soos deur die munisipaliteit per geskrewe kennisgewing aan die eienaar of die okkupeerder gespesifiseer, buite die ingang tot die perseel geplaas word;
  - (e) in ooreenstemming met munisipale spesifikasies voorsiening gemaak word vir spatie en enige ander fasiliteit wat die munisipaliteit nodig ag vir die berging van houers op 'n perseel sodat dit nie vanaf 'n openbare pad of openbare plek sigbaar is nie en die toegelate spatie vir die munisipaliteit se afvalverwyderingsvoertuie gerieflike toegang en uitgang bied;
  - (f) die sypaadjie voor en aangrensend tot die perseel skoon en vry van afval gehou word.
- (9) Indien daaglikse genereer word moet die eienaar of okkupeerder verseker dat—
- (a) die daaglikse nie in 'n houer geplaas word waar dit 'n ander afvalstroom kan kontamineer nie;
  - (b) die houers nie meer as 20 meter vanaf die ingang tot die perseel waarvandaan die afval deur die munisipaliteit verwyder word, geplaas word nie.
- (10) Nieteenstaande enige iets tot die teendeel in hierdie verordening vervat, mag die munisipaliteit in aggenome die voorkoming van steurnisse en die gemak van afvalverwydering, 'n spesifieke posisie binne of buite 'n betrokke perseel aandui waar houers teen sekere tye en vir sekere periodes vir afvalverwydering geplaas moet word.

(11) Geen eienaar of okkupeerder van 'n perseel mag enige vullissakke of goedgekeurde houer wat ander afval as huishoudelike -of besigheidafval bevat, buite 'n perseel plaas tensy die munisipaliteit dit vir spesifieke doeleindes goedgekeur het en onderhewig aan voorwaardes soos deur die munisipaliteit neergelê.

#### **14. Gemeenskapsverwydering**

- (1) Die munisipaliteit sal in hoë digtheidsgebiede waar 'n volhoubare huishoudelike afvalverwyderingsdiens gelewer kan word, die afval van individuele huishoudings op 'n weeklikse basis verwyder.
- (2) Die munisipaliteit sal geskikte grootmaathouers plaas by sentrale gemeenskapsverwyderingspunte.
- (3) Gemeenskapsverwyderingspunte sal duidelik, afgebakende areas wees.
- (4) Die grootmaathouers moet volgens munisipale spesifikasies wees en die plasing daarvan moet sover moontlik—
  - (a) aan die gemeenskap veilige en maklike toegang daartoe bied;
  - (b) windgewaaide rommel voorkom;
  - (c) aan die munisipaliteit se afvalverwyderingsvoertuie maklike toegang bied.
- (5) Die afval sal sover as redelik moontlik een keer per week verwyder word of binne 24 uur nadat 'n grootmaathouer as vol by die munisipaliteit aangemeld is.
- (6) Afvalskeiding by bron sal ten opsigte van gemeenskapsverwydering aangemoedig word en indien lewensvatbaar, sal afsonderlike grootmaathouers vir nie-herwinbare en herwinbare afval by die gemeenskapsverwyderingspunte voorsien word.

#### **15. Verwydering in landelike gebiede**

- (1) Waar dit nie vir die munisipaliteit ekonomies lewensvatbaar is om grootmaatafvalhouers of enige ander vorm van afvalverwydering in die landelike gebiede te voorsien nie, word gemeenskappe en boere aangemoedig om van die munisipaliteit se koepontstelsel gebruik te maak vir die wegdoening van afval by aangewese afvalhanterings- of afvalstortingsfasiliteite.
- (2) Nieteenstaande bogenoemde, sal die munisipaliteit met plaaslike gemeenskappe saamwerk om koste-effektiewe maniere te vind waardeur afvalverwyderingspraktyke na die landelike gebiede uitgebrei kan word.
- (3) Die munisipaliteit is in ooreenstemming met nasionale wetgewing nie ten gunste van terplaatsse wegdoening van afval nie maar sal sodanige terplaatsse wegdoening van afval in landelike gebiede toelaat indien geen ander uitvoerbare alternatief beskikbaar is nie; in welke geval die munisipaliteit sover moontlik toesig, monitering en beheer oor sodanige praktyke sal uitoefen.

#### **16. Herwinning**

- (1) Die munisipaliteit mag enige eienaar of okkupeerder van 'n besigheid- of residensiële perseel of enige houer van afval in gebiede deur die munisipaliteit bepaal, versoek om—
  - (a) afval te skei in herwinbare afval, byvoorbeeld e-afval, plastiek, papier en glas en nie-herwinbare afval ingevolge die voorskrifte van die munisipaliteit;
  - (b) verskillende houers vir die afval wat so geskei is, te gebruik in ooreenstemming met die munisipaliteit se aanwysings of soos deur die munisipaliteit voorsien;
  - (c) die houers gevul met herwinbare afval op 'n tyd en dag soos deur die munisipaliteit bepaal buite die ingang tot die perseel te plaas of, indien so versoek, dit aflaaï by plekke, soos deur die munisipaliteit aangedui; en
  - (d) enige ander redelike voorgeskrewe prosedures te volg.
- (2) Die munisipaliteit mag aflaaïstasies skep op plekke wat maklik toeganklik en veilig is vir die publiek.

#### **17. Opgaar van afval**

- (1) Die eienaar of okkupeerder van 'n besigheid of residensiële perseel moet seker maak dat alle huishoudelike- of besigheidsafval op die perseel gegeneer uitgeplaas word vir verwydering en nie opgehoop word nie.



(2) Waar 'n tipe of hoeveelheid afval nie deur die munisipaliteit of 'n gelisensieerde diensverskaffer op 'n gereelde basis deur verwyder word nie, moet die eienaar of okkupeerder van die perseel of die houer van die afval reëlings tref vir die verwydering, vervoer en wegdoening van die afval by 'n afvalhanterings- of afvalstortingsfasiliteit so dikwels as nodig om enige ergernis of nadelige uitwerking op menslike gesondheid of die omgewing te voorkom.

(2) Die munisipaliteit mag enige perseel waar afval, ongeag die tipe, opgehoop word, betree en die persoon wat die afval genereer of die eienaar of die okkupeerder van die tersaaklike perseel beveel om die afval onmiddellik te verwyder by versuim waarvan die munisipaliteit mag voortgaan om dit self te doen op koste van die persoon verantwoordelik vir die ophoping.

## **HOOFSUK 4 HANTERING VAN VERSKILLENDE TIPES AFVAL**

### **Deel 1 Tuinafval**

#### **18. Kompostering**

Die eienaar of okkupeerder van 'n perseel waarop tuinafval gegeneer word mag die tuinafval op die perseel komposteer, met dien verstande dat sodanige kompostering nie 'n ergernis veroorsaak of 'n nadelige uitwerking op menslike -en omgewingsgesondheid het nie.

#### **19. Verwydering en wegdoening met tuinafval**

(1) Die eienaar of okkupeerder van 'n perseel waarop nie-komposteerbare tuinafval gegeneer word moet binne 'n redelike tyd nadat sodanige afval gegeneer is, die afval verwyder en daarmee wegdoen by die naaste afvalhanterings- of afvalstortingsfasiliteit, tensy die munisipaliteit anders bepaal.

(2) Op versoek van die eienaar of okkupeerder van enige perseel kan die munisipaliteit tuinafval van die perseel verwyder onderhewig aan betaling van die koste en die voorwaardes deur die munisipaliteit vasgestel.

### **Deel 2 Lywige Afval**

#### **20. Verwydering en wegdoening**

(1) Die eienaar of okkupeerder van 'n perseel waarop lywige afval gegeneer word moet verseker dat sodanige afval binne veertien dae na generering daarvan verwyder en mee weggedoen word by 'n afvalhanterings- of afvalstortingsfasiliteit deur die munisipaliteit bepaal.

(2) Op die versoek van die eienaar of die okkupeerder van enige perseel, mag die munisipaliteit lywige afval vanaf die perseel verwyder teen die voorgeskrewe tarief mits, dit moontlik is met die bekikbare toerusting.

### **Deel 3 Bouafval**

#### **21. Planne en inspeksie**

(1) Die eienaar of okkupeerder of enige persoon verantwoordelik vir die indiening van bouplanne vir 'n nuwe gebou of 'n verandering aan 'n bestaande gebou moet in die planne die wyse aandui waarop bouafval hanteer sal word.

(2) 'n Gemagtigde amptenaar van die munisipaliteit moet 'n inspeksie doen en verifieer dat die afvalreëlins soos beoog in subartikel (1), wel nagekom is en alle bouafval mee weggedoen is, as deel van die munisipaliteit se finale aftekening van die bou-aktiwiteite.

**22. Generering en berging**

- (1) Nieteenstaande die afvalreëlings beoog in artikel 21, moet die eienaar of okkupeerder van 'n perseel waarop bouafval gegeneer word of die persoon betrokke by die aktiwiteit wat sodanige afval genereer, verseker dat—
- (a) alle bouafval en die houers vir die berging daarvan gehou word op die perseel waar die bouafval gegeneer word;
  - (b) die perseel waarop die bouafval gegeneer word nie onooglik of 'n ergernis word as gevolg van die opgaar daarvan nie;
  - (c) enige bouafval wat van die perseel gewaai word, sonder versuim herwin word.
- (2) Op skriftelike versoek en onderhewig aan voorwaardes soos wat deur die munisipaliteit vasgestel mag word, kan die munisipaliteit die gebruik van 'n goedgekeurde grootmaathouer wat vir 'n gespesifiseerde tydperk op die grens van die perseel geplaas word, goedkeur.
- (3) Die munisipaliteit mag 'n eienaar of okkupeerder van 'n perseel waarop bouafval gegeneer word of die persoon betrokke by die aktiwiteit wat sodanige afval genereer, opdrag gee om spesiale houers vir die wegdoening van die afval te gebruik en sal 'n tarief vir die gebruik van sodanige houers vasstel, indien dit deur die munisipaliteit verskaf word.

**23. Verwydering en wegdoening**

- (1) Die eienaar of okkupeerder van 'n perseel waarop bouafval gegeneer word of die persoon betrokke by die aktiwiteit wat sodanige afval genereer, moet verseker dat alle bouafval deurentyd gedurende konstruksie verwyder en mee weggedoen word om onnodige ophoping te voorkom..
- (2) Bouafval moet weggedoen word by 'n afvalhantering of afvalstortingsfasiliteit deur die munisipaliteit bepaal.

**Deel 4****Spesiale Industriële, Gesondheidsorg en Gevaarlike Afval****24. Kennisgewing en verifiëring**

- (1) 'n Persoon wat betrokke is by aktiwiteite wat spesiale industriële, gevaarlike -of gesondheidsorgafval sal genereer moet voor die generering van sodanige afval die munisipaliteit skriftelik in kennis stel van—
- (a) die verwagte of vasgestelde samestelling van sodanige afval;
  - (b) die hoeveelheid wat gegeneer sal word;
  - (c) hoe en waar dit geberg sal word;
  - (d) hoe dit verwyder en mee weggedoen sal word; en
  - (e) die identiteit van die gelisensieerde diensverskaffer wat verantwoordelik sal wees vir die verwydering, vervoer en wegdoening daarvan.
- (2) 'n Persoon wat betrokke is in die afvalaktiwiteite waarna verwys word in subartikel (1) en wat daargestel is en in bedryf was voor die inwerkingtreding van hierdie verordening, moet die munisipaliteit binne negentig dae vanaf die inwerkingtreding van hierdie verordening skriftelik daarvan in kennis stel en die inligting soos bedoel in subartikel (1) voorsien..
- (3) Indien die munisipaliteit dit vereis moet 'n kennisgewing soos na verwys in subartikel (1) of (2) gestaaf word deur—
- (a) 'n assessering en analise van die afval se samestelling gesertifiseer deur 'n toepaslik gekwalifiseerde industriële chemikus;
  - (b) veiligheids datablaaie of voltooië afvaldokumente; en
  - (c) sodanige ander rekords wat vereis word om nakoming van toepaslike wetgewing, nasionale standaarde en SANS Kodes te verifieer.
- (4) Die persoon waarna verwys word in subartikel (1) of (2) moet ingeval van enige veranderinge en jaarliks voor of op 30 Junie, by die munisipaliteit 'n skriftelike verslag indien wat:

- (a) al die inligting insluit soos in subartikel (1);
  - (b) vereis, en, die stawende dokumente soos aangedui in subartikel (3) bevat; en
  - (c) enige ander inligting wat redelikerwys nodig mag word.
- (5) 'n Gemagtigde amptenaar mag op enige redelike tyd, 'n perseel betree om seker te maak of die afval waarna subartikel (1) verwys op die perseel gegeneer of geberg word en hy of sy mag monsters neem en enige afval wat op die perseel gevind word toets om die samestelling daarvan vas te stel.

## **25. Berging**

- (1) Spesiale industriële, gesondheidsorg -en gevaarlike afval wat op 'n perseel gegeneer word moet op die perseel geberg word in 'n goedgekeurde houer totdat dit verwyder word en dit moet dienoooreenkomstig toepaslike wetgewing, nasionale standaarde en SANS Kodes en op so wyse geberg word dat dit nie 'n ergernis of skade aan menslike gesondheid of besoedeling van die omgewing kan veroorsaak nie.
- (2) Indien die afval waarna in subartikel (1) verwys word nie in ooreenstemming met hierdie voorskrifte geberg word nie, mag die munisipaliteit inligting van die inhoud, hoeveelheid en aanvangsdatum van berging vereis en indien sodanige inligting nie beskikbaar is nie mag die munisipaliteit die persoon wat die afval genereer of die eenaar of die okkupeerder van die perseel waarop sodanige afval geberg word opdrag gee om onmiddellik die afval te verwyder by versuim waarvan die munisipaliteit self mag voortgaan om dit te doen op koste van die eenaar of okkupeerder van die perseel waarop die afval geberg word.

## **26. Verwydering en wegdoening**

- (1) Slegs 'n gelisensieerde diensverskaffer mag spesiale industriële, gesondheidsorg- en gevaarlike afval vanaf die perseel waar dit geberg word verwyder en daarmee wegdoen by 'n afvalstortingsterrein wat dienoooreenkomstig gelisensieer en deur die munisipaliteit aangewys is om sodanige afval te ontvang.
- (2) 'n Gelisensieerde diensverskaffer moet die afval waarna in subartikel (1) verwys word, verwyder, vervoer en mee wegdoen in ooreenstemming met die terme en voorwaardes van sy lisensie en in nakoming van toepaslike wetgewing, nasionale standaarde en SANS Kodes.

## **Deel 5 Industriële Afval en Spesiale Afval**

## **27. Berging**

- (1) Die eenaar of okkupeerder van 'n perseel waarop industriële afval of spesiale afval gegeneer word moet verseker dat tot tyd en wyl die afval deur 'n gelisensieerde diensverskaffer van sodanige perseel verwyder word—
- (a) die afval dienoooreenkomstig toepaslike wetgewing, nasionale standaarde en SANS Kodes geberg word in goedgekeurde houers wat nie op 'n openbare plek gehou word nie; en
  - (b) geen ergernis, gesondheidsrisiko of omgewingsskade tydens die generering of berging van die afval veroorsaak word nie.

## **28. Verwydering en wegdoening**

- (1) Slegs 'n gelisensieerde diensverskaffer mag industriële –of spesiale afval vanaf die perseel waar dit geberg word verwyder en wegdoen by 'n afvalstortingsterrein wat dienoooreenkomstig gelisensieer en deur die munisipaliteit aangewys is om sodanige afval te ontvang.
- (2) 'n Gelisensieerde diensverskaffer moet die afval waarna in subartikel (1) verwys word, verwyder, en daarmee wegdoen in ooreenstemming met die terme en voorwaardes van sy lisensie en onderhewig aan die vereistes van enige toepaslike wetgewing, nasionale standaarde en SANS Kodes.
- (3) Die munisipaliteit mag spesifieke tye bepaal vir die ontvangs van spesiale afval by die terrein waarna in subartikel (1) verwys word.

## Deel 6

### Bande, Onbruikgeraakte Voertuie of Masjinerie en Afvalmetaal

#### 29. Berging en wegdoening

- (1) Geen eienaar of okkupeerder van 'n perseel met 'n operasionele area groter as die area soos bepaal ingevolge GK R718 van 7 Julie 2009 (Lys van afvalaktiwiteite wat waarskynlik 'n nadelinge invloed op die omgewing mag hê) mag afvalbande, ongebruikte, geskrapte, afgetakelde, gesloopte of herwinde voertuie of masjinerie of afvalmetaal tydelik berg of opgaar tensy die afvalbestuursaktiwiteit ooreenkomstig nasionale standarde bestuur word of gelisensieer is ingevolge nasionale wetgewing, soos toepaslik.
- (2) Afval soos bedoel in subartikel (1) word nie by enige van die munisipaliteit se afvalhantering –of afvalstortingsfasiliteite aanvaar nie en enige persoon wat met enige van hierdie artikels moet wegdoen, moet daarmee wegdoen by 'n afvalstortingsterrein soos deur die munisipaliteit aangewys en volgens die voorwaardes wat vir sodanige afvalstortingsterrein geld.
- (3) Die munisipaliteit mag die perseel van enige persoon bedoel in subartikel (1) betree en bewyse van enige planne insluitende 'n geïntegreerde afvalbestuursplan, lisensies of ander tersaaklike dokumente versoek om nakoming van toepaslike wetgewing te verifieer.

## Deel 7

### Herwinbare Afval

#### 30. Berging, verwydering en wegdoening

- (1) 'n Eienaar of okkupeerder van 'n perseel of enige ander persoon mag nie herwinbare afval tydelik opgaar, sorteer of berg op enige perseel binne die munisipale gebied nie tensy dit gedoen word in ooreenstemming met subartikel (2).
- (2) Enige eienaar of okkupeerder van 'n perseel of enige ander persoon moet voor die aanvang van 'n aktiwiteit wat die hergebruik, herwinning of herwinning van afval behels, nakoming van nasionale en provinsiale wetgewing en standarde en toepaslike SANS Kodes ten opsigte van die afvalaktiwiteit verseker en die munisipaliteit voorsien met 'n afskrif van 'n geïntegreerde afvalbestuursplan en sodanige ander inligting as wat die munisipaliteit mag vereis.
- (3) Slegs 'n gelisensieerde diensverskaffer mag herwinbare afval vanaf die perseel waar dit gegenereer word of van ander afval geskei word, verwyder en daarmee wegdoen by 'n afvalhantering- of afvalstortingsfasiliteit deur die munisipaliteit aangewys om sodanige afval te ontvang.

## Deel 8

### Landbou -en Plaasafval

#### 31. Wegdoening

- (1) 'n Eienaar of okkupeerder van plaasgrond mag onderhewig aan subartikels (2) en (3) op die plaasgrond met afval wegdoen, maar die brand van afval is ten strengste verbode tensy verbranding goedgekeur is deur die Brandweerhoof ingevolge die Brandveiligheidsverordening van die munisipaliteit.
- (2) 'n Eienaar of okkupeerder van plaasgrond mag nie op die grond met enige hoeveelheid gevaarlike afval, wat in landbouafval aanwesig mag wees, wegdoen nie tensy hy of sy in besit is van 'n toepaslike afvalbestuurslisensie ingevolge nasionale wetgewing en, indien van toepassing, provinsiale wetgewing.
- (3) 'n Eienaar of okkupeerder van plaasgrond mag met algemene afval, wat landbou- en plaasafval mag insluit, op die grond wegdoen mits dit gedoen word dienooreenkomstig toepaslike wetgewing, nasionale standarde en SANS Kodes en, indien die hoeveelheid afval dit vereis, magtiging ingevolge 'n geldige afvalbestuurslisensie.
- (4) 'n Gemagtigde amptenaar van die munisipaliteit mag 'n eienaar of okkupeerder van plaasgrond wat hy of sy vermoed met gevaarlike afval of 'n groter hoeveelheid algemene afval as toegelaat op die grond wegdoen, versoek om bewys te lewer van die lisensies waarna in subartikels (2) of (3) verwys word en,

ongegag die inhoud of die hoeveelheid van die afval waarmee op die grond weggedoen word, mag die munisipaliteit die eienaar of okkupeerder ook versoek om binne 'n neergelegte tydsraamwerk, 'n geïntegreerde afvalbestuursplan by die munisipaliteit in te dien.

(5) 'n Eienaar of okkupeerder van plaasgrond mag skriftelik aansoek doen om van die munisipaliteit se afvalhantering- en afvalstortingfasiliteite gebruik te maak, welke goedkeuring aan die applikant toegang sal bied tot die munisipaliteit se koepontstelsel en sodanige fasiliteite as deur die munisipaliteit voorgeskryf vir die wegdoening van afval, uitsluitend gevaarlike en gesondheidsorgafval.

## **HOOFSTUK 5 VERVOER EN WEGDOENING**

### **Deel 1 Vervoer van Afval**

#### **32. Veilige vervoer**

Niemand mag—

- (a) 'n voertuig vir die vervoer van afval op 'n publieke pad gebruik tensy die bakwerk van die voertuig in terme van grootte en ontwerp voldoende is vir die tipe afval wat vervoer word; en
- (b) versuim om 'n voertuig wat vir die vervoer van afval gebruik word so te onderhou dat dit ten alle tye in 'n skoon, higiëniese en padwaardige toestand is.

#### **33. Geen vermorsing of verspilling**

'n Persoon wat afval deur die munisipale gebied vervoer moet verseker dat—

- (a) los afval op 'n oop voertuig bedek is met 'n seil of gepaste net; en
- (b) geen afval losraak, lek of afval van die voertuig wat dit vervoer nie.

#### **34. Wetlike nakoming**

'n Persoon wat afval vervoer, spesifiek gevaarlike afval, moet verseker dat hy of sy alle relevante nasionale en provinsiale wetgewing, nasionale standaarde en SANS Kodes, nakom.

### **Deel 2 Wegdoening met Afval**

#### **35. Toegelate gebruik**

- (1) Die munisipaliteit mag voorskryf watter tipes afval by 'n spesifieke afvalhantering- of afvalstortingsfasiliteit weggedoen mag word soos toegelaat ooreenkomstig die lisensievoorskrifte van elke fasiliteit.
- (2) Verskillende tariewe is van toepassing op die wegdoening van verskillende tipes en volumes afval, maar inwoners word toegelaat om gratis weg te doen met 'n sekere volume algemene afval soos deur die munisipaliteit bepaal.

#### **36. Aanspreeklikheid**

- (1) Niemand mag met afval wegdoen by 'n afvalstortingsfasiliteit wat nie vir die ontvangs van sodanige afval gelisensieer is nie en enige persoon wat enige van die munisipale voorskrifte soos beoog ingevolge artikel 35(1) oortree, sal aanspreeklik gehou word vir alle redelike koste deur die munisipaliteit aangegaan om die afval waarmee onregmatig weggedoen is, te verwyder en andersins mee te handell.
- (2) Die munisipaliteit sal nie aanspreeklik wees vir enige eis voortspruitend uit toegang tot enige afvalhantering- of afvalstortingsfasiliteit nie en enige persoon wat enige van die terreine van sodanige fasiliteite betree doen dit op eie risiko.

**37. Gedrag by fasiliteite**

- (1) Niemand mag 'n afvalhantering- of afvalstortingsfasiliteit betree vir enige ander rede as die wegdoening van afval ingevolge hierdie verordening nie en slegs op tye en tussen ure soos deur die munisipaliteit bepaal en aangedui op 'n duidelik sigbare kennisgewingbord by die ingang van die afvalhantering- of afvalstortingsfasiliteit.
- (2) 'n Persoon wat 'n afvalhantering- of afvalstortingsfasiliteit betree vir die wegdoening van afval moet—
  - (a) by die fasiliteit in- en uitgaan by die aangewese in- en uitgange;
  - (b) alle besonderhede rakende die bron en samestelling van die afval verskaf en die munisipaliteit mag sodanige afval inspekteer;
  - (c) alle instruksies volg rakende die werklike storting, oorlaai of herwinningspunt en die plek waar en wyse waarop die afval afgelaai moet word; en
  - (d) waar van toepassing, die munisipaliteit se wegdoeningskoepon aankoop of toon in ooreenstemming met die gewig van die afval waarmee weggedoen word.
- (3) Niemand mag enige bedwelmende drank of narkotiese middel in enige van die munisipaliteit se afvalhantering- of afvalstortingsfasiliteite inbring nie.
- (4) Die munisipaliteit mag die maksimum grootte van 'n voertuig wat toegelaat sal word om 'n afvalhantering- of afvalstortingsfasiliteit binne te gaan, voorskryf.

**38. Aanvaarding van afval van ander**

- (1) Die munisipaliteit mag 'n aansoek van 'n ander munisipaliteit om met afval weg te doen by 'n afvalstortingsfasiliteit, oorweeg met dien verstande dat die aanvaarding van sodanige afval geen nadelige uitwerking sal hê op die munisipaliteit se bevoegdhede en eienaarskap van sodanige afvalstortingsfasiliteit nie.
- (2) Die munisipaliteit mag 'n persoon toelaat om by 'n aangewese afvalstortingsfasiliteit weg te doen met afval wat buite die munisipaliteit se gebied gegenerer is, met dien verstande dat so persoon eers ingevolge hierdie verordening 'n gelisensieerde diensverskaffer moet word.
- (3) Die tariewe van toepassing op gelisensieerde diensverskaffers soos in subartikel (2) verwys, mag verskil van die afvalwegdoeningstariewe gestipuleer in die munisipaliteit se Tariefverordening.

## HOOFSTUK 6 AFVALSTROOIING EN STORTING

**39. Voorsiening van fasiliteite vir afval**

- (1) Die munisipaliteit moet redelike stappe neem om te verseker dat genoeg goedgekeurde houers vir die wegdoen van afval voorsien word op enige perseel waartoe die publiek toegang het.
- (2) Die eienaar of okkupeerder van private grond waartoe die publiek toegang het moet verseker dat genoegsame houers voorsien word vir die wegdoen van afval deur die publiek.

**40. Afvalstrooiing en storting**

- (1) Niemand mag enige afval laat val, gooi, plaas, mors, stort of op enige ander manier daarvan ontslae raak in of op enige openbare plek, openbare pad, pad, munisipale riool, grond, onbeboude erf, stroom of enige ander plekke wat ingevolge hierdie verordening nie toelaatbaar is nie of enige persoon onder sy of haar beheer toelaat om dit te doen nie.
- (2) 'n Gemagtigde amptenaar mag teen enige van die oortredinge gelys in subartikel (1) optree deur 'n geskrewe kennisgewing wat sodanige persoon beveel om—
  - (a) die oortreding binne 'n bepaalde tyd te stop;
  - (b) 'n herhaling van die oortreding of 'n verdere oortreding te voorkom;
  - (c) enige maatreëls te neem wat die munisipaliteit as nodig beskou om die afval te verwyder of skoon te maak en die aangetaste omgewing binne 'n bepaalde tyd te rehabiliteer; of

- (c) 'n boete te betaal of in die hof te verskyn ingevolge die bepalings van artikel 56 van die Strafproseswet, 1977, (Wet 51 van 1977)
- (3) 'n Eienaar of okkupeerder van grond of 'n perseel of enige ander persoon in beheer van grond of 'n perseel, mag nie grond of 'n perseel vir ongewettigde storting van afval gebruik of toelaat dat 'n ander dit doen nie en moet alle redelike stappe neem om sodanige gebruik van die grond of perseel te voorkom.
- (4) Indien die munisipaliteit dit nodig vind om afval vanaf grond of 'n perseel te verwyder, sal die eienaar, okkupeerder of persoon wat beheer uitoefen oor die grond of perseel aanspreeklik gehou word vir die koste van die sodanige verwydering.
- (5) In die geval van gevaarlike afval, sal die munisipaliteit sodanige afval so spoedig moontlik verwyder en daarna die nodige kennisgewings uitreik aan die persoon aanspreeklik vir die verwyderingskoste en die rehabilitasie van die omgewing.

#### **41. Brand van afval**

Die verbranding van afval is ten strengste verbode tensy dit gemagtig is deur die Brandweerhoof ingevolge die Brandveiligheidsverordening van die munisipaliteit.

#### **42. Verlate voorwerpe**

'n Persoon wat enige artikel wat ingevolge hierdie verordening as afval geklassifiseer kan word agterlaat, is aanspreeklik vir enige skade wat sodanige artikel mag veroorsaak of veroorsaak het sowel as die koste vir die verwydering daarvan nieteenstaande die feit dat sodanige persoon moontlik nie meer die eienaar daarvan mag wees nie.

## **HOOFSTUK 7 EKSTERNE DIENSVERSKAFFERS**

### **Deel 1**

#### **Gelisensieerde Diensverskaffers van Kommersiële Dienste**

#### **43. Lisensie aansoeke**

- (1) Geen persoon mag kommersiële dienste vir die verwydering en vervoer van afval in die munisipale gebied voorsien tensy hy of sy by die munisipaliteit geregistreer het en 'n lisensie wat hierdie afvalaktiwiteite magtig, bekom het nie.
- (2) 'n Aansoek vir 'n lisensie moet skriftelik ingedien word in 'n formaat of op 'n vorm deur die munisipaliteit voorgeskryf en die voorgeskrewe gelde, en tensy subartikel (3) van toepassing is, moet vooraf goedkeuring vir die verwydering en vervoer van afval die munisipaliteit verkry word.
- (3) Enige persoon wat reeds kommersiële dienste lewer ten tyde van die inwerkingtreding van hierdie verordening, moet binne negentig dae vanaf die inwerkingtreddingsdatum 'n aansoek vir 'n lisensie soos beoog in subartikel (1) indien; 'n persoon wat versuim om sodanige aansoek in te dien mag na die verstryking van die gemelde negentig dae tydperk nie meer afvalverwydering en afvalvervoerdienste in die munisipale area lewer nie.
- (4) Die munisipaliteit moet 'n aansoek ingedien ingevolge hierdie artikel binne dertig dae van ontvangs daarvan oorweeg en of toestaan of afwys, inaggenome die gesondheid, veiligheid –en omgewingsrekord van die applikant en die aard van die kommersiële dienste wat voorsien moet word, en skriftelike redes verskaf indien die aansoek afgekeur is.
- (5) Registrasie as diensverskaffer verleen nie aan die diensverskaffer die reg om 'n afvalverwyderingsdiens te lewer sonder die munisipaliteit se goedkeuring vir vrystelling ingevolge artikel 66 nie.

#### **44. Terme en voorwaardes van lisensies**

- (1) 'n Lisensie moet—
- (a) die lisensiehouer duidelik identifiseer;

- (b) die lisensieperiode spesifiseer;
  - (c) die kategorieë van afval wat die gelisensieerde diensverskaffer mag verwyder en wegdoen bepaal;
  - (d) die inligting wat bygehou moet word en die indieningsvereistes daarvan deur die munisipaliteit vir sy eie geïntegreerde afvalbestuursplan en SAAIS uitspel; en
  - (e) ander prosedures wat nodig mag wees vervat.
- (2) 'n Lisensie—
- (a) mag nie gesedeer of oorgedra word sonder die vooraf skriftelike instemming van die munisipaliteit nie;
  - (b) is geldig vir een jaar vanaf die datum van uitreiking; en
  - (c) is slegs geldig vir die kategorieë afval daarin gespesifiseer.
- (3) 'n Lisensiemagtiging moet vir elke voertuig wat in die lisensieaansoek geïdentifiseer is 'n vertoonskyfie insluit wat die lisensie se geldigheidsperiode en die kategorieë afval waarvoor dit toegestaan is aandui, welke skyfie duidelik op die voorste windskerf van die voertuie vertoon moet word.
- (4) Die munisipaliteit sal nie afval vir wegdoening by sy afvalhantering- of afvalstortingsfasiliteite vanaf diensverskaffers aanvaar wat, indien dit versoek sou word, nie bewys van die lisensiemagtiging kan lewer nie en nie 'n lisensieskyfie op die voorste windskerf van die voertuig vertoon nie.
- (5) 'n Gelisensieerde diensverskaffer mag nie versuim of weier om die munisipaliteit te voorsien met enige inligting wat redelikerwys betreffende die terme en voorwaardes van 'n lisensie versoek word nie, of vals of misleidende inligting verskaf nie.
- (6) 'n Gelisensieerde diensverskaffer is ten volle aanspreeklik vir enige handeling of versuim van enige van sy of haar werknemers indien so handeling of versuim 'n oortreding van die lisensievoorwaardes of 'n nadelige uitwerking op menslike gesondheid of die omgewing het.

#### **45. Hernuwing van lisensies**

- (1) 'n Lisensie hernuwingsaansoek moet minstens sestig dae voor die verstrykingsdatum daarvan ingedien word en moet binne dertig dae van ontvangs daarvan deur die munisipaliteit oorweeg en toegestaan of afgekeur word; in laasgenoemde geval moet skriftelike redes vir die afkeuring deur die munisipaliteit verstrek word.
- (2) Nieteenstaande enigiets tot die teendeel in hierdie verordening, moet die munisipaliteit 'n lisensie tydelik, vir 'n tydperk wat nie dertig dae mag oorskry nie, verleng indien 'n diensverskaffer die korrekte prosedure soos beoog in subartikel (1) gevolg het en die hernuwingsaansoek as gevolg van munisipale prosesse nog nie oorweeg is nie.,

#### **46. Opskorting en herroeping van lisensies**

- (1) Die munisipaliteit mag 'n lisensie opskort of intrek indien 'n diensverskaffer versuim om enige van sy of haar lisensievoorwaardes of enige ander bepaling van hierdie verordening of enige nasionale of provinsiale wetgewing wat die verwydering, vervoer- en wegdoening van afval reguleer, na te kom of op enige ander gronde wat deur die munisipaliteit as genoegsame rede geag word om 'n lisensie te herroep of op te skort.
- (2) Die munisipaliteit moet 'n gelisensieerde diensverskaffer skriftelik kennis gee om binne dertig dae vanaf datum van die kennisgewing van die voorgenome opskorting of intrekking van sy of haar lisensie skriftelike redes in te dien waarom sodanige aksie nie deur die munisipaliteit geneem moet word nie.
- (3) Ongeag of verhoë vanaf die diensverskaffer ontvang is moet die munisipaliteit hom of haar binne 14 dae na verstryking van die tydperk vir verhoë van sy besluit in kennis stel.

#### **47. Vrystelling van lisensies**

Die munisipaliteit mag 'n diensverskaffer of kommersiële diens van enige of al die bepalings in Deel 1 van Hoofstuk 7 en sodanige ander artikels van hierdie erordening wat die munisipaliteit nodig ag, vrystel.



**48. Verbruikersverantwoordelikhede**

- (1) Die eienaar of okkupeerder van 'n perseel of die houer van afval wat met 'n gelisensieerde diensverskaffer kontrakteer moet verseker dat—
- (a) die diensverskaffer se lisensie hom of haar magtig om die kategorieë van afval waarvoor hy of sy gekontrakteer word te verwyder en te vervoer;
  - (b) totdat die gelisensieerde diensverskaffer die afval vanaf die perseel waar dit gegenereer is verwyder, die afval in 'n goedgekeurde houer geberg word en geen ergernis met betrekking tot stof, reuke of gesondheid in die proses van generering, berging of verwydering veroorsaak nie; en
  - (c) die diens slegs gelever word vir die kategorieë van afval wat in die lisensie gemagtig is.

**Deel 2****Munisipale Diensverskaffers****49. Uitkontraktering van dienste**

Die munisipaliteit mag ooreenkomste aangaan met eksterne diensverskaffers vir die lewering van munisipale afvaldienste en aktiwiteite mits dit gedoen word in ooreenstemming met munisipale, provinsiale en nasionale wetgewing.

**50. Verbruikershandves**

Indien 'n diensverskaffer soos beoog in artikel 49 deur die munisipaliteit aangestel word om 'n diens te lewer aan 'n groot geografiese gebied of 'n aansienlike gedeelte van die bevolking, mag van die diensverskaffer vereis word om in oorleg met die gemeenskap 'n verbruikershandves saam te stel en te aanvaar.

**HOOFSTUK 8****ALGEMEEN****51. Eienaarskap**

- (1) Die persoon of entiteit wat die lisensie het om 'n afvalhantering – of afvalstortingsfasiliteit te bedryf word die eienaar van alle afval wat by sodanige fasiliteit gelever word..
- (2) 'n Persoon wat huishoudelike –of besigheidsafval genereer is die eienaar daarvan totdat dit deur die munisipaliteit verwyder is.

**52. Toegang tot persele**

- (1) Indien die uitleg van 'n perseel die munisipaliteit verhinder om afval te verwyder of te hanteer of moontlik kan lei tot die beskadiging van private –of munisipale eiendom of die besering van munisipale werknemers, mag die munisipaliteit van die eienaar of okkupeerder vereis om op eie koste sodanige veranderinge as nodig, aan te bring om enige hindernisse te verwyder.
- (2) Indien die eienaar of die okkupeerder versuim of weier om aan die munisipaliteit se versoek gehoor te gee, mag die munisipaliteit die diens aan die perseel opskort en van die eienaar of okkupeerder vereis om die munisipaliteit skriftelik te vrywaar teen enige eise voortspruitend uit skade of beserings of enige ander eise wat uit die omstandighede mag voortspruit, alvorens die diens hervat word.

**HOOFSTUK 9****NAKOMING EN AFDWINGING****53. Nakoming van hierdie verordening en ander wette**

- (1) Die eienaar of okkupeerder van 'n perseel is verantwoordelik om nakoming van hierdie verordening te verseker.
- (2) Enige persoon of entiteit wat 'n lisensie of 'n magtiging wat met afval verband hou moet op versoek van 'n gemagtigde amptenaar bewys lewer van sodanige lisensie of magtiging.

**54. Magtiging van 'n gemagtigde amptenaar**

- (1) Die munisipaliteit of 'n diensverskaffer soos beoog ingevolge artikel 49 van hierdie verordening mag enige persoon in sy diens magtig om uitvoering te gee aan die bepalings van hierdie verordening.
- (2) Die afvalbestuursbeampte van die munisipaliteit is 'n gemagtigde amptenaar.

**55. Funksies en magte van 'n gemagtigde amptenaar**

'n Gemagtigde amptenaar mag werk uitvoer, 'n inspeksie doen, monitor en nakoming van hierdie verordening, asook nasionale en provinsiale wetgewing met betrekking tot afvalbestuur, afdwing.

**56. Betekening van kennisgewings en dokumente**

- (1) 'n Kennisgewing of dokument ingevolge hierdie verordening deur die munisipaliteit uitgereik, word geag behoorlik gemagtig te wees indien dit deur 'n gemagtigde amptenaar onderteken is.
- (2) Indien 'n kennisgewing of dokument ingevolge hierdie Verordening op 'n eenaar, okkupeerder of enige ander persoon beteken moet word sal dit geag word doeltreffend en afdoende aan sodanige persoon beteken te wees:
  - (a) wanneer dit aan hom of haar persoonlik beteken is of aan sy of haar behoorlik gemagtigde agent;
  - (b) wanneer dit by sy of haar woon, werk- of sakeadres gelaat is by 'n persoon wat klaarblyklik nie jonger as sestien jaar is nie en daar woonagtig of werksaam is;
  - (c) as hy of sy 'n adres vir regsdoeleindes genomineer het en dit by sodanige adres afgelewer is;
  - (d) as hy of sy nie 'n adres vir regsdoeleindes genomineer het nie, die aflewering daarvan by die adres deur hom of haar aangedui in sy of haar aansoek vir die voorsiening van afvaldienste vir die ontvangs van 'n rekening vir die voorsiening van afvaldienste;
  - (e) wanneer dit per voorafbetaalde, geregistreerde of gesertifiseerde pos na sy of haar laaste bekende adres gepos is en 'n erkenning van die pos daarvan verkry word;
  - (f) in die geval van 'n regspersoon, die aflewering daarvan by die geregistreerde kantoor of besigheidsadres van sodanige regspersoon; of
  - (g) indien dit nie kan geskied ingevolge subartikels (a) tot (f) nie, deur dit op 'n duidelik sigbare plek op die perseel betrokke te plaas.

**57. Voldoeningskennisgewings**

- (1) 'n Gemagtigde amptenaar mag 'n skriftelike kennisgewing uitreik aan enige persoon wat die bepalinge van hierdie verordening oortree.
- (2) 'n Kennisgewing ingevolge subartikel (1) moet:
  - (a) besonderhede gee van die bepaling van die verordening wat nie nagekom is nie;
  - (b) aan die eenaar, okkupeerder of ander party binne 'n bepaalde tyd 'n redelike geleentheid bied om verhoë te rig;
  - (c) die stappe uiteensit wat die eenaar, okkupeerder of ander persoon moet neem om die versuim reg te stel;
  - (d) die periode spesifiseer waarbinne die die eenaar, okkupeerder of ander persoon hierdie stappe moet neem om die versuim reg te stel; en
  - (e) aandui dat die munisipaliteit:
    - (i) indien die kennisgewing nie nagekom word nie, die werk self mag onderneem en die werklike koste van sodanige werk van die eenaar, okkupeerder of ander persoon verhaal; en
    - (ii) enige ander aksie mag neem om nakoming van die bepalinge van hierdie verordening te verseker.

- (3) Indien 'n eienaar of okkupeerder of enige ander persoon versuim om binne die neergelegde periode 'n geskrewe kennisgewing ingevolge hierdie verordening na te kom, mag die munisipaliteit sodanige aksie neem as wat nodig is om nakoming te verseker, insluitende-
- (a) onderneming van die aksies of die werk nodig en verhaling van die koste van die eienaar, okkupeerder of ander persoon; of
  - (b) die instelling van regsaksie teen die eienaar, okkupeerder of ander persoon ingevolge die Strafproseswet, 1977 (Wet 51 van 1977).;
- (4) In 'n noodgeval mag die munisipaliteit sonder vooraf kennisgewing, die werk soos beoog in subartikel (2) onderneem en die koste van die eienaar, okkupeerder of ander persoon, verhaal.
- (5) Die werklike koste verhaalbaar deur die munisipaliteit ingevolge subartikels (3) en (4) sal insluit die volle koste geassosieer met sodanige werk.
- (6) In die geval waar nakoming van 'n kennisgewing binne 'n gespesifiseerde aantal werksdae vereis word, sal die aanvangsdatum van sodanige periode gereken word as die datum waarop die kennisgewing uitgereik is.
- (7) 'n Kennisgewing of dokument uitgereik ingevolge subartikel (2) is geldig totdat een van die volgende gebeur:
- (a) dit uitgevoer is;
  - (b) dit deur die gemagtigde amptenaar wat dit uitgereik het gekanselleer word of, in daardie persoon se afwesigheid, 'n persoon met soortgelyke bevoegdheid;
  - (c) die doel waarvoor dit uitgereik is, verval het.

#### **58. Mag van toegang en inspeksie**

- (1) 'n Eienaar of okkupeerder moet, op versoek, aan 'n gemagtigde amptenaar toegang tot 'n perseel gee om sodanige inspeksie en ondersoek uit te voer as wat hy of sy nodig ag om enige oortreding van hierdie verordening te ondersoek en nakoming daarvan te verseker.
- (2) Wanneer hy of sy die perseel betree, moet die gemagtigde amptenaar, hom of haarself indien so vereis, identifiseer by wyse van 'n aanstellingsertifikaat.

#### **59. Gebruik van geweld vir toegang**

Die gebruik van geweld vir toegang tot 'n perseel mag slegs in 'n noodgeval geskied.

#### **60. Aanspreeklikheid en vergoeding**

Die munisipaliteit sal nie aanspreeklik wees vir skade of vergoeding voortspruitend uit enige iets wat deur die munisipaliteit ingevolge hierdie verordening gedoen is nie.

#### **61. Valse verklarings of inligting**

Niemand mag 'n valse verklaring aflê of valse inligting aan die munisipaliteit, 'n gemagtigde amptenaar of 'n werknemer van die munisipaliteit verskaf nie of 'n dokument uitgereik ingevolge hierdie verordening, vervals nie.

#### **62. Appèl**

'n Persoon wie se regte geraak word deur 'n besluit van die munisipaliteit ingevolge gedelegeerde bevoegdheid, mag teen sodanige besluit appelleer ingevolge artikel 62 die Wet op Plaaslike Regering: Munisipale Stelsels, 2000, Wet 32 van 2000 deur skriftelike kennisgewing van die appèl en die redes daarvoor binne 21 dae vanaf die datum van bekendmaking van die besluit, aan die munisipale bestuurder te gee.

#### **63. Misdrywe**

- (1) Dit is 'n oortreding vir enige persoon om:
- (a) 'n gemagtigde amptenaar toegang te weier tot 'n perseel waartoe die gemagtigde amptenaar behoorlik gemagtig is om toegang te hê;

- (b) 'n gemagtigde amptenaar te verhinder of te belemmer in die uitvoering van sy of haar pligte;
- (c) te weier of te versuim om 'n gemagtigde amptenaar te voorsien van 'n dokument of inligting wat die persoon ingevolge hierdie verordening moet voorsien;
- (d) vals of misleidende inligting aan 'n gemagtigde amptenaar te gee;
- (e) die eienaar van enige perseel of 'n persoon werksaam vir die eienaar te verhinder om die perseel te betree ten einde 'n vereiste van hierdie verordening na te kom;
- (f) voor te gee dat hy of sy 'n gemagtigde amptenaar is;
- (g) 'n magtiging aan 'n gemagtigde amptenaar of 'n geskrewe magtiging of 'n voldoeningkennisgewing of voldoeningstifikaat uitgereik ingevolge hierdie verordening, te verander;
- (h) enige perseel sonder 'n geskrewe kennisgewing te betree onder omstandighede wat sodanige kennisgewing vereis;
- (i) op te tree in stryd met 'n geskrewe kennisgewing of dokument uitgereik ingevolge hierdie verordening;
- (j) enige inligting rakende die finansiële of besigheidsaangeleenthede van enige persoon wat verkry is in die uitvoering van enige funksie of enige magte ingevolge hierdie verordening, openbaar te maak, behalwe—
  - (i) aan 'n persoon wat die inligting benodig om 'n funksie of 'n mag ingevolge hierdie verordening, uit te voer;
  - (ii) as die openbaarmaking deur 'n hof beveel is; of
  - (iii) as die openbaarmaking 'n nakoming van die bepalings van enige wet is.
- (k) enige bepaling van hierdie verordening te oortree of versuim om dit na te kom;
- (l) te versuim om enige kennisgewing uitgereik ingevolge hierdie verordening na te kom;
- (m) te versuim om enige wettige opdrag uitgereik ingevolge hierdie verordening na te kom;
- (n) enige voorwaardes neergelê vir die uitreiking van enige lisensie, goedkeuring, konsessie, vrystelling of magtiging ingevolge hierdie verordening, te oortree of te versuim om dit na te kom.

(2) 'n Persoon wat veroorsaak dat 'n ander persoon 'n misdryf soos verwys in subartikel (1) begaan of wat uit hoofde van 'n posisie van gesag oor 'n ander persoon, hom of haar toelaat of toestemming gee om 'n misdryf te begaan, sal skuldig wees aan daardie misdryf.

#### **64. Boetes**

- (1) Enige persoon wat enige van die bepalings van artikel 62 oortree sal skuldig wees aan 'n misdryf en by skuldigbevindiging blootgestel wees aan:
- (a) 'n boete of tronkstraf of sodanige tronkstraf sonder die opsie van 'n boete of aan beide sodanige boete en sodanige tronkstraf; en
  - (b) in die geval van 'n voortdurende misdryf, aan 'n addisionele boete of 'n addisionele periode van tronkstraf of aan sodanige addisionele tronkstraf sonder die opsie van 'n boete of aan beide sodanige addisionele boete en tronkstraf vir elke dag waarop sodanige misdryf voortduur; en
  - (c) 'n verdere bedrag gelykstaande aan enige kostes en uitgawes deur die munisipaliteit aangegaan as gevolg van sodanige oortreding of versuim.
- (2) Bykomend tot enige straf opgelê ingevolge subartikel (1), mag die munisipaliteit die lewering van afvaldienste aan sodanige persoon opskort.

#### **65. Toepassing van hierdie Verordening**

Hierdie Verordening is van toepassing op alle persone of entiteite, insluitende staatsinstellings, geleë binne jurisdiksiegebied van Drakenstein Munisipaliteit.

**66. Vrystellings**

- (1) Enige persoon mag deur middel van 'n skriftelike aansoek, waarin die redes gegee word, by die munisipaliteit aansoek doen om vrystelling van enige bepaling van hierdie verordening.
- (2) Die munisipaliteit mag:
  - (a) skriftelik vrystelling verleen en die voorwaardes ingevolge waarvan, indien enige, en die tydperk waarvoor sodanige vrystelling verleen word, daarin vermeld;
  - (b) enige vrystelling of voorwaarde in 'n vrystelling wysig of kanselleer na behoorlike kennisgewing aan die betrokke persoon; of
  - (c) weier om 'n vrystelling te verleen in welke geval redes vir die weiering aan die betrokke persoon verstek moet word..
- (3) 'n Vrystelling tree nie in werking voordat die aansoeker skriftelik onderneem het om te voldoen aan al die voorwaardes wat deur die munisipaliteit ingevolge subartikel (2) opgelê is; met dien verstande dat indien 'n aktiwiteit begin word voordat sodanige onderneming aan die munisipaliteit voorgelê is, die vrystelling verval.
- (4) Indien enige voorwaarde van 'n bestaande vrystelling nie nagekom word nie, mag die munisipaliteit die vrystelling kanselleer na behoorlike kennisgewing aan die betrokke persoon.

**67. Herroeping van verordeninge**

Die bepalings van enige verordeninge wat voorheen deur die munisipaliteit of deur enigeen van die afgeskafte munisipaliteite wat nou in die munisipaliteit ingelyf is, afgekondig is, word hiermee herroep insoverre hulle betrekking het op sake waarvoor daar in hierdie verordening voorsiening gemaak word.

**68. Kort titel en inwerkingtrede**

Hierdie Verordening staan bekend as die Geïntegreerde Afvalbestuursverordening vir Drakenstein Munisipaliteit en tree in werking by afkondiging in die Provinsiale Koerant.

**WESTERN CAPE  
GAMBLING AND RACING BOARD**

**OFFICIAL NOTICE**

**RECEIPT OF APPLICATIONS FOR SITE LICENCES**

In terms of the provisions of Section 32(2) of the Western Cape Gambling and Racing Act, 1996 (Act 4 of 1996), as amended, the Western Cape Gambling and Racing Board ("the Board") hereby gives notice that applications for site licences, as listed below, have been received. A site licence will authorise the licence holder to place a maximum of five limited payout machines in approved sites outside of casinos for play by the public.

**DETAILS OF APPLICANTS**

- 1. Name of business:** **Windjammer Tavern CC**  
**1996/041413/23**  
**t/a Windjammer Tavern**  
**At the following site:** 38 Michau Street, Strand 7140  
**Erf number:** 14123, Strand  
**Persons having a financial interest of 5% or more in the business:** Tertius Krynauw (Member)
- 2. Name of business:** **Lawn Enforcer CC**  
**2003/075278/23**  
**t/a Cougar Lounge**  
**At the following site:** Shop 1, Africa House,  
92 Edward Street, Bellville 7530  
**Erf number:** 21664, Bellville  
**Persons having a financial interest of 5% or more in the business:** Alan Murray (Member)
- 3. Name of business:** **Jaime Moncaixa**  
**Sole Proprietor**  
**t/a Club 151**  
**At the following site:** 153A Voortrekker Road,  
Goodwood 7460  
**Erf number:** 7099, Goodwood  
**Persons having a financial interest of 5% or more in the business:** Jaime Moncaixa (100%)
- 4. Name of business:** **Kantielal Jeram Patel**  
**Sole Proprietor**  
**t/a Club Joy**  
**At the following site:** Kismet Plaza Building,  
Old Klipfontein Road, Athlone 7764  
**Erf number:** 32851, Athlone

- Persons having a financial interest of 5% or more in the business:** Kantielal Jeram Patel (100%)
5. **Name of business:** **Frajo 157 CC**  
**2002/083245/23**  
**t/a Riversdale Travel Lodge**  
10 Main Street, Riversdale 6670  
2951, Riversdale
- At the following site:**  
**Erf number:**  
**Persons having a financial interest of 5% or more in the business:** Nicolynne Sheila van Wyk (Member)
6. **Name of business:** **Nancy Esterhuizen**  
**Sole Proprietor**  
**t/a Kings Bar**  
Kreef Avenue, Saldanha 7395  
3847, Saldanha
- At the following site:**  
**Erf number:**  
**Persons having a financial interest of 5% or more in the business:** Nancy Esterhuizen (100%)

#### **WRITTEN COMMENTS AND OBJECTIONS**

Residents of this province who wish to lodge objections or to furnish comment on any application, may do so in writing. In the case of written objections to an application, the grounds on which such objections are founded, must be furnished. Where comment in respect of an application 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 Wednesday, 23 October 2013**.

Notice is hereby given that, in terms of Regulation 24(2) of the National Gambling Regulations, the Board will schedule a public hearing in respect of an application **only if, on or before 16:00 on Wednesday, 23 October 2013, a written objection to such application relating to:**

- (a) **the probity or suitability for licensing of any of the persons to be involved in the operation of the relevant business, or**
- (b) **the suitability of the proposed site for the conduct of gambling operations**

has been received. If a public hearing is scheduled, the date of such hearing will be advertised in this publication approximately 14 days prior to the date thereof.

**Objections or comments must be forwarded to the Chief Executive Officer, Western Cape Gambling and Racing Board, P.O. Box 8175, Roggebaai 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 fax number (021) 422-2603 or emailed to: [objections.licensing@wcgrb.co.za](mailto:objections.licensing@wcgrb.co.za)**

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**WES-KAAPSE  
RAAD OP DOBBELARY EN WEDRENNE**

**AMPTELIKE KENNISGEWING**

**ONTVANGS VAN AANSOEKE VIR PERSEELLISENSIES**

Kragtens die bepalings van Artikel 32(2) van die Wes-Kaapse Wet op Dobbelary en Wedrenne, 1996 (Wet 4 van 1996), soos gewysig, gee die Wes-Kaapse Raad op Dobbelary en Wedrenne ("die Raad") hiermee kennis dat aansoeke om perseellisensies, soos onder aangedui, ontvang is. 'n Perseellisensie sal die lisensiehouer magtig om 'n maksimum van vyf beperkte uitbetalingsmasjiene in goedgekeurde persele buite die casino's te plaas om deur die publiek gespeel te word.

**BESONDERHEDE VAN AANSOEKERS**

1. **Naam van besigheid:** **Windjammer Tavern BK**  
**1996/041413/23**  
**h/a Windjammer Tavern**  
**By die volgende perseel:** Michaustraat 38, Strand 7140  
**Erfnommer:** 14123, Strand  
**Persone met 'n finansiële belang van 5% of meer in die besigheid:** Tertius Krynauw (Lid)
2. **Naam van besigheid:** **Lawn Enforcer BK**  
**2003/075278/23**  
**h/a Cougar Lounge**  
**By die volgende perseel:** Winkel 1, Africa House,  
Edwardstraat 92, Bellville 7530  
**Erfnommer:** 21664, Bellville  
**Persone met 'n finansiële belang van 5% of meer in die besigheid:** Alan Murray (Lid)
3. **Naam van besigheid:** **Jaime Moncaixa**  
**Alleeneienaar**  
**h/a Club 151**  
**By die volgende perseel:** Voortrekkerweg 153A, Goodwood 7460  
**Erfnommer:** 7099, Goodwood  
**Persone met 'n finansiële belang van 5% of meer in die besigheid:** Jaime Moncaixa (100%)
4. **Naam van besigheid:** **Kantielal Jeram Patel**  
**Alleeneienaar**  
**h/a Club Joy**  
**By die volgende perseel:** Kismet Plaza Gebou, Ou Klipfonteinpad, Athlone 7764  
**Erfnommer:** 32851, Athlone  
**Persone met 'n finansiële belang van 5% of meer in die besigheid:** Kantielal Jeram Patel (100%)



5. **Naam van besigheid:** **Frajo 157 BK**  
**2002/083245/23**  
**h/a Riversdale Travel Lodge**  
 Hoofstraat 10, Riversdal 6670  
 2951, Riversdal
- By die volgende perseel:**  
**Erfnommer:**  
**Persone met 'n finansiële**  
**belang van 5% of meer in**  
**die besigheid:** Nicolynne Sheila van Wyk (Lid)
6. **Naam van besigheid:** **Nancy Esterhuizen**  
**Alleeneienaar**  
**h/a Kings Bar**  
 Kreeflaan, Saldanha 7395  
 3847, Saldanha
- By die volgende perseel:**  
**Erfnommer:**  
**Persone met 'n finansiële**  
**belang van 5% of meer in**  
**die besigheid:** Nancy Esterhuizen (100%)

### **SKRIFTELIKE KOMMENTAAR EN BESWARE**

Inwoners van hierdie provinsie wat belangstel om besware aan te teken teen of kommentaar te lewer op enige aansoek, mag dit skriftelik doen. In die geval van skriftelike besware teen 'n aansoek, moet die redes waarop sodanige besware gebaseer is, verskaf word. Waar kommentaar betreffende die aansoek verstrekkend word, moet die volle besonderhede en feite om sodanige kommentaar te staaf, verskaf word. Die naam, adres en telefoonnommer van die persoon wat beswaar maak of kommentaar lewer, moet ook verskaf word. Kommentaar of besware moet die Raad op die laatste teen **16:00 op Woensdag, 23 Oktober 2013** bereik.

Kennis geskied hiermee dat die Raad, ingevolge regulasie 24(2) van die Nasionale Dobberegulasies, 'n openbare verhoor ten opsigte van 'n aansoek sal skeduleer slegs indien 'n skriftelike beswaar teen 'n aansoek **voor of om 16:00 op Woensdag, 23 Oktober 2013** ontvang is. **Sodanige beswaar moet betrekking hê op:**

- (a) **die onkreukbaarheid of geskiktheid van enige van die persone, wat betrokke sal wees by die bedryf van die relevante onderneming, vir lisensiëring, of**
- (b) **die geskiktheid van die voorgestelde perseel vir die bedryf van dobbelaktiwiteite.**

Indien 'n openbare verhoor geskeduleer word, sal die datum van sodanige verhoor ongeveer 14 dae vóór die verhoordatum in hierdie publikasie geadverteer word.

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