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PROVINCIAL NOTICES

The following Provincial Notices are published for general information.

ADV. B. GERBER,
ACTING DIRECTOR-GENERAL

Provincial Building,
Wale Street
Cape Town.

P.N. 433/2009

20 November 2009

CAPE AGULHAS MUNICIPALITY**REMOVAL OF RESTRICTIONS ACT, 1967**

I, André John Lombaard, in my capacity as Deputy-Director in the Department of Environmental Affairs and Development Planning: Western Cape, acting in terms of the powers contemplated by section 2(1) of the Removal of Restrictions Act, 1967 (Act 84 of 1967), duly delegated to me in terms of section 1 of the Western Cape Delegation of Powers Law, 1994, and on application by the owners of Erf 537, Struisbaai, remove condition B.6.(c) contained in Deed of Transfer No. T. 91169 of 2004.

P.N. 434/2009

20 November 2009

CITY OF CAPE TOWN (SOUTHERN DISTRICT)**REMOVAL OF RESTRICTIONS ACT, 1967**

I, André John Lombaard, in my capacity as Deputy-Director in the Department of Environmental Affairs and Development Planning: Western Cape, acting in terms of the powers contemplated by section 2(1) of the Removal of Restrictions Act, 1967 (Act 84 of 1967), duly delegated to me in terms of section 1 of the Western Cape Delegation of Powers Law, 1994, and on application by the owners of Erf 12374, Constantia, remove condition III.A.(a).(iii) contained in Deed of Transfer No. T. 50056 of 2004.

P.N. 435/2009

20 November 2009

GEORGE MUNICIPALITY**DECLARATION OF A LOCAL DISASTER**

Notice is hereby given in terms of section 55(1) of the Disaster Management Act, 2002 (Act 57 of 2002) that the George Municipality, in consultation with the National-, Provincial- and Municipal Disaster Management Centres, on 06 November 2009, resolved that due to the current drought conditions in the jurisdiction area of the George Municipality, the Municipal area be declared as a local state of disaster in terms of the said Act.

The National Disaster Management Centre endorsed the classification of the George Municipality by classifying the drought as a local disaster in terms of Section 23 (1) (b) of the said Act on 10 November 2009.

CM AFRICA, MUNICIPAL MANAGER

P.N. 436/2009

20 November 2009

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

I, Bulelwa Nkwatani, 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 66, Witsand, removes condition B.(e) as contained in Deed of Transfer No. T 37561 of 1988.

PROVINSIALE KENNISGEWINGS

Die volgende Provinsiale Kennisgewings word vir algemene inligting gepubliseer.

ADV. B. GERBER,
WNDE DIREKTEUR-GENERAAL

Provinsiale-gebou,
Waalstraat
Kaapstad.

P.K. 433/2009

20 November 2009

KAAP AGULHAS MUNISIPALITEIT**WET OP OPHEFFING VAN BEPERKINGS, 1967**

Ek, André John Lombaard, in my hoedanigheid as Adjunk-Direkteur in die Departement van Omgewingsake en Ontwikkelingsbeplanning: Wes-Kaap, handelende ingevolge die bevoegdheid beoog in artikel 2(1) van die Wet op Opheffing van Beperkings, 1967 (Wet 84 van 1967), behoorlik aan my gedelegeer ingevolge artikel 1 van die Wes-Kaapse Wet op die Delegasie van Bevoegdhede, 1994, en op aansoek van die eienaars van Erf 537, Struisbaai, hef voorwaarde B.6.(c) vervat in Transportakte Nr. T. 91169 of 2004, op.

P.K. 434/2009

20 November 2009

STAD KAAPSTAD (SUIDELIKE DISTRIK)**WET OP OPHEFFING VAN BEPERKINGS, 1967**

Ek, André John Lombaard, in my hoedanigheid as Adjunk-Direkteur in die Departement van Omgewingsake en Ontwikkelingsbeplanning: Wes-Kaap, handelende ingevolge die bevoegdheid beoog in artikel 2(1) van die Wet op Opheffing van Beperkings, 1967 (Wet 84 van 1967), behoorlik aan my gedelegeer ingevolge artikel 1 van die Wes-Kaapse Wet op die Delegasie van Bevoegdhede, 1994, en op aansoek van die eienaars van, Erf 12374, Constantia, hef voorwaarde III.A.(a).(iii) vervat in Transportakte Nr. T. 50056 of 2004, op.

P.K. 435/2009

20 November 2009

GEORGE MUNISIPALITEIT**AFKONDIGING VAN 'N PLAASLIKE RAMP**

Kennis geskied hiermee ingevolge artikel 55(1) van die Rampbestuurswet, 2002 (Wet 57 van 2002) dat die George Munisipaliteit, in ooreenstemming met die Nasionale-, Provinsiale- en Plaaslike Rampbestuursentrums op 06 November 2009, besluit het dat, as gevolg van die huidige droogte in die Munisipaliteit se jurisdiksiegebied, die Munisipaliteit as 'n plaaslike rampgebied ingevolge die gemelde Wet verklaar word.

Die Nasionale Rampbestuursentrum het die klassifikasie van die George Munisipaliteit ondersteun deur die droogte as 'n plaaslike ramp ingevolge Artikel 23 (1) (b) van die gemelde Wet te verklaar op 10 November 2009.

CM AFRICA, MUNISIPALE BESTUURDER

P.K. 436/2009

20 November 2009

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

Ek, Bulelwa Nkwatani, in my hoedanigheid as Hoof Grondgebruiksbestuur Reguleerder in die Departement van Omgewingsake en Ontwikkelingsbeplanning: Wes-Kaap, handelende ingevolge die bevoegdheid beoog in artikel 2(1) van die Wet op Opheffing van Beperkings, 1967 (Wet 84 van 1967), behoorlik aan my gedelegeer ingevolge artikel 1 van die Wes-Kaapse Wet op die Delegasie van Bevoegdhede, 1994, en op aansoek van die eienaar van Erf 66, Witsand, hef voorwaarde B.(e) soos vervat in Transportakte Nr. T 37561 van 1988, op.

P.N. 437/2009

20 November 2009

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

I, Bulelwa Nkwatani, 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 1245, Sedgfield, amends the last sentence in condition D.4. as contained in Deed of Transfer No. T 23578 of 2007 to read as follows:

“Not more than 2/3 of any lot sold shall be built upon”

P.N. 438/2009

20 November 2009

MOSSEL BAY MUNICIPALITY**DECLARATION OF A LOCAL DISASTER**

Notice is hereby given in terms of section 55(1) of the Disaster Management Act, 2002 (Act 57 of 2002) that the Mossel Bay Municipality, in consultation with the National-, Provincial- and Municipal Disaster Management Centres, on 04 November 2009, resolved that due to the current drought conditions in the jurisdiction area of the Mossel Bay Municipality, the Municipal area be declared as a local state of disaster in terms of the said Act.

The National Disaster Management Centre endorsed the classification of the Mossel Bay Municipality by classifying the drought as a local disaster in terms of Section 23 (1) (b) of the said Act on 10 November 2009.

Municipal Manager, PO Box 25, MOSSEL BAY 6500

REMOVAL OF RESTRICTIONS IN TOWNS**CAPE AGULHAS MUNICIPALITY****REMOVAL OF RESTRICTIONS ACT, 1967
(ACT 84 OF 1967)****REZONING: ERF 114, STRUISBAAI**

Notice is hereby given in terms of Section 3(6) of the Removal of Restrictions Act No 84 of 1967, and Section 17 of the Land Use Planning Ordinance No 15 of 1985, that the undermentioned applications have been received and is open for inspection at the office of the Director: Community Services, Cape Agulhas Municipality, Bredasdorp, from 8:00 to 13:00 and 13:30 to 16:00 Monday to Friday, and any enquiries may be directed to Mr B Hayward at no 1 Dirkie Uys Street, Bredasdorp, tel no (028) 425-5500, fax no (028) 425-1019 or e-mail: bertush@capeagulhas.com. The removal of restriction application is also open to inspection at the office of the Director: Integrated Environmental Management: Region B1, Provincial Government of the Western Cape, at Room 601, 1 Dorp Street, Cape Town from 08:00 to 12:30 and 13:00 to 15:30 (Monday to Friday). Telephonic enquiries in this regard may be made at (021) 483-3638 and the Directorate's fax number is (021) 483-3098.

Any objections or comments, with full reasons therefor, must be lodged in writing at the office of the abovementioned Director: Integrated Environmental Management, Private Bag X9086, Cape Town, 8000, or faxed to fax number (021) 483-3098, as well as the office of the Director: Community Services, Cape Agulhas Municipality, PO Box 51, Bredasdorp, or faxed to (028) 425-1019 or e-mailed to info@capeagulhas.com, on or before 21 December 2009, quoting, the above Act and Ordinance, the belowmentioned reference numbers, and the objector's erf number, telephone numbers and address. Any comments received after the aforementioned closing date may be disregarded.

P.K. 437/2009

20 November 2009

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

Ek, Bulelwa Nkwatani, in my hoedanigheid as Hoof Grondgebruiksbestuur Reguleerder in die Departement van Omgewingsake en Ontwikkelingsbeplanning: Wes-Kaap, handelende ingevolge die bevoegdheid beoog in artikel 2(1) van die Wet op Opheffing van Beperrings, 1967 (Wet 84 van 1967), behoortlik aan my gedelegeer ingevolge artikel 1 van die Wes-Kaapse Wet op die Delegasie van Bevoegdheids, 1994, en op aansoek van die eienaar van Erf 1245, Sedgfield, wysig die laaste sin in voorwaarde D.4. soos vervat in Transportakte Nr. T 23578 van 2007, om soos volg te lees:

“Not more than 2/3 of any lot sold shall be built upon”

P.K. 438/2009

20 November 2009

MOSSELBAAI MUNISIPALITEIT**AFKONDIGING VAN 'N PLAASLIKE RAMP**

Kennis geskied hiennee ingevolge artikel 55(1) van die Ramp Bestuurswet, 2002 (Wet 57 van 2002) dat die Mosselbaai Munisipaliteit, in ooreenstemming met die Nasionale-, Provinsiale- en Plaaslike Ramp Bestuur Sentrums op 04 November 2009, besluit het, dat as gevolg van huidige droogte in die Munisipaliteit se jurisdiksie gebied dat die Munisipaliteit as 'n plaaslike ramp gebied in terme van genoemde Wet verklaar word.

Die Nasionale Rampbestuursentrum het die klassifikasie van die Mosselbaai Munisipaliteit ondersteun deur die droogte as 'n plaaslike ramp in terme van Artikel 23 (1) (b) van die genoemde Wet te verklaar op 10 November 2009.

Munisipale Bestuurder, Posbus 25, MOSSELBAAI 6500

OPHEFFING VAN BEPERKINGS IN DORPE**KAAP AGULHAS MUNISIPALITEIT****WET OP OPHEFFING VAN BEPERKINGS, 1967
(WET 84 VAN 1967)****HERSONERING: ERF 114, STRUISBAAI**

Kragtens artikel 3(6) van die Wet op Opheffing van Beperrings, 1967 (Wet Nr 84 van 1967), asook artikel 17 van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie 15 van 1985) word hiermee kennis gegee dat die onderstaande aansoeke ontvang is en ter insae lê by die kantoor van die Direkteur: Gemeenskapsdienste, Kaap Agulhas Munisipaliteit, Bredasdorp, vanaf 8:00 tot 13:00 en 13:30 tot 16:00, Maandag to Vrydag en navrae kan gerig word aan mnr B Hayward by Dirkie Uysstraat 1, Bredasdorp, tel no (028) 425-5500, faks nr (028) 425-1019 of e-pos: bertush@capeagulhas.com. Die opheffingsaansoek lê ook ter insae by die kantoor van die Direkteur: Geïntegreerde Omgewingsbestuur: Streek B1, Provinsiale Regering van die Wes-Kaap, by Kamer 601, Dorpstraat 1, Kaapstad, vanaf 08:00 tot 12:30 en 13:00 tot 15:30 (Maandag tot Vrydag). Telefoniiese navrae in hierdie verband kan gerig word aan (021) 483-3638 en die Direktooraat se faksnommer is (021) 483-3098.

Enige kommentare en besware, met volledige redes daarvoor, moet skriftelik by die kantoor van die Direkteur: Geïntegreerde Omgewingsbestuur, Privaatsak X9086, Kaapstad, 8000, of per faks, faksnommer (021) 483-3098, asook by die kantoor van die Direkteur: Gemeenskapsdienste, Kaap Agulhas Munisipaliteit, Posbus 51, Bredasdorp, of per faks, faksnommer (028) 425-1019 of per e-pos by: info@capeagulhas.com, voor of op 21 Desember 2009 gestuur word, met vermelding van bogenoemde Wet en Ordonnansie, die beswaarmaker se erfnummer, telefoonnommer en adres. Enige kommentaar wat na die voorgemelde sluitingsdatum ontvang word, mag moontlik nie in ag geneem word nie.

The closing date for objections and comments is: 21 DECEMBER 2009.

File ref: Provincial Government: E17/2/2/AB19/ERF 114, STRUISBAAI, Cape Agulhas Municipality: S114

Applicant: Town & Country Creative Land Solutions

Erf: Erf 114, Struisbaai

Address: No 25 Main Road, Struisbaai

Nature of application:

1. Removal of a restrictive title condition applicable to Erf 114, 25 Main Road, Struisbaai, to enable the owner to use the property for business purposes.
2. The rezoning of Erf 114, Struisbaai in terms of Section 17 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) from Residential Zone I to Business Zone II for shop purposes.

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

CITY OF CAPE TOWN (CAPE FLATS DISTRICT)

REMOVAL OF RESTRICTIONS & DEPARTURES

- Erf 37407, 9 Unity Road, Athlone (*second placement*)

Notice is hereby given in terms of Section 3(6) of the Removal of Restrictions Act, 1967 (Act 84 of 1967) & 15(2) 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 (Cape Flats District), Strategy & Planning, Ledger House, corner of Aden Avenue and George Street, Athlone. Any enquiries may be directed to Fran Currie, PO Box 283, Athlone 7760 or e-mailed to Fran.Currie@capetown.gov.za, tel (021) 684-4342, or fax (021) 684-4410, during office hours (08h30-14h30). The application is also open to inspection at the office of the Director, Integrated Environmental Management, Region B2, Provincial Government of the Western Cape, at Room 604, 1 Dorp Street, Cape Town, from 08:00-12:30 and 13:00-15:30 (Monday to Friday). Telephonic enquiries in this regard may be made at (021) 483-4588 and the Directorate's fax number is (021) 483-4372. Any objections, with full reasons therefor, should be lodged in writing at the office of the abovementioned Director: Environmental Management: Region B2 at Private Bag X9086, Cape Town, 8000, and simultaneously at the office of the aforementioned District Manager at PO Box 283, Athlone, 7760 on or before 25 January 2010, quoting the above Act and Ordinance, and the objector's address, erf and telephone numbers. Any objections received after the aforementioned closing date may be disregarded.

Location address: 9 Unity Road, Crawford

Applicant: RC Joemat

Application No: 183147

File no: LUM/00/37407

Nature of applications:

1. Removal of restrictive title conditions applicable to Erf 37407, 9 Unity Road, Crawford, to enable the owner to erect a second dwelling (granny flat) on the property. The building lines and coverage restrictions will be encroached.
2. Departure from Section 27(1) of the Zoning Scheme Regulations to permit to an additional dwelling unit on the property.

ACHMAT EBRAHIM, CITY MANAGER

Sluitingsdatum vir besware en kommentaar: 21 DESEMBER 2009.

Lêerverwysing: Provinsiale regering; E17/2/2/AB19/ERF 114, STRUISBAAI Kaap Agulhas Munisipaliteit: S114

Aansoeker: Town & Country Creative Land Solutions

Erf: Erf 114, Struisbaai

Adres: Hoofweg 25, Struisbaai

Aard van aansoek:

1. Opheffing van Beperkende titelvoorwaardes van toepassing op Erf 114, Hoofweg 25, Struisbaai ten einde die eienaar in staat te stel om die eiendom te gebruik vir besigheidsdoeleindes.
2. Die hersonering van Erf 114 van Residensiële Sone I doeleindes na Sakesone II vir winkeldoelindes ingevolge artikel 17 van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie 15 van 1985).

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

STAD KAAPSTAD (KAAPSE VLAKTE-DISTRIK)

OPHEFFING VAN BEPERKINGS & AFWYKINGS

- Erf 37407, Unityweg 9, Athlone (*tweede plasing*)

Kennisgewing geskied hiermee ingevolge artikel 3(6) van die Wet op Opheffing van Beperkings, Wet 84 van 1967, en artikel 15(2) van die Ordonnansie op Grondgebruikbeplanning, nr. 15 van 1985, dat onderstaande aansoek ontvang is en ter insae beskikbaar is by die kantoor van die distriksbestuurder (Kaapse Vlakte-distrik), Ledger House, h/v Adenlaan en Georgestraat, Athlone, en dat enige navrae gerig kan word aan Fran Currie, Posbus 283, Athlone 7760, e-posadres Fran.Currie@capetown.gov.za, tel (021) 684-4342 of faksnr. (021) 684-4410, weksdae gedurende 08:30-14:30. Die aansoek is ook ter insae beskikbaar by die kantoor van die Direkteur: Geïntegreerde Omgewingsbestuur, Streek B2, departement van omgewingsake en ontwikkelingsbeplanning, provinsiale regering van die Wes-Kaap, Utilitasgebou, Kamer 604, Dorpstraat 1, Kaapstad, van 08:00-12:30 en 13:00-15:30 (Maandag tot Vrydag). Telefoniese navrae kan gerig word aan (021) 483-4588, en die direktoraat se faksno. is (021) 483-4372. Enige besware, met volledige redes, moet voor of op 25 Januarie 2010 skriftelik aan die kantoor van bogenoemde Direkteur: Geïntegreerde Omgewingsbestuur, Streek B2, Privaat Sak X9086, Kaapstad 8000, en terselfdertyd aan die kantoor van bogenoemde distriksbestuurder, Posbus 283, Athlone 7760, gerig word, met vermelding van bogenoemde Wet en die beswaarmaker se adres, erf- en telefoonnummers. Enige besware wat na voormelde sluitingsdatum ontvang word, kan dalk ongeldig geag word.

Liggingsadres: Unityweg 9, Crawford

Aansoeker: RC Joemat

Aansoeknr.: 183147

Lêernr.: LUM/00/37407

Aard van aansoek:

1. Die opheffing van beperkende titelvoorwaardes wat op Erf 37407, Unityweg 9, Crawford, van toepassing is, ten einde die eienaar in staat te stel om 'n tweede woning (oumawoonstel) op die eiendom op te rig. Die boulyn- en dekkingsbeperkings sal oorskry word.
2. Afwyking van artikel 27(1) van die soneringskema regulasies ten einde 'n bykomende wooneenheid op die eiendom toe te laat.

ACHMAT EBRAHIM, STADS BESTUURDER

CITY OF CAPE TOWN (NORTHERN DISTRICT)

REMOVAL OF RESTRICTIONS AND PERMANENT DEPARTURE

- Erf 2230, 20 Witzenberg Street, Durbanville Hills (*second placement*)

Notice is hereby given in terms of Section 3(6) of the Removal of Restrictions Act, Act 84 of 1967 and in terms of Section 15 of the Land Use Planning Ordinance (Ordinance 15 of 1985) that the undermentioned application has been received and is open to inspection at the office of the District Manager, Northern District at the Municipal Offices, Brighton Road, Kraaifontein and that any enquiries may be directed to Mrs A van der Westhuizen, Box 25, Kraaifontein, 7569, (021) 980-6004, facsimile (021) 980-6083 or e-mail: Annaleze.van_der_Westhuizen@capetown.gov.za, weekdays during 08:00-14:30. The application is also open to inspection at the office of the Director: Integrated Environmental Management, Department of Environmental Affairs & Development Planning, Provincial Government of the Western Cape at the Utilitas Building, 1 Dorp Street, Room 204, Cape Town weekdays from 08:00-12:30 and 13:00-15:30. Telephonic enquiries in this regard may be made at (021) 483-4173 and the Directorate's fax number is (021) 483-3633. Any objections, with full reasons therefor, must be lodged in writing at the office of the abovementioned Director: Integrated Environmental Management, Department of Environmental Affairs & Development Planning at Private Bag X9086, Cape Town, 8000, with a copy to the abovementioned District Manager, on or before Monday 21 December 2009, quoting the above Act and the objector's erf number. Any objections received after aforementioned closing date may be disregarded.

Applicant: NuPlan Africa on behalf of Ms A W MacGillivray

Application No: 179298

Nature of Application: Removal of restrictive title conditions, applicable to Erf 2230, 20 Witzenberg Street, Durbanville Hills and permanent departure to enable the owner to erect a second dwelling unit on the property.

ACHMAT EBRAHIM, CITY MANAGER

CITY OF CAPE TOWN (SOUTHERN DISTRICT)

REMOVAL OF RESTRICTIONS, SUBDIVISION & DEPARTURE

- Erf 1117 Bergvliet, 18 Dreyersdal Farm Road (*second placement*)

Notice is hereby given in terms of Section 3(6) of the Removal of Restrictions Act, 1967 (Act 84 of 1967), and Section 24 & 15 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, Department: Planning & Building Development Management, City of Cape Town, Ground Floor, 3 Victoria Rd, Plumstead, and any enquiries may be directed to P Heydenrych, from 08:30-13:00 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 from 08:00-12:30 and 13:00-15:30 Monday to Friday. Telephonic enquiries in this regard may be made at (021) 483 4033 and the Directorate's fax number is (021) 483-3098. Any objections and/or comments, with full reasons therefor, must be submitted in writing at both (1) the office of the District Manager, Department: Planning & Building Development Management, City of Cape Town, Private Bag X5, Plumstead, 7801 or fax (021) 710-8283 or e-mailed to dhlshaad.samaai@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 on or before the closing date, quoting, the above Act and Ordinance, the belowmentioned reference number, and the objector's erf and phone numbers and address. Objections and comments may also be hand-delivered to the abovementioned street addresses by no later than the closing date. If your response is not sent to these addresses and/or fax number, and if, as a consequence it arrives late, it will be deemed to be invalid. For any further information, contact P Heydenrych on (021) 710-9362. The closing date for objections and comments is 21 January 2010.

STAD KAAPSTAD (NOORDELIKE DISTRIK)

OPHEFFING VAN BEPERKINGS EN PERMANENTE AFWYKING

- Erf 2230, Witzenbergstraat 20, Durbanville Hills (*tweede plasing*)

Kennisgewing geskied hiermee ingevolge artikel 3(6) van die Wet op Opheffing van Beperkings, Wet 84 van 1967, en artikel 15 van die Ordonnansie op Grondgebruikbeplanning, nr. 15 van 1985, dat onderstaande aansoek ontvang is en ter insae beskikbaar is by die kantoor van die distriksbestuurder, Noordelike Distrik, Munisipale Kantore, Brightonweg, Kraaifontein, en dat enige navrae kan gerig word aan mev. A van der Westhuizen, Posbus 25, Kraaifontein 7569, tel (021) 980-6004 en faksnr. (021) 980-6083, of e-posadres Annaleze.van_der_Westhuizen@capetown.gov.za, weksdae van 08:00 tot 14:30. Die aansoek is ook ter insae beskikbaar by die kantoor van die Direkteur: Geïntegreerde Omgewingsbestuur, Departement van Omgewingsake & Ontwikkelingsbeplanning, Provinsiale Regering van die Wes-Kaap, Kamer 204, Utilitas-gebou, Dorpstraat 1, Kaapstad, weksdae van 08:00 tot 12:30 en 13:00 tot 15:30. Telefoniese navrae in dié verband kan gerig word aan (021) 483-4173 en die direktoraat se faksnommer is (021) 483-3633. Enige besware, met volledige redes daarvoor, kan voor of op Maandag 21 Desember 2009 skriftelik by die kantoor van bogenoemde Direkteur: Geïntegreerde Omgewingsbestuur, Departement van Omgewingsake & Ontwikkelingsbeplanning, Privaat Sak X9086, Kaapstad 8000, ingedien word, met 'n afskrif aan bogenoemde distriksbestuurder, met vermelding van bogenoemde Wet en die beswaarmaker se ernommer. Enige besware wat na voormelde sluitingsdatum ontvang word, kan dalk buite rekening gelaat word.

Aansoeker: NuPlan Africa namens me. AW MacGillivray

Aansoeknr.: 179298

Aard van aansoek: Die opheffing van beperkende titelvoorwaardes wat op Erf 2230, Witzenbergstraat 20, Durbanville Hills, van toepassing is, en permanente afwyking ten einde die eienaar in staat te stel om 'n tweede wooneenheid op die eiendom op te rig.

ACHMAT EBRAHIM, STADSBESTUURDER

STAD KAAPSTAD (SUIDELIKE DISTRIK)

OPHEFFING VAN BEPERKINGS, ONDERVERDELING & AFWYKING

- Erf 1117 Bergvliet, Dreyersdal-plaaspad 18 (*tweede plasing*)

Kennisgewing geskied hiermee ingevolge artikel 3(6) van die Wet op Opheffing van Beperkings, Wet 84 van 1967, en artikels 15 en 24 van die Ordonnansie op Grondgebruikbeplanning, nr. 15 van 1985, dat onderstaande aansoek ontvang is en ter insae beskikbaar is by die kantoor van die distriksbestuurder, departement: beplanning en bou-ontwikkelingsbestuur, Stad Kaapstad, Grondverdieping, Victoriaweg 3, Plumstead 7801. Navrae kan gerig word aan mnr. Paul Heydenrych van 08:30 tot 13:00, Maandag tot Vrydag. Die aansoek is ook ter insae beskikbaar by die kantoor van die Direkteur: Geïntegreerde Omgewingsbestuur, Departement van Omgewingsake en Ontwikkelingsbeplanning, Provinsiale Regering van die Wes-Kaap, Utilitasgebou, Dorpstraat 1, Kaapstad, van 08:00-12:30 en 13:00-15:30 (Maandae tot Vrydae). Telefoniese navrae in die verband kan gerig word aan (021) 483-4033 en die direktoraat se faksnr. is (021) 483-3098. Enige besware en/of kommentaar, met volledige redes daarvoor, moet voor of op die sluitingsdatum by sowel (1) die kantoor van die Distriksbestuurder, Departement: Beplanning en Bou-ontwikkelingsbestuur, Stad Kaapstad, Privaat Sak X5, Plumstead 7801, faksnr. (021) 710-8283, Dhlshaad.Samaai@capetown.gov.za, as (2) die Direkteur: Geïntegreerde Omgewingsbestuur, Departement van Omgewingsake en Ontwikkelingsbeplanning, Provinsiale Regering van die Wes-Kaap, Utilitas-gebou, Dorpstraat 1, Kaapstad, ingedien word, met vermelding van bogenoemde Wet en Ordonnansie, onderstaande verwysingsnommer en die beswaarmaker se erf- en telefoonnommer en adres. Besware en kommentaar kan ook voor of op die sluitingsdatum per hand by bogenoemde straatadresse afgelewer word. As u reaksie nie na dié adresse en/of faksno. gestuur word nie en gevolglik laat ontvang word, sal dit ongeldig geag word. Om nadere inligting, tree asseblief met P Heydenrych, tel (021) 710-9362, in verbinding. Die sluitingsdatum vir besware en kommentaar is 21 Januarie 2010.

File Ref: LUM/18/1117 (181730)

Applicant: Tommy Brümmer Town Planners (on behalf of A Morrison)

Address: 18 Dreyersdal Road

Nature of application: Removal of restrictive title condition applicable to Erf 1117, 18 Dreyersdal Road, Bergvliet, in order to subdivide the property into two portions of $\pm 610\text{m}^2$ and $\pm 594\text{m}^2$.

The following departure from the Cape Town Zoning Scheme Regulations on Erf 1117 Bergvliet has been applied for:

1. Section 54(2): To permit the Dwelling House on Portion 1 to be 1.2m in lieu of 1.76m (non-overlooking feature) on the east (common) boundary.

ACHMAT EBRAHIM, CITY MANAGER

CITY OF CAPE TOWN (SOUTHERN DISTRICT)

REMOVAL OF RESTRICTIONS, REZONING & DEPARTURE

Notice is hereby given in terms of Section 3(6) of the Removal of Restrictions Act, 1967 (Act 84 of 1967), and Sections 15 and 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, Department: Planning & Building Development Management, City of Cape Town, Ground Floor, 3 Victoria Rd, Plumstead, and any enquiries may be directed to K McGilton, from 8:30 to 12:30 Monday to Friday. The application is also open for inspection at the office of the Director: Integrated Environmental Management, Department of Environmental Affairs & Development Planning, Provincial Government of the Western Cape at the Utilitas Building, 1 Dorp Street, Cape Town from 08:00 to 12:30 and 13:00 to 15:30 Monday to Friday. Telephonic enquiries in this regard may be made at (021) 483 4033 and the Directorate's fax number is (021) 483-3098. Any objections and/or comments, with full reasons therefor, must be submitted in writing at both (1) the office of the District Manager, Department: Planning & Building Development Management, City of Cape Town, Private Bag X5, Plumstead, 7801 or faxed to (021) 710-8283 or e-mailed to dhilshaad.samaai@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 on or before the closing date, quoting, the above Act and Ordinance, the belowmentioned reference number, and the objector's erf and phone numbers and address. Objections and comments may also be hand-delivered to the abovementioned street addresses by no later than the closing date. If your response is not sent to these addresses and/or fax number, and if, as a consequence it arrives late, it will be deemed to be invalid. For any further information, contact K McGilton on (021) 710-8278.

The closing date for objections and comments is: 20 January 2010.

File ref: LUM/00/56421 (175881)

Applicant: MLH Architects and Planners

Erf: Erf 56421 Cape Town at Claremont

Address: 1 Torquay Avenue, Claremont

Nature of application: Removal of restrictive title conditions and rezoning of a portion ($\pm 2700\text{m}^2$) of the property from Single Dwelling Residential to General Business (B1) purposes to regularize the existing restaurant and 30 seat conference room and to rezone the remainder of the property ($\pm 19386\text{m}^2$) from Single Dwelling Residential to General Residential (R4) to permit the construction of 22 additional hotel suites.

The following departure from the Zoning Scheme Regulations has been applied for:

Section 24(2) To permit parking on an erf zoned other than Street Purposes or Public Open Space that is used for parking vehicles in connection with the use of any other land (whether adjacent to such firstmentioned land or not) or as a means of access to or egress from such other land.

Lêerverw.: LUM/18/1117 (181730)

Aansoeker: Tommy Brümmer Stadsbeplanners (namens A Morrison)

Adres: Dreyersdal-pad 18

Aard van aansoek: Opheffing van 'n beperkende titelvoorwaarde wat op Erf 1117, Dreyersdalpad 18, Bergvliet, van toepassing is, ten einde die eiendom in twee gedeeltes van $\pm 610\text{m}^2$ en $\pm 594\text{m}^2$ te onderverdeel.

Daar is om die volgende afwyking van die Kaapstadse soneringskema-regulasies vir Erf 1117, Bergvliet, aansoek gedoen:

1. Artikel 54(2): Om toe te laat dat die woonhuis op Gedeelte 1 1.2m in plaas van 1.76m (nie-uitkykmerk) aan die oostelike (gemeenskaplike) grens is.

ACHMAT EBRAHIM, STADSBESTUURDER

STAD KAAPSTAD (SUIDELIKE DISTRIK)

OPHEFFING VAN BEPERKINGS, HERSONERING & AFWYKING

Kennisgewing geskied hiermee ingevolge artikel 3(6) van die Wet op Opheffing van Beperkings, Wet 84 van 1967, en artikels 15 en 17 van die Ordonnansie op Grondgebruikbeplanning, nr. 15 van 1985, dat onderstaande aansoek ontvang is en ter insae beskikbaar is by die kantoor van die Distriksbestuurder, Departement: Beplanning en Bouontwikkelingsbestuur, Stad Kaapstad, Grondverdieping, Victoriaweg 3, Plumstead 7801. Navrae kan gerig word aan mnr. K McGilton van 8:30 tot 13:00, Maandag tot Vrydag. Die aansoek is ook ter insae beskikbaar by die kantoor van die Direkteur: Geïntegreerde Omgewingsbestuur, Departement van Omgewingsake en Ontwikkelingsbeplanning, Provinsiale Regering van die Wes-Kaap, Utilitas-gebou, Dorpstraat 1, Kaapstad, van 08:00-12:30 en 13:00-15:30 (Maandae tot Vrydae). Telefonesiese navrae in dié verband kan gerig word aan (021) 483-4033 en die direktoraat se faksnr. is (021) 483-3098. Enige besware en/of kommentaar, met volledige redes daarvoor, moet voor of op die sluitingsdatum by sowel (1) die kantoor van die Distriksbestuurder, Departement: Beplanning en Bouontwikkelingsbestuur, Stad Kaapstad, Privaat Sak X5, Plumstead 7801, faksno. (021) 710-8283, dhilshaad.samaai@capetown.gov.za, as (2) die Direkteur: Geïntegreerde Omgewingsbestuur, Departement van Omgewingsake en Ontwikkelingsbeplanning, Provinsiale Regering van die Wes-Kaap, Utilitas-gebou, Dorpstraat 1, Kaapstad, ingedien word, met vermelding van bogenoemde Wet en Ordonnansie, onderstaande verwysingsnommer en die beswaarmaker se erf- en telefoonnommer en adres. Besware en kommentaar kan ook voor of op die sluitingsdatum per hand by bogenoemde straatadresse afgelewer word. As u reaksie nie na die adresse en/of faksnr. gestuur word nie en gevolglik laat ontvang word, sal dit ongeldig geag word. Om nadere inligting, tree asseblief met mnr. K McGilton, tel (021) 710-8278, in verbinding.

Die sluitingsdatum vir besware en kommentaar is 20 Januarie 2010.

Lêerverw.: LUM/00/56421 (175881)

Aansoeker: MLH Architects and Planners

Erf: Erf 56421 Kaapstad te Claremont

Adres: Torquaylaan 1, Claremont

Aard van aansoek: Opheffing van beperkende titelvoorwaardes en herosnering van 'n gedeelte ($\pm 2700\text{m}^2$) van die eiendom van enkelresidensieel na algemeenskakesone (B1) om die bestaande restaurant en konferensiekamer met 30 sitplekke te regulariseer, en die herosnering van die Restant van die eiendom ($\pm 19386\text{m}^2$) van enkelresidensieel na algemeenresidensieel (R4) ten einde die konstruksie van 22 bykomende hotelsuites toe te laat.

Daar is om die volgende afwykings van die soneringskema-regulasies aansoek gedoen:

Artikel 24(2): Om parkering toe te laat op 'n erf wat vir ander doeleindes as straat of openbare oop ruimte gesoneer is, wat vir die parkeer van voertuie gebruik word in verband met die gebruik van enige ander grond (hetsy aanliggend aan sodanige eersgenoemde grond, al dan nie) of as wyse van toegang tot of uitgang uit sodanige ander grond.

CITY OF CAPE TOWN (SOUTHERN DISTRICT)

APPLICATION FOR REMOVAL OF RESTRICTIONS AND DEPARTURE

Notice is hereby given in terms of Section 3(6) of the Removal of Restrictions Act, 1967 (Act 84 of 1967) and Section 15 of the Land Use Planning Ordinance No 15 of 1985, that the under mentioned 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 technical enquiries may be directed to Faieza Abrahams, on Tel: (021) 710-8285 during normal office hours, Monday to Friday. The application is also open for inspection at the office of the Director: Integrated Environmental Management: Region B1, Provincial Government of the Western Cape at the Utilitas Building, Room 601, 1 Dorp Street, Cape Town, from 08:00-12:30 and 13:00-15:30 (Monday to Friday). Telephonic enquiries in this regard may be made at (021) 483-3009 and the Directorate's fax number is (021) 483-3098. Any objections, with full reasons therefor, should be lodged in writing at both (1) the office of District Manager, Department: Planning & Building Development Management, City of Cape Town, Private Bag X5, Plumstead, 7801 or faxed to (021) 710-8283 or e-mailed to Roger.Brice@capetown.gov.za and (2) the Director: Integrated Environmental Management, at Private Bag X9086, Cape Town 8000, on or before the closing date, quoting the above Act and Ordinance, the undermentioned reference number, and the objector's erf, phone numbers and address. Objections and comments may also be hand delivered to the abovementioned street addresses by no later than the closing date. If your response is not sent to these addresses and/or fax number, and if, as a consequence it arrives late, it will be deemed to be invalid. For any further information, contact R Brice on Tel: (021) 710-9308 or via the abovementioned e-mail address.

The closing date for objections and comments is: 20 January 2010.

File ref: LUM/00/85159 (170252)

Applicant: Simon Elliott Associates (on behalf of DJ Bieldt)

Erf: 85159 Cape Town at Lakeside

Address: 6 Club Street, Lakeside

Nature of application: Removal of restrictive title deed conditions applicable to Erf 85159, 6 Club Street, Lakeside, to allow the owner to convert the existing house on the property into a double dwelling and to erect a new garage on the southern boundary. The street and lateral building lines restrictions as contained in the title deed will be encroached upon.

The following Departure from the Zoning Scheme Regulations is also required:

Section 47(1): To permit a garage to be setback 1.5m in lieu of 4.5m from Brassie Street.

CITY OF CAPE TOWN (SOUTHERN DISTRICT)

REMOVAL OF RESTRICTIONS, REZONING & DEPARTURE

- Erf 88548 Cape Town at St James, 94 Main Road (*second placement*)

Notice is hereby given in terms of Sections 17 and 15 of the Land Use Planning Ordinance No 15 of 1985 and Section 9 of the Cape Town Zoning Scheme, that the undermentioned application has been received and is open to inspection at the offices of the District Manager, Department: Planning & Building Development Management, 3 Victoria Road, Plumstead, from 08:00-13:00, Mondays to Fridays. Enquiries may be directed to Mr D Suttle on tel (021) 710-8268. Any objections and/or comments, with full reasons therefor, must be submitted in writing at the office of the District Manager, Department: Planning and Building Development Management, Private Bag X5, Plumstead, 7801 or faxed to (021) 710-8283 or faxed to (021) 710-8283, or e-mailed to dhilshaad.samaai@capetown.gov.za on or before the closing date, quoting the above Ordinance, the belowmentioned reference number, and the objector's erf number, and phone number/s and address. Objections and comments may also be hand-delivered to the abovementioned street address by no later than the closing date. If your response is not sent to these addresses and/or fax number, and if,

STAD KAAPSTAD (SUIDELIKE DISTRIK)

AANSOEK OM OPHEFFING VAN BEPERKINGS EN AFWYKING

Kennisgewing geskied hiermee ingevolge artikel 3(6) van die Wet op Opheffing van Beperkings, Wet 84 van 1967, en artikel 17 van die Ordonnansie op Grondgebruikbeplanning, nr. 15 van 1985, dat onderstaande aansoek ontvang is en ter insae beskikbaar is by die kantoor van die Distriksbestuurder, Departement: Beplanning- en Bouontwikkelingsbestuur, Stad Kaapstad, grondverdieping, Victoriaweg 3, Plumstead, en dat alle tegniese navrae gerig kan word aan Faieza Abrahams, by tel. (021) 710-8285 gedurende gewone werksure, Maandae tot Vrydae. Die aansoek is ook ter insae beskikbaar by die kantoor van die Direkteur: Geïntegreerde Omgewingsbestuur, Departement van Omgewingsake & Ontwikkelingsbeplanning, Provinsiale Regering van die Wes-Kaap, Utilitasgebou, Dorpstraat 1, Kaapstad, weksdae van 08:00-12:30 en 13:00-15:30 (Maandae tot Vrydae). Telefoniese navrae kan gerig word aan (021) 483-3009 en die direktoraat se faksnommer is (021) 483-3098. Enige besware, met volledige redes daarvoor, kan voor of op die sluitingsdatum skriftelik gestuur word aan beide (1): beplanning- en bouontwikkelingsbestuur, Stad Kaapstad, Privaat Sak X5, Plumstead, 7801 of gefaks word aan (021) 710-8283 of elektronies gestuur word na Roger.Brice@capetown.gov.za en (2) die direkteur: geïntegreerde omgewingsbestuur, by Privaat Sak X9086, Kaapstad 8000, gerig word, met vermelding van bogenoemde Wet en die beswaarmaker se erfnummer, telefoonnummer en adres. Besware en kommentaar kan ook per hand afgelewer word aan die bogenoemde straat-adresse teen nie later as die sluitingsdatum nie. As u besware nie na die adresse of faksnr. gestuur word nie en gevolglik laat ontvang word, sal dit ongeldig geag word. Om nadere besonderhede kan u R Brice skakel by (021) 710-9308 of via die bogenoemde e-pos-adres.

Die sluitingsdatum vir besware en kommentaar is: 20 Januarie 2010.

Lêerverw.: LUM/00/85159 (170252)

Aansoeker: Simon Elliott Associates (namens DJ Bieldt)

Erf: 85159 Kaapstad te Lakeside

Adres: Clubstraat 6, Lakeside

Aard van die aansoek: Die opheffing van beperkende titelvoorwaardes rakende erf 85159, Clubstraat 6, Lakeside, ten einde die eienaar toe te laat om die bestaande huis op die eiendom na 'n dubbelwoning te verander en om 'n nuwe motorhuis op die suidelike grens op te rig. Die straat- en syboulyne se beperkings soos in die titelakte vervat, sal oorskry word.

Die volgende afwyking van die soneringskema regulasies word ook benodig:

Artikel 47(1): Om 'n insprying van 1.5m in plaas van 5.4m vanaf Brassiestraat toe te laat vir 'n motorhuis.

STAD KAAPSTAD (SUIDELIKE DISTRIK)

OPHEFFING VAN BEPERKINGS, HERSONERING & AFWYKING

- Erf 88548 Kaapstad te St James, Hoofweg 94 (*tweede plasing*)

Kennisgewing geskied hiermee ingevolge artikels 15 & 17 van die Ordonnansie op Grondgebruikbeplanning, nr. 15 van 1985, en artikel 9 van die Kaapstadse soneringskema dat onderstaande aansoek ontvang is en ter insae beskikbaar is by die kantoor van die distriksbestuurder, departement: beplanning en bou-ontwikkelingsbestuur, Stad Kaapstad, Eerste Verdieping, Victoriaweg 3, Plumstead 7801. Navrae kan gerig word aan mnr. D Suttle van 8:30 tot 13:00, Maandag tot Vrydag. Enige besware en/of kommentaar, met volledige redes daarvoor, moet voor of op die sluitingsdatum skriftelik gerig word aan die kantoor van die distriksbestuurder, departement: beplanning en bou-ontwikkelingsbestuur, Privaat Sak X5, Plumstead 7801, faksnr. (021) 710-8283 of e-posadres dhilshaad.samaai@capetown.gov.za, met vermelding van bogenoemde Ordonnansie, onderstaande verwysingsnommer en die beswaarmaker se erf- en telefoonnummer en adres. Besware en kommentaar kan ook voor of op die sluitingsdatum per hand by bogenoemde straatadres afgelewer word. As u reaksie nie na die adresse en/of faksnr. gestuur word nie en gevolglik laat ontvang word, sal dit ongeldig geag word.

as a consequence it arrives later, it will be deemed to be invalid. For any further information in this regard, contact Mr D Suttle on (021) 710-8268. The closing date for objections and comments is Monday, 14 December 2009.

File Ref: LUM/00/88548 (184360)

Applicant: Holtmann Olden & Associates

Address: 94 Main Road, cnr of Main and Ley Roads, St James

Nature of Application:

- To rezone the property from Single Dwelling Residential to General Residential sub zone R4 in terms of Section 17 of the Land Use Planning Ordinance No 15 of 1985.
- To utilize the property for a Residential Building (Guest House) having 4 guest suites.
- The consent of Council is required in terms of Section 108 of the Cape Town Zoning Scheme for alterations and additions to the building within the Muizenberg/St James/Kalk Bay urban conservation area.
- To depart from Section 60(1) of the Cape Town Zoning Scheme to permit the building to be setback 0m from the street boundary on Ley Road in lieu of 4.5m.
- To depart from Section 60(1) of the Cape Town Zoning Scheme to permit the building to be setback 0m in lieu of 4.5m on the south western common boundary.

ACHMAT EBRAHIM, CITY MANAGER

CITY OF CAPE TOWN (TABLE BAY DISTRICT)
REMOVAL OF RESTRICTIONS, SUBDIVISION &
DEPARTURE

- Erf 928 Thornton (*second placement*)

Notice is hereby given in terms of Section 3.6 of the Removal of Restrictions Act No 84 of 1967 and Section 15 and Section 24 in terms of the Land Use Planning Ordinance No 15 of 1985 that the undermentioned application has been received and is open to inspection at the office of the District Manager: Planning & Building Development Management, 2nd Floor, Media City, corner Hertzog Boulevard & Heerengracht, Cape Town and at the office of the Head of Department, Department of Environmental Affairs & Development Planning, Development Management, Provincial Government of the Western Cape, 6th Floor Utilitas Building, 1 Dorp Street, Cape Town from 08:00-12:30 and 13:00-15:30 Monday to Friday. Any objections or comments with full reasons therefor, must be lodged in writing at the office of the abovementioned Head of Department, Department of Environmental Affairs and that any enquiries may be directed to Tinus Nyelele, Planning & Building Development Management, 2nd Floor, Media City, corner Hertzog Boulevard & Heerengracht, Cape Town, phone (021) 400-6455 weekdays during 08:00-14:30. Any objections and/or comments, with full reasons therefor, must be submitted in writing, quoting the above Act and Ordinance, the relevant reference number, the objector's street and postal address and contact telephone numbers to the Director: Planning & Building Development Management, PO Box 4529, Cape Town, 8000, or hand-delivered to the abovementioned address, or faxed to (021) 421-1963 or e-mailed to tinus.nyelele@capetown.gov.za on or before the closing date. If your response is not sent to these addresses or fax number, and, as a consequence arrives late, it will be deemed to be invalid. The closing date for objections and comments is 19 January 2010.

Applicant: Jody Francis (Fjc Consulting)

File Ref: LM5198 (179833)

Address: 73 Rifle Range Road

Om nadere inligting, tree asseblief met mnr. D Suttle, tel (021) 710-8268, in verbinding. Die sluitingsdatum vir besware en kommentaar is 14 Desember 2009.

Lêerverw.: LUM/00/88548 (184360)

Aansoeker: Holtmann Olden & Associates

Adres: Hoofweg 94, h/v Hoof- en Leyweg, St James

Aard van aansoek:

- Hersonerings van die eiendom van enkelresidensiële na algemeenresidensiële, subzone R4, ingevolge artikel 17 van die Ordonnansie op Grondgebruikbeplanning, nr. 15 van 1985.
- Om die eiendom as 'n residensiële gebou (gastehuis) met 4 gastesuites te gebruik.
- Raadstoestemming ingevolge artikel 108 van die Kaapstadse soneringskema vir veranderinge en aanbouings aan die gebou binne die Muizenberg-/St James-/Kalkbaai-stedelike bewaararea.
- Afwyking van artikel 60(1) van die Kaapstadse soneringskema om toe te laat dat die gebou se inspringsing 0m in plaas van 4.5m aan die straatgrens aan Leyweg is.
- Afwyking van artikel 60(1) van die Kaapstadse soneringskema om toe te laat dat die gebou se inspringsing 0m in plaas van 4.5m aan die suidwestelike gemeenskaplike grens is.

ACHMAT EBRAHIM, STADSBESTUURDER

STAD KAAPSTAD (TAFELBAAI-DISTRIK)
OPHEFFING VAN BEPERKINGS, ONDERVERDELING &
AFWYKING

- Erf 928 Thornton (*tweede plasing*)

Kennisgewing geskied hiermee ingevolge artikel 3(6) van die Wet op Opheffing van Beperkings, Wet 84 van 1967, en artikels 15 en 24 van die Ordonnansie op Grondgebruikbeplanning, nr. 15 van 1985, dat onderstaande aansoek ontvang is en ter insae beskikbaar is by die kantoor van die distriksbestuurder, beplanning en bou-ontwikkelingsbestuur, 2e Verdieping, Media City, h/v Hertzogboulevard en Heerengracht, Kaapstad, en by die kantoor van die departementshoof, departement van omgewingsake en ontwikkelingsbeplanning, ontwikkelingsbestuur, provinsiale regering van die Wes-Kaap, 6e Verdieping, Utilitas-gebou, Dorpstraat 1, Kaapstad, van 08:00-12:30 en 13:00-15:30 (Maandag tot Vrydag). Enige besware en/of kommentaar, met die volledige redes daarvoor, moet voor of op die sluitingsdatum skriftelik ingedien word by die kantoor van bogenoemde departementshoof, departement van omgewingsake en ontwikkelingsbeplanning, Privaat Sak X9086, Kaapstad 8000, met 'n afskrif aan bogenoemde distriksbestuurder, Posbus 4529, Kaapstad 8000, met vermelding van bogenoemde Wet en Ordonnansie, die verwysingsnommer en die beswaarmaker se erf- en telefoonnommer en adres. Besware kan ook per hand by bogenoemde adresse afgelewer word. Enige navrae kan gerig word aan Tinus Nyelele, beplanning en bou-ontwikkelingsbestuur, 2e Verdieping, Media City, h/v Hertzog-boulevard en Heerengracht, Kaapstad, tel (021) 400-6455, faksnr. (021) 421-1963 of e-posadres tinus.nyelele@capetown.gov.za, weeksdag gedurende 08:00 tot 14:30. As u besware nie na die adresse of faksnr. gestuur word nie en gevolglik laat ontvang word, sal dit ongeldig geag word. Die sluitingsdatum vir besware en kommentaar is 19 Januarie 2010.

Aansoeker: Jody Francis (Fjc Consulting)

Lêerverw.: LM5198 (179833)

Adres: Rifle Range-weg 73

Nature of Application: Removal of a restrictive title condition applicable to Erf 928, 73 Rifle Range Road, Thornton, to enable the owners to subdivide the property into two portions, namely Portion 1 $\pm 459\text{m}^2$ in extent and Remainder $\pm 480\text{m}^2$ in extent, for residential purposes. Building line restrictions and coverage will be encroached.

The following departure from the Cape Town Zoning Scheme Regulations has been applied for:

- Section 54(2): To permit the existing ground floor to be setback 1.2m in lieu of 1.3m from the north eastern boundary.

ACHMAT EBRAHIM, CITY MANAGER

DRAKENSTEIN MUNICIPALITY

APPLICATION FOR REMOVAL OF RESTRICTION: REMAINDER FARM 1487/1 AND FARM 1487/2, PAARL DIVISION

Properties: Remainder Farm 1487/1 and Farm 1487/2, Paarl Division

Applicant: David Hellig & Abrahamse Land Surveyors

Owner: Mr JH Stroebel

Locality: Located $\pm 2\text{km}$ east of Wellington, The farms are bisected by Main Road No 201

Size: Remainder Farm 1487/1: $\pm 1.26\text{ha}$; Farm 1487/2: $\pm 0.77\text{ha}$

Zoning: Agricultural Zone I

Notice is hereby given in terms of Section 3(6) of the Removal of Restrictions Act, 1967 (Act 84 of 1967) 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 Street, Paarl, 7646 and any enquiries may be directed to Mr W Hendricks, wayne.hendricks@drakenstein.gov.za, Tel (021) 807-6226 and Fax (021) 807-4840. The application is also open for inspection at the office of the Director: Integrated Environmental Management-Region A, Provincial Government of the Western Cape, Room 207, 1 Dorp Street, Cape Town, from 08:00-12:30 and 12:00-15:30 (Monday to Friday). Telephonic enquiries in this regard may be made at (021) 483-4225 and the Directorate's fax number is (021) 483-3633.

Any objections with full reasons therefor, should be lodged in writing at the office of the abovementioned Director: Integrated Environmental Management, Region A, Private Bag X9086, Cape Town, 8000, with a copy to the Municipal Manager, Drakenstein Municipality, PO Box 1, Paarl, 7622 before or on Monday 19 January 2010, quoting the above Act and the objector's erf number. Any comments received after the aforementioned closing date may be disregarded.

Applicant: JH Stroebel

Nature of application: Removal of restrictive title condition applicable to the Remainder of Portion 1 and Portion 2 of Farm 1487, Paarl Division, in order to consolidate Portion 1 and 2 and thereafter subdivide the consolidated farm into portion A ($\pm 0.96\text{ha}$) and Remainder ($\pm 1.09\text{ha}$).

AND

APPLICATION FOR SUBDIVISION

Notice is hereby given in terms of Section 24(2)(a) of the Land Use Planning Ordinance, 1985 (Ord 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 Street, Paarl, Tel (021) 807-6226:

Proposal: Consolidation of Remainder Farm 1487/1 and Farm 1487/2, Paarl Division to create one new land unit of $\pm 2.04\text{ha}$; and

Aard van aansoek: Opheffing van beperkende titelvoorwaardes wat op Erf 928, Rifle Range-weg 73, Thornton, van toepassing is, ten einde die eienaars in staat te stel om die eiendom vir residensiële doeleindes in twee gedeeltes, naamlik Gedeelte 1, wat $\pm 459\text{m}^2$ groot is, en 'n Restant, wat $\pm 480\text{m}^2$ groot is, te onderverdeel. Die boulynbeperkings sal oorskry word.

Daar is om die volgende afwyking van die Kaapstadse soneringskema-regulasies aansoek gedoen:

- Artikel 54(2): Om toe te laat dat die bestaande grondverdieping se inspringing 1.2m in plaas van 1.3m van die noordoostelike grens is.

ACHMAT EBRAHIM, STADSBESTUURDER

DRAKENSTEIN MUNISIPALITEIT

AANSOEK OM OPHEFFING VAN BEPERKING: RESTANT VAN PLAAS 1487/1 EN PLAAS 1487/2, PAARL AFDELING

Eiendom: Restant van Plaas 1487/1 en Plaas 1487/2, Paarl Afdeling

Aansoeker: David Hellig & Abrahamse Landmeters

Eienaar: Mnr JH Stroebel

Ligging: Geleë $\pm 2\text{km}$ oos van Wellington. Die twee plase word geskei deur Hoofpad 201

Grootte: Restant Plaas 1487/1: $\pm 1.26\text{ha}$; Plaas 1487/2: $\pm 0.77\text{ha}$

Sonering: Landbousone I

Kennis geskied hiermee ingevolge Artikel 3(6) van die Wet op Opheffing van Beperkings, 1967 (Wet 84 van 1967) dat 'n aansoek soos hieronder uiteengesit ontvang is en gedurende normale kantoorure, ter insae is by die kantoor van die Hoof: Beplanningsdienste, Administratiewe Kantore, h/v Hoof- en Markstraat, Paarl, 7646 en enige navrae kan gerig word aan mnr W Hendricks, wayne.hendricks@drakenstein.gov.za, Tel (021) 807-6226 en Faks (021) 807-4840. Die aansoek is ook ter insae by die kantoor van die Direkteur: Geïntegreerde Omgewingsbestuur-Streek A, Provinsiale Regering van die Wes-Kaap, Kamer 207, 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) 483-4225 en die Direkoraat se faksnommer is (021) 483-3633.

Enige besware, met volledige redes daarvoor, moet skriftelik by die kantoor van bogenoemde Direkteur: Geïntegreerde Omgewingsbestuur, Streek A, Privaatsak X9086, Kaapstad, 8000, met 'n afskrif aan die Munisipale Bestuurder, Drakenstein Munisipaliteit, Posbus 1, Paarl, 7622 ingedien word voor of op Maandag 19 Januarie 2010 met vermelding van bogenoemde Wet en die beswaarmaker se erfnummer. Enige kommentaar wat na die voorgemelde sluitingsdatum ontvang word, mag moontlik nie in ag geneem word nie.

Aansoeker: JH Stroebel

Aard van aansoek: Opheffing van beperkende titelvoorwaarde van toepassing op Restant van Gedeelte 1 en Gedeelte 2 van Plaas 1487, Paarl Afdeling ten einde die eienaar in staat te stel om Gedeelte 1 en 2 te konsolideer en te onderverdeel in Gedeelte A ($\pm 0.96\text{ha}$) en Restant ($\pm 1.09\text{ha}$).

EN

AANSOEK OM ONDERVERDELING

Kennis geskied hiermee ingevolge Artikel 24(2)(a) van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ord 15 van 1985) dat 'n aansoek soos hieronder uiteengesit ontvang is en gedurende normale kantoorure ter insae is by die kantoor van die Hoof: Beplanningsdienste, Administratiewe Kantore, h/v Hoof- en Markstraat, Paarl, Tel (021) 807-6226:

Voorstel: Konsolidasie van Restant Plaas 1487/1 en Plaas 1487/2, Paarl Afdeling ten einde een nuwe grondeenheid van $\pm 2.04\text{ha}$ te vorm; en

Re-subdivision of the consolidated land unit into two portions namely, Portion A (± 0.96 ha) and Remainder of consolidated land unit (± 1.09 ha).

Motivated objections to the above can be lodged in writing to the Municipal Manager, Drakenstein Municipality, PO Box 1, Paarl, 7622 by not later than Monday, 19 January 2010. 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.

DR ST KABANYANE, Municipal Manager 15/4/1(F1487/1)P

DRAKENSTEIN MUNICIPALITY

APPLICATION FOR REMOVAL OF RESTRICTION AND DEPARTURE: ERF 1473, WELLINGTON

Property: Erf 1473, Wellington

Applicant: Rev AJ van Wijk

Owner: Rev AJ van Wijk

Locality: Located at 22 First Avenue, Wellington

Size: $\pm 685\text{m}^2$

Zoning: Authority Zone (in terms of the Wellington Zoning Scheme)

Notice is hereby given in terms of Section 3(6) of the Removal of Restrictions Act, 1967 (Act 84 of 1967) 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, Drakenstein Municipality, Berg River Boulevard, Paarl, 7646 and any enquiries may be directed to Mr E Cyster, earl.cyster@drakenstein.gov.za, Tel (021) 807-4770 and Fax (021) 807-4840. The application is also open for inspection at the office of the Director, Integrated Environmental Management, Provincial Government of the Western Cape, at Room 207, 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) 483-4225 and the Directorate's fax number is (021) 483-3633.

Any objections with full reasons therefor, should be lodged in writing at the office of the above-mentioned Director: Integrated Environmental Management, Private Bag X9086, Cape Town, 8000, with a copy to the Municipal Manager, Drakenstein Municipality, PO Box 1, Paarl, 7622 before or on Monday 19 January 2010, quoting the above Act and the objector's erf number. Any comments received after the aforementioned closing date may be disregarded.

Applicant: Rev AJ van Wijk

Nature of application: Removal of restrictive title conditions applicable to Erf 1473, Wellington, to enable the owner to erect a second dwelling on the erf. Certain building lines will be encroached.

APPLICATION FOR DEPARTURE: ERF 1473, WELLINGTON

Notice is hereby given in terms of Section 15(2) of the Land Use Planning Ordinance, 1985 (Ord 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 Street, Paarl, Tel (021) 807-4770:

Proposal: Departure to enable the owner to erect a second dwelling on Erf 1473, Wellington.

Departures of the following land use parameters:

- Relaxation of the rear building line of the single residential erven from 3.0m to 1.5m; and
- Relaxation of the side building line of the single residential erven from 3.0m to 1.5m.

Herondverdeling van die gekonsolideerde grondeenheid in twee gedeeltes naamlik, Gedeelte A (± 0.96 ha) en die Restant van die gekonsolideerde grondeenheid (± 1.09 ha).

Gemotiveerde besware teen bogemelde aansoek kan skriftelik gerig word aan die Munisipale Bestuurder, Drakenstein Munisipaliteit, Posbus 1, Paarl, 7622, teen nie later nie as Maandag, 19 Januarie 2010. 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, Berggrivier Boulevard, Paarl, aflê, waar 'n personeelid sal help om sy kommentaar/vertoë op skrif te stel.

DR ST KADANYANE Munisipale Bestuurder 15/4/1(F1487/1)P

DRAKENSTEIN MUNISIPALITEIT

AANSOEK OM OPHEFFING VAN BEPERKING: ERF 1473, WELLINGTON

Eiendom: Erf 1473, Wellington

Aansoeker: Ds AJ van Wijk

Eienaar: Ds AJ van Wijk

Ligging: Geleë te Eerstelaan 22, Wellington

Grootte: $\pm 685\text{m}^2$

Sonerings: Owerheidsone (in terme van Wellington Soneringskema)

Kennis geskied hiermee ingevolge Artikel 3(6) van die Wet op Opheffing van Beperkings, 1967 (Wet 84 van 1967) dat 'n aansoek soos hieronder uiteengesit ontvang is en gedurende normale kantoorure, ter insae is by die kantoor van die Hoof: Beplanningsdienste, Administratiewe Kantore, h/v Hoof- en Markstraat, Paarl, 7646 en enige navrae kan gerig word aan mnr E Cyster, earl.cyster@drakenstein.gov.za, Tel (021) 807-4770 en Faks (021) 807-4840. Die aansoek is ook ter insae by die kantoor van die Direkteur, Geïntegreerde Omgewingsbestuur, Provinsiale Regering van die Wes-Kaap, Kamer 207, 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) 483-4225 en die Direkoraat se faksnommer is (021) 483-3633.

Enige besware, met volledige redes daarvoor, moet skriftelik by die kantoor van bogenoemde Direkteur: Geïntegreerde Omgewingsbestuur, Privaatsak X9086, Kaapstad, 8000, met 'n afskrif aan die Munisipale Bestuurder, Drakenstein Munisipaliteit, Posbus 1, Paarl, 7622 ingedien word voor of op Maandag, 19 Januarie 2010 met vermelding van bogenoemde Wet en die beswaarmaker se ernommer. Enige kommentaar wat na die voorgemelde sluitingsdatum ontvang word, mag moontlik nie in ag geneem word nie.

Aansoeker: Ds AJ van Wijk

Aard van aansoek: Opheffing van beperkende titelvoorwaardes van toepassing op Erf 1473, Wellington ten einde die eienaar in staat te stel om 'n tweede woning op die erf op te rig. Sekere boulyne sal oorskry word.

AANSOEK OM AFWYKING: ERF 1473, WELLINGTON

Kennis geskied hiermee ingevolge Artikel 15(2) van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ord 15 van 1985) dat 'n aansoek soos hieronder uiteengesit ontvang is en gedurende normale kantoorure ter insae is by die kantoor van die Hoof: Beplanningsdienste, Administratiewe Kantore, h/v Hoof- en Markstraat, Paarl, Tel (021) 807-4770:

Voorstel: Afwyking ten einde die eienaar van Erf 1473, Wellington in staat te stel om 'n tweede woning op die erf op te rig.

Afwyking van die volgende grondgebruikbeperkings:

- Verslapping van die agter boulyn van die enkelresidensiële erwe van 3.0m tot 1.5m; en
- Verslapping van die sy boulyne van die Enkelresidensiële erwe van 3.0m tot 1.5m.

Motivated objections to the above can be lodged in writing to the Municipal Manager, Drakenatein Municipality, PO Box 1, Paarl, 7822 by not later than Monday, 19 January 2010. 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.

DR ST KABANYANE, Municipal Manager 15/4/1(1473)W

TENDERS

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

NOTICES BY LOCAL AUTHORITIES

CAPE AGULHAS MUNICIPALITY

APPLICATION FOR RESUBDIVISION, REZONING AND SPECIAL CONSENT: ERVEN 4618, 4623, 4644 AND 4583, DE OUDE ARENA, BREDASDORP

Notice is hereby given in terms of the Land Use Planning Ordinance, 1985 (Ordinance no. 15 of 1985) that Council has received an application for the following:

1. Resubdivision of erven 4618 - 4623 and a portion of erf 4644 (private road), Bredasdorp into three portions.
2. Rezoning of Portion 1 from Grouphousing to General Residential Zone.
3. Special Consent on Portion 1 and erf 4583, Bredasdorp in order to develop a medical facility on-site.

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

Further particulars are available for inspection in the office of the undersigned during office hours and written objections, if any, must reach him not later than 21 December 2009.

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

20 November 2009

20698

LANGEBERG MUNICIPALITY

McGregor Office

MN NO. 78/2009

PROPOSED REZONING AND CONSENT USE OF ERF 1181, VOORTREKKER ROAD, MCGREGOR (McGregor Zoning Scheme Regulations)

Notice is hereby given in terms of Section 17 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) and the scheme regulations in terms of Section 8 of Ordinance 15 of 1985, that the Council has received an application from SunProp Sixteen CC for the rezoning from Business Zone I, with consent use for flats, to Residential Zone I with a consent use for additional dwelling unit to accommodate the existing two dwelling units on erf 1181, McGregor.

The application will be open for inspection at the McGregor Office during normal office hours. Written legal and fully motivated objections/comments, if any, must be lodged with the Municipal Manager, Private Bag X2, Ashton, 6715, before or on 24 December 2009. Further details are obtainable from Mr Jack van Zyl (023) 614-8000 during office hours. Any person who cannot write may come to the office mentioned above, during office hours where a staff member of the municipality will assist that person to transcribe his/her comments or representations.

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

20 November 2009

25615

Gemotiveerde besware teen bogemelde aansoek kan skriftelik gerig word aan die Munisipale Bestuurder, Drakenstein Munisipaliteit, Posbus 1, Paarl, 7622, teen nie later nie as Maandag, 19 Januarie 2010. 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, Berggrivier Boulevard, Paarl, aflê, waar 'n personeelid sal help om sy kommentaar/vertoë op skrif te stel.

DR ST KABANYANE, Munisipale Bestuurder 15/4/1(1473)W

TENDERS

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

KENNISGEWINGS DEUR PLAASLIKE OWERHEDE

KAAP AGULHAS MUNISIPALITEIT

AANSOEK OM HERONDERVERDELING, HERSONERING EN VERGUNNING: ERWE 4618, 4623, 4644 EN 4583, DE OUDE ARENA, BREDASDORP

Kennis geskied hiermee ingevolge die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie nr. 15 van 1985) dat die Raad die volgende aansoek ontvang het:

1. Heronderverdeling van erwe 4618 - 4623 en 'n gedeelte van erf 4644 (privaat pad), Bredasdorp in drie gedeeltes.
2. Hersonerings van Gedeelte 1 vanaf Groepsbehuisings na Algemene Woonsones.
3. Vergunning op Gedeelte 1 en erf 4583, Bredasdorp ten einde 'n mediese fasiliteit op te rig.

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

Verdere besonderhede van bogenoemde lê ter insae in die kantoor van die ondergetekende en skriftelike besware, indien enige, moet hom nie later as 21 Desember 2009 bereik nie.

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

20 November 2009

20698

LANGEBERG MUNISIPALITEIT

McGregor Kantoor

MK NR. 78/2009

VOORGESTELDE HERSONERING EN VERGUNNINGSGEBRUIK VAN ERF 1181, VOORTREKKERSTRAAT, MCGREGOR (McGregor Sonering Skemaregulasies)

Kennis geskied hiermee ingevolge Artikel 17 van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie 15 van 1985) en die skemaregulasies ingevolge Artikel 8 van Ordonnansie 15 van 1985 dat 'n aansoek ontvang is van SunProp Sixteen BK vir die hersonerings van Sake Sone I, met vergunningsgebruik vir woonstelle, na Residensiële Sone I met vergunningsgebruik vir addisionele wooneenhede om die bestaande twee wooneenhede te akkommodeer op erf 1181, McGregor.

Die aansoek lê ter insae gedurende kantoorure in die McGregor Kantoor en skriftelike regsgeldige en goed gemotiveerde besware/kommentaar, indien enige, moet nie later as 24 Desember 2009 skriftelik by die Munisipale Bestuurder, Privaatsak X2, Ashton, 6715, ingedien word nie. Navrae kan gerig word aan mnr Jack van Zyl by telefoonnommer (023) 614-8000. 'n Persoon wat nie kan skryf nie kan gedurende 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, Munisipale Kantoor, Privaatsak X2 ASHTON 6715

20 November 2009

25615

CAPE AGULHAS MUNICIPALITY

CLOSING, REZONING AND CONSOLIDATION: ERVEN 1016 AND 1223 WEST STREET, NUWERUS, NAPIER

Notice is hereby given in terms of the requirements of the Municipal Ordinance, 1974 (20 of 1974); Sections 17 and 30(1) of the Land Use Planning Ordinance 1985 (No 15 of 1985), as well as Sections 14 and 113 of the Municipal Financial Management Act, No 56 of 2003 and Section 37(2) of the Surveying Act (8 of 1997) that Council considers the following application on erven 1016 and 1223, Nuwerus, Napier:

1. Closing of erf 1223, Nuwerus, Napier
2. Rezoning of erf 1223, Nuwerus, Napier from Public Open Space to Business Zone I
3. Rezoning of erf 1016, Nuwerus, Napier from Residential Zone I to Business Zone I
4. Consolidation of erven 1016 and 1223, Nuwerus, Napier
5. The alienation of the consolidated erf
6. Amendment of General Plan

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

Further particulars are available for inspection in the office of the undersigned during office hours and written objections, if any, must reach him not later than 7 December 2009.

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

20 November 2009

20699

CAPE AGULHAS MUNICIPALITY

APPLICATION FOR SUBDIVISION AND REZONING: PORTION OF THE REMAINDER OF FARM 260 BREDASDORP AND CLOSURE OF ERVEN 35, 165, 162, 163 WAENHUISKRANS/ARNISTON

Notice is hereby given in terms of the Land Use Planning Ordinance, 1985 (Ordinance no. 15 of 1985) and the Municipal Ordinance, 1974 (Ordinance 20 of 1974) that Council intends to act as follows:

1. Closure of erven 35, 165, 162 and 163, Waenhuiskrans/Arniston (Street and Public Open Space).
2. Subdivision of the Remainder of Farm 260, Bredasdorp into two portions (Portion A = ±3.1ha and Portion B = ±630m²).
3. Consolidation of Portions A and B of the Remainder of Farm 260, Bredasdorp and erven 35, 165, 162 and 163, Waenhuiskrans/Arniston.
4. Rezoning of a portion of the consolidated erf for Resort purposes to allow for the extension of the campsite.

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

Further particulars are available for inspection in the office of the undersigned during office hours and written objections, if any, must reach him not later than 21 December 2009.

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

20 November 2009

20700

KAAP AGULHAS MUNISIPALITEIT

SLUITING, HERSONERING EN KONSOLIDASIE: ERWE 1016 EN 1223, WESSTRAAT, NUWERUS, NAPIER

Kennis geskied hiermee ingevolge die bepalinge van die Munisipale Ordonnansie, 1974 (20 van 1974); Artikels 17 en 30(1) van die Ordonnansie op Grondgebruikbeplanning, 1985 (nr. 15 van 1985), asook Artikels 14 en 113 van die Munisipale Finansiële Bestuurswet, nr. 56 van 2003 en Artikel 37(2) van the Opmetingswet 1997 (8 van 1997) dat die Raad die volgende aansoek oorweeg op erwe 1016 en 1223, Nuwerus, Napier:

1. Sluiting van erf 1223, Nuwerus, Napier
2. Hersonering van erf 1223, Nuwerus, Napier van Oopruimtesone na Sakesone I
3. Hersonering van erf 1016, Nuwerus, Napier van Residensiële Sone I na Sakesone I
4. Konsolidasie van erwe 1016 en 1223, Nuwerus, Napier
5. Die vervreemding van die gekonsolideerde erf
6. Wysiging van Algemene Plan

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

Verdere besonderhede van bogenoemde lê ter insae in die Kantoor van die ondergetekende en skriftelike besware, indien enige, moet hom nie later as 7 Desember 2009 bereik nie.

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

20 November 2009

20699

KAAP AGULHAS MUNISIPALITEIT

AANSOEK OM ONDERVERDELING EN HERSONERING: GEDEELTE VAN DIE RESTANT VAN PLAAS 260, BREDASDORP EN SLUITING VAN ERWE 35, 165, 162 EN 163 WAENHUISKRANS/ARNISTON

Kennis geskied hiermee ingevolge die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie nr. 15 van 1985) en die Munisipale Ordonnansie, 1974 (Ordonnansie 20 van 1974) dat die Raad van voorname is om as volg te handel:

1. Sluiting van erwe 35, 165, 162 en 163, Waenhuiskrans/Arniston (Straat en Publieke Oopruimte).
2. Onderverdeling van die Restant van Plaas 260, Bredasdorp in twee gedeeltes (Gedeelte A = ±3.1ha en Gedeelte B = ±630m²).
3. Konsolidasie van Gedeeltes A en B van die Restant van Plaas 260, Bredasdorp en erwe 35, 165, 162 en 163 Waenhuiskrans/Arniston.
4. Hersonering van 'n gedeelte van die gekonsolideerde erf vir Oordoeleindes ten einde voorsiening te maak vir die uitbreiding van die kampeerarea.

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

Verdere besonderhede van bogenoemde lê ter insae in die kantoor van die ondergetekende en skriftelike besware, indien enige, moet hom nie later as 21 Desember 2009 bereik nie.

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

20 November 2009

20700

CAPE AGULHAS MUNICIPALITY

APPLICATION FOR CLOSURE AND USE OF ERF 260,
WAENHUISKRANS/ARNISTON FOR INFORMAL TRADE

Notice is hereby given in terms of the Land Use Planning Ordinance, 1985 (Ordinance no. 15 of 1985) and the Municipal Ordinance, 1974 (Ordinance 20 of 1974) that Council intends to act as follows:

1. Closure of a portion of erf 260, Waenhuiskrans/Arniston (Street and Public Open Space) with built walls.
2. Confirmation of the existing use of a portion of erf 260, Waenhuiskrans/Arniston for informal trade.

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

Further particulars are available for inspection in the office of the undersigned during office hours and written objections, if any, must reach him not later than 21 December 2009.

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

20 November 2009

25601

CITY OF CAPE TOWN (HELDERBERG DISTRICT)

SPECIAL CONSENT & DEPARTURE

- Erf 338, 4 Haumann Street, Somerset West (*second placement*)

Notice is hereby given in terms of the relevant Zoning Scheme Regulations & 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, cnr Victoria & Andries Pretorius Streets, Somerset West. Enquiries may be directed to Mr Mzudumile Mfutwana, PO Box 19, Somerset West, e-mail to ciska.smit@capetown.gov.za, tel (021) 850-4554 or fax (021) 850-4487 week days during 08:00-13:00. Any objections, with full reasons therefor, may be lodged in writing at the office of the abovementioned District Manager on or before 14 December 2009, 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: P Coetzer

Owner: P Coetzer

Application No: 178512

Notice No: 43/2009

Nature of application:

- (a) The Council's special consent in terms of the Somerset West Zoning Scheme Regulations in order to operate a crèche (Place of Instruction) from the existing dwelling on Erf 338, 4 Haumann Street, Somerset West.
- (b) The departure for the relaxation of the:
 - 9m street building line (Suikerbossie Avenue) to 5.2m for the existing building;
 - 9m street building line (Haumann Street) to 5.2m for the existing building;
 - 9m lateral building line (adjacent to Erf 339) to 4m for the existing building;
 - 9m lateral building line (adjacent to Erf 337) to 2.5m for the existing outbuilding.

ACHMAT EBRAHIM, CITY MANAGER

20 November 2009

25603

KAAP AGULHAS MUNISIPALITEIT

AANSOEK OM SLUITING EN GEBRUIK VAN ERF 260
WAENHUISKRANS/ARNISTON VIR INFORMELE HANDEL

Kennis geskied hiermee ingevolge die Ordonnansie op Grondgebruik-beplanning, 1985 (Ordonnansie nr. 15 van 1985) en die Munisipale Ordonnansie, 1974 (Ordonnansie 20 van 1974) dat die Raad van voorneme is om as volg te handel:

1. Sluiting van 'n gedeelte van erf 260, Waenhuiskrans/Arniston (Straat en Publieke Oopruimte) met beboude muurtjies.
2. Bevestiging van die bestaande gebruik van 'n gedeelte van erf 260, Waenhuiskrans/Arniston vir informele handel.

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

Verdere besonderhede van bogenoemde lê ter insae in die kantoor van die ondergetekende en skriftelike besware, indien enige, moet hom nie later as 21 Desember 2009 bereik nie.

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

20 November 2009

25601

STAD KAAPSTAD (HELDERBERG-DISTRIK)

SPESIALE TOESTEMMING & AFWYKING

- Erf 338, Haumannstraat 4, Somerset-Wes (*tweede plasing*)

Kennisgewing geskied hiermee ingevolge die toepaslike soneringskema-regulasies en Ordonnansie 15 van 1985 dat onderstaande aansoek ontvang is en ter insae beskikbaar is by die kantoor van die distriksbestuurder, Eerste Verdieping, Munisipale Kantore, h/v Victoria- & Andries Pretoriusstraat, Somerset-Wes. Navrae kan gerig word aan mnr. Mzudumile Mfutwana, Posbus 19, Somerset-Wes, 7129, per e-pos aan ciska.smit@capetown.gov.za gestuur word, tel (021) 850-4554 of faksnr. (021) 850-4487, gedurende 08:00-13:00. Besware, met die volledige redes daarvoor, moet voor of op 14 Desember 2009 skriftelik by die kantoor van bogenoemde distriksbestuurder, ingedien word, met vermelding van bogenoemde toepaslike wetgewing en die beswaarmaker se erf- en telefoonnommer en adres. Enige besware wat na die voormelde sluitingsdatum ontvang word, kan dalk ongeldig geag word.

Aansoeker: P Coetzer

Eienaar: P Coetzer

Aansoeknr.: 178512

Kennisgewingnr.: 43/2009

Aard van aansoek:

- (a) Spesiale raadstoestemming ingevolge Somerset-Wes se sonering-skema-regulasies ten einde 'n crèche (plek van onderrig) in die bestaande woning op Erf 338, Haumannstraat 4, Somerset-Wes, te bedryf.
- (b) Afwykings vir die verslapping van die:
 - 9m-straatboulyn (Suikerbossielaan) tot 5.2m vir die bestaande gebou;
 - 9m-straatboulyn (Haumannstraat) tot 5.2m vir die bestaande gebou;
 - 9m-syboulyn (aanliggend aan Erf 339) tot 4m vir die bestaande gebou;
 - 9m-syboulyn (aanliggend aan Erf 337) tot 2.5m vir die bestaande buitegebou.

ACHMAT EBRAHIM, STADSBESTUURDER

20 November 2009

25603

CITY OF CAPE TOWN (NORTHERN DISTRICT)

REZONING AND PERMANENT BUILDING LINE DEPARTURES

- Erf 17401, Robbie Street, Valleisicht, Brackenfell

Notice is hereby given in terms of Sections 17(2)(a) and 15(2)(a) of the Land Use Planning Ordinance, No 15 of 1985, that the undermentioned application has been received and is open to inspection at the office of the District Manager, Northern District. Any enquiries may be directed to Hannes van Zyl, Planning & Building Development Management, Municipal Offices, Brighton Road, Kraaifontein (Postal Address: P.O. Box 25, Kraaifontein 7569), e-mail address: johannesgideon.vanzyl@capetown.gov.za, tel (021) 980-6003 and fax (021) 980-6083 weekdays during office hours (08:00-14:30). Any objections, with full reasons therefor, may be lodged in writing at the office of the abovementioned District Manager: Northern District on or before 21 January 2010 quoting the above relevant legislation, the application number and the objector's erf and phone numbers and address. Any objections received after aforementioned closing date may be considered invalid.

Application Property: Erf 17401, Brackenfell

Owner/s: GL Conradie

Applicant: PDM Consulting

Application number: 185879

Nature of application:

- The proposed rezoning of Erf 17401, Robbie Street, Brackenfell, from Business Zone I to Residential Zone V, in terms of Section 17 of the Land Use Planning Ordinance, No 15 of 1985 in order to develop four semi-detached, self-catering residential units on the said premises.
- Departures in terms of Section 15(1)(a)(i) of the Land Use Planning Ordinance, No 15 of 1985 for: relaxation of the 4.0m rear and lateral building lines respectively to 3.0m.

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

ACHMAT EBRAHIM, CITY MANAGER

20 November 2009

25604

THEEWATERSKLOOF MUNICIPALITY

APPLICATION FOR DEPARTURE: ERF 302, CALEDON

Notice is hereby given in terms of Section 15(1)(a)(i) and (ii) of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) that Council has received an application from L. Etsebeth for the departure from the prescriptions of the Land Use Planning Scheme Regulations PN 353/1986 (Cape) in respect of the specified side building line and total coverage in order to enable the owner to construct an additional garage on the side border of the property.

Further particulars regarding the proposal are available for inspection at the Municipal office, Caledon during office hours from 20 November 2009 to 11 January 2010. Objections to the proposal, if any, must reach the undermentioned on or before 11 January 2010. Persons who are unable to write will be assisted during office hours, at the Municipal Office, Caledon, to write down their objections.

S WALLACE, MUNICIPAL MANAGER, Municipal Office, PO Box 24, CALEDON 7230

Reference number: C/302

Notice number: KOR 91/2009

20 November 2009

25621

STAD KAAPSTAD (NOORDELIKE DISTRIK)

HERSONERING EN PERMANENTE BOULYNAFWYKINGS

- Erf 17401, Robbiestraat, Valleisicht, Brackenfell

Kennisgewing geskied hiermee ingevolge artikels 17(2)(a) en 15(2)(a) van die Ordonnansie op Grondgebruikbeplanning, nr. 15 van 1985, dat die raad onderstaande aansoek ontvang het wat by die kantoor van die distriksbestuurder, Noordelike Distrik, ter insae beskikbaar is. Enige navrae kan gerig word aan Hannes van Zyl, beplanning en bouontwikkelingsbestuur, Munisipale Kantore, Brightonweg, Kraaifontein (Posbus 25, Kraaifontein 7569), tel (021) 980-6003, faksnr. (021) 980-6083 of e-posadres: johannesgideon.vanzyl@capetown.gov.za, weekdae gedurende kantoorure (08:00-14:30). Enige besware, met volledige redes, moet voor of op 21 Januarie 2010 skriftelik aan die kantoor van bogenoemde distriksbestuurder, Noordelike Distrik, gerig word, met vermelding van bogenoemde toepaslike wetgewing, die aansoeknommer en die beswaarmaker se erf- en telefoonnommer en adres. Enige besware wat na voormelde sluitingsdatum ontvang word, kan dalk ongeldig geag word.

Aansoekendom: Erf 17401, Brackenfell

Eienaar: GL Conradie

Aansoeker: PDM Consulting

Aansoeknr.: 185879

Aard van aansoek:

- Die voorgestelde hersonering van Erf 17401, Robbiestraat, Brackenfell, van sakesone I na residensiële sone V ingevolge artikel 17 van die Ordonnansie op Grondgebruikbeplanning, nr. 15 van 1985, ten einde vier selfsorg-residensiële skakeleenhede op genoemde perseel te ontwikkel.
- Afwykings ingevolge artikel 15(1)(a)(i) van die Ordonnansie op Grondgebruikbeplanning, nr. 15 van 1985, vir: die verslapping van die 4.0m-sy- en agterste boulyne onderskeidelik tot 3.0m.

Indien u terugvoering bogenoemde kantore nie voor of op die sluitingsdatum bereik nie, kan dit ongeldig geag word. Toon asseblief duidelik ingevolge welke wetgewing u kommentaar/beswaar voorgelê word. Indien u nie skriftelik kommentaar of besware kan indien nie, kan u volgens afspraak gedurende kantoorure 'n personeelid versoek om u te help om u beswaar of voorlegging neer te skryf. Let asseblief daarop dat enige kommentaar en/of beswaar wat voorgelê word, 'n openbare rekord sal wees wat uiteraard vir repliek aan die aansoeker beskikbaar gestel sal word.

ACHMAT EBRAHIM, STADSBESTUURDER

20 November 2009

25604

THEEWATERSKLOOF MUNISIPALITEIT

AANSOEK OM AFWYKING: ERF 302, CALEDON

Kennis geskied hiermee ingevolge Artikel 15(1)(a)(i) van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie 15 van 1985) dat die Raad 'n aansoek ontvang het vanaf L. Etsebeth ten opsigte van erf 302, Caledon vir die afwyking van die Grondgebruiksbeplanning Skemaregulasie PK 353/1986 (Kaap) ten opsigte van die syboullyn en totale dekking ten einde die eienaar in staat te stel om 'n addisionele motorhuis op die sygrens van die perseel op te rig.

Verdere besonderhede van die voorstel lê gedurende kantoorure by die Caledon Munisipale kantoor, ter insae vanaf 20 November 2009 tot 11 Januarie 2010. Skriftelike besware teen die voorstel, indien enige, moet die ondergemelde bereik voor of op 11 Januarie 2010. 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

Verwysingsnommer: C/302

Kennisgewingsnommer: KOR 91/2009

20 November 2009

25621

CITY OF CAPE TOWN (SOUTHERN DISTRICT)

REZONING, SUBDIVISION AND CONSENT

Notice is hereby given in terms of Sections 17 and 24 of the Land Use Planning Ordinance, 15 of 1985 and Section 5.2.7 of the Land Use Planning Ordinance Regulations that the undermentioned application has been received and is open to inspection at the office of the District Manager, Department: Planning & Building Development Management, City of Cape Town, Customer Interface, Ground Floor, 3 Victoria Rd, Plumstead, and any enquiries may be directed to Kevin McGilton on (021) 710-8278 during normal office hours, Monday to Friday. Any objections and/ or comments, with full reasons therefor, must be submitted in writing at the office of the District Manager, Department: Planning & Building Development Management, City of Cape Town, Private Bag X5, Plumstead, 7801 or faxed to (021) 710-8283 or e-mailed to roger.brice@capetown.gov.za on or before the closing date, quoting the above Ordinance, the belowmentioned reference number, and the objector's erf and phone numbers and address. Objections and comments may also be hand-delivered to the abovementioned street address by no later than the closing date. If your response is not sent to this address and/or fax number, and if, as a consequence it arrives late, it will be deemed to be invalid. For any further information in the aforementioned regard, contact Roger Brice on (021) 710-9308.

The closing date for objections and comments is: Wednesday, 20th January 2010.

File Ref: LUM/16/1757 (Vol 1)

Applicant: MLH Architects & Planners

Erf: Erf 1757 Constantia

Address: Old Kendal Road

Nature of application: To rezone a portion of the property from Community Facilities to Single Dwelling Residential to permit the subdivision of the property into 31 Portions for single dwelling residential use as per the plan of subdivision. Consent to permit the construction of a show house on the property prior to approval is also sought.

ACHMAT EBRAHIM, CITY MANAGER

20 November 2009

25605

MATZIKAMA MUNICIPALITY

REZONING AND DISPOSAL OF PROPERTY

The Municipality intends to dispose of a portion ($\pm 170\text{m}^2$) of Remainder Erf 1, Vredendal to Africa's Beer Wholesalers Pty Ltd at market value. In terms of section 17(2) of the Land Use Planning Ordinance, 1985 notice is given that the Council is considering the rezoning of such portion from Preservable to Industrial zone II.

Full details of the proposal are during office hours available for perusal at Mr Lategan or Mrs A van der Westhuizen.

Written objections and/or any public comments and/or alternative price offer, duly motivated, against the intention of the Municipality must be lodged in writing on or before 12.00, 21 December 2009, marked "Public comment/objection against rezoning and disposal of a portion of Remainder Erf 1, Vredendal, to Africa's Beer Wholesalers Pty Ltd" and placed in the tender box or posted to the undermentioned address (for the attention of Mrs A van der Westhuizen) to be reached on or before the said date and time.

Any person who cannot read or write can come to the abovementioned office during office hours where Mr Lategan will assist such person to transcribe his/her comments or representations.

DGI O'NEILL, MUNICIPAL MANAGER, Municipal Offices, PO Box 98, Vredendal 8160, Tel: (027) 201-3300, Fax: (027) 213-5098

Notice No: G6/2009

20 November 2009

25618

STAD KAAPSTAD (SUIDELIKE DISTRIK)

HERSONERING, ONDERVERDELING EN TOESTEMMING

Kennis geskied hiermee ingevolge Artikels 17 en 24 van die Ordonnansie op Grondgebruikbeplanning, 15 van 1985, en Artikel 5.2.7 van die Regulasies ingevolge die Ordonnansie op Grondgebruikbeplanning, dat onderstaande aansoek ontvang is en ter insae beskikbaar is by die kantoor van die Distriksbestuurder, Departement: Beplanning en Bouontwikkelingsbestuur, Stad Kaapstad, Inwonerskaking, Grondverdieping, Victoriaweg 3, Plumstead 7801. Navrae kan gerig word aan Kevin McGilton, tel (021) 710-8278, gedurende normale kantoorure, Maandag tot Vrydag. Enige besware en/of kommentaar, met volledige redes daarvoor, moet voor of op die sluitingsdatum skriftelik aan die kantoor van die Distriksbestuurder, Departement: Beplanning en Bouontwikkelingsbestuur, Privaatsak X5, Plumstead 7801, Faksnr. (021) 710-8283, of e-posadres roger.brice@capetown.gov.za, gerig word, met vermelding van bogenoemde Ordonnansie, onderstaande verwysingsnommer en die beswaarmaker se erf- en telefoonnommer en adres. Besware en kommentaar kan ook voor of op die sluitingsdatum per hand by bogenoemde straatadres afgelewer word. As u reaksie nie na dié adres of faksnr. gestuur word nie, en gevolglik laat ontvang word, sal dit ongeldig geag word. Om nadere inligting in bogenoemde verband, tree asseblief in verbinding met Roger Brice, tel (021) 710-8308.

Die sluitingsdatum vir besware en kommentaar is Woensdag 20 Januarie 2010.

Lêerverwysingsnr: LUM/16/1757 (Vol 1)

Aansoeker: MLH Architects & Planners

Erf: Erf 1757 Constantia

Adres: Ou Kendalweg

Aard van aansoek: Die hersonering van 'n gedeelte van die eiendom van Gemeenskapsfasiliteite na Enkelresidensieel ten einde toe te laat dat die eiendom in 31 gedeeltes vir residensiële gebruik onderverdeel word ooreenkomstig die onderverdelingsplan. Toestemming word ook verlang om voor goedkeuring 'n vertoonhuis op die eiendom te bou.

ACHMAT EBRAHIM, STADSBESTUURDER

20 November 2009

25605

MATZIKAMA MUNISIPALITEIT

HERSONERING EN VERVREEMDING VAN GROND

Die Munisipaliteit is van voorneme om 'n gedeelte grond ($\pm 170\text{m}^2$) van Restant Erf 1, Vredendal aan Africa's Beer Wholesalers Pty Ltd teen 'n markverwante prys te vervreem. Ingevolge artikel 17(2) van die Ordonnansie op Grondgebruikbeplanning, 1985 word ook kennis gegee dat die Raad die hersonering van die genoemde gedeelte van Behoudenswaardig na Nywerheidsone 2 oorweeg.

Volliedige besonderhede is gedurende kantoorure by mnr Lategan of me Van der Westhuizen ter insae.

Skriftelike besware en/of enige kommentaar en/of alternatiewe prysaanbod, behoorlik gemotiveer, teen die Munisipaliteit se voorneme moet skriftelik voor of op 12:00, 21 Desember 2009, gemerk "Openbare kommentaar/beswaar teen die hersonering en vervreemding van 'n gedeelte van Restant Erf 1, Vredendal, aan Africa's Beer Wholesalers Pty Ltd" in die tenderbus by die adres hieronder geplaas of (vir aandag me A van der Westhuizen) gepos word om die kantoor te bereik teen voormelde datum en tyd.

Enige persoon wat nie kan skryf nie kan gedurende die kantoorure van die Munisipaliteit na die ondergemelde kantoor kom waar mnr Lategan sodanige persoon sal help om sy/haar kommentaar of beswaar af te skryf.

DGI O'NEILL, MUNISIPALE BESTUURDER, Munisipale Kantore, Kerkstraat 37, Posbus 98, Vredendal, 8160, Tel: (027) 201-3300, Faks (027) 213-5098

Kennisgewing Nr.: G6/2009

20 November 2009

25618

CITY OF CAPE TOWN (TABLE BAY DISTRICT)

REZONING

- Erf 829 Vredehoek

Notice is hereby given in terms of Sections 15 & 17 of the Land Use Planning Ordinance, No 15 of 1985, that Council has received the undermentioned application, which is open to inspection at the office of the District Manager: Planning & Building Development Management, 2nd Floor, Media City, corner of Hertzog and Heerengracht, Cape Town. Enquiries may be directed to Beverley Soares, Planning & Building Development Management, 2nd Floor, Media City, corner of Hertzog and Heerengracht, Cape Town, email: Beverley.Soares@capetown.gov.za, tel (021) 400-6456 or fax: (021) 421-1963 weekdays during the hours of 08:00 to 14:30. Written objections, if any, with reasons may be lodged at the office of the abovementioned District Manager on or before 19 January 2010, quoting the above applicable legislation, the application number, as well as your erf and contact phone number and address.

Location address: 43 St James Street

Owner: Westplain Inv cc

Applicant: Pro-active Town & Regional Planners

Application no: LM5231 (181157)

Nature of application: The Rezoning of erf 829 Vredehoek, 43 St James Street from General Residential R4 to Special Business to enable the applicant to regularize the existing use of the property for parking purposes.

The following departure from the Zoning Scheme Regulations has been applied for: Section 79: to permit the carriageway crossing to be 6.500m in lieu of 9.000m.

ACHMAT EBRAHIM, CITY MANAGER

20 November 2009

25606

LANGEBERG MUNICIPALITY

PROPOSED CONSENT USE: PORTION 16 (PORTION OF PORTION 4) 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 no 15 of 1985 (PN 1048 of 1988) notice is hereby given that an application has been received for the consent use as set out below. This application is to be submitted to Council and will be available for scrutiny at Council's Town Planning Section at 3 Piet Retief Street, Montagu. Further details are obtainable from Mr J van Zyl (023) 614-8000 during office hours.

Applicant: Boland Plan

Property: Portion 16 (Portion of Portion 4) of the Farm Vrolykheid No. 135, Robertson (Tanagra Winery)

Owner: Clockwork Trading 1040 CC

Locality: Between Robertson and McGregor

Size: 6.3343ha

Proposal: Consent use: Tourist facility: restaurant

Existing zoning: Agricultural Zone II

Written, legal and fully motivated objections/comments, if any, against the application must be lodged in writing with the undersigned or at any Breede River/Winlands municipal office on or before 24 December 2009. 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, Breede River/Winlands Municipality, Private Bag X2, ASHTON 6715

[Notice no. MN 79/2009]

20 November 2009

25617

STAD KAAPSTAD (TAFELBAAI-DISTRIK)

HERSONERING

- Erf 829 Vredehoek

Kennisgewing geskied hiermee ingevolge artikels 15 en 17 van die Ordonnansie op Grondgebruikbeplanning, nr. 15 van 1985, dat onderstaande aansoek ontvang is en ter insae beskikbaar is by die kantoor van die distriksbestuurder, beplanning en bou-ontwikkelingsbestuur, 2e Verdieping, Media City, h/v Hertzog-boulevard en Heerengracht, Kaapstad, en dat enige navrae gerig kan word aan Beverley Soares, Posbus 4529, Kaapstad 8000, of 2e Verdieping, Media City, h/v Hertzog-boulevard en Heerengracht, Kaapstad, tel (021) 400-6456, faksnr. (021) 421-1963 of e-posadres Beverley.Soares@capetown.gov.za, weksdae gedurende 08:00-14:30. Enige besware, met volledige redes, moet voor of op 19 Januarie 2010 skriftelik aan die kantoor van bogenoemde distriksbestuurder gerig word, met vermelding van bogenoemde toepaslike wetgewing, die aansoeknommer sowel as u erf- en telefoonnommer/s en adres. Enige besware wat na voormelde sluitingsdatum ontvang word, kan dalk buite rekening gelaat word.

Liggingsadres: St. James-straat 43

Eienaar: Westplain Inv cc

Aansoeker: Pro-active Stads- & Streeksbeplanners

Aansoeknr.: LM5231 (181157)

Aard van aansoek: Die hersonering van Erf 829 Vredehoek, St. James-straat 43, van algemeenresidensieel R4 na spesiale sakesone ten einde die aansoeker in staat te stel om die bestaande gebruik van die eiendom vir parkeerdoeleindes te regulariseer.

Daar is om die volgende afwyking van die soneringskema regulasies aansoek gedoen: Artikel 79: om toe te laat dat die rybaankruising 6.500m in plaas van 9.000m is.

ACHMAT EBRAHIM, STADSBESTUURDER

20 November 2009

25606

LANGEBERG MUNISIPALITEIT

VOORGESTELDE VERGUNNINGSGEBRUIK: GEDEELTE 16 (GEDEELTE VAN GEDEELTE 4) VAN DIE PLAAS VROLYKHEID NR 135, ROBERTSON

Kennis geskied hiermee ingevolge die Skemaregulasies uitgevaardig kragtens Artikel 8 van die Ordonnansie op Grondgebruikbeplanning, 15 van 1985 (PK 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 J van Zyl (023) 614-8000 beskikbaar.

Aansoeker: Boland Plan

Eiendom: Gedeelte 16 (Gedeelte van Gedeelte 4) van die Plaas Vrolykheid Nr. 135, Robertson (Tanagra Winery)

Eienaar: Clockwork Trading 1040 CC

Ligging: Tussen Robertson en McGregor

Grootte: 6.3343ha

Voorstel: Vergunningsgebruik: Toeristefasiliteit: restaurant

Huidige sonering: Landbousone II

Skriftelike, regsgeldige en goed gemotiveerde besware/kommentaar, indien enige, kan by die ondergemelde adres of enige van die Breërivier/Wynland munisipale kantore ingedien word voor of op 24 Desember 2009. '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, Breërivier/Wynland Munisipaliteit, Privaatsak X2, ASHTON 6715

[Kennisgewing nr: MK 79/2009]

20 November 2009

25617

CITY OF CAPE TOWN (TYGERBERG REGION)

REZONING AND VARIOUS REGULATION DEPARTURES

- Erven 7357 & 7358, Goodwood

Notice is hereby given in terms of Sections 15 & 17 of the Land Use Planning Ordinance, 1985 (No 15 of 1985) that the undermentioned application has been received and is open to inspection at the office of the District Manager at 3rd Floor, Municipal Offices, Voortrekker Road, Parow. Enquiries may be directed to Mr C Newman, 3rd Floor, Municipal Offices, Voortrekker Road, Parow, Private Bag X4, Parow, 7499 chad.newman@capetown.gov.za, tel (021) 938-8459 and fax (021) 938-8509 weekdays during 08:00-14:30. Any objections, with full reasons therefor, may be lodged in writing at the office of the abovementioned District Manager on or before 20 January 2010, quoting the above relevant legislation, the application number and the objector's erf and phone numbers and address. Any objections received after aforementioned closing date may be considered invalid.

Applicant: Level 7 Planning Services (Gary Tomlinson)

Application number: 184895

Address: Paarl Street 16 & 18, Goodwood

Nature of application:

- The application entails the rezoning of Erven 7357 & 7358, Goodwood from Single Residential Zone to Medium Density General Residential Zone (GR2).

Departures:

- The relaxation of the street building line of 7.5m to 4.5m;
- The relaxation of the street building line of 7.5m to 5.0m;
- The relaxation of the side building line from 4.5m to 0m;
- The relaxation of the side building line of 4.5m to 2.5m; and
- Increase of the permissible bulk of 0.6 to 0.7 for the erection of a block of flats.

ACHMAT EBRAHIM, CITY MANAGER

20 November 2009

25607

CITY OF CAPE TOWN (TYGERBERG REGION)

REZONING

- Portion (Erf 7220) of Consolidated Erf 39814, 5 Cook Street, Goodwood

Notice is hereby given in terms of Sections 17(1) of the Land Use Planning Ordinance, 1985 (No 15 of 1985) that the undermentioned application has been received and is open to inspection at the office of the District Manager: Tygerberg District, 3rd Floor, Municipal Offices, Voortrekker Road, Parow. Enquiries may be directed to Mr C Newman, e-mail address: chad.newman@capetown.gov.za, tel (021) 938-8459 and fax (021) 938-8509 weekdays during 08:00-14:30. Any objections, with full reasons therefor, may be lodged in writing at the office of the abovementioned District Manager on or before 22 January 2010, quoting the above relevant legislation, the application number and the objector's erf and phone numbers and address. Any objections received after aforementioned closing date may be considered invalid.

Applicant: Mr Derick Boonzaaier on behalf of D B Urban Planning

Application number: 185261

Address: Cook Street, Goodwood

Nature of application: Rezoning from Single Residential Zone to Central Business Zone.

Ref No: T/W 18/6/1/295

ACHMAT EBRAHIM, CITY MANAGER

20 November 2009

25608

STAD KAAPSTAD (TYGERBERG-STREEK)

HERSONERING EN VERSKILLENDE REGULASIEAFWYKINGS

- Erwe 7357 & 7358, Goodwood

Kennisgewing geskied hiermee ingevolge artikels 15 en 17 van die Ordonnansie op Grondgebruikbeplanning, nr. 15 van 1985, dat onderstaande aansoek ontvang is en ter insae beskikbaar is by die kantoor van die distriksbestuurder, 3e Verdieping, Munisipale Kantore, Voortrekkerweg, Parow. Navrae kan gerig word aan mnr. C Newman, 3e Verdieping, Munisipale Kantore, Voortrekkerweg, Parow, Privaat Sak X4, Parow 7499, chad.newman@capetown.gov.za, tel (021) 938-8459 en faksnr. (021) 938-8509, weksdae gedurende 08:00 tot 14:30. Enige besware, met volledige redes daarvoor, moet voor of op 20 Januarie 2010 skriftelik aan die kantoor van bogenoemde distriksbestuurder gerig word, met vermelding van bogenoemde toepaslike wetgewing, die aansoeknommer en die beswaarmaker se erf- en telefoonnommer en adres. Enige besware wat na voormelde sluitingsdatum ontvang word, kan dalk ongeldig geag word.

Aansoeker: Level 7 Planning Services (Gary Tomlinson)

Aansoeknr.: 184895

Adres: Paarlstraat 16 & 18, Goodwood

Aard van aansoek:

- Die aansoek behels die hersonering van Erwe 7357 & 7358, Goodwood, van enkelresidensiële sone na mediumdigtheids-algemeenresidensiële sone (GR2).

Afwyking:

- Die verslapping van die straatboulyn van 7.5m tot 4.5m.
- Die verslapping van die straatboulyn van 7.5m tot 5.0m.
- Die verslapping van die syboulyn van 4.5m tot 0m.
- Die verslapping van die syboulyn van 4.5m tot 2.5m; en
- Verhoging van die toegelate massafaktor van 0.6 tot 0.7 vir die oprigting van 'n blok woonstelle.

ACHMAT EBRAHIM, STADSBESTUURDER

20 November 2009

25607

STAD KAAPSTAD (TYGERBERG-STREEK)

HERSONERING

- Gedeelte (Erf 7220) van Gekonsolideerde Erf 39814, Cookstraat 5, Goodwood

Kennisgewing geskied hiermee ingevolge artikel 17(1) van die Ordonnansie op Grondgebruikbeplanning, nr. 15 van 1985, dat onderstaande aansoek ontvang is en ter insae beskikbaar is by die kantoor van die distriksbestuurder, Tygerbergdistrik, 3e Verdieping, Munisipale Kantore, Voortrekkerweg, Parow. Navrae kan gerig word aan mnr. C Newman, e-posadres chad.newman@capetown.gov.za, tel (021) 938-8459 en faksnr. (021) 938-8509, weksdae gedurende 08:00 tot 14:30. Enige besware, met volledige redes daarvoor, moet voor of op 22 Januarie 2010 skriftelik aan die kantoor van bogenoemde distriksbestuurder gerig word, met vermelding van bogenoemde toepaslike wetgewing, die aansoeknommer en die beswaarmaker se erf- en telefoonnommer en adres. Enige besware wat na voormelde sluitingsdatum ontvang word, kan dalk ongeldig geag word.

Aansoeker: Mnr Derick Boonzaaier namens D B Urban Planning

Aansoeknr.: 185261

Adres: Cookstraat, Goodwood

Aard van aansoek: Hersonering van enkelresidensiële sone na sentrale sakesone.

Verwysingsnr.: T/W 18/6/1/295

ACHMAT EBRAHIM, STADSBESTUURDER

20 November 2009

25608

SWARTLAND MUNICIPALITY

CLOSURE OF PORTION OF SENDING STREET ADJACENT TO
ERF 263, RIEBEEK WEST

Notice is hereby given in terms of section 137(1) of Ordinance 20 of 1974 that portion of Sending Street adjacent to erf 263, Riebeek West has been closed. (S/9644/23 V1 p.127)

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

20 November 2009

25620

CITY OF CAPE TOWN (TYGERBERG REGION)

REZONING, CONSENT AND REGULATION DEPARTMENT

- Erf 15747, Panorama, Parow

Notice is hereby given in terms of Sections 15(2)(a) and 17(2)(a) of the Land Use Planning Ordinance, 1985 (No 15 of 1985) and Part III, Clause 5 of the Parow Zoning Scheme Regulations that the undermentioned application has been received and is open to inspection at the office of the District Manager: Tygerberg District, 3rd Floor, Municipal Offices, Voortrekker Road, Parow. Enquiries may be directed to Ms T Kotze, e-mail address: tess.kotze@capetown.gov.za, tel (021) 938-8436 and fax (021) 938-8509 weekdays during 08:00-14:30. Any objections, with full reasons therefor, may be lodged in writing at the office of the abovementioned District Manager on or before 20 January 2010, quoting the above relevant legislation, the application number and the objector's erf and phone numbers and address. Any objections received after aforementioned closing date may be considered invalid.

Applicant: Mr M Kootbodien on behalf of the Parow Muslim Community Trust

Application number: 185315

Address: 1 Wendy Way, Panorama, Parow

Nature of application: Rezoning from Single Residential purposes to Institutional purposes, Consent and Departure from the street building line, 7.0m in lieu of 9.0m to permit the utilization of the property for a Place of Instruction and a Place of Worship.

Ref No: T/CE 18/6/29/1

ACHMAT EBRAHIM, CITY MANAGER

20 November 2009

25609

GEORGE MUNICIPALITY
NOTICE NO 157/2009PROPOSED AMENDMENT OF THE GEORGE AND ENVIRONS
URBAN STRUCTURE PLAN: REMAINDER KRAAIBOSCH 195/
366, DIVISION GEORGE

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

1. Amendment of the George and Environs Urban Structure Plan for Remainder Kraaibosch 195/366 from "Agriculture/Forestry" to "Rural Occupation" and "Nature Area" in terms of Section 4 of Ordinance 15 of 1985.

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

Enquiries: Marisa Arries

Reference: Remainder Kraaibosch 195/366, Division George

Motivated objections, if any, must be lodged in writing with the Senior Manager: Planning, by not later than Monday, 18 January 2010. Please note that no objections via e-mail will be accepted.

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

CM AFRICA, MUNICIPAL MANAGER, Civic Centre, York Street, George 6530, Tel: (044) 801-9473, Fax: 086 570 1900

E-mail: marisa@george.org.za

20 November 2009

25612

SWARTLAND MUNISIPALITEIT

SLUITING VAN GEDEELTE VAN SENDINGSTRAAT
AANGRENSEND TOT ERF 263, RIEBEEK-WES

Kennis geskied hiermee ingevolge artikel 137(1) van Ordonnansie 20 van 1974 dat gedeelte van Sendingstraat aangrensend tot erf 263, Riebeek-Wes gesluit is. (S/9644/23 V1 p.127)

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

20 November 2009

25620

STAD KAAPSTAD (TYGERBERG-STREEK)

HERSONERING, TOESTEMMING EN REGULASIEAFWYKING

- Erf 15747, Panorama, Parow

Kennisgewing geskied hiermee ingevolge artikels 15(2)(a) en 17(2)(a) van die Ordonnansie op Grondgebruikbeplanning, nr. 15 van 1985, en deel III, klousule 5, van Parow se soneringskema-regulasies dat onderstaande aansoek ontvang is en ter insae beskikbaar is by die kantoor van die distriksbestuurder, Tygerbergdistrik, 3e Verdieping, Munisipale Kantore, Voortrekkerweg, Parow. Navrae kan gerig word aan me. T Kotze, e-posadres tess.kotze@capetown.gov.za, tel (021) 938-8436 en faksnr. (021) 938-8509, weekdae gedurende 08:00 tot 14:30. Enige besware, met volledige redes daarvoor, moet voor of op 20 Januarie 2010 skriftelik aan die kantoor van bogenoemde distriksbestuurder gerig word, met vermelding van bogenoemde toepaslike wetgewing en die beswaarmaker se erf- en telefoonnommer en adres. Enige besware wat na voormelde sluitingsdatum ontvang word, kan dalk ongeldig geag word.

Aansoeker: Mnr M Kootbodien namens die Parow Muslim Community Trust

Aansoeknr.: 185315

Adres: Wendyweg 1, Panorama, Parow

Aard van aansoek: Hersonering van enkelresidensiële na industriële doeleindes, toestemming en afwyking van die straatboulyn, 7.0m in plaas van 9.0m, ten einde toe te laat dat die eiendom as plek van onderrig en plek van aanbidding gebruik word.

Verwysingsnr.: T/CE 18/6/29/1

ACHMAT EBRAHIM, STADSBESTUURDER

20 November 2009

25609

GEORGE MUNISIPALITEIT
KENNISGEWING NR 157/2009VOORGESTELDE WYSIGING VAN DIE GEORGE EN
OMGEWING STEDELIKE STRUKTUURPLAN: RESTANT
KRAAIBOSCH 195/366, AFDELING GEORGE

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

1. Wysiging van die George en Omgewing Stedelike Struktuurplan vir Restant Kraaibosch 195/366 vanaf "Landbou/Bosbou" na "Landelike Okkupasie" en "Natuur Gebied" in terme van Artikel 4 van Ordonnansie 15 van 1985.

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 Kraaibosch 195/366, Afdeling George

Gemotiveerde besware, indien enige, moet skriftelik by die Senior Bestuurder: Beplanning ingedien word nie later nie as Maandag, 18 Januarie 2010. Let asseblief daarop dat geen e-pos besware aanvaar sal word nie.

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

CM AFRICA, MUNISIPALE BESTUURDER, Burgersentrum, Yorkstraat, George 6530, Tel: (044) 801-9473, Faks: 086 570 1900

Epos: marisa@george.org.za

20 November 2009

25612

DRAKENSTEIN MUNICIPALITY

APPLICATION FOR SUBDIVISION, REZONING AND DEPARTURES FROM LAND USE RESTRICTION: FARM 180/8, PAARL DIVISION

Notice is hereby given in terms of Sections 24(2)(a), 17(2)(a) and 15(2)(a) of the Land Use Planning Ordinance, 1985 (Ord 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 Street, Paarl, Tel (021) 807-6226:

Property: Farm 180/8, Paarl Division

Applicant: David Hellig & Abrahamse Land Surveyors

Owner: Plaas 180/8 Paarl cc

Locality: Located at Windmeul adjacent to Main Road No 218

Extent: ±1.14ha

Zoning: Agricultural Zone I with a departure for a mobile workshop

Current Use: Main dwelling, store and ±0.5ha of vineyards

Proposal: Subdivision of Farm 180/8, Paarl Division into three portions namely: Portion A (±6227m²), Portion B (±2567m²) and Remainder (±2648m²);

Rezoning of proposed Portion A and Remainder of Farm 180/8, Paarl Division from "Agricultural Zone I" to "Residential Zone I";

Rezoning of proposed Portion B from "Agricultural Zone I" to "Transport Zone II" to be utilised as road reserve; and

Departure of the following land use restriction for the preservation of the existing store.

Motivated objections to the above can be lodged in writing to the Municipal Manager, Drakenstein Municipality, PO Box 1, Paarl, 7622 by not later than Monday, 19 January 2010. 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.

DR ST KABANYANE, MUNICIPAL MANAGER

15/4/1(F180/8) P

20 November 2009

25610

THEEWATERSKLOOF MUNICIPALITY

APPLICATION FOR TEMPORARY DEPARTURE ON PORTION 39 OF THE FARM RIETKUIL NO. 395, CALEDON DISTRICT

Notice is hereby given in terms of Section 15(1)(a)(ii) of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) that Council has received an application for temporary departure on Portion 39 of the Farm Rietkuil No. 395, Caledon from Warren Petterson for the installation of a Vodacom cellular communications base station.

Further particulars regarding the proposal are available for inspection at the Municipal office, Caledon during office hours from 20 November 2009 to 11 January 2010. Objections to the proposal, if any, must reach the undermentioned on or before 11 January 2010. Persons who are unable to write will be assisted during office hours, at the Municipal Office, Caledon, to write down their objections,

S WALLACE, MUNICIPAL MANAGER, Municipal Office, PO Box 24, CALEDON 7230

Reference number: L/374

Notice number: KOR 90/2009

20 November 2009

25622

DRAKENSTEIN MUNISIPALITEIT

AANSOEK OM ONDERVERDELING, HERSONERING EN AFWYKING VAN GRONDGEBRUIKBEPERKING: PLAAS 180/8, PAARL AFDELING

Kennis geskied hiermee ingevolge Artikels 24(2)(a), 17(2)(a) en 15(2)(a) van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ord 15 van 1985), dat 'n aansoek soos hieronder uiteengesit ontvang is en gedurende normale kantoorure ter insae is by the kantoor van die Hoof: Beplanningsdienste, Administratiewe Kantore, h/v Hoof- en Markstraat, Paarl, Tel (021) 807-6226:

Eiendom: Plaas 180/8, Paarl Afdeling

Aansoeker: David Hellig & Abrahamse Landmeters

Eienaar: Plaas 180/8 Paarl Bk

Ligging: Geleë te Windmeul langs die Hoofpad nr. 218

Grootte: ±1.14ha

Sonering: Landbousone I met 'n vergunning vir 'n mobiele werkswinkel

Huidige Gebruik: 'n Hoofhuis, 'n stoor en ±0.5ha wingerd

Voorstel: Onderverdeling van Plaas 180/8, Paarl Afdeling in drie (3) gedeeltes naamlik: Gedeelte A (±6227m²), Gedeelte B (±2567m²) en Restant (±2646m²);

Hersonering van voorgestelde Gedeelte A en Restant van Plaas 180/8, Paarl Afdeling vanaf "Landbousone I" na "Residensiële Sone I";

Hersonering van voorgestelde Gedeelte B vanaf "Landbousone I" na "Vervoersone II" ten einde as padreserwe te gebruik; en

Afwyking van die grondgebruikbeperkings ten voorbehoud van die bestaande stoorgebou.

Gemotiveerde besware teen bogemelde aansoek kan skriftelik gerig word aan die Munisipale Bestuurder, Drakenstein Munisipaliteit, Posbus 1, Paarl, 7622, teen nie later nie as Maandag, 19 Januarie 2010. 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, aflê, waar 'n personeellid sal help om sy kommentaar/vertoë op skrif te stel.

DR ST KABANYANE, MUNISIPALE BESTUURDER

15/4/1(F180/8) P

20 November 2009

25610

THEEWATERSKLOOF MUNISIPALITEIT

AANSOEK OM TYDELIKE AFWYKING OP GEDEELTE 39 VAN DIE PLAAS RIETKUIL NR. 395, CALEDON DISTRIK

Kennis geskied hiermee ingevolge die bepalings van artikel 15 (1)(a)(ii) Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie 15 van 1985) dat 'n aansoek om tydelike afwyking. Gedeelte 39 van die Plaas Rietkuil Nr. 395, Caledon van Warren Petterson deur die Raad ontvang is vir die installasie van 'n Vodacom sellulêre kommunikasie basis stasie.

Verdere besonderhede van die voorstel lê gedurende kantoorure by die Caledon Munisipale kantoor, ter insae vanaf 20 November 2009 tot 11 Januarie 2010. Skriftelike besware teen die voorstel, indien enige, moet die ondergemelde bereik voor of op 11 Januarie 2010. 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

Verwysingsnommer: L/374

Kenningsgewingsnommer: KOR 90/2009

20 November 2009

25622

DRAKENSTEIN MUNICIPALITY
APPLICATION FOR REZONING: FARM 1222,
PAARL DIVISION

Notice is hereby given in terms of Section 17(2)(a) of the Land Use Planning Ordinance, 1985 (Ord 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 Street, Paarl, Tel (021) 807-4770:

Property: Farm 1222, Paarl Division

Applicant: PraktiPlan

Owner: Firstscape Cellar (Pty) Ltd

Locality: Located at the intersection of Main Road 205 with Main Road 191 (R45), Simondium

Extent: ±3.2ha

Current Zoning: Agricultural Zone I (±27070m²) and Industrial Zone I: (±4974m² the size of the existing winery)

Current Use: Winery

Proposal: Rezoning of the remaining portion (±27070m²) of Farm 1222, Paarl Division, zoned "Agricultural Zone I" to "Industrial Zone I" in order to award a uniform zoning to the property. It is the owners intent to construct a new tank cellar (±1624m²) and a wine warehouse (±3000m²) on the property.

Motivated objections to the above can be lodged in writing to the Municipal Manager, Drakenstein Municipality, PO Box 1, Paarl, 7622 by not later than Monday, 19 January 2010. 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.

DR ST KABANYANE, MUNICIPAL MANAGER

15/4/1(F1222) P

20 November 2009

25611

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

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

PROPOSED REZONING & DEPARTURE: ERF 1351,
KNYSNA

Notice is hereby given in terms of Sections 15(1)(a)(i) and 17 of the Land Use Planning Ordinance 15 of 1985 that the under-mentioned application has been received by the Municipal Manager and is open for inspection during office hours at the Municipal Town Planning Offices, 11 Pitt Street, Knysna. Any objections, with full reasons therefor, should be lodged in writing with the Municipal Manager, PO Box 21, Knysna, 6570 on or before 17:00 Monday 21 December 2009 quoting the above Ordinance and the objector's property description/erf number.

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

Objections via e-mail will not be accepted.

Nature of the application:

- (i) the rezoning of Erf 1351, Knysna from "Single Residential" zone to "General Residential" zone in terms of Section 17 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985);
- (ii) a departure from the Knysna Zoning Scheme Regulations in respect of Erf 1351 for the relaxation of the street building line from 8m to 5.0m; relaxation of lateral building lines from 4.5m to 3m in terms of Section 15(1)(a)(i) of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985);

Applicant: HM Vreken TRP(SA) on behalf of Renhill Properties CC PO Box 2180, KNYSNA, e-mail: marike@vreken.co.za

JB DOUGLAS, MUNICIPAL MANAGER

Reference: 1351 KNY

20 November 2009

25613

DRAKENSTEIN MUNISIPALITEIT
AANSOEK OM HERSONERING: PLAAS 1222,
PAARL AFDELING

Kennis geskied hiermee ingevolge Artikel 17(2)(a) van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ord 15 van 1985), dat 'n aansoek soos hieronder uiteengesit ontvang is en gedurende normale kantoorure ter insae is by die kantoor van die Hoof: Beplanningsdienste, Administratiewe Kantore, h/v Hoof- en Marktstraat, Paarl, Tel (021) 807-4770:

Eiendom: Plaas 1222, Paarl Afdeling

Aansoeker: PraktiPlan

Eienaar: Firstscape Cellar (Edms) Bpk

Ligging: Geleë by die interseksie van Hoofweg 205 met Hoofweg 191 (R45), Simondium

Grootte: ±3.2ha

Huidige Sonering: Landbousone I (±27070m²) en Nywerheidsone (±4974m² grootte van die bestaande wynkelder)

Huidige Gebruik: Wynkelder

Voorstel: Hersonerings van die oorblywende gedeelte (±27070m²) van Plaas 1222, Paarl Afdeling gesoneer "Landbou I" na "Nywerheidsone I" om sodoende 'n uniforme sonering aan die eiendom toe te ken. Die eienaar beoog om 'n nuwe tenk kelder (±1624m²) en 'n wynpakstoor (±3000m²) op die perseel op te rig.

Gemotiveerde besware teen bogemelde aansoek kan skriftelik gerig word aan die Munisipale Bestuurder, Drakenstein Munisipaliteit, Posbus 1, Paarl, 7622, teen nie later nie as Maandag, 19 Januarie 2010. 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, Berggrivier Boulevard, Paarl, aflê, waar 'n personeellid sal help om sy kommentaar/vertoë op skrif te stel.

DR ST KABANYANE, MUNISIPALE BESTUURDER

15/4/1(F1222) P

20 November 2009

25611

KNYSNA MUNISIPALITEIT
ORDONNANSIE OP GRONDGEBRUIKBEPLANNING, 1985
(ORDONNANSIE 15 VAN 1985)
WET OP PLAASLIKE REGERING: MUNISIPALE STELSELS,
2000 (WET 32 VAN 2000)
VOORGESTELDE HERSONERING & AFWYKING: ERF 1351,
KNYSNA

Kennis geskied hiermee ingevolge Artikels 15(1)(a)(i) en 17 van Ordonnansie 15 van 1985 dat die onderstaande aansoek deur die Munisipale Bestuurder ontvang is en gedurende kantoorure ter insae lê by die Munisipale Stadsbeplanningskantore, Pittstraat 11, Knysna. Enige besware met volledige redes daarvoor, moet skriftelik by die Munisipale Bestuurder, Posbus 21, Knysna, 6570 ingedien word op of voor 17:00 Maandag 21 Desember 2009 met vermelding van bogenoemde Ordonnansie en beswaarmaker se ernommer.

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

Besware per e-pos sal nie aanvaarbaar wees nie.

Aard van aansoek:

- (i) aansoek vir die hersonerings van Erf 1351 vanaf "Enkelwoning" sone na "Algemene woning" sone vir 60 woonstelle, ingevolge Artikel 17 van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie 15 van 1985);
- (ii) aansoek vir 'n afwyking van die boulyn parameters ingevolge Artikel 15(1)(a)(i) van Ordonnansie 15 van 1985 vanaf 8m na 5.0m vir die straatboulyn en die verslapping van die kantboulyn vanaf 4.5m na 3m.

Aansoeker: HM Vreken SS(SA) namens Renhill Properties CC Posbus 2180, KNYSNA, e-pos: marike@vreken.co.za

JB DOUGLAS, MUNISIPALE BESTUURDER

Verwysing: 1351 KNY

20 November 2009

25613

LANGEBERG MUNICIPALITY
MN NO 77/2009

PROPOSED REZONING, SUBDIVISION AND DEPARTURE OF
ERF 5157, 4 BELL STREET, MONTAGU

Ordinance 15 of 1985 Land Use Planning

Notice is hereby given in terms of Sections 17 and 24 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) that Council has received an application from Umsiza Planning on behalf of DK & PS van Zyl for the rezoning of erf 5157, Montagu from Single Residential Zone to Subdivisional area and to subdivide it into 4 residential erven as well as 1 private open space (road). Departure for relaxation of the street building line is also required.

The application will be open for inspection at the Montagu Office during normal office hours. Written legal and fully motivated objections/comments, if any, must be lodged with the undersigned before or on 18 December 2009. Further details are obtainable from Mr Jack van Zyl (023) 614-8000 during office hours. Any person who cannot write may come to the office mentioned above, during office hours where a staff member of the municipality will assist that person to transcribe his/her comments or representations.

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

20 November 2009

25616

KNYSNA MUNICIPALITY

LAND USE PLANNING ORDINANCE, 1985

(ORDINANCE 15 OF 1985)

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

PROPOSED REZONING, CONSOLIDATION AND DEPARTURE:
ERF 5153, KNYSNA, 7 BOLTON STREET

Notice is hereby given in terms of Sections 15(1)(a)(i) and 17 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) that the undermentioned application has been received by the Municipal Manager and is open for inspection at the Municipal offices, Department of Town Planning, 11 Pitt Street, Knysna. Any objections, with full reasons therefor, should be lodged in writing with the Municipal Manager, PO Box 21, Knysna, 6570 on or before 21 December 2009 quoting the above Ordinance and the objector's property description/erf number.

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

Objections via e-mail will not be accepted.

Nature of the application:

1. Application for the rezoning of Erf 5153, Knysna from Single Residential Zone to General Residential Zone in terms of Section 17 of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) for the purpose of continuing with the existing guest house establishment and guest rooms, and
2. Departure from the rear building line parameters in terms of Section 15(1)(a)(i) of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) to accommodate the existing structures on the site.
3. Erf 5106 & 5153 will be consolidated.

Applicant: HM Vreken TRP(SA) on behalf of Jaynie Court PO Box 2180, KNYSNA, e-mail: marike@vreken.co.za

JB DOUGLAS, MUNICIPAL MANAGER

Reference: 5153 KNY

20 November 2009

25614

LANGEBERG MUNISIPALITEIT
MK NR 77/2009

VOORGESTELDE HERSONERING, ONDERVERDELING EN
AFWYKING VAN ERF 5157, BELLSTRAAT 4, MONTAGU

Ordonnansie 15 van 1985 Grondgebruikbeplanning

Kennis geskied hiermee ingevolge Artikels 17 en 24 van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie 15 van 1985) dat 'n aansoek ontvang is vanaf Umsiza Planning namens DK & PS van Zyl vir die hersonering van erf 5157, Montagu vanaf Enkel Residensiële Sone na Onderverdelingsgebied en die onderverdeling daarvan in 4 enkel residensiële erwe asook een privaat oopruimte (pad). Afwyking vir verslapping van die straatboulyn word ook verlang.

Die aansoek lê ter insae gedurende kantoorure in die Montagu Kantoor en skriftelike regsgeldige en goed gemotiveerde besware/kommentaar, indien enige, moet nie later as 18 Desember 2009 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 verhoë af te skryf.

SA MOKWENI, MUNISIPALE BESTUURDER, Breërivier/Wynland Munisipaliteit, Privaatsak X2 ASHTON 6715

20 November 2009

25616

KNYSNA MUNISIPALITEIT

ORDONNANSIE OP GRONDGEBRUIKBEPLANNING, 1985

(ORDONNANSIE 15 VAN 1985)

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

VOORGESTELDE HERSONERING, KONSOLIDASIE EN
AFWYKING: ERF 5153, KNYSNA, 7 BOLTON STREET

Kennis geskied hiermee ingevolge Artikels 15(1)(a)(i) en 17 van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie 15 van 1985) dat die onderstaande aansoek deur die Munisipale Bestuurder ontvang is en ter insae lê by die Munisipale kantore, Departement Stadsbeplanning, Pittstraat 11, Knysna. Enige besware met volledige redes daarvoor, moet skriftelik by die Munisipale Bestuurder, Posbus 21, Knysna, 6570 ingedien word op of voor 21 Desember 2009 met vermelding van bogenoemde Ordonnansie en beswaarmaker se erfnummer.

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

Besware per e-pos sal nie aanvaarbaar wees nie.

Aard van aansoek:

1. Die hersonering van Erf 5153, Knysna vanaf Enkel Residensiële Sone na Algemene Residensiële Sone ingevolge Artikel 17 van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie 15 van 1985) ten einde die bestaande gastehuis onderneming te bedryf met behoud van die huidige aantal gastekamers, en
2. Afwyking van die agter boulyn parameters ingevolge Artikel 15(1)(a)(i) van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie 15 van 1985) om die bestaande geboue op die terrein toe te laat.
3. Erf 5106 & 5153 sal gekonsolideer word.

Aansoeker: HM Vreken SS(SA) namens Jaynie Court Posbus 2180, KNYSNA, e-pos: marike@vreken.co.za

JB DOUGLAS, MUNISIPALE BESTUURDER

Verwysing: 5153 KNY

20 November 2009

25614

MOSSEL BAY MUNICIPALITY

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

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

ERF 18983 (CONSISTING OF ERVEN 5116 AND 5117)
HEIDERAND, MOSSEL BAY: PROPOSED CONSOLIDATION,
REZONING AND DEPARTURE

Notice is hereby given in terms of Sections 15 and 17 of the Land Use Planning Ordinance 15 of 1985 that the undermentioned application has been received by the Municipal Manager and is open for Inspection during office hours at the Municipal Building, 4th Floor, Montagu Place Building, Montagu Street, Mossel Bay. Any objections, with full reasons therefor, should be lodged in writing with the Municipal Manager, PO Box 25, Mossel Bay, 6500 on or before Monday, 21 December 2009 quoting the above Ordinance and the objector's erf number. Any objections/comments received after the aforementioned closing date will be disregarded. Any enquiries in this regard may be directed to Mr G Scholtz, Town Planning Department, on the telephone number (044) 606-5074 and fax number (044) 690-5786.

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

Nature of the application:

- (i) The rezoning of Erf 18983 (consisting of Erven 5116 and 5117), 14 Tolbos Crescent, Heiderand, Mossel Bay from "Single Residential Zone" to "Local Business Zone", in terms of Section 17 of the Land Use Planning Ordinance for a proposed business and flats development;
- (ii) Departure of the height restriction applicable to Local Business Zone in terms of Section 15(1)(a)(i) of the Land Use Planning Ordinance to establish a three storey building (ground plus two storeys).

Applicant: Rudman & Visagie, PO Box 2420, Mossel Bay 6500
Tel: (044) 691-1503, Faks: (044) 691-1637
E-mail: rvisagie@mweb.co.za
on behalf of
Golden Circle Investments 138 (Pty) Ltd

DR M GRATZ, MUNICIPAL MANAGER

File Reference: 15/4/12/5

20 November 2009

25619

THEEWATERSKLOOF MUNICIPALITY

APPLICATION FOR DEPARTURE: ERF 3944, GRABOUW

Notice is hereby given in terms of Section 15(1)(a)(i) and (ii) of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) that Council has received an application from J Jaarsen for the departure of 3.5m in the specified street building line and a temporary departure in order to enable the owner to conduct the business of a house shop on the property.

Further particulars regarding the proposal are available for inspection at the Municipal office, Grabouw during office hours from 20 November 2009 to 11 January 2010. Objections to the proposal, if any, must reach the undermentioned on or before 11 January 2010. Persons who are unable to write will be assisted during office hours, at the Municipal Office, Caledon, to write down their objections.

S WALLACE, MUNICIPAL MANAGER, Municipal Office, PO Box 24, CALEDON 7230

Reference number: G/3944

Notice number: KOR 86/2009

20 November 2009

25623

MOSSELBAAI MUNISIPALITEIT

ORDONNANSIE OP GRONDGEBRUIKBEPLANNING, 1985 (ORDONNANSIE 15 VAN 1985)

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

ERF 18983 (BESTAANDE UIT ERWE 5116 EN 5117)
HEIDERAND, MOSSELBAAI: VOORGESTELDE
KONSOLIDASIE, HERSONERING EN AFWYKING

Kennis geskied hiermee ingevolge Artikels 15 en 17 van Ordonnansie 15 van 1985 dat die onderstaande aansoek deur die Munisipale Bestuurder ontvang is en gedurende kantoorure ter insae lê by die Munisipale Gebou, 4de vloer, Montagu Gebou, Montagustraat, Mosselbaai. Enige besware met volledige redes daarvoor, moet skriftelik by die Munisipale Bestuurder, Posbus 25, Mosselbaai, 6500 ingedien word op of voor Maandag, 21 Desember 2009 met vermelding van bogenoemde Ordonnansie en beswaarmaker se ernommer. Enige besware/kommentare wat na die voorgemelde sluitingsdatum ontvang word sal nie in ag geneem word nie. Enige navrae kan gerig word aan mnr G. Scholtz, Stadsbeplanning by telefoonnommer (044) 606-5074 of faksnr. (044) 690-5786.

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

Aard van aansoek:

- (i) Die hersonering van Erf 18983 (bestaande uit Erwe 5116 en 5117), Tolbossingel 14, Heiderand, Mosselbaai ingevolge Artikel 17 van die Ordonnansie op Grondgebruikbeplanning vanaf 'Enkelresidensiële Sone' na 'Lokale Sake Sone' vir toekomstige sake en woonstel ontwikkeling;
- (ii) Afwyking van die hoogte beperking van toepassing op Lokale Sake Sone ingevolge Artikel 15(1)(a)(i) van die Ordonnansie op Grondgebruikbeplanning ten einde 'n drie verdieping gebou (grond plus twee vloere) te vestig.

Aansoeker: Rudman & Visagie, Posbus 2420, Mosselbaai 6500
Tel: (044) 691-1503, Faks: (044) 691-1637
E-pos: rvisagie@mweb.co.za
namens
Golden Circle Investments 138 (Edms) Bpk

DR M GRATZ, MUNISIPALE BESTUURDER

Lêerverwysing: 15/4/12/5

20 November 2009

25619

THEEWATERSKLOOF MUNISIPALITEIT

AANSOEK OM AFWYKING: ERF 3944, GRABOUW

Kennis geskied hiermee ingevolge Artikel 15(1)(a)(i) en (ii) van die Ordonnansie op Grondgebruikbeplanning, 1985 (Ordonnansie 15 van 1985) dat die Raad 'n aansoek ontvang het vanaf J Jaarsen ten opsigte van erf 3944, Grabouw vir the afwyking van 3.5m ten opsigte van die straatboulyn en 'n tydelike afwyking ten einde die eienaar in staat te stel om 'n huiswinkel op die perseel te mag bedryf.

Verdere besonderhede van die voorstel lê gedurende kantoorure by die Grabouw Munisipale kantoor, ter insae vanaf 20 November 2009 tot 11 Januarie 2010. Skriftelike besware teen die voorstel, indien enige, moet die ondergemelde bereik voor of op 11 Januarie 2010. 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

Verwysingsnommer: G/3944

Kennisgewingnommer: KOR 86/2009

20 November 2009

25623

WESTERN CAPE DEPARTMENT OF HEALTH
GENERAL NOTICE

Notice in terms of sub-regulation 6(1)(a) and 6(2) of Provincial Notice 187 of 2001

The Western Cape Provincial Minister responsible for Health, hereby publishes notification of receipt of the following applications for the establishment of private health establishments in the Western Cape Province. Copies of the applications may be obtained at a nominal fee from the Directorate of Professional Support Services, Provincial Department of Health, PO Box 2060, Cape Town 8000, telephone: (021) 483-2603/5811.

Kindly note that all interested parties are invited to submit written comment on any of the applications mentioned below to the Western Cape Health Department within 30 days of the publication of this notice. All comments must be sent to:

Comments to be submitted within the following time frames:

- Acute general, non-acute and psychiatric private health establishments within 30 days of the publication of this notice.
- Community mental health facilities within 14 days of the publication of this notice.

All comments must be addressed to: The Head, Department of Health, PO Box 2060, Cape Town 8000 (For attention: Ms Gaynore Vermeulen).

PRIVATE HEALTH ESTABLISHMENT	NAME AND ADDRESS OF PROPRIETOR	LOCATION	TOTAL NUMBER OF BEDS/ THEATRES	TYPE OF FACILITY
Paarl—Cure Day Clinic	Mr B Von Wielligh Cure Day Clinic PO Box 11273 Silver Lakes 0054 Tel: (012) 809-2712 Fax: (012) 809-2712	Stellenbosch	Application for the registration of a new 40 (forty) day bed facility with 4 (four) minor theatres in Stellenbosch.	Day Facility
B Braun Avitum (Pty) Ltd—Brackenfell	Mr L Leslie B Braun Avitum (Pty) Ltd PO Box 1273 Randburg 2125 Tel: (011) 465-1425 Fax: (011) 465-2224	Bellville	Application for the registration of a new renal dialysis unit with 6 (six) treatment stations for haemodialysis at Cape Gate Medi Clinic in Brackenfell.	Dialysis unit
Bay View Hospital	Ms L Swart PO Box 1273 Mossel Bay 6500 Tel: (044) 691-3718 Fax: (044) 691-1183	Mossel Bay	Application for the extension of an existing facility with 1 (one) major theatre.	Acute
Dr Morton and Partners—Rondebosch Medical Centre	Dr Morton and Partners 5 St George's Mall Cape Town 8000 Tel: (021) 425-3100 Fax: (021) 425-2369	Rondebosch	Application for the extension of an existing radiology unit with 1 (one) CT scanner, 1 (one) fluoroscope, 1 (one) mammography, 1 (one) bone mineral densitometer and 1 (one) panorex at Rondebosch Medical Centre.	Radio-diagnostic
Little Angel Day Care & Rehabilitation Centre	Ms D Vermaas 3 Bridgewater Street Bridgewater Somerset West Tel: (021) 851-0908 Fax: 086 684-1489	Somerset West	Application for the registration of an existing facility with capacity to accommodate 15 (fifteen) mental health care users (which include 1 adult and 4 adolescent for overnight care and 10 day care capacity for paediatric).	Community Mental Health Care Facility

WES-KAAP DEPARTEMENT GESONDHEID
ALGEMENE KENNISGEWING

Kennisgewing ingevolge subregulasie 6(1) en 6(2) van regulasie 187 van 2001

Die Wes-Kaapse Provinsiale Minister verantwoordelik vir Gesondheid, gee hiermee kennis van die volgende aansoeke wat ontvang is vir die oprigting van privaatesondheidsinrigtings in die Wes-Kaap.

Afskrifte van die aansoeke kan teen 'n nominale bedrag bekom word van die Hoofdirektoraat: Professionele Ondersteuningsdienste, Provinsiale Departement van Gesondheid, Posbus 2060, Kaapstad 8000, telefoon: (021) 483-2603/5811.

Let asseblief daarop dat alle belangstellendes genooi word om binne 30 dae na die publikasie van hierdie kennisgewing skriftelike kommentaar oor enige van die aansoeke aan die Wes-Kaapse Departement van Gesondheid voor te lê.

Kommentaar moet binne die volgende tydperke ingedien word:

- Algemene akute, nie-akute en psigiatriese privaatesondheidsinstellings binne 30 dae vanaf die uitreiking van hierdie publikasie.
- Gemeenskapspsigiatriegesondheidsorg-fasiliteite binne 14 dae vanaf die uitreiking van hierdie publikasie.

Alle kommentaar moet geadresseer word aan: Die Hoof, Departement van Gesondheid, Posbus 2060, Kaapstad 8000 (Vir aandag: Me Gaynore Vermeulen).

PRIVAAT- GESONDHEIDS- INRIGTING	NAAMEN ADRES VAN EIENAAR	STAND- PLAAS	TOTALE GETAL BEDDENS/TEATERS	TIPE INRIGTING
Paarl—Cure Dagkliniek	Mnr B Von Wielligh Cure Dagkliniek Posbus 11273 Silver Lakes 0054 Tel: (012) 809-2712 Faks: (012) 809-2712	Stellenbosch	Aansoek om registrasie van 'n nuwe 40 (veertig) dag-bedfasiliteit met 4 (vier) klein teaters in Stellenbosch.	Dagfasiliteit
B Braun Avitum (Pty) Ltd—Brackenfell	Mnr L Leslie B Braun Avitum (Pty) Ltd Posbus 1273 Randburg 2125 Tel: (011) 465-1425 Faks: (011) 465-2224	Bellville	Aansoek om registrasie van 'n nuwe dialise-eenheid met 6 (ses) behandelingstasies vir hemodialise in Cape Gate Medi-kliniek te Brackenfell.	Dialise-eenheid
Bay View Hospitaal	Me L Swart Posbus 1273 Mosselbaai 6500 Tel: (044) 691-3718 Faks: (044) 691-1183	Mosselbaai	Aansoek om uitbreiding van 'n bestaande fasiliteit met 1 (een) groot teater.	Akute
Dr Morton & Vennote— Rondebosch	Dr Morton en Vennote St Georges Wandelgang 5 Kaapstad 8000 Tel: (021) 425-3100 Faks: (021) 425 2369	Rondebosch	Aansoek om uitbreiding van 'n bestaande radiologie-eenheid met 1 (een) rekenaartomograaf, 1 (een), fluoroskoop, 1 (een) mammo-grafie, 1 (een) beenmine-raaldigheidsmeter en 1 (een) panorex by Rondebosch Mediese Sentrum.	Radio diagnostiese
Little Angel Dagsorg & Rehabilitasiesentrum	Me D Vermaas Bridgewaterstraat 3 Bridgewater Somerset-Wes Tel: (021) 851-0908 Faks: 086 684 1489	Somerset-Wes	Aansoek om registrasie van 'n bestaande fasiliteit met kapasiteit om vyftien (15) geestesgesondheidsorg-verbruikers te akkommodeer (1 volwasse en 4 adolessente vir oornag en 10 pediatriese vir dagsorg).	Gemeenskaps- geestesgesondheid- sorgfasiliteit

CITY OF CAPE TOWN

INFORMAL TRADING BY-LAW

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1. PREAMBLE

- 1.1 In terms of the Constitution, the City is responsible for "*trading regulations*", "*markets*", "*street trading*" and "*beaches*" within its area of jurisdiction. One of the City's objects is to promote social and economic development.
- 1.2 The City recognises the key role that informal trading plays in poverty alleviation, income generation and entrepreneurial development and, in particular, the positive impact that informal trading has on historically disadvantaged individuals and communities.
- 1.3 The City acknowledges the need to adopt a developmental approach to the informal trading sector in order to create an environment that is conducive to the growth of businesses in the informal trading sector.
- 1.4 The City further acknowledges the need for a balanced relationship between the informal and formal trading sectors in order to promote social and economic development within a well-managed municipal area.
- 1.5 This By-Law, accordingly aims to:-
- 1.5.1 consolidate in a single By-Law, the By-Laws passed by the predecessors in law of the City of Cape Town; and
- 1.5.2 govern informal trading within its area of jurisdiction.

2. INTERPRETATION

In this By-Law, the English text prevails in the event of any conflict with the Afrikaans or the isiXhosa texts and, unless the context indicates otherwise –

- 2.1 "**beach**" means the portion of land above and contiguous to the seashore and includes any grass verge (where such verge exists);
- 2.2 "**beach trading**" means informal trading that takes place on a beach and includes trading on a parking area adjacent to the beach;

- 2.3 **"black person"** is a generic term as contemplated in the Employment Equity Act, No. 55 of 1998 which means Africans, Coloureds, Indians and South African Chinese persons;
- 2.4 **"Businesses Act"** means the Businesses Act, No. 71 of 1991 including any regulations issued thereunder;
- 2.5 **"City"** means the municipality of the City of Cape Town duly established in terms of the Local Government: Municipal Structures Act, No. 117 of 1998;
- 2.6 **"City property"** means property owned, leased by, or under the management control of the City;
- 2.7 **"Constitution"** means the Constitution of the Republic of South Africa, 1996;
- 2.8 **"Council"** or **"the Council"** means the Council of the City as contemplated in section 118 of the Local Government: Municipal Structures Act, No. 117 of 1998;
- 2.9 **"high-water mark"** means the *high water mark* as defined in the Seashore Act, No. 21 of 1935 as amended from time to time;
- 2.10 **"historically disadvantaged individual"** means a South African citizen who –
- 2.10.1 is a black person;
- 2.10.2 is a woman; and/or
- 2.10.3 has a disability;
- 2.11 **"illegal goods"** means -
- 2.11.1 Goods that it is illegal to sell or to buy (including but not limited to counterfeit goods as defined in the Counterfeit Goods Act No. 37 of 1997);
- 2.11.2 Goods that are bought or sold in a manner which contravenes the law.

- 2.12 **"impoundment costs"** means all costs incurred by the City in impounding and storing property impounded in terms of section 18.2, and, where applicable, the costs incurred as a result of the disposal or releasing of the impounded property and any other associated costs;
- 2.13 **"informal trader"** means a person, or an enterprise which is not registered or incorporated in terms of the corporate laws of South Africa and which engages in informal trading;
- 2.14 **"informal trading"** means the trading in goods and services in the informal sector by an informal trader and which typically constitutes the types of trading described in section 3.1 and section 3.2;
- 2.15 **"market"** means a demarcated area within a trading area which is designated as such in a trading plan and which is managed in a co-ordinated manner;
- 2.16 **"non-City property"** means property that is situated within the jurisdictional area of the City but which is not owned, leased by, or under the management control of the City;
- 2.17 **"nuisance"** includes, but is not limited to, an act or omission which is offensive, injurious or dangerous to health, or which materially interferes with the ordinary comfort, convenience, peace or quiet of the public or which adversely affects the public at large;
- 2.18 **"officer"** means –
- 2.18.1 a traffic officer appointed in terms of section 3 of the Road Traffic Act, No. 29 of 1989 or section 3A of the National Road Traffic Act No. 93 of 1996 as the case may be;
- 2.18.2 a member of the South African Police Service;
- 2.18.3 a peace officer contemplated in section 334 of the Criminal Procedure Act, No. 51 of 1977;
- 2.18.4 a municipal police officer of the Metropolitan Police, which has been established in terms of section 64A of the South African Police Services Act, No. 68 of 1995; or

- 2.18.5 an employee, agent, representative and/or service provider of the City who are specifically authorised by the City in this regard;
- 2.19 "**permit-holder**" means an informal trader who has been granted a permit by the City to conduct informal trading in a trading area;
- 2.20 "**seashore**" holds the same meaning as it is defined in the Sea Shore Act, No. 21 of 1935 as amended from time to time;
- 2.21 "**special events**" may include, but are not limited to, sports events, night markets, cultural events, music festivals, promotional, filming activities and religious events;
- 2.22 "**Systems Act**" means the Local Government: Municipal Systems Act, No. 32 of 2000;
- 2.23 "**trading area**" means an area in respect of which a trading plan has been adopted in terms of this By-Law;
- 2.24 "**trading plan**" means a trading plan adopted by the City to govern informal trading within a trading area.

3. TYPES OF INFORMAL TRADING

- 3.1 Informal trading may include, amongst others:-
- 3.1.1 street trading;
- 3.1.2 trading in pedestrian malls;
- 3.1.3 trading at markets;
- 3.1.4 trading at transport interchanges;
- 3.1.5 trading in public open spaces;
- 3.1.6 mobile trading, such as from caravans, and light delivery vehicles;
- 3.1.7 roving traders; and
- 3.1.8 trading at special events.

3.2 Beach trading includes –

3.2.1 trading from fixed trading bays;

3.2.2 mobile trading, such as from caravans and light delivery vehicles;

3.2.3 roving traders; and

3.2.4 mobile and/or removable kiosks.

4. **FREEDOM TO ENGAGE IN INFORMAL TRADING**

Informal trading is permitted in any area within the jurisdiction of the City, subject to any trading plans adopted by the City, the provisions of this By-Law and any other applicable law.

5. **ADOPTION OF TRADING PLANS**

5.1 The City must, where appropriate, adopt trading plans, particularly in areas where there is a significant overlap between formal and informal trading. A trading plan may allow and regulate informal trading on non-City property, subject to the rights of the owners of such property.

5.2 A trading plan must:

5.2.1 define the geographic boundary of the trading area; and

5.2.2 demarcate informal trading bays and markets where informal trading is permitted, outside of which informal trading shall be prohibited in that trading area.

5.3 A trading plan may include any other matters governing informal trading in the relevant trading area, such as -

5.3.1 prescribing any informal trading conditions, including such terms and conditions to be imposed in terms of permits to be issued by the City in terms of section 8 and subject to any requirements of this By-Law;

5.3.2 the manner in which social and economic development will be promoted through the trading plan;

- 5.3.3 the manner in which sensitive heritage and environmental areas within the proposed trading area will be protected;
- 5.3.4 matters relating to a market which may be located within the relevant trading area, including, but not limited to:
 - 5.3.4.1 the demarcation of the area within the trading area which constitutes a market;
 - 5.3.4.2 where appropriate, the demarcation of trading bays within the market;
 - 5.3.4.3 the legal arrangements between the City and any third party in respect of the obligations relating to the general management of the market in terms of which the third party is responsible for at least the following:
 - 5.3.4.3.1 the management of the operations of the market;
 - 5.3.4.3.2 the management of informal traders operating within the market;
 - 5.3.4.3.3 ensuring that all relevant persons participate in appropriate decisions;
 - 5.3.4.3.4 providing guidance to the informal traders operating within the market with business support and development services; and
 - 5.3.4.3.5 any service which is in addition to the services provided by the City.
- 5.4 A trading plan must comply with sections 11, 12 and 13 of this By-Law and with any other applicable law.
- 5.5 Any person shall be entitled to request that the City considers the adoption of a trading plan; provided that where a proposed trading plan contemplates trading taking place on non-City property, the request is accompanied by the written consent of the owner of such non-City property. The City must consider and decide upon the request within a reasonable period.

- 5.6 When considering a request for the adoption of a trading plan, the City shall have due regard to any existing and proposed trading plans in the vicinity of the proposed trading area in order to determine the desirability of the adoption of a trading plan.

6. PUBLIC PARTICIPATION IN RESPECT OF THE ADOPTION OF A TRADING PLAN

Public Notice requesting comments and objections

Before adopting a trading plan, the City is obliged to –

- 6.1 consult with interested and affected role players including the informal and formal sectors with the view to compiling a draft trading plan;
- 6.2 compile a draft trading plan following the consultation process in terms of section 6.1;
- 6.3 publish notices in 2 (two) local daily newspapers that are circulated in the area in which the proposed trading area is situated, unless a community newspaper which is free to the public is circulated in such area in which case 1 (one) of the 2 (two) notices must be published in such community newspaper, that -
- 6.3.1 contains the key aspects of the draft trading plan and which notifies the public that the draft trading plan is available for inspection at a specified location; and
- 6.3.2 invites comments and objections from the public in relation to such draft trading plan, to be received by the City within 30 (thirty) days from the date of publication of the notice.
- 6.4 When the City publishes a notice in terms of section 6.3, it must, where applicable, convey the contents of the notice by radio on a local radio-station that broadcasts in the area concerned.

Public meeting

- 6.5 In the notice referred to in section 6.3, the City must invite interested and affected parties to a public meeting.

- 6.6 The public meeting must be held –
- 6.6.1 within the vicinity of the proposed trading area; and
 - 6.6.2 after 7 (seven) days but not later than 60 (sixty) days from the date of publication of the notice published in terms of section 6.3.
- 6.7 At the public meeting, the City must –
- 6.7.1 be represented by a person duly authorised by the City who must make a presentation to the public present at the meeting in which the draft trading plan is explained;
 - 6.7.2 reasonably respond to any queries related to the draft trading plan which may be posed by the public at the public meeting; and
 - 6.7.3 give interested and affected parties an opportunity to make comments and objections at the public meeting, and such comments and objections must be recorded.

Consideration of options prior to adoption of a trading plan

- 6.8 The City must consider all objections or comments that the City may receive pursuant to the process outlined in this section.
- 6.9 After having considered the comments and objections, the Council must, within a reasonable period from the commencement of the public participation process in respect of the relevant draft trading plan, notwithstanding the provisions of any other law, and at a meeting of the Council –
- 6.9.1 adopt the draft trading plan;
 - 6.9.2 amend and adopt the draft trading plan; or
 - 6.9.3 reject the draft trading plan.
- 6.10 Notwithstanding the provisions of section 59 of the Systems Act, the Council may not delegate the decision-making powers referred to in section 6.9.

- 6.11 In the event that the City adopts a draft trading plan, a notice must be published in 2 (two) daily newspapers circulated in the trading area, unless a community newspaper which is free to the public is circulated in such area in which case 1 (one) of the 2 (two) notices must be published in such community newspaper, and the Provincial Gazette, which informs the public:
- 6.11.1 that the draft trading plan has been adopted as a trading plan;
- 6.11.2 of the key aspects of the trading plan including the date upon which it shall become effective; and
- 6.11.3 that the trading plan is available for inspection at a specified location.

7. AMENDMENT, REVOCATION AND REVIEW OF TRADING PLANS

The City –

- 7.1 may amend or revoke an adopted trading plan, provided that:
- 7.1.1 if the amendment deviates materially from the trading plan, the City must comply with section 6 with the necessary changes required by the context, provided further that where persons are adversely affected by a proposed amendment that does not require compliance with section 6, such persons will be afforded their just administrative rights; or
- 7.1.2 In the case of a revocation the City shall afford all affected persons their administrative justice rights.
- 7.2 must review trading plans from time to time as the City deems fit.

8. PERMITS

- 8.1 No person may conduct informal trading on City property in a trading area without a valid permit from the City.
- 8.2 The City is entitled to charge a permit-holder:
- 8.2.1 a trading fee;
- 8.2.2 an application fee; and

- 8.2.3 an additional fee or tariff, which is to be determined by the City in its sole discretion, in respect of additional costs incurred or services provided by the City, including but not limited to circumstances where the permit-holder trades within a market.
- 8.3 In the event that a person qualifies for a permit, but has motivated in writing the inability to pay the fee contemplated in section 8.2 and has provided sufficient proof thereof to the reasonable satisfaction of the City, the City may waive the fee in whole or in part, or may determine a payment system in terms of which the person may pay the fee over a stipulated period by way of instalments.
- 8.4 In order to qualify for a permit, the applicant –
- 8.4.1 must be an informal trader;
- 8.4.2 may not already hold a permit in respect of the trading area in respect of which a permit is being applied;
- 8.4.3 must be a South African citizen, failing which, must be in possession of a valid work permit which includes, but is not limited to, a refugee permit; and
- 8.4.4 must not employ and actively utilise the services of more than 20 (twenty) persons.
- 8.5 The City must take into account the following factors when considering an application for a permit –
- 8.5.1 the applicant's ability to meet the trading hours for the relevant trading area as the City may determine;
- 8.5.2 the need to give preference to applicants that are historically disadvantaged individuals;
- 8.5.3 where there are a limited number of trading bays available in the trading area in respect of which a permit is sought, the need to give preference to applicants that would be new entrants to informal trading within the City;

- 8.5.4 the nature of the trading goods which the applicant intends selling, or the services which the applicant intends rendering, bearing in mind the nature of the businesses within that trading area or in its immediate vicinity;
- 8.5.5 the need to give preference to unemployed applicants;
- 8.5.6 the need to give preference to applicants who do not share a household with an existing permit-holder, unless:
- 8.5.6.1 the number of available trading bays for the relevant trading area is more than the number of applicants seeking permits for those trading bays; or
- 8.5.6.2 the applicant who shares a household with a permit-holder is not a dependant or financially reliant upon such permit-holder;
- 8.5.7 whether the applicant has, in terms of this By-Law, been convicted of an offence and/or had a permit revoked or suspended;
- 8.5.8 whether the applicant is a suitable person to carry on the lawful business at the allocated site, whether by reason of his character, having regard to any conviction recorded against him, or his previous conduct for any reason;
- 8.5.9 where trading plans are adopted in areas previously not subject to such plans, the need to give preference to applicants who have an established informal trading operation in the location for which a new trading area is adopted.
- 8.6 The City is entitled to impose such terms and conditions in respect of permits as it deems fit, subject to the provisions of the applicable trading plan, including but not limited to the right to -
- 8.6.1 specify the:
- 8.6.1.1 trading hours during which the permit-holder may trade;
- 8.6.1.2 nature of the goods or services the permit-holder is permitted to trade; and

- 8.6.1.3 permit-holder's trading bay number;
- 8.6.2 allocate the informal trader an alternative bay in the same trading area;
- 8.6.3 specify the type of structure(s), if any, which may be erected on a trading bay and/or in a trading area;
- 8.6.4 impound trading goods in terms of section 18.2 or section 18.8 in the event of a contravention of any provision of this By-Law or any other law;
- 8.6.5 suspend a permit for a special event on reasonable prior notice where practicable to the informal trader, with no compensation payable to the informal trader, notwithstanding that informal trading may be permitted by the City at the special event in terms of section 14;
- 8.6.6 on reasonable prior notice to the informal trader and after affording the relevant informal trader an opportunity to make written representations, revoke or suspend a permit in the event of an informal trader -
 - 8.6.6.1 breaching any provisions of the permit and/or the By-Law or any other law;
 - 8.6.6.2 being convicted of trading in illegal goods or providing a service unlawfully; or
 - 8.6.6.3 wilfully supplying incorrect information when required to provide the City with information;
 - 8.6.6.4 being found to be unsuitable as contemplated in section 8.5.8 with the necessary changes required by the context.
- 8.7 Notwithstanding the contents of the relevant trading plan, the City has the right to, upon reasonable prior notice to the informal trader and with no compensation payable by the City to the permit-holder, temporarily:
 - 8.7.1 relocate a permit-holder;
 - 8.7.2 suspend the validity of a permit; or
 - 8.7.3 prohibit a permit-holder from trading at the relevant trading bay;

should it be necessary to do so because of the performance of activities which renders the continuation of trading from the relevant trading bay impractical or severely inconvenient.

- 8.8 Activities referred to in section 8.7 shall include, but not be limited to, maintenance or construction of infrastructure or buildings performed by the City, property developments, alterations or refurbishments by any entity, or activities by public entities conducted in terms of their powers and functions.

9. TRANSFER OF PERMITS

- 9.1 A permit may be permanently transferred, with the written approval of the City, to a dependant, or an assistant acting on behalf of the dependant, who will continue trading until the permit is no longer valid, in the event of –

9.1.1 the death of the permit-holder; and

9.1.2 if the loss of income generated by the informal trading would place the dependant under undue or severe economic hardship.

- 9.2 A permit may be temporarily transferred, with the written approval of the City, to a dependant or, where there is no dependent, to an individual nominated by the permit-holder, where the permit-holder –

9.2.1 is incapable of trading because of an illness, provided that:

9.2.1.1 proof from a medical practitioner is provided to the City which certifies that the permit-holder is unable to trade; and

9.2.1.2 the dependant or assistant is only permitted to replace the permit-holder for the period stipulated by the medical practitioner in the certificate for which the permit-holder will be incapable of trading;

9.2.2 has to be absent for an extended period in order to fulfill religious or cultural duties, provided that where the validity of the permit extends beyond 1 (one) month, then the permit-holder must resume trading within 1 (one) month, unless the City consents to a longer period in exceptional circumstances.

- 9.3 Subject to section 9.2, a permit-holder may not transfer a permit to any other person in any manner, including but not limited to, by way of lease or sale.
- 9.4 A permit must immediately be returned to the City should the City revoke such permit in the event of the permit-holder –
- 9.4.1 being refused permission to transfer the permit and the permit-holder failing to resume trading; and
- 9.4.2 no longer wishing to trade as an informal trader from the relevant trading bay.

10. OBLIGATIONS ON OWNERS OF NON-CITY PROPERTY

An owner of non-City property which has been demarcated in a trading plan as land where informal trading is permitted, must -

- 10.1 ensure that all informal trading that takes place on the owner's property complies with the applicable trading plan and this By-Law;
- 10.2 permit any officer access to the owner's property to enforce the provisions of this By-Law;
- 10.3 ensure, at the owner's cost, that sufficient services are provided to maintain acceptable hygienic conditions in respect of the informal trading;
- 10.4 ensure that trading from formal business premises do not encroach upon the property of another property owner.

11. GENERAL PROHIBITIONS ON INFORMAL TRADING

Informal trading may not be conducted:-

- 11.1 in a garden or park under the control of the City and to which the public has the right of access, unless such area has been declared by the City as a trading area;
- 11.2 on a verge or sidewalk (as defined in section 1 of the National Road Traffic Act, No. 93 of 1996) next to –

- 11.2.1 a building belonging to or occupied solely by the State or City, unless the City has given its prior written consent after it has -
 - 11.2.1.1 duly considered any relevant trading plan; and
 - 11.2.1.2 consulted with the relevant property owner and, where relevant, the tenant of such property;
- 11.2.2 a place of worship such as a church, synagogue or mosque unless a trading plan permits informal trading at that area; or
- 11.2.3 a national monument as determined in accordance with the provisions of the National Heritage Resources Act, 25 of 1999;
- 11.3 at a place where it –
 - 11.3.1 obstructs access to fire fighting equipment;
 - 11.3.2 obstructs any entry to or exit from a building;
 - 11.3.3 substantially obstructs pedestrians in their use of a sidewalk;
 - 11.3.4 obstructs vehicular traffic;
 - 11.3.5 and in a manner by which it creates a traffic hazard;
 - 11.3.6 obstructs access to street furniture, bus passenger benches and shelters, queuing lines, refuse disposal bins or other facilities intended for the use of the general public;
 - 11.3.7 obstructs the visibility of a display window of business premises, and if the person carrying on business in that business premises objects thereto;
 - 11.3.8 obstructs access to a pedestrian crossing;
 - 11.3.9 obstructs access to a vehicle;
 - 11.3.10 obscures any road traffic sign;
 - 11.3.11 obstructs access to an automatic teller machine;

- 11.3.12 limits access to parking or loading bays or other facilities for vehicular traffic;
- 11.3.13 obstructs access to a pedestrian arcade or mall;
- 11.3.14 obstructs the view of CCTV cameras; or
- 11.3.15 falls below the high water mark, unless a trading plan expressly provides for informal trading at that area;
- 11.4 on the half of a public road which is next to a building that is being used for residential purposes, if the owner or occupier of that building objects to the informal trading taking place at that location.

12. RESTRICTIONS ON INFORMAL TRADING

No person shall:-

- 12.1 obstruct access to any service of the municipality or municipal service works;
- 12.2 unless prior written approval is granted by the City, at any public road or public place –
 - 12.2.1 stay overnight at the place where informal trading is conducted; or
 - 12.2.2 erect any structure, other than as stipulated in the relevant trading area plan and/or permit conditions, for the purpose of providing shelter;
- 12.3 carry on business as an informal trader in a manner which –
 - 12.3.1 creates a nuisance;
 - 12.3.2 damages or defaces the surface of any public road or public place or any other property belonging to the City; or
 - 12.3.3 creates a traffic hazard;
- 12.4 attach an object to any building, structure, pavement, footway, tree, parking meter, lamp pole, electricity pole, telephone booth, postbox, traffic sign, bench or any other street furniture or device in or on a public road or public place that is generally intended for public use;

- 12.5 make a fire at any place or in circumstances where it could harm any person or damage a building or vehicle or any structure referred to in section 12.4, unless authorised to prepare foodstuffs by utilising open-flame fire or gas-fired equipment;
- 12.6 deliver or provide goods or equipment to an informal trader if that trader trades in contravention of this By-Law;
- 12.7 after having been requested to do so by any person carrying out an activity contemplated in section 8.7 who requires access to a facility or area, fail to remove or move any goods, or refuse to do so; and
- 12.8 if permitted to conduct beach trading:
 - 12.8.1 sell or promote alcoholic products;
 - 12.8.2 use bells, hooters, amplified equipment or similar devices, which emit sound, in order to attract customers; or
 - 12.8.3 use any electrical supply or power generator, unless expressly approved and provided for in the relevant permit.

13. WASTE REMOVAL, CLEANSING AND HYGIENE

- 13.1 An informal trader must –
 - 13.1.1 maintain the informal trader's allocated informal trading site in a clean and sanitary condition;
 - 13.1.2 on a daily basis and at the conclusion of trading, collect and remove from any public road or public place all waste, packaging material, stock and equipment that are utilised in connection with or produced by the informal trader's business, unless the City grants a written exemption in this regard;
 - 13.1.3 carry on business in a manner which does not cause a threat to public health or public safety; and

13.1.4 at the request of an officer or duly authorised employee of the City, move or remove any object so that the area or site from which informal trading is conducted may be cleaned.

13.2 Failure to comply with the provisions of this section or the lawful request of an officer in terms of this section, will be regarded as a contravention of the By-Law and the informal trader shall be subject to the enforcement provisions of this By-Law.

14. **SPECIAL EVENTS**

The City may permit or prohibit informal trading for purposes of special events on such terms and conditions as it may deem fit, notwithstanding the terms of any trading plan or any permits issued in respect of the relevant trading area.

15. **GUIDELINES AND POLICIES**

The City may at any time publish or amend guidelines or policies in respect of informal trading in the municipal area.

16. **POWERS AND FUNCTIONS**

16.1 Subject to section 16(3), the City Manager shall be responsible for:

16.1.1 all functions and decisions contemplated in this By-Law; and

16.1.2 the administration of this By-Law.

16.2 The City Manager may delegate any of his powers and functions to an appropriate official with the power to sub-delegate in order to maximise administrative and operational efficiency.

16.3 The decisions contemplated in sections 6.9, 7.1.1 and 7.1.2 must be taken by Council and may not be delegated.

17. **APPEALS**

A person whose rights are affected by a decision taken by the City in terms of this By-Law under a duty or power which has been delegated or sub-delegated, may appeal against that decision in terms of section 62 of the Systems Act.

18. ENFORCEMENT

- 18.1 An officer may issue a person with a written warning if, in the opinion of the officer, that person has traded in goods or provided services in contravention of this By-Law or that person has contravened this By-Law in any other manner, including but not limited to, in violation of a permit condition, or any other applicable law.
- 18.2 In the event of a person continuing or repeating a contravention in respect of which a written warning has already been issued to that person, then an officer may impound, in the case of an informal trader, any property used by the informal trader in conducting the informal trade, and in the case of any other person, any property, including but not limited to, goods, equipment, structures and motor vehicles, in which case the officer must –
- 18.2.1 complete a full inventory of all the property that has been impounded and such inventory must include information on the consequences of such impoundment should the person fail to pay the impoundment costs and collect the goods;
- 18.2.2 provide the person with a copy of the inventory; and
- 18.2.3 immediately store the impounded property in an area designated by the City for the storage of impounded property.
- 18.3 Property which has been impounded from a person may be released after the presentation by the person of the inventory contemplated in section 18.2 and the payment of the impoundment costs, provided that the City is reasonably satisfied that the relevant person will not, upon the release of the property, continue to commit any contravention which led to the goods being impounded; provided further that, where the City is not so satisfied, it may withhold the goods for up to 30 (thirty) days after payment of any fine and/or impoundment costs.
- 18.4 Perishable goods that have been impounded may, at any time after the impoundment, be sold or otherwise disposed of by the City. The City may destroy the goods if the condition of those goods renders them unfit for human consumption.

- 18.5 Impounded property other than perishable goods, may be sold by the City if the owner does not, or is unable to, pay the impoundment costs within 1 (one) month from the date of impoundment of that property.
- 18.6 In the event of the impounded property being sold by the City in terms of sections 18.4 or 18.5, and upon the presentation of the inventory as contemplated in section by the owner, the City must pay to that owner –
- 18.6.1 the proceeds of the sale less the impoundment costs; or
- 18.6.2 if the owner has previously paid the impoundment costs, the proceeds must be paid to the owner free of any such deduction.
- 18.7 If the owner does not claim the proceeds derived from the sale of the impounded goods within 3 (three) months from the date of impoundment, then the proceeds will be forfeited to the City.
- 18.8 If in the reasonable opinion of an officer, an informal trader is suspected of trading in illegal goods or that a supplier as contemplated in section 12.6 is supplying the trader with illegal goods, then such goods may be immediately confiscated. In the event of such a confiscation, the officer must:
- 18.8.1 complete a full inventory of all the property that has been confiscated;
- 18.8.2 provide the informal trader or person contemplated in section 12.6 with a copy of the inventory; and
- 18.8.3 immediately surrender the suspected illegal goods to the possession of the South African Police Service.

19. OFFENCES

Any person who –

- 19.1 contravenes any provision of this By-Law or fails to comply with any condition imposed in terms hereof;
- 19.2 threatens, resists, interferes with or obstructs any officer or any employee of the City in the performance of official duties or functions in terms of or under this By-Law; or

- 19.3 deliberately furnishes false or misleading information to an officer or an employee of the City;

is guilty of an offence and liable on conviction to a fine not exceeding R5,000.00 (five thousand Rand) or to imprisonment for a period not exceeding 3 (three) months, subject to the Adjustment of Fines Act, No 101 of 1991.

20. TRANSITIONAL PROVISIONS

Notwithstanding the enactment of this By-Law:

- 20.1 any declaration in terms of the Businesses Act of an area within the jurisdiction of the City as an area in which the carrying on of the business of street vendor, peddler or hawker may be restricted or prohibited, shall remain valid until such time as the City adopts a trading plan in respect of such area in terms of this By-Law;
- 20.2 where an informal trader had been issued with a lease or permit prior to the enactment of this By-Law which permits trading from a particular bay, such lease or permit shall remain valid until an integrated permit system is adopted by the City which complies with the permit system as contemplated in this By-Law.

21. REPEAL OF BY-LAWS

The following By-Laws are hereby repealed:

- 21.1 By-Law published in Provincial Gazette of 13 December 1996, PN 522/1996, in respect of the area of the former Cape Town Municipality;
- 21.2 By-Law published in Provincial Gazette of 23 April 1999, PN 136/1999, in respect of the area of the former City of Tygerberg;
- 21.3 By-Law published in Provincial Gazette of 27 August 1999, PN 282/1999, in respect of the area of the former Blaauberg Municipality;
- 21.4 By-Law published in Provincial Gazette of 20 November 1998, PN 633/1998, in respect of the area of the former South Peninsula Municipality;
- 21.5 By-Law published in Provincial Gazette of 10 March 2000, PN 76/2000, in respect of the area of the former Helderberg Municipality;

- 21.6 By-Law published in Provincial Gazette of 29 May 1998, PN 290/1998, in respect of the area of the former Oostenberg Municipality.

22. Short title and commencement

This By-Law is called the City of Cape Town: Informal Trading By-Law and takes effect on the date of publication in the *Provincial Gazette*.

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STAD KAAPSTAD

VERORDENING OP INFORMELE HANDEL

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1. AANHEF

- 1.1 Ingevolge die Grondwet is die Stad verantwoordelik vir "*handelsregulasies*", "*markte*", "*straathandel*" en "*strande*" binne sy regsgebied. Een van die Stad se doelwitte is om maatskaplike en ekonomiese ontwikkeling te bevorder.
- 1.2 Die Stad is bewus van die sleutelrol wat informele handel speel in armoedeverligting, skepping van inkomste en ondernemersontwikkeling en, in die besonder, die positiewe uitwerking wat informele handel op histories benadeelde individue en gemeenskappe het.
- 1.3 Die Stad erken die behoefte om 'n ontwikkelingsbenadering ten opsigte van die informele sektor te volg ten einde 'n omgewing te skep wat bevorderlik vir die groei van ondernemings in die informele handelsektor is.
- 1.4 Die Stad erken verder die behoefte aan 'n gebalanseerde verhouding tussen die informele en formele sektore ten einde maatskaplike en ekonomiese ontwikkeling in 'n behoorlik bestuurde munisipale gebied te bevorder.
- 1.5 Dié Verordening is dienooreenkomstig daarop gemik
- 1.5.1 om die verordeninge wat die Stad se regsvoorgangers aanvaar het, in 'n enkele verordening te konsolideer; en
- 1.5.2 om informele handel binne sy regsgebied te bestuur.

2. INTERPRETASIE

In dié Verordening sal die Engelse teks ingeval van 'n teenstrydigheid in die Engelse, Xhosa- en Afrikaanse weergawes beslissend wees, tensy die konteks die teendeel toon, en

- 2.1 beteken "**beampte**"
- 2.1.1 'n verkeersbeampte wat ingevolge artikel 3 van die Padverkeerswet, Wet 29 van 1989, of artikel 3A van die Wet op Nasionale Padverkeer, Wet 93 van 1996, aangestel is, na gelang van die geval;

- 2.1.2 'n lid van die Suid-Afrikaanse Polisie;
- 2.1.3 'n vredesbeampte bedoel in artikel 334 van die Strafproseswet, Wet 51 van 1977;
- 2.1.4 'n munisipale polisiebeampte van die Metropolitaanse Polisie, wat ingevolge artikel 64A van die Wet op die Suid-Afrikaanse Polisie, Wet 68 van 1995, tot stand gebring is; of
- 2.1.5 'n werknemer, agent, verteenwoordiger en/of diensverskaffer van die Stad wat spesifiek in dié verband deur die Stad gemagtig is;
- 2.2 beteken "**beslagleggingskoste** " alle koste wat die Stad aangaan by die beslaglegging en berging van goedere waarop daar ingevolge artikel 18.2 beslag gelê word, en, waar dit van toepassing is, die koste aangegaan vanweë die verkoop of vrystelling van die eiendom waarop beslag gelê is, en enige ander gepaardgaande koste;
- 2.3 beteken "**ergernis**" 'n handeling of versuim, maar is nie daartoe beperk nie, wat hinderlik of skadelik is of wat 'n gesondheidsgevaar inhou, of wat 'n wesentliche uitwerking op die gewone gemak, gerief, rus of vrede van die publiek het, of wat 'n nadelige uitwerking op die groot publiek het;
- 2.4 beteken "**Grondwet**" die Grondwet van die Republiek van Suid-Afrika, 1996;
- 2.5 beteken "**handelsgebied** " 'n gebied ten opsigte waarvan 'n handelsplan ingevolge dié Verordening aanvaar is;
- 2.6 beteken "**handelsplan** " 'n handelsplan wat die Stad aanvaar het om informele handel binne 'n handelsgebied te bestuur;
- 2.7 beteken "**histories benadeelde individu**" 'n Suid-Afrikaanse burger wat
- 2.7.1 'n swart persoon is;
- 2.7.2 'n vrou is; en/of
- 2.7.3 'n ongeskiktheid het;

- 2.8 beteken "**hoogwatermerk**" die *hoogwatermerk* soos omskryf in die Seestrandwet, Wet 21 van 1935, soos van tyd tot tyd gewysig;
- 2.9 beteken "**informele handel**" die handeldryf in goedere en dienste in die informele sektor deur 'n informele handelaar en wat tipies die soorte handel uitmaak wat in artikels 3.1 en 3.2 beskryf word;
- 2.10 beteken "**informele handelaar**" 'n persoon of onderneming wat nie geregistreer of geïnkorporeer is ingevolge die korporatiewe wette van Suid-Afrika nie, en wat informeel handel dryf;
- 2.11 beteken "**mark**" 'n afgebakende gebied binne 'n handelsgebied wat as sodanig in 'n handelsplan bestem is en wat op 'n gekoördineerde manier bestuur word;
- 2.12 beteken "**nie-Stadseiendom**" eiendom wat binne die regsgebied van die Stad geleë is, maar wat nie deur die Stad besit of verhuur word nie, of onder sy bestuursbeheer is nie;
- 2.13 beteken "**onwettige goedere**"
- 2.13.1 goedere waarvan die verkoop of koop onwettig is (met inbegrip van, maar nie daartoe beperk nie) soos omskryf in die Wet op Vervalste Goedere, Wet 37 van 1997);
- 2.13.2 goedere wat op 'n wyse gekoop of verkoop word wat die wet oortree;
- 2.14 beteken "**permithouer**" 'n informele handelaar aan wie die Stad 'n permit toegestaan het om informeel in 'n handelsgebied handel te dryf;
- 2.15 beteken "**raad**" of "**die raad**" die raad van die Stad soos bedoel in artikel 118 van die Wet op Plaaslike Regering: Munisipale Strukture, Wet 117 van 1998;
- 2.16 behou "**seestrand**" dieselfde betekenis soos dit omskryf is in die Seestrandwet, Wet 21 van 1935, soos van tyd tot tyd gewysig;
- 2.17 beteken "**spesiale geleentheid**", maar is nie daartoe beperk nie, sportgeleentheid, aandmarkte, kulturele geleentheid, musiekfeeste, reklame- en verfilmingsaktiwiteite, en godsdienstige geleentheid;

- 2.18 beteken "**Stad**" die munisipaliteit van Kaapstad, behoorlik tot stand gebring ingevolge die Wet op Plaaslike Regering: Munisipale Strukture, Wet 117 van 1988;
- 2.19 beteken "**Stadseiendom**" eiendom wat deur die Stad besit of verhuur word, of onder sy bestuursbeheer is;
- 2.20 beteken "**Stelselwet**" die Wet op Plaaslike Regering: Munisipale Stelsels, Wet 32 van 2000;
- 2.21 beteken "**strand**" die gedeelte grond bokant die seestrand en aangrensend aan die seestrand en sluit enige rand in (waar sodanige rand bestaan);
- 2.22 beteken "**strandhandel**" enige informele handel wat op 'n strand plaasvind, met inbegrip van handel op 'n parkeerterreine aangrensend aan die strand;
- 2.23 is "**swart persoon**" 'n generiese term soos bedoel in die *Employment Equity Act*, Wet 55 van 1998, en beteken dit Swartes, Kleurlinge, Indiërs en Suid-Afrikaanse Chinese persone;
- 2.24 beteken "**Wet op Besighede**" die Wet op Besighede, Wet 71 van 1991, met inbegrip van enige regulasies wat ingevolge daarvan uitgereik is.

3. TIPES INFORMELE HANDEL

- 3.1 Informele handel kan onder andere die volgende insluit -
- 3.1.1 straathandel;
- 3.1.2 handel in voetgangerwandellane;
- 3.1.3 handel op markte;
- 3.1.4 handel by vervoerkruisings;
- 3.1.5 handel in openbare oop ruimtes;
- 3.1.6 mobiele handel, byvoorbeeld uit karavane en bakkies;
- 3.1.7 swerfhandelaars; en
- 3.1.8 handel by spesiale geleenthede.

3.2 Strandhandel sluit in –

- 3.2.1 handel op vaste handelspersele;
- 3.2.2 mobiele handel, byvoorbeeld uit karavane en bakkies;
- 3.2.3 swerfhandelaars; en
- 3.2.4 mobiele en/of verwyderbare kiosks.

4. VRYHEID OM INFORMEEL HANDEL TE DRYF

Informele handel word in enige gebied binne die Stad se regsgebied toegelaat, onderhewig aan handelsplanne wat die Stad aanvaar het, die bepalings van dié Verordening en enige ander toepaslike wet.

5. AANVAARDING VAN HANDELSPLANNE

- 5.1 Die Stad moet, waar dit van toepassing is, handelsplanne aanvaar, veral in gebiede waar daar 'n wesenlike oorvleueling tussen formele en informele handel is. 'n Handelsplan kan informele handel op nie-Stadseiendom toelaat en reguleer, onderhewig aan die regte van die eienaars van sodanige eiendom.
- 5.2 'n Handelsplan moet
 - 5.2.1 die geografiese grense van die handelsgebied definieer; en
 - 5.2.2 informele handelspersele en markte afbaken waar informele handel toegelaat word, buite welke handelspersele en markte informele handel in die betrokke gebied verbode is.
- 5.3 'n Handelsplan kan ander aangeleenthede insluit wat informele handel in die betrokke handelsgebied reguleer, byvoorbeeld
 - 5.3.1 die voorskryf van enige informele-handelsvoorwaardes, met inbegrip van sodanige bepalings en voorwaardes wat opgelê sal word ingevolge permitte wat deur die Stad uitgereik sal word ingevolge artikel 8, en onderhewig aan enige vereistes van dié Verordening;

- 5.3.2 die wyse waarop maatskaplike en ekonomiese ontwikkeling deur middel van die handelsplan bevorder sal word;
- 5.3.3 die wyse waarop sensitiewe erfenis- en omgewingsgebiede binne die beoogde handelsgebied beskerm sal word;
- 5.3.4 aangeleenthede rakende 'n mark wat in die betrokke handelsgebied geleë kan wees, met inbegrip van, maar nie daartoe beperk nie,
 - 5.3.4.1 die afbakening van die gebied binne die handelsgebied wat 'n mark uitmaak;
 - 5.3.4.2 waar toepaslik, die afbakening van handelspersele binne die mark;
 - 5.3.4.3 die wetlike reëlings tussen die Stad en enige derde party ten opsigte van die verpligtinge wat met die algemene bestuur van die mark verband hou, ingevolge waarvan die derde party vir minstens die volgende verantwoordelik is -
 - 5.3.4.3.1 die bestuur van die werksaamhede van die mark;
 - 5.3.4.3.2 die bestuur van informele handelaars wat binne die mark werksaam is;
 - 5.3.4.3.3 om te sorg dat alle relevante persone aan toepaslike besluite deelneem;
 - 5.3.4.3.4 die bied van leiding aan die informele handelaars wat binne die mark werksaam is, ten opsigte van sakesteun en ontwikkelingsdienste; en
 - 5.3.4.3.5 enige diens benewens die dienste wat die Stad verskaf.
- 5.4 'n Handelsplan moet aan artikels 11, 12 en 13 van dié Verordening en aan enige ander wet voldoen.
- 5.5 Enige persoon is geregtig om te versoek dat die Stad die aanvaarding van 'n handelsplan oorweeg, met dien verstande dat waar 'n voorgestelde handelsplan beoog dat handel op 'n nie-Stadseiendom plaasvind, die

versoek van die skriftelike toestemming van die eienaar van sodanige nie-Stadsgrond vergesel word. Die Stad moet die versoek binne 'n redelike tydperk oorweeg en daaroor besluit.

- 5.6 Wanneer 'n versoek om die aanvaarding van 'n handelsplan oorweeg word, moet die Stad behoorlike oorweging skenk aan enige bestaande en voorgestelde handelsplanne in die omgewing van die voorgestelde handelsgebied, ten einde te bepaal of die aanvaarding van 'n handelsplan gewens is.

6. OPENBARE DEELNAME RAKENDE AANVAARDING VAN 'N HANDELSPLAN

Openbare kennisgewing waarin kommentaar en besware gevra word

Voordat 'n handelsplan aanvaar word, is die Stad verplig

- 6.1 om oorleg te pleeg met belanghebbendes en rolspelers wat geraak word, met inbegrip van die informele en formele sektore, met die oog op die opstel van 'n konsephandelsplan;
- 6.2 om 'n konsephandelsplan op te stel na die oorlegplegingsproses ingevolge artikel 6.1;
- 6.3 om kennisgewings in 2 (twee) plaaslike dagblaai te publiseer wat versprei word in die gebied waarin die voorgestelde handelsgebied geleë is, tensy 'n gemeenskapskoerant gratis onder die publiek in sodanige gebied versprei word, in welke geval 1 (een) van die 2 (twee) kennisgewings in sodanige gemeenskapskoerant gepubliseer moet word, wat -
- 6.3.1 die sleutelaspekte van die konsephandelsplan bevat, en wat die publiek in kennis stel dat die konsephandelsplan op 'n spesifieke plek ter insae beskikbaar is; en
- 6.3.2 kommentaar en besware van die publiek uitnoui ten opsigte van sodanige konsephandelsplan, wat deur die Stad ontvang moet word binne 30 (dertig) dae van die publikasiedatum van die kennisgewing.
- 6.4 Wanneer die Stad 'n kennisgewing ingevolge artikel 6.3 publiseer, moet hy, waar dit toepaslik is, die inhoud van die kennisgewing per radio oordra deur middel van 'n plaaslike radiostasie wat in die betrokke gebied uitsaai.

Openbare vergadering

- 6.5 In die kennisgewing waarna daar in artikel 6.3 verwys word, moet die Stad belanghebbendes en partye wat geraak word, na 'n openbare vergadering uitnooi.
- 6.6 Die openbare vergadering moet gehou word –
- 6.6.1 In die omgewing van die voorgestelde handelsgebied; en
- 6.6.2 Na 7 (sewe) dae, maar nie later as 60 (sestig) dae na die publikasiedatum van die kennisgewing wat ingevolge artikel 6.3 gepubliseer is nie.
- 6.7 Op die openbare vergadering moet die Stad –
- 6.7.1 verteenwoordig word deur 'n persoon wat behoorlik deur die Stad gemagtig is en wat aan die publiek wat op die vergadering teenwoordig is, 'n aanbieding moet doen waarin die konsephandelsplan verduidelik word;
- 6.7.2 redelikerwys antwoord op alle vrae wat met die konsephandelsplan verband hou, en wat die publiek op die openbare vergadering kan vra; en
- 6.7.3 belanghebbendes en partye wat geraak word, die geleentheid bied om op die openbare vergadering kommentaar te lewer en besware te opper, en sodanige kommentaar en besware moet opgeteken word.

Oorweging van opsies voor die aanvaarding van 'n handelsplan

- 6.8 Die Stad moet alle besware of kommentaar oorweeg wat hy kan ontvang ingevolge die proses wat in dié afdeling uiteengesit is.
- 6.9 Nadat die raad die kommentaar en besware oorweeg het, moet hy binne 'n redelike tydperk van die aanvangs van die openbare-deelnameproses ten opsigte van die betrokke konsephandelsplan, ondanks die bepalings van enige ander wet, en op 'n vergadering van die raad
- 6.9.1 die konsephandelsplan aanvaar;

- 6.9.2 die konsephandelsplan wysig en aanvaar; of
- 6.9.3 die konsephandelsplan van die hand wys.
- 6.10 Ondanks die bepalings van artikel 59 van die Stelselwet, mag die raad nie die besluitnemingsbevoegdheidsdelegeer waarna daar in artikel 6.9 verwys word nie.
- 6.11 Ingeval die Stad 'n konsephandelsplan aanvaar, moet 'n kennisgewing in 2 (twee) dagblaaie publiseer wat in die voorgestelde handelsgebied versprei word, tensy 'n gemeenskapskoerant gratis onder die publiek in sodanige gebied versprei word, in welke geval 1 (een) van die 2 (twee) kennisgewings in sodanige gemeenskapskoerant gepubliseer moet word, en in die Provinsiale Koerant, wat die publiek in kennis stel
- 6.11.1 dat die konsephandelsplan as handelsplan aanvaar is;
- 6.11.2 van die sleutelaspekte van die handelsplan, met inbegrip van die datum waarop dit moet in werking tree; en
- 6.11.3 dat die handelsplan op 'n gespesifiseerde plek ter insae beskikbaar is.

7. WYSIGING, HERROEPING EN HERSIENING VAN HANDELSPLANNE

Die Stad

- 7.1 Mag 'n aanvaarde handelsplan wysig of herroep, op voorwaarde dat
- 7.1.1 as die wysiging wesenlik van die handelsplan afwyk, die Stad aan artikel 6 moet voldoen met die nodige veranderinge wat deur die konteks vereis word, en verder op voorwaarde dat, waar persone nadelig deur 'n voorgestelde wysiging geraak word wat nie voldoening aan artikel 6 vereis nie, sodanige persone hulle billike administratiewe regte gebied sal word; of
- 7.1.2 in die geval van 'n herroeping moet die In Stad alle persone wat geraak word, hulle billike administratiewe regte bied;
- 7.2 moet handelsplanne van tyd tot tyd hersien na gelang hy goeddink.

8. PERMITTE

- 8.1 Geen persoon mag informeel handel dryf op Stadseiendom in 'n handelsgebied sonder 'n geldige permit van die Stad nie.
- 8.2 Die Stad is daarop geregtig om die permithouer
- 8.2.1 handelsgelde te vra;
- 8.2.2 aansoekgelde te vra; en
- 8.2.3 en 'n bykomende bedrag of tarief te vra, wat die Stad na eie goeddunke kan bepaal, ten opsigte van bykomende koste deur die Stad aangegaan of dienste deur hom gelewer, met inbegrip van, maar nie daartoe beperk nie, omstandighede waar die permithouer binne 'n mark handel dryf.
- 8.3 Ingeval 'n persoon vir 'n permit kwalifiseer, maar skriftelik gemotiveer het waarom hy/sy nie die gelde bedoel in artikel 8.2 kan betaal nie, en afdoende bewys daarvan gelewer het tot die redelike bevrediging van die Stad, kan die Stad heeltemal of deels van die gelde afstand doen, of 'n betaalstelsel bepaal waarvolgens die persoon die gelde oor 'n gestipuleerde tydperk in paaiemente kan betaal.
- 8.4 Ten einde vir 'n permit te kwalifiseer,
- 8.4.1 moet die aansoeker 'n informele handelaar wees;
- 8.4.2 mag die aansoeker nie reeds oor 'n permit beskik vir die handelsgebied ten opsigte waarvan daar om 'n permit aansoek gedoen word nie;
- 8.4.3 moet die aansoeker 'n Suid-Afrikaanse burger wees, by gebreke waarvan hy/sy oor 'n geldige werkspermit moet beskik, met inbegrip van, maar nie daartoe beperk nie, 'n vlugtelingepermit; en
- 8.4.4 mag die aansoeker nie meer as 20 (twintig) persone in diens hê of aktief van meer as soveel persone se dienste gebruik maak nie.
- 8.5 Die Stad moet die volgende faktore in ag neem wanneer 'n aansoek om 'n permit oorweeg word –

- 8.5.1 die aansoeker se vermoë om aan die betrokke handelsgebied se handelstye te hou, na gelang die Stad mag bepaal;
- 8.5.2 die behoefte daaraan om voorkeur te gee aan aansoekers wat histories benadeelde individue is;
- 8.5.3 waar daar 'n beperkte getal handelspersele in die handelsgebied beskikbaar is ten opsigte waarvan 'n permit verlang word, die behoefte daaraan om voorkeur te gee aansoekers wat nuwe toetreders tot informele handel binne die Stad sal wees;
- 8.5.4 die aard van die handelsware wat die aansoeker voornemens is om te verkoop, of die dienste wat die aansoeker voornemens is om te lewer, met inagneming van die ondernemings binne dié handelsgebied of in die onmiddellike omgewing daarvan;
- 8.5.5 die behoefte daaraan om voorkeur aan werklose aansoekers te gee;
- 8.5.6 die behoefte daaraan om voorkeur te gee aan aansoekers wat nie 'n huishouding met 'n bestaande permithouer deel nie, tensy
- 8.5.6.1 die getal beskikbare handelspersele vir die betrokke handelsgebied meer is as die getal aansoekers wat permitte vir dié handelspersele wil hê; of
- 8.5.6.2 die aansoeker wat 'n huishouding met 'n permithouer deel, nie van sodanige permithouer afhanklik is of finansiëel op hom staatmaak nie;
- 8.5.7 of die aansoeker ingevolge dié Verordening aan 'n misdryf skuldig bevind is en/of sy permit herroep of opgeskort is;
- 8.5.8 of die aansoeker 'n geskikte persoon is om die wettige onderneming op die aangewese perseel te bedryf, hetsy na gelang van sy/haar karakter, met inagneming van enige skuldigbevinding wat teen/haar hom aangeteken is, of sy/haar vorige gedrag om enige rede;
- 8.5.9 waar handelsplanne aanvaar word in gebiede wat nie voorheen aan sodanige planne onderhewig was nie, die behoefte daaraan om voorkeur te gee aan aansoekers wat 'n gevestigde informele-

handelonderneming het op die plek waarvoor 'n nuwe handelsgebied aanvaar word.

- 8.6 Die Stad is daarop geregtig om na goeëdunke bepalings en voorwaardes ten opsigte van permitte op te lê, onderhewig aan die voorwaardes van die toepaslike handelsplan, met inbegrip van, maar nie daartoe beperk nie, die reg om
- 8.6.1 die volgende te spesifiseer -
- 8.6.1.1 die handelsure waartydens die permithouer mag handel dryf;
- 8.6.1.2 die aard van die goedere of dienste waarmee die permithouer mag handel dryf; en
- 8.6.1.3 die permithouer se handelsperseelnommer;
- 8.6.2 'n alternatiewe handelsperseel in dieselfde handelsgebied aan die informele handelaar toe te wys;
- 8.6.3 die soort struktuur (strukture) te spesifiseer, as daar is, wat op 'n handelsperseel en/of handelsgebied opgerig kan word;
- 8.6.4 beslag te lê op handelware ingevolge artikel 18.2 of artikel 18.8 in die geval van 'n oortreding van enige bepaling van dié verordening of enige ander wet;
- 8.6.5 'n permit vir 'n spesiale geleentheid op te skort by redelike vooraf kennisgewing aan die informele handelaar waar die prakties moontlik is, met geen vergoeding betaalbaar aan die informele handelaar nie, nieteenstaande die feit dat informele handel by die spesiale geleentheid deur die Stad toegelaat kan word ingevolge artikel 14;
- 8.6.6 by redelike vooraf kennisgewing aan die informele handelaar, en nadat die betrokke informele handelaar die geleentheid gebied is om skriftelike verhoë te rig, 'n permit te herroep of op te skort ingeval 'n informele handelaar -
- 8.6.6.1 strydig met enige bepalings van die permit en/of dié Verordening of enige ander wet handel;

- 8.6.6.2 aan handel in onwettige goedere skuldig bevind word of 'n diens onwettig lewer;
- 8.6.6.3 opsetlik verkeerde inligting verstrek wanneer inligting aan die Stad verskaf moet word;
- 8.6.6.4 ongeskik bevind word soos bedoel in artikel 8.5.8, met die nodige veranderinge wat deur die konteks vereis word.
- 8.7 Nieteenstaande die inhoud van die betrokke handelsplan, het die Stad die reg om, by redelike vooraf kennisgewing aan die informele handelaar, en sonder vergoeding betaalbaar deur die Stad aan die permithouer,
- 8.7.1 'n permithouer tydelik te verskuif;
- 8.7.2 die geldigheid van 'n permit tydelik op te skort; of
- 8.7.3 'n permithouer tydelik te verbied om op die betrokke handelsperseel handel te dryf;
- as dit nodig is om dit te doen as gevolg van die uitvoering van aktiwiteite wat voortgesette handel op die betrokke handelsperseel onprakties of uiters ongeleë maak.
- 8.8 Aktiwiteite waarna in artikel 8.7 verwys word, maar nie daartoe beperk is nie, sluit in instandhouding of konstruksie van infrastruktuur of geboue wat deur die Stad uitgevoer word, eiendomsontwikkelings, veranderings of opknappings deur enige entiteit, of aktiwiteite deur openbare entiteite wat ingevolge hulle bevoegdhede en funksies uitgevoer word.

9. OORDRAG VAN PERMITTE

- 9.1 'n Permit kan, met die skriftelike goedkeuring van die Stad, oorgedra word aan 'n afhanklike, of 'n helper wat namens die afhanklike optree, welke persoon sal aanhou handel dryf totdat die permit nie meer geldig is nie, ingeval –
- 9.1.1 van die afsterwe van die permithouer; en

- 9.1.2 die verlies aan inkomste wat deur die informele handel gegeneer word, die afhanklike aan onverdiende en ernstige ekonomiese ontbering blootstel.
- 9.2 'n Permit kan, met die skriftelike goedkeuring van die Stad, tydelik oorgedra word aan 'n afhanklike, of waar daar geen afhanklike is nie, aan 'n individu wat deur die permithouer benoem word, ingeval die permithouer –
- 9.2.1 vanweë siekte nie kan handel dryf nie, op voorwaarde dat
- 9.2.1.1 dat bewys van 'n mediese praktisyn aan die Stad gelewer word, wat sertifiseer dat die permithouer nie kan handel dryf nie; en
- 9.2.1.2 die afhanklike of helper slegs toegelaat word om die permithouer te vervang vir die tydperk gestipuleer in die sertifikaat deur die mediese praktisyn, waartydens die permithouer nie sal kan handel dryf nie;
- 9.2.2 vir 'n geruime tyd afwesig moet wees ten einde godsdienstige of kulturele pligte te vervul, op voorwaarde dat, waar die geldigheid van die permit langer as 1 (een) maand is, die permithouer binne 1 (een) maand weer moet begin handel dryf, tensy die Stad in uitsonderlike omstandighede tot 'n langer tydperk toestem.
- 9.3 Onderhewig aan artikel 9.2, mag 'n permithouer nie 'n permit op enige wyse aan enige ander persoon oordra nie, met inbegrip van, maar nie daartoe beperk nie, deur middel van verhuring of verkoop.
- 9.4 'n Permit moet onmiddellik aan die Stadsraad terugbesorg word as die Stad sodanige permit sou herroep, ingeval die permithouer –
- 9.4.1 toestemming geweier word om die permit oor te dra en die permithouer versuim om handeldryf te hervat; en
- 9.4.2 nie meer as informele handelaar op die betrokke handelsperseel wil handel dryf nie.

10. VERPLIGTINGE VAN EIENAARS VAN NIE-STADSEIENDOM

'n Eienaar van nie-Stadseiendom wat in 'n handelsplan as grond afgebaken is waarop informele handel toegelaat word, moet -

- 10.1 sorg dat alle informele handel wat op die eienaar se eiendom plaasvind, aan die toepaslike handelsplan en dié Verordening voldoen;
- 10.2 enige beampte toegang tot die eienaar se eiendom verleen om die bepalinge van dié Verordening toe te pas;
- 10.3 op die eienaar se koste sorg dat voldoende dienste verskaf word om aanvaarbare higiëniese toestande ten opsigte van die informele handel te handhaaf;
- 10.4 sorg dat handel op informele-handelspersele nie op die eiendom van 'n ander grondeienaar oorskry nie.

11. ALGEMENE VERBODINGE OP INFORMELE HANDEL

Informele handel mag nie plaasvind -

- 11.1 in 'n tuin of park wat onder beheer van die Stad is en waartoe die publiek 'n die reg van toegang het nie, tensy die Stad sodanige gebied as handelsgebied verklaar het;
- 11.2 'n padrand of sypaadjie (soos omskryf in artikel 1 van die Wet op Nasionale Padverkeer, Wet 93 van 1996) langs –
 - 11.2.1 'n gebou wat slegs deur die staat of die Stad besit of geokkupeer word nie, tensy die Stad vooraf skriftelike toestemming verleen het nadat hy -
 - 11.2.1.1 enige toepaslike handelsplan behoorlik oorweeg het; en
 - 11.2.1.2 met die eienaar van die betrokke eiendom, of waar toepaslik, met die huurder van sodanige eiendom, oorleg gepleeg het nie;
 - 11.2.2 'n plek van aanbidding, byvoorbeeld 'n kerk, sinagoge of moskee nie, tensy 'n handelsplan informele handel op dié plek toelaat; of

- 11.2.3 'n nasionale monument soos bepaal in ooreenstemming met die bepalings van die Wet op Nasionale Erfenishulpbronne, Wet 36 van 1999;
- 11.3 op 'n plek waar dit –
- 11.3.1 toegang tot brandbestrydingstoerusting versper nie;
- 11.3.2 enige toegang tot of uitgang uit 'n gebou versper nie;
- 11.3.3 'n wesenlike struikelblok vir voetgangers by die gebruik van 'n sypaadjie is nie;
- 11.3.4 voertuigverkeer belemmer nie;
- 11.3.5 'n verkeersgevaar skep nie;
- 11.3.6 toegang tot straatmeubels, busepassasiersbanke en -skuilings, toustaanplekke, vullishouers of ander fasiliteite versper wat vir gebruik deur die groot publiek bedoel is nie;
- 11.3.7 die uitsig van 'n vertoonvenster van 'n sakeperseel belemmer, en die persoon wat op die betrokke sakeperseel sake doen, daarteen beswaar maak nie;
- 11.3.8 toegang tot 'n voetgangeroorgang versper nie;
- 11.3.9 toegang tot 'n voertuig versper nie;
- 11.3.10 enige padteken verberg nie;
- 11.3.11 toegang tot 'n outomatiese tellermasjien versper nie;
- 11.3.12 toegang tot parkeer- of laaiplekke of ander fasiliteite vir voertuigverkeer belemmer nie;
- 11.3.13 toegang tot 'n voetgangersarkade of -wandellaan versper nie;
- 11.3.14 die uitsig van kringtelevisiekeramas belemmer nie; of
- 11.3.15 benede die hoogwatermerk val nie, tensy 'n handelsplan uitdruklik vir informele handel op dié plek voorsiening maak;

- 11.4 op die helfte van 'n openbare pad wat langs 'n gebou is wat vir residensiële doeleindes gebruik word nie, as die eienaar of bewoner van die betrokke gebou beswaar maak daarteen dat informele handel op dié plek plaasvind.

12. BEPERKINGE OP INFORMELE HANDEL

Geen persoon mag -

- 12.1 enige toegang tot enige diens van die munisipaliteit of munisipale diensaanleg versper nie;
- 12.2 tensy skriftelike toestemming vooraf deur die Stad verleen is, op enige openbare pad of openbare plek –
- 12.2.1 oornag op die plek waar informele handel plaasvind nie; of
- 12.2.2 enige ander struktuur oprig as dié wat in die toepaslike handelsgebiedplan en/of permitvoorwaardes gestipuleer word, met die doel om skuling te verskaf nie;
- 12.3 as informele handelaar handel dryf op 'n manier wat –
- 12.3.1 'n ergernis skep nie;
- 12.3.2 die oppervlakte van enige openbare pad of openbare plek of enige ander eiendom wat aan die Stad behoort, beskadig of ontsier nie; of
- 12.3.3 'n verkeersgevaar skep nie;
- 12.4 enige voorwerp aan enige gebou, struktuur, sypaadjie, voetpad, boom, parkeermeter, lamppaal, elektrisiteitspaal, telefoonhokkie, posbus, verkeersteken, bank of enige ander straatmeubels of toestel in of op 'n openbare pad of openbare ruimte vasmaak wat gewoonlik vir openbare gebruik bedoel is nie;
- 12.5 op enige plek of onder enige omstandighede 'n vuur maak waar dit enige persoon kan skaad of 'n gebou of voertuig of enige struktuur kan beskadig waarna in artikel 12.4 verwys word nie, tensy daartoe gemagtig om kos voor te berei deur oopvlam- of gasverhitte toerusting te gebruik;

- 12.6 goedere of toerusting by 'n informele handelaar aflewer of aan hom/haar verskaf as die betrokke handelaar in stryd met dié Verordening handel dryf nie;
- 12.7 nadat hy/sy deur enige persoon versoek is wat 'n aktiwiteit bedoel in artikel 8.7 uitvoer en wat toegang tot 'n fasiliteit of gebied verlang, versuim om enige goedere te verwyder of te skuif, of weier om dit te doen nie; en
- 12.8 as hy/sy toegelaat word om strandhandel te bedryf
- 12.8.1 alkoholiese produkte verkoop of aanmoedig nie;
- 12.8.2 klokke, toeters, klankversterkingstoerusting of soortgelyke toestelle gebruik wat klank voortbring, ten einde klante te lok nie; of
- 12.8.3 enige elektriese toevoer of generator gebruik nie, tensy dit uitdruklik goedgekeur is en in die betrokke permit daarvoor voorsiening gemaak word.

13. AFVALVERWYDERING, SKOONMAAK EN HIGIËNE

- 13.1 'n Informele handelaar moet –
- 13.1.1 die informele handelaar se aangewese informele-handelsperseel in 'n skoon en higiëniese toestand hou;
- 13.1.2 op 'n daaglikse grondslag, en na afloop van handel, alle afval, verpakkingsmateriaal, voorraad en toerusting opruim en verwyder wat gebruik word in verband met of geproduseer word deur die informele handelaar se besigheid, tensy die Stadsraad 'n skriftelike vrystelling in dié verband toestaan;
- 13.1.3 handel dryf op 'n wyse wat nie 'n bedreiging vir openbare gesondheid of openbare veiligheid is nie; en
- 13.1.4 op versoek van 'n beampte of behoorlik gemagtigde werknemer van die Stad, enige voorwerp skuif of verwyder sodat die gebied of perseel waar informele handel plaasvind, skoongemaak kan word.

- 13.2 Versuim om aan die bepalings van dié artikel of 'n wettige versoek van 'n beampte ingevolge dié artikel te voldoen, sal 'n oortreding van dié Verordening geag word, en die informele handelaar is onderhewig aan die toepassingsbepalings van dié Verordening.

14. **SPESIALE GELEENTHEDE**

Die Stad mag informele handel met die oog op spesiale geleentehede toelaat of verbied volgens sodanige bepalings en voorwaardes wat hy goeddink, ondanks die bepalings van enige handelsplan of enige permitte wat ten opsigte van die betrokke handelsgebied uitgereik is.

15. **RIGLYNE EN BELEID**

Die Stad mag te eniger tyd riglyne of beleid ten opsigte van informele handel in die munisipale gebied publiseer of wysig.

16. **BEVOEGDHEDE EN FUNKSIES**

- 16.1 Onderhewig aan artikel 16.3 is die stadsbestuurder verantwoordelik vir
- 16.1.1 alle funksies en besluite bedoel in dié Verordening; en
- 16.1.2 die administrasie van dié Verordening.
- 16.2 Die stadsbestuurder kan enige van sy bevoegdhede of funksies deleger aan 'n toepaslike amptenaar met die bevoegdheid om te subdeleger ten einde bedryfs- en administratiewe doeltreffendheid te maksimaliseer.
- 16.3 Die besluite bedoel in artikels 6.9, 7.1.1 en 7.1.2 moet deur die raad geneem word en mag nie gedeleger word nie.

17. **APPËLLE**

'n Persoon wie se regte geraak word deur 'n besluit wat deur die Stad geneem is ingevolge dié Verordening kragtens 'n plig of bevoegdheid wat gedeleger of gesubdeleger is, kan ingevolge artikel 62 van die Stelselwet teen die betrokke besluit appelleer.

18. TOEPASSING

- 18.1 'n Beampte mag 'n skriftelike waarskuwing aan 'n persoon uitreik as dié persoon na die beampte se mening in stryd met dié Verordening met goedere handel gedryf het of dienste gelewer het, of die betrokke persoon dié Verordening op enige ander wyse oortree het, met inbegrip van, maar nie daartoe beperk nie, in stryd met 'n permitvoorwaarde of enige ander toepaslike wet.
- 18.2 Ingeval 'n persoon 'n oortreding voortsit of herhaal ten opsigte waarvan 'n skriftelike waarskuwing reeds aan die betrokke persoon uitgereik is, mag 'n beampte dan, in die geval van 'n informele handelaar, beslag lê op enige eiendom wat die informele handelaar gebruik om informeel handel te dryf, en in die geval van enige ander persoon, op enige eiendom, met inbegrip van, maar nie daartoe beperk nie, goedere, toerusting, strukture en motorvoertuie, in welke geval die beampte –
- 18.2.1 'n volledige inventaris moet opstel van alle eiendom waarop beslag gelê is, en sodanige inventaris moet inligting insluit oor die gevolge van sodanige beslaglegging, as die persoon sou versuim om die beslagleggingskoste te betaal en die goedere af te haal;
- 18.2.2 die persoon van 'n afskrif van die inventaris moet voorsien; en
- 18.2.3 onmiddellik die goedere waarop beslag gelê is, moet berg in 'n gebied wat die Stad aangewys het vir die berging van goedere waarop beslag gelê is.
- 18.3 Eiendom waarop beslag gelê is, kan vrygestel word by voorlegging deur die betrokke persoon van die inventaris bedoel in artikel 18.2 en die betaling van die beslagleggingskoste, op voorwaarde dat die Stad redelikerwys oortuig is dat die betrokke persoon nie by vrystelling van die eiendom sal voortgaan om enige oortreding te pleeg wat tot die beslaglegging op die eiendom gelei het nie; verder op voorwaarde dat, waar die Stad nie daarvan oortuig is nie, hy die goedere vir tot 30 (dertig) dae na die betaling van enige boete en/of beslagleggingskoste kan terughou.
- 18.4 Bederfbare goedere waarop beslag gelê is, kan te eniger tyd na die beslaglegging deur die Stad verkoop of andersins van die hand gesit word.

Die Stad kan die goedere vernietig as die toestand van dié goedere dit ongeskik vir menslike gebruik maak.

- 18.5 Ander eiendom as bederfbare goedere waarop beslag gelê is, mag deur die Stad verkoop word as die eenaar nie die beslagleggingskoste binne 1 (een) maand van die beslagleggingsdatum van sodanige eiendom betaal, of kan betaal nie.
- 18.6 Ingeval die eiendom waarop beslag gelê is, ingevolge artikels 18.4 of 18.5 deur die Stad verkoop is, en by voorlegging van die inventaris bedoel in artikel 18.2.1 deur die eenaar, moet die Stad aan die betrokke eenaar –
- 18.6.1 die opbrengs van die transaksie minus die beslagleggingskoste betaal; of
- 18.6.2 as die eenaar vroeër die beslagleggingskoste betaal het, die opbrengs sonder enige sodanige aftrekking aan die eenaar betaal.
- 18.7 As die eenaar nie die opbrengs verkry uit die verkoop van die goedere waarop beslag gelê is, binne 3 (drie) maande van die beslagleggingsdatum eis nie, sal die opbrengs aan die Stad verbeur word.
- 18.8 As 'n informele handelaar, na die redelike mening van 'n beampte, van handel in onwettige goedere verdink word, of 'n verskaffer bedoel in artikel 12.6 die handelaar van onwettige goedere voorsien, mag sodanige goedere onmiddellik verbeurd verklaar word. Ingeval van sodanige verbeurdverklaring moet die beampte
- 18.8.1 'n volledige inventaris opstel van alle goedere wat verbeurd verklaar is;
- 18.8.2 die informele handelaar of persoon bedoel in artikel 12.6 van 'n afskrif van die inventaris voorsien; en
- 18.8.3 onmiddellik die verdagte onwettige goedere in besit van die Suid-Afrikaanse Polisie oorgee.

19. MISDRYWE

Enige persoon wat –

- 19.1 enige bepaling van dié Verordening oortree of versuim om aan enige voorwaarde te voldoen wat ingevolge daarvan opgelê is;
- 19.2 enige beamppte of enige werknemer van die Stad dreig, lastig val of dwarsboom by die uitvoering van amptelike pligte of funksies ingevolge dié Verordening; of
- 19.3 opsetlik onjuiste of misleidende inligting aan 'n beamppte of 'n werknemer van die Stad verskaf;

begaan 'n misdryf en stel hom/haar by skuldigbevinding bloot aan 'n boete van hoogstens R5 000,00 (vyfduisend rand) of tronkstraf vir 'n tydperk van hoogstens 3 (drie) maande, onderhewig aan die Wet op die Aanpassing van Boetes, Wet 101 van 1991.

20. OORGANGSBEPALINGS

Nieteenstaande die aanvaarding van dié Verordening

bly enige verklaring ingevolge die Wet op Besighede van 'n gebied binne die regsgebied van die Stad as gebied waarin handeldryf as straatverkoper, venter of smous beperk of verbode mag wees, geldig tot tyd en wyl die Stad 'n handelsplan ten opsigte van sodanige gebied ingevolge dié Verordening aanvaar;

- 20.1 ingeval 'n huurooreenkoms of permit aan 'n informele handelaar uitgereik is voor die aanvaarding van dié Verordening, wat handel op 'n bepaalde perseel toe laat, bly sodanige permit geldig totdat die Stad 'n geïntegreerde permitstelsel aanvaar wat aan die permitstelsel bedoel in dié Verordening voldoen.

21. HERROEPING VAN VERORDENINGE

Die volgende Verordeninge word hiermee herroep:

- 21.1 Verordening wat in die Provinsiale Koerant van 13 Desember 1996, PN 522/1996, gepubliseer is ten opsigte van die gebied van die voormalige Kaapstadse munisipaliteit.
- 21.2 Verordening wat in die Provinsiale Koerant van 23 April 1999, PN 136/1999, gepubliseer is ten opsigte van die gebied van die voormalige Stad Tygerberg.

- 21.3 Verordening wat in die Provinsiale Koerant van 27 Augustus 1999, PN 282/1999, gepubliseer is ten opsigte van die gebied van die voormalige Blaauwberg-munisipaliteit.
- 21.4 Verordening wat in die Provinsiale Koerant van 20 November 1998, PN 633/1998, gepubliseer is ten opsigte van die gebied van die voormalige Suid-Skiereiland-munisipaliteit.
- 21.5 Verordening wat in die Provinsiale Koerant van 10 Maart 2000, PN 76/2000, gepubliseer is ten opsigte van die gebied van die voormalige Helderberg-munisipaliteit.
- 21.6 Verordening wat in die Provinsiale Koerant van 29 Mei 1998, PN 290/1998, gepubliseer is ten opsigte van die gebied van die voormalige Oostenberg-munisipaliteit.

22. Kort titel en inwerkingtreding

Dié Verordening word die Stad Kaapstad se Verordening op Informele Handel genoem, en tree in werking op die datum van publikasie in die *Provinsiale Koerant*.

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ISIXEKO SASEKAPA

**UMTHETHO KAMASIPALA WORHWEBO OLUNGABHALISWANGA
NGOKUSESIKWENI**

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1. IMBULA-MBETHE

- 1.1 NgokoMgaqo-siseko, isiXeko ngumthwalo waso “*imithetho yezorhwebo*”, “*iimarike*”, “*urhwebo ezitratweni*” kunye “*neebhitshi*” ezikummandla waso ngokomthetho. Ezinye zeenjongo zesiXeko kukukhuthaza ukuphuhliswa kwentlalo noqoqosho.
- 1.2 IsiXeko siyayihlonipha indima ephambili edlalwa lurhwebo olungabhaliswanga ngokusesikweni ekulweni nendlala, ukungenisa imali nokuphuhlisa ushishino olukhulayo ingakumbi ifuthe elihle urhwebo olungabhaliswanga ngokusemthethweni elinalo kuluntu olwaluhlelekile ngaphambili.
- 1.3 IsiXeko siyaqonda imfuneko yokugxininisa indlela ephuhliso kushishino olungabhaliswanga ngokusesikweni ukuze kudaleke iimeko ezikukhuthazayo ukukhula kwamashishini kurhwebo olungabhaliswanga ngokusesikweni.
- 1.4 IsiXeko siyaqonda imfuneko yentsebenziswano eyiyo phakathi kwamashishini abhaliswe ngokusesikweni nalawo angabhaliswanga ngokusesikweni ukuze bakhuthaze ukuphuhla kwentlalo noqoqosho kummandla kamasipala olawulwa ngokukuko.
- 1.5 Lo mthetho kaMasipala ke ngoko ujolise:-
 - 1.5.1 ekuhlanganiseni yonke imithetho kaMasipala eyaphunyezwa ngokwemithetho yangaphambili yesiXeko ibe ngumthetho kaMasipala omnye; kwakunye
 - 1.5.2 nasekulawuleni urhwebo olungabhaliswanga ngokusesikweni olukummandla ophantsi kwakhe ngokomthetho.

2. UKUTOLIKWA

Kulo mthetho kaMasipala, lowo ubhalwe ngesiNgesi ngosisikhokelo xa kunokubakho ukungaqiniseki ngebhalwe ngesi-Afrikansi okanye isiXhosa, ngaphandle kokuba kubhekiswa kwenye into –

- 2.1 “*ibhitshi*” ithetha indawo yomhlaba ephakamileyo neyayamene nonxweme lolwandle kwaye ibandakanya nengca ekudini (kwiindawo ekhoyo kuzo loo ngca);
- 2.2 “*urhwebo ebhitshini*” luthetha ukushishina okungabhaliswanga ngokusesikweni okuqhubeka ebhitshini kwaye kubandakanya ukushishinela kwiindawo zokumisa izithuthi ezikufutshane neebhitshi;
- 2.3 “*umntu omnyama*” ligama eliqukayo ekubhekiswa kulo kuMthetho wokuQeshwa ngokuLingana, uNombolo 55 ka-1998 othetha abaNtsundu, abeBala, amaNdiya namaTshayina aseMzantsi Afrika;

- 2.4 **“uMthetho wamaShishini”** uthetha uMthetho wamaShishini, uNombolo 71 ka-1991 kubandakanya nemithetho ephunyezwe phantsi kwawo;
- 2.5 **“isiXeko”** sithetha umasipala weSixeko saseKapa owamiselwa ngokufanelekileyo ngokoMthetho weZakhiwo zikaMasipala: uRhulumente wooMasipala, uNombolo 117 ka-1998;
- 2.6 **“ipropati yesiXeko”** ithetha ipropati eyeyesiXeko, esiqeshise ngayo okanye elawulwa sisiXeko;
- 2.7. **“uMgaqo-siseko”** uthetha uMgaqo-siseko weRiphabliki yoMzantsi Afrika, ka-1996;
- 2.8 **“iBhunga”** lithetha iBhunga lesiXeko njengoko kucaciswe kwicandelo 118 loMthetho weZakhiwo zikaMasipala: uRhulumente wooMasipala, uNombolo 117 ka-1998;
- 2.9 **“uphawu olubonakalisa umthamo wamanzi”** luthetha uphawu olubonakalisa ubuninzi bamanzi njengoko kucacisiwe kuMthetho wezeNcweme loLwandle, uNombolo 21 ka-1935 njengoko umana ulungiswa amaxesha ngamaxesha;
- 2.10 “umntu owayehlelekile ngaphambili” uthetha ummi woMzantsi Afrika
- 2.10.1 omnyama;
- 2.10.2 ongumfazi; okanye
- 2.10.3 nokhubazekileyo
- 2.11 “impahla ezingekho mthethweni” zithetha
- 2.11.1 Impahla ekungekho mthethweni ukuyithenga okanye ukuyithengisa (kubandakanga kodwa kungapheleli kwezomgunyathi njengoko zicacisiwe kuMthetho weeMpahla zoMgunyathi uNombolo 37 ka-1987)
- 2.11.2 Impahla ezithengwe okanye zathengiswa ngendlela eyaphula umthetho;
- 2.12 **“iindleko zokuthimba”**zithetha zonke iindleko isiXeko esingene kuzo xa besithimba sigcina impahla ethinjiweyo ngokwecandelo 18.2, kwaye apho zikhoyo khona, iindleko zokulahla okanye ukukhulula iimpahla ezithinjiweyo kwakunye nazo zonke ezinye iindleko ezihambelana noku;
- 2.13 **“umrhwebi ongabhaliswanga ngokusesikweni”**uthetha umntu okanye ishishini elingabhaliswanga okanye elingeloshishini ngokusesikweni ngokwemithetho yoshishino yoMzantsi Afrika oqhuba ushishino olungabhaliswanga ngokusemthethweni;
- 2.14 **“urhwebo olungabhaliswanga ngokusesikweni”** luthetha iimpahla neenkonzo ezikushishino olungabhaliswanga ngokusesikweni ngumrhwebi ongabhaliswanga ngokusesikweni olubandakanya ushishino oluchazwe kwicandelo 3.1 necandelo 3.2;

2.15 “imarike”ithetha indawo esikiweyo kwindawo yokurhweba ecandwe ngolo hlobo kwisicwangciso sorhwebo kwaye elawulwa ngendlela ephucukileyo;

2.16 “**ipropati engeyeyoyesixeko**”ithetha ipropati eme kummandla ophantsi kwesiXeko ngokusemthethweni kodwa engalawulwa, iqeshiswe okanye eyeyesiXeko;

2.17 “**inkathazo**” ibandakanya, kodwa ingapheli apho, inyathelo okanye ukungenzi nto, okukhubekisayo, okunokonzakalisa okanye okunobungozi kwimpilo okanye ephazamisa ngokubonakalayo nolonwabo, ubumnandi, inzolo okanye uxolo kuluntu, okanye echaphazela kakubi uluntu gabalala;

2.18 “**igosa**” lithetha –

2.18.1 igosa lendlela eliqeshwe ngokwecandelo 1 loMthetho wezoMthetho wezeNdlela, uNombolo 29 ka-1989 okanye icandelo 3A loMthetho weSizwe wezoMthetho wezeNdlela uNombolo 93 ka-1996 njengoko kunjalo;

2.18.2 ilungu leNkonzo zezaMapolisa zoMzantsi Afrika;

2.18.3 igosa loxolo ekubhekiswa kulo kwicandelo 334 loMthetho weeNkqubo zoLwaphulo-mthetho, uNombolo 51 ka-1977;

2.18.4 ipolisa likamasipala laMapolisa esiXekokazi aqulunqwa ngokwecandelo 64A loMthetho weeNkonzo zaMapolisa oMzantsi Afrika, uNombolo 68 ka-1995; okanye

2.18.5 umqeshwa, umthunywa, ummeli okanye nomnikezeli nkonzo wesiXeko, ogunyaziselwe kanye oku sisiXeko;

2.19 “**umntu onephepha-mvume**” uthetha umrhwebi ongabhilisa ngokusesikweni okhutshelwe iphepha-mvume sisiXeko ukuba aqhube urhwebo olungabhaliswa ngokusesikweni kwindawo yokurhwebela;

2.20 “**unxweme lolwandle**” linentsingiselo enye njengoko kuchaziwe kuMthetho woNxweme lolwandle, uNombolo 21 ka-1935 njengeko umana ulungiswa amaxesha ngamaxesha;

2.21 “**amatheko ekhethekileyo**” angabandakanya, kodwa engaphelelanga kwezi, imidlalo, imarike ezithengisa ebusuku, amatheko ezenkcubeko, iminyhadala yemiculo, ukufota iifilimu, ukusasaza namatheko ezenkolo;

2.22 “**uMthetho weeNkqubo**” uthetha uMthetho weeNkqubo zikaMasipala: uRhulumente woMasipala;

2.23 “**indawo yokurhwebela**” ithetha indawo isicwangciso sorhwebo esasisekelwe kuyo ngokwalo mthetho kaMasipala;

2.24 “**isicwangciso sorhwebo**” sithetha isicwangciso sokurhweba esamkelwa sisiXeko sokulawula urhwebo olungabhaliswanga ngokusesikweni kwindawo yokurhweba.

3. IINTLOBO ZORHWEBO OLUNGABHALISWANGA NGOKUSEMTHETHWENI

3.1 Urhwebo olungabhaliswanga ngokusemthethweni lungaquka, kwezinye:-

3.1.1 ukuthengisela esitratweni;

3.1.2 ukuthengisela kwiindawo zabahambi ngenyawo;

3.1.3 ukuthengisa kwiimarike;

3.1.4 ukuthengisela kwiindawo eziphithizela izithuthi;

3.1.5 ukuthengisela kwiindawo zikawonke-wonke ezivulelekileyo;

3.1.6 ukuthengisa uhamba-hamba, okufana nokuthengiselwa kwikharaveni, nezithuthi ezincinci zokuhambisa iimpahla;

3.1.7 oonjikeleza;

3.1.8 ukuthengisa xa kukho into ethile.

3.2 Ukurhweba ebhitshini kuquka -

3.2.1 ukuthengisela kwiindawo zokurhwebela ezingenakususwa;

3.2.2 ukuthengisa uhamba-hamba, okufana nokuthengiselwa kwikharaveni, nezithuthi ezincinci zokuhambisa iimpahla;

3.2.3 oonjikeleza;

3.2.4 iivenkilana ezihambayo okanye nezinokususwa.

4. ILUNGELO LOKUQHUBA URHWEBO OLUNGABHALISWANGA NGOKUSESISIKWENI

Urhwebo olungabhaliswanga ngokusesikweni kuvumelekile kuyo nayiphi indawo ephantsi kwesiXeko ngokusemthethweni, kuxhomekeka kodwa nakusiphi isicwangciso sorhwebo esamkelweyo sisiXeko, izibonelelo zalo mthetho kaMasiplala kwakunye nayiphi eminye imithetho efanelekileyo.

5. UKWAMKELWA KWEZICWANGCISO ZORHWEBO

5.1 IsiXeko apho kufanelekileyo masamkele izicwangciso zorhwebo ingakumbi kwiindawo apho kukho ukuyelelena okukhulu phakathi korhwebo olubhalisiweyo ngokusesikweni nolungabhaliswanga ngokusesikweni. Isicwangciso sorhwebo singavumela silawule urhwebo olungabhaliswanga ngokusesikweni kwipropati engeyeyoyesiXeko kuxhomekeke kumalungelo abanikazi balo propati.

5.2 Isicwangciso sorhwebo kufuneka:

5.2.1 siwuchaze umda wendawo yokurhwebela; kwaye

5.2.2 sicande iindawo zorhwebo olungabhaliswanga ngokusesikweni neemarike apho urhwebo olungabhaliswanga ngokusesikweni luvumelekileyo, ngaphandle kwemida yale ndawo isikiweyo urhwebo olungabhaliswanga ngokusesikweni aluvumelekanga.

5.3 Isicwangciso sorhwebo singaquka neminye imibandela elawula urhwebo olungabhaliswanga ngokusesikweni kulo ndawo yokurhweba kubhekiswa kuyo, efana –

5.3.1 nokumisela naziphi iimeko zorhwebo olungabhaliswanga ngokusesikweni, kubandakanya imiqathango nemigaqo ezakunyanzeliswa ngokwamaphepha-mvume aza kukhutshwa sisiXeko ngokwecandelo 8 kwaye oku kuxhomekeka kuyo nayiphi imqathango yalo mthetho kaMasipala;

5.3.2 indlela ekuza kukhuthazwa ngayo uphuhliso lwentlalo noqoqosho ngesicwangciso sorhwebo;

5.3.3 indlela eziza kukhuselwa ngayo iindawo ezinochuku zamafa nezokusingqongileyo ezikule ndawo yokurhweba icetywayo;

5.3.4 imibandela ehambelana neemarike ezinokuba kule ndawo yokurhweba kubhekiswa kuyo, kubandakanya kodwa kungaphelelanga:

5.3.4.1 kukusikwa kwendawo eza kuba yimarike kule ndawo yokurhweba;

5.3.4.2 apho kufanelekileyo, ukusikwa kweendawana zokurhwebela kwalapha emarikeneni;

5.3.4.3 izivumelwano ngokomthetho phakathi kwesiXeko nabanye abantu ngoxanduva olubhekisele kulawulo gabalala lwemarike ngemiqathango abo bantu bayinxelenye kwisivumelwano babe noxanduva ubuncinane koku kulandelayo;

5.3.4.3.1 ukulawulwa kwendlela imarike esebenza ngayo;

5.3.4.3.2 ukulawulwa kwabarhwebi abangabhaliswanga ngokusesikweni abasebenzela emarikeneni;

5.3.4.3.3 ukuqinisekisa ukuba bonke abantu abafanelekileyo bayinxelenye yezigqibo ezifanelekileyo;

5.3.4.3.4 ukucebisa abarhwebi abangabhaliswanga ngokusesikweni abasebenzela emarikeneni ngenkxaso ngokoshishino neenkonzozo zokuziphuhlisa; kunye

5.3.4.3.5 nayiphi inkonzo eyongezelela kwiinkonzozo ezinikezelwa zisiXeko.

5.4 Isicwangciso sorhwebo kufuneka sihambelana namacandelo 11,12 no-13 alo mthetho kaMasipala kwakunye neminye imithetho efanelekileyo.

5.5 Nawuphi umntu uyakuba nelungelo lokucela isiXeko ukuba sikuqwalasela ukwamkela kwesicwangciso sorhwebo; ngaphandle kokukuba isicwangciso sorhwebo esicetywayo sinombono worhwebo luqhubeka kwipropati engeyeyoyesiXeko, isicelo masikhatshwa bubungqina bemvume ebhaliweyo esuka

kumnikazi walo propati ingeyoyesiXeko. IsiXeko masisiqwalasele esi sicelo sithathe isigqibo ngaso ngexesha elifanelekileyo.

5.6 Xa isiXeko siqwalasela isicelo sokwamkelwa kwesicwangciso sorhwebo kufuneka sizithathele ingqalelo izicwangciso zorhwebo ezikhoyo nezisacetywayo kule ndawo yokurhweba icetywayo ukuze sikwazi ukugqiba ngemfuneko yokwamkela esinye isicwangciso sorhwebo.

6. INXAXHEBA YOLUNTU NGOKUPHATHELENE KUKWAMKELWA KWESICWANGCISO SORHWEBO

Isaziso soluntu esicela izimvo nenkcaso

Phambi kokuba samkelwe isicwangciso sorhwebo, isiXeko sinyanzelekile ukuba –

6.1 sithethane nemibutho echaphazelekeyo nenomdla kuquka nabarhwebi ababhalisileyo ngokusesikweni nabo bangabhalisanga ngokusesikweni ngenjongo yokubhala idrafti yesicwangciso sorhwebo;

6.2 sibhale idrafti yesicwangciso sorhwebo emva kokungqubanisa iintloko njengoko kucacisiwe kwicandelo 6.1;

6.3 sipapashe izaziso kumaphaphe-ndaba ama-2 (amabini) engingqi athengiswa kule ndawo esi sicwangciso sorhwebo sicetyelwa yona, ngaphandle kokuba iphepha-ndaba lengingqi elilelasimahla kuluntu likhona kulo ndawo xa kunjalo ke esi-1 (esinye) sezi zaziso zi-2 (zibini) masipapashwe kwelo phepha-ndaba; isaziso kufuneka

6.3.1 sinayo imiba ephambili yedrafti yesicwangciso sorhwebo kwaye esazisa uluntu ukuba idrafti yesicwangciso sorhwebo ikhona ingayokuhlalutywa kwindawo ethile echaziweyo; kwaye

6.3.2 sicele uluntu ukuba luhlomle lukhabe lo drafti yesicwangciso zize ezo zimvo zabo zifike kwisiXeko zingaphelanga iintsuku ezingama-30 (amashumi amathathu) ukusuka kulo mhla wokupapashwa kwesaziso.

6.4 Xa isiXeko sipapasha isaziso ngokwecandelo 6.3, kufuneka, apho kunokwenzeka khona, sisasaze umongo weso saziso kunomathothotholo kwisikhululo sikanomathotholo esisasaza kule ndawo kuthethwa ngayo.

Intlanganiso yoluntu

6.5 Kwesi sisaziso kubhekiswa kuso kwicandelo 6.3, isiXeko masimemele abantu abachaphazelekayo nabanomdla kwintlanganiso yoluntu.

6.6 Intlanganiso yoluntu mayibanjwe –

6.6.1 kule ndawo yokurhweba icetywayo; kwaye

6.6.2 emva kweentsuku ezisi-7 (ezisixhenxe) kodwa zingekapheli iintsuku ezingama-60 (amashumi amathandathu) ukusuka kusuku lokupapashwa kwesaziso esipapashwa ngokwecandelo 6.3.

6.7 Kwintlanganiso yoluntu, isiXeko kufuneka –

6.7.1 simelwe ngumntu ogunyaziswe ngokufanelekileyo sisiXeko okufuneka enze intetho-ngcaciso kubantu abakhoyo kwintlanganiso ekuza kucaciswa kuyo idrafti yesicwangciso sorhwebo;

6.7.2 siphendule kangangoko nayiphi imibuzo enxulumene nedrafti yesicwangciso sorhwebo enokubuzwa ngabantu abasentlanganisweni yoluntu; kwaye

6.7.3 sinike ithuba abo bachaphazelekayo nabanomdla bahlomle baphikise kwintlanganiso yoluntu, kwaye loo nxaxheba yabo ibhalwe phantsi.

Ukuqwalasela kwezinye izicwangciso phambi kokuba kwamkelwe isicwangciso sorhwebo

6.8 IsiXeko masizithathele ingqalelo zonke izimvo zokuhlomla nokukhaba okanye ukuphikisa isiXeko esinokuzifumana emva kokuba kulandelwe le nkqubo icaciswe kweli candelo.

6.9 Emva kokuba izimvo zokuhlomla nokuchasa zithathelwe ingqalelo, iBhunga kufuneka, ngexesha elifanelekileyo ukusuka komhla wokuqalwa kweentlanganiso zikawonke-wonke eziphathelene nedrafti yesicwangciso efanelekileyo, singazilibalanga izibonelelo zawo nawuphi umthetho, kwaye kwintlanganiso yeBhunga –

6.9.1 lamkele idrafti yesicwangciso sorhwebo;

6.9.2 lilungise lamkele idrafti yesicwangciso sorhwebo; okanye

6.9.3 likhabe idrafti yesicwangciso sorhwebo.

6.10 Nangona izibonelelo zecandelo 59 zoMthetho weeNkqubo, iBhunga alinakuthumela linikezela amagunya okuthatha isigqibo ekubhekiswa kuso kwicandelo 6.9.

6.11 Kwimeko apho isiXeko samkela idrafti yesicwangciso sorhwebo, isaziso masipapashwe kumaphaphe-ndaba ama-2 (amabini) engingqi athengiswa kule ndawo esi sicwangciso sorhwebo sicetyelwa yona, ngaphandle kokuba iphepha-ndaba lengingqi elilelasimahla kuluntu likhona kulo ndawo xa kunjalo ke esi-1

(esinye) sezi zaziso zi-2 (zibini) masipapashwe kwelo phepha-ndaba lengingqi, ize iGazethi yePhondo, eyazisa uluntu:

6.11.1 ukuba idrafti yesicwangciso sorhwebo yamkelwe njengesicwangciso sorhwebo;

6.11.2 ngemiba ephambili yesicwangciso sorhwebo equka umhla esiza kuqala ukusebenza ngawo;

6.11.3 nokuba isicwangciso sorhwebo sikhona ukuze sihlalutywe kwindawo ethile exeliweyo.

7. IZILUNGISO, UKURHOXISWA NOKUHLALUTYWA KWEZICWANGCISO ZORHWEBO

IsiXeko –

7.1 singasilungisa okanye sisirhoxise isicwangciso sorhwebo esamkelweyo, ukuba:

7.1.1. isilungiso siyanxaxha ngokubonakalayo kwisicwangciso sorhwebo, isiXeko masithobele icandelo 6 nezilungiso ezifanelekileyo ezifunwa kulo meko, ingakumbi ukuba kukho abantu abachaphazeleka kakhulu zezi zilungiso ziziswe ngaphambili azizukufuna ukuba zilungelelaniswa necandelo 6 abo bantu baza kuikwa ilungelo labo; okanye

7.1.2 kwimeko yokurhoxiswa isiXeko siza kuwahlonipha amalungelo ngokomthetho abo bantu bachapazelekayo.

7.2 masiziqwalasele kwakhona izicwangciso zorhwebo amaxesha ngamaxesha ngokokubona kwaso isiXeko.

8. AMAPHEPHA-MVUME

8. Akukho mntu unokuqhuba urhwebo olungabhaliswanga ngokusesikweni kwipropati yesiXeko kwindawo yokurhweba engenamvume isemthethweni isuka kwisiXeko.

8.2 IsiXeko sinelungelo lokuhlalulisa umnikazi wephapha-mvume:

8.2.1 imali yokurhweba;

8.2.2 imali yokufaka isicelo;

8.2.3 imali okanye umrhumo owongezelelweyo oza kumiselwa sisiXeko ngokubona kwaso sona, ukubuyekeza iindleko ekungenwe kuzo okanye iinkonzo ezihanjiswa sisiXeko, kuquka kodwa kungaphelelanga kuzo, iimeko apho umnikazi phepha-mvume erhwebela ngaphakathi emarikeneni.

8.3 Kwimeko apho umntu ofanelekileyo ukuba abe nephepha-mvume, kodwa oye wabhala isicelo ecacisa ukuba akakwazi kuyihlawula imali ekuthethwa ngayo kwicandelo 8.2 kwaye ubuvezile nobungqina obuvakalayo kwaye sanela nesiXeko, isiXeko singangayibizi imali yonke okanye inxalenye yayo, okanye singacebisa ngenye indlela yokuhlawula emiqathango yayo umntu anokubhatala ngexesha elithile elimisiweyo ngezavenge.

8.4 Ukuze ube nakho ukulifuma iphepha-mvume, umfaki-sicelo –

8.4.1 makabe ngumrhwebi ongabhaliswanga ngokusesikweni;

8.4.2 makangabi nalo iphepha-mvume lale ndawo yokurhweba afakela yona isicelo sephepha-mvume;

8.4.3 makabe ngummi waseMzantsi Afrika, ukuba akenguye, makabe nalo iphepha-mvume lokusebenza elisemthethweni elibandakanya kodwa lingaphelelanga kulo, iphepha-mvume lobumbacu; kwaye

8.4.4 makangaqeshi asebenzise abantu abangaphezulu kuma-20 (amashumi amabini).

8.5 IsiXeko masithathele ingqalelo ezi meko zilandelayo xa siqwalasela isicelo sephepha-mvume –

8.5.1 ukuba umfaki-sicelo uza kuba nakho na ukumelana neeyure zokurhweba ezifanelekileyo njengoko zimiselwe sisiXeko;

8.5.2 ukubaluleka kokuba nedolo kubafaki-sicelo abangababantu ababesekola ngaphambili;

8.5.3 apho kukho iziza ezimbalwa kwindawo yokurhweba ekufunwa iphepha-mvume layo, imfuneko yokukhetha abafaki-sicelo abaza kuqala ukuba kurhwebo olungabhaliswanga ngokusesikweni kwisiXeko;

8.5.4 uhlobo lweempahla umfaki-sicelo aza kuzithengisa okanye iinkonzo umfaki-sicelo aceba ukunceda ngazo, lungalitywanga kodwa uhlobo loshishino oluqhutywayo kule ndawo yokurhweba okanye iindawo emelene nazo;

8.5.5 ukubaluleka kokwenzela idolo abafaki-sicelo abangaphangeliyo;

8.5.6 ukubaluleka kokwenzela idolo kubafaki-sicelo abangahlali kumakhaya abo nomntu ongenampepha-mvume, ngaphandle kokuba:

8.5.6.1. inani leziza ezikhoyo zokurhweba zale ndawo yokurhweba kubhekiswa kuyo zingaphezulu kwinqanaba labafaki-sicelo abafuna iphepha-mvume lezo ziza zokurhweba; okanye

8.5.6.2 abafaki-sicelo abahlala kwikhaya lomntu onephepha-mvume abaxhomekekanga okanye abancediswa ngamali ngumnini phepha-mvume;

8.5.7 ukuba umfaki-sicelo, ngokwalo mthetho kaMasipala, wakhe wabanjelwa ukwaphula umthetho okanye nokurhoxiswa okanye ukumiswa kwephepha-mvume;

8.5.8 ukuba umfaki-sicelo ngumntu ofanelekileyo na ukuqhuba ishishini elisemthethweni kweso siza sibekiwe, nokuba ngenxa yendlela aziphethe ngayo, kubalwa nembali yakhe yokubanjwa esezincwadini, okanye indlela awayeziphethe ngayo ngaphambili;

8.5.9 apho izicwangciso zorhwebo zamkelwe kwindawo ezazingabekelwanga ezo zicwangciso, ukubaluleka kokukhetha abafaki-sicelo abasele benalo ishishini lorhwebo olungabhaliswanga ngokusesikweni elikhoyo kule ndawo yokurhweba intsha isicwangciso sorhwebo samkelelwa yona.

8.6 IsiXeko sinelungelo lokunyanzelisa imiqathango neemeko ngokuphathelene namaphepha-mvume xa sibona kufanelekile, kodwa kuxhomekeke kwizibonelelo zesicwangciso sorhwebo, kuquka kodwa kungaphelelanga kwilungelo –

8.6.1 ukucacisa:

8.6.1.1 amaxesha okurhweba umnikazi phepha-mvume anokurhweba ngawo;

8.6.1.2 uhlobo lweempahla okanye iinkonzo umnikazi phepha-mvume ekuvumelekileyo ukuba arhwebe ngazo; kunye

8.6.1.3 nenombolo yesiza sokurhweba somnikazi phepha-mvume;

8.6.2 ukunika umrhwebi ongabhaliswanga ngokusesikweni esinye isiza kule ndawo yokurhweba inye;

8.6.3 ukucacisa uhlobo lwezi zinto zokumisa okanye ukugxumeka, ukuba zikhona, ezinokumiswa kwisiza sokurhweba okanye nakwindawo yokurhweba;

8.6.4 ukuthimba iimpahla zokurhweba ngokwecandelo 18.2 okanye icandelo 18.8 kwimeko apho kophulwe nokuba sesiphi isibonelelo salo mthetho kaMasipala okanye nawuphi umthetho;

8.6.5 lokunqumamisa iphepha-mvume kumatheko akhethekileyo emva kokuba kwaziswe kwangaphambili kwangethuba elifanelekileyo apho kukwazekayo kumrhwebi ongabhaliswanga ngokusesikweni, kungalityalwanga ukuba urhwebo olungabhaliswanga ngokusesikweni lungavunyelwa sisiXeko kwitheko elikhethekileyo ngokwecandelo 14.

8.6.6 emva kokwaziswa kwangethuba ngaphambili komrhwebi ongabhaliswanga ngokusesikweni kwaye emva kokunikwa komrhwebi ongabhaliswanga ngokusesikweni ithuba lokubhala isicelo esicacisayo, sirhoxise okanye sinqumamise apho umrhwebi ongabhaliswanga ngokusesikweni –

8.6.6.1 ephule izibonelelo zephepha-mvume okanye nomthetho kaMasipala okanye nawuphi umthetho;

8.6.6.2 ebanjwe ngokurhweba ngeempahla ezingekho mthethweni okanye ahambise inkonzo ngokungekho mthethweni; okanye

8.6.6.3 enikise ngolwazi olungenabunyani esazi xa isiXeko besifune anikezele ngolwazi;

8.6.6.4 efunyenwe ukuba akazilungelanga iinguqu ezifunekayo ngokwemeko njengoko kucingelwa kwicandelo 8.5.8

8.7 Ungalitalwanga umongo wesicwangciso sorhwebo ekubhekiswa kuso, isiXeko sinalo ilungelo, emva kokuba umrhwebi ongabhaliswanga ngokusesikweni aziswe kwangethuba elaneleyo kwangaphambili kwaye isiXeko singazikuhlawula mbuyekezo ngoku kumnikazi phepha-mvume:

8.7.1 lokufudusa umnikazi phepha-mvume okwethutyana;

8.7.2 ukulinqumamisa okwethutyana iphepha-mvume; okanye

8.7.3 ukumvala okwethutyana umnikazi phepha-mvume ukuba makarhwebe kwesiza sokurhweba ekubhekiswa kuso;

ukuba kukho imfuneko yokwenza njalo ngenxa yendlela ezihamba ngayo izinto zibonakalise ukuba ukuqhuba kurhwetywa kweso siza sokurhweba kubhekiswa kuso akukwazeki kwaye kuphazamisa kakhulu okanye kuyinkxamleko enkulu.

8.8 Izinto ekubhekiswa kuzo kwicandelo 8.7 zibandakanya, kodwa zingaphelelanga kuzo, ukulungiswa okanye ukwakhiwa kweziseko zophuhliso okanye izakhiwo sisiXeko, ukwakhiwa kwezindlu, ukutshintshwa okanye ukuhlaziywa kusenziswa nokuba yiyiphi imibutho, okanye imisebenzi eyenziwa yimibutho yoluntu ngokwamagunya nemisebenzi yayo.

9. UKUTSHINTSHWA KWAMAPHEPHA-MVUME

9.1 Iphepha-mvume lingatshintshelwa ngokusisigxina, ngemvume ebhaliweyo esuka kwisiXeko, kumntu uxhomekeke kuwe okanye umcebisi egameni lalo mntu uxhomekeke kuwe, oza kuqhuba yena erhweba lide iphepha-mvume libe liphelelwe, kwimeko apho –

9.1.1 kusweleka umnikazi phepha-mvume; kunye

9.1.2 nokulahleka komvuzo obusiza kolu rhwebo lungabhaliswanga ngokusesikweni okuthi kubeke lo mntu uxhomekeke kuwe phantsi kweenzima ngezimali.

9.2 Iphepha-mvume lingatshintshelwa okwethutyana, ngemvume ebhaliweyo esuka kwisiXeko, kumntu uxhomekeke kuwe okanye, apho kungekho mntu uxhomekeke kuwe, kumntu okhethwe ngumnikazi phepha-mvume, apho umnikazi phepha-mvume –

9.2.1 engakwazi ukuqhubeka erhweba ngenxa yokugula, ngaphandle kokuba

9.2.1.1 sibunikiwe isiXeko ubungqina obusuka kugqirha obuqinisekisayo ukuba umnikazi phepha-mvume akanakukwazi ukurhweba; kwaye

9.2.1.2 umntu oxhomekeke kuwe okanye oncedayo uvumeleke kuphela ukuthatha indawo yomnikazi phepha-mvume ngesithuba esichazwe ngugqirha kwiphepha-siqinisekiso sokuba umnikazi phepha-mvume akazukukwazi ukurhweba:

9.2.2 engazukubakho ixesha elide ehambele izinto zezenkolo okanye zenkcubeko, ukuba ukusebenza kwephepha-mvume kuyagqitha kwisithuba esingaphaya kwenyanga e-1 (enye), umnikazi phepha-mvume makaqalise ukurhweba ingaphelanga inyanga e-1 (enye), ngaphandle kokuba isiXeko siyalivumela ixesha elide kwiimeko ezithile.

9.3 Kuxhomekeke kwicandelo 9.2, umnikazi phepha-mvume akanakukwazi ukulitshintshela iphepha-mvume nakuwuphi umntu nangayiphi indlela, kuquka kodwa kungaphelanga, ukuqeshisa ngalo okanye ukulithengisa.

9.4 Iphepha-mvume malibuyiselwe ngoko nangoko kwisiXeko ukuba isiXeko sikhe salirhoxisa elo phepha-mvume kwimeko apho umnikazi phepha-mvume –

9.4.1 engavunyelwa ukuba makatshintshe iphepha-mvume kwaye nomnikazi phepha-mvume engade aqalise ukurhweba; kwaye

9.4.2 akasenamdla wakurhweba njengomrhwebi ongabhaliswanga ngokusesikweni kwesi siza sokurhweba kubhekiswa kuso.

10 UXANDUVA LWABANIKAZI BEPROPATI ENGEYEOYESIXEKO

Umnikazi propati engeyeyoyesiXeko ebekiweyo kwisicwangciso sorhwebo njengomhlaba apho kuza kuvumeleka ukuqhuba urhwebo olungabhaliswanga ngokusesikweni, kufuneka -

10.1 aqinisekise ukuba urhwebo olungabhaliswanga ngokusesikweni oluqhubeka kwipropati yomniniyo luyahambelana nesicwangciso sorhwebo kwaye nalo mthetho kaMasipala;

10.2 alivumele naliphi igosa ukuba lingene kwipropati yakhe ukunyanzelisa izibonelelo zalo mthetho kaMasipala;

10.3 aqinisekise, ngendleko zomnikazi, ukuba iinkonzo ezifanelekileyo zikhona ukuyigcina le ndawo icoceke ngokufanelekileyo kurhwebo olungabhaliswanga ngokusesikweni;

10.4 aqinisekise ukuba urhwebo olusuka kumashishini abhaliswe ngokusesikweni alugqitheli lungene kwipropati yomnye umnikazi propati.

11. IIMEKO GABALALA ZOKUTHINTELWA KOSHISHINO OLUNGABHALISWANGA NGOKUSESIKWENI

Urhwebo olungabhaliswanga ngokusesikweni alunakuqhutyelwa:-

11.1 egadini okanye epakini ephantsi kwesiXeko uluntu elinelungelo kuyo,

ngaphandle kokuba loo ndawo ibekwe sisiXeko njengendawo yokurhwebela

11.2 kwidini lendlela okanye indledlana yenyawo (njengoko kuchaziwe kwicandelo 1 loMthetho weSizwe wezeMithetho yezeNdllela, uNombolo 93 ka-1996) kufutshane –

11.2.1 nesakhiwo esiseseSizwe okanye isiXeko okanye esisetyenziswa siSizwe okanye isiXeko kuphela, ngaphandle kokuba isiXeko siyinikile imvume ebhalwe phantsi emva kokuba –

11.2.1.1 siqwalasele ngokufanelekileyo nasiphi isicwangciso sorhwebo ekubhekiswa kuso; kwaye

11.2.1.2 sidibene nomnikazi propati ekubhekiswa kuye, kwaye apho kufaneleke khona umntu oqeshe kulo propati;

11.2.1 indawo yokunqula efana necawe, icawe yamaJuda okanye eyaMasilamsi ngaphandle kokuba isicwangciso sorhwebo siyaluvumela urhwebo olungabhaliswanga ngokusesikweni kulo ndawo; okanye

11.2.3 ilitye lesikhumbuzo lesizwe njengoko kucacisiwe ngokwezibonelelo zoMthetho waMafa eSizwe, u-25 ka-1999;

11.3 kwindawo apho –

11.3.1 luphazamisa iindlela eya kwizixhobo zokucima umlilo;

11.3.2 luthintela indlela engenayo okanye ephumayo kwisakhiwo;

11.3.3 luvala indlela yabahambi ngeenyawo

11.3.4 luphazamisana nokuhamba kwezithuthi endleleni;

11.3.5 ngendlela enokubangela ingozi kwizithuthi endleleni;

11.3.6 luthintela indlela eya kwifenitshala yesitrato, izitulo kwizikhululo zebhasi neendawo zokusithela, imigca yokudwela, imigqomo yenkunkuma kunye nezinye izinto ezibekelwe ukusetyenziswa luluntu gabalala;

11.3.7 lusitha izinto eziboniswe ezifestileni kwizakhiwo zamashishini, kwaye lo mntu uqhuba ishishini ngakweso sakhiwo sokushishina uyakukhaba oku;

11.3.8 luvala indlela engena kwindawo yokunqumla abahambi ngenyawo endleleni;

11.3.9 luvala indlela eya ezithuthini;

11.3.10 luyalusitha uphawu lomthetho wendlela;

11.3.11 luvala indlela eya kumatshini wokukhupha imali;

11.3.12 luyayiphazamisa indlela eya kwindawo yokupaka okanye ukulayisha okanye ezinye iindawo zezithuthi endleleni;

11.3.13 luvala indlela yabahambi ngenyawo enophahla okanye eya ezivenkileni

11.3.14 lusitha iikhamera zohlobo lwe-CCTV; okanye

11.3.15 lusezantsi kophawu olubonakalisa ubuninzi bamanzi, ngaphandle kokuba isicwangciso sorhwebo siyaluvumela ngokucacileyo urhwebo olungabhaliswanga ngokusesikweni kuloo ndawo;

11.4 kwicala lendlela kawonke-wonke ekufutshane nesakhiwo esisetyenziswa njengendawo yokuhlala, ukuba umnikazi okanye umntu ohlala kweso sakhiwo uyakukhaba ukuqhutywa korhwebo olungabhaliswanga ngokusesikweni kulo ndawo.

12 IZITHINTELO KURHWEBO OLUNGABHALISWANGA NGOKUSESIKWENI

Akukho mntu –

12.1 unokuvala indlela eya nakweyiphi inkonzo kamasipala okanye umsebenzi weenkonziso kamasipala

12.2 ngaphandle kokuba kukho okubhalwe kwangaphambili okuvumayo sisiXeko, nakuyiphi indlela kawonke-wonke okanye indawo kawonke-wonke –

12.2.1 onokuhlala ubusuku bonke kwindawo ekuqhutywa kuyo urhwebo olungabhaliswanga ngokusesikweni; okanye

12.2.2 agxumeke nayiphi into engekho kwezichazwe kwisicwangciso sendawo sorhwebo okanye nakwimiqathango yephepha-mvume, ngeenjongo zokwenza indawo yokusithela;

12.3 aqhube ishishini njengomrhwebi ongabhaliswanga ngokusesikweni ngendlela –

12.3.1 ebangela inkathazo;

12.3.2 eyonakalisa okanye igxungule umphezulu wayo nayiphi indlela kawonke-wonke okanye indawo yoluntu okanye nayiphi ipropati eyeyesiXeko; okanye

12.3.3 ebangela ingozi endleleni;

12.4 unokoyamisa into kwisakhiwo, ipavumente, indledlana yeenyawo, umthi, umatshini wendawo yokupaka izithuthi, ipali yesibane, ibali yombane, indlwana yefowuni, ibhokisi yeposi, uphawu lwendlela, isitulo okanye nayiphi ifanitshala yesitrato okanye isixhobo esikwindlela kawonke-wonke okanye indawo kawonke-wonke ebekelwe ukusetyenziswa luluntu;

12.5 unokubasa umlilo nakuyiphi indawo okanye kwiimeko apho unokonzakalisa nawuphi umntu okanye wonakalise isakhiwo okanye isithuthi okanye nasiphi na isakhiwo ekubhekiswa kuso kwicandelo 12.4 ngaphandle kokuba ugunyazisiwe ukuba makalungise into etywayo ngokusebenzisa umlilo onedangatye okanye isitovu segesi;

12.6 unokuhambisa okanye anikeze ngeempahla okanye isixhobo kumrhwebi ongabhaliswanga ngokusesikweni ukuba lo mrhwebi waphula lo mthetho kaMasipala ngokurhweba;

12.7 emva kokucelwa ukuba enze njalo nguye nawuphi umntu owenza umsebenzi ochazwe kwicandelo 8.7 ofuna ukuya kwindawo ethile, angakwazi ukususa naziphi iimpahla okanye angafuni ukwenza njalo;

12.8 ukuba uvunyelwe ukuqhuba urhwebo ebitshini:

12.8.1 athengise okanye azise ngeziselo ezinxilisayo;

12.8.2 asebenzise iintsimbi, akhalise ihutara, izixhobo ezikhala kakhulu okanye izinto ezifana nazo ezinesandi ukuze atsale abathengi; okanye

12.8.3 asebenzise umbane okanye ijenaretha, ngaphandle kokuba kuyavunyelwa kwaye kwamkelekile ngokucacileyo kwiphepha-mvume elifanelekileyo.

13 UKUTHUTHWA KWENKUNKUMA, UKUCOCA NEMPILO

13.1 Umrhwebi ongabhaliswanga ngokusesikweni kufuneka –

13.1.1 agcine isiza sorhwebo esingabhaliswanga ngokusesikweni somrhwebi ongabhaliswanga ngokusesikweni sicocekile kwaye sikwimeko enempilo;

13.1.2 yonke imihla ngethuba kuvalwa urhwebo, aqokelele asuse nakuyiphi indlela kawonke-wonke okanye indawo kawonke-wonke yonke inkunkuma, izinto zokusongela, iimpahla nezixhobo ezisetyenziswa okanye eziveliswa kwishishini lomrhwebi ongabhaliswanga ngokusesinkweni, ngaphandle kokuba isiqinisekiso esibhaliweyo sisiXeko asimballi koku;

13.1.3 aqhube ushishino ngendlela engayibeki mngciphekweni impilo yoluntu okanye ukhuseleko loluntu; kwaye

13.1.4 ngokucelwa ligosa okanye umqeshwa ogunyaziswe ngokufanelekileyo wesiXeko, asuse nayiphi into ukuze indawo okanye isiza ekuqhutyelwa kuyo urhwebo icocwe;

13.2 Ukungathobeli ezi zibonelelo zeli candelo okanye isicelo esisemthethweni segosa ngokweli candelo, kuza kuthathwa njengokwaphula umthetho kaMasipala kwaye umrhwebi ongabhaliswanga ngokusesikweni uza kunyanzeliswa ngokwezibonelelo zalo mthetho kaMasipala.

14 AMATHEKO AKHETHEKILEYO

IsiXeko singavumela okanye siluthintele urhwebo olungabhaliswanga ngokusesikweni kumatheko akhethekileyo ngokwemiqathango nemimiselo esiyibona

ifanelekile, kodwa ingayilwanga imiqathango yaso nasiphi isicwangciso sorhwebo okanye amaphepha-mvume akhutshelwa lo ndawo yokurhweba kubhekiswa kuyo.

15. IZIKHOKELO NEMIGAQO

IsiXeko singapapasha okanye silungise izikhokelo okanye imigaqo nanini ephathelene norhwebo olungabhaliswanga ngokusesikweni kuloo masipala.

16 AMAGUNYA NEMISEBENZI

16.1 Kuxhomekeke kwicandelo 16 (3), uMlawuli wesiXeko uya kuba noxanduva:

16.1.1 Iwayo yonke imisebenzi nezigqibo ekubhekiswe kuzo kulo mthetho kaMasipala; kunye

16.1.2 nokulawulwa kwalo mthetho kaMasipala.

16.2 UMlawuli wesiXeko angabela namawaphi na amagunya nemisebenzi igosa elifanelekileyo elinegunya lokuthumela ukuze umsebenzi uhambe ngokukhawuleza.

16.3 Izigqibo ekubhekiswa kuzo kumacandelo 6.9, 7.1.1 no-7.1.2 mazithathwe liBhunga kwaye akunakuthunyelwa kuzo.

17 IZIBHENO

Umntu amalungelo akhe achatshezulweyo sisigqibo esithatyathwe sisiXeko ngokwalo mthetho kaMasipala phantsi komsebenzi okanye igunya ebelithunyelwe, angabhena asiphikise eso sigqibo ngokwecandelo 62 soMthetho weNkqubo.

18. UKUNYANZELISWA

18.1 Igosa lingakhuphela umntu isilumkiso esibhaliweyo ukuba, ngokwegosa, loo mntu urhwebe ngeempahla okanye unikezele ngeenkono ezaphula lo mthetho kaMasipala okanye loo mntu waphule lo mthetho kaMasipala nangayiphi indlela, kubandakanya kodwa kungaphelelanga apho, ukwaphula imiqathango yephepha-mvume okanye nawuphi umthetho ochaphazelekayo.

18.2 Kwimeko apho umntu aqhubelekayo okanye aphindayo ophule umthetho ngokubhekisele kwisilumkiso esibhaliweyo ebesikhutshulwe loo mntu, kuloo imeko igosa lingathimba, kwimeko yomrhwebi ongabhaliswanga ngokusesikweni, nayiphi na impahla esetyenziswa ngumrhwebi ongabhaliswanga ngokusesikweni ukuqhuba urhwebo lwakhe olungabhaliswanga ngokusesikweni, kwaye kwimeko apho nawuphi omnye umntu, nayiphi ipropati, kubandakanya kodwa kungaphelelanga, iimpahla, izixhobo, izakhiwo nezithuthi, kulo meko igosa kufuneka -

18.2.1 lenze uluhlu lwayo yonke impahla ethinjiweyo kwaye olo luhlu kufuneka luquke ulwazi ngeziphumo zolo thimbo xa loo mntu engakwazanga ukuhlawula iindleko zokuthimba athathe iimpahla;

18.2.2 anike loo mntu ikopi yoluhlu lweempahla;

18.2.3 ngoko nangoko ayigcine loo mpahla ithinjiweyo kwindawo ebekelwe ukugcina impahla ethinjiweyo sisiXeko.

18.3 Impahla ethinjiweyo emntwini ingakhululwa emva kokuba umntu lowo eveze uluhlu lweempahla ekubhekiswe kulo kwicandelo 18.2 kwaye nentlawulo yeendleko zokuthimba yenziwe, nokuba isiXeko sanelisekile ukuba loo mntu kubhekiswa kuye akazukuphinda, emva kokukhululwa kweempahla, aqhubeleke esaphula laa mthetho mnye ububangele ukuba iimpahla zithinjwe; nokuba futhi, apho isiXeko singonelisekanga khona, singazibamba iimpahla kude kube zintsuku ezingama-30 (amashumi amathathu) emva kokuba kuhlawulwe nasiphi isohlwayo okanye neendleko zokuthimba.

18.4 Izinto ezonakalayo ebezithinjiwe zingathengiswa okanye zisuke zilahlwe sisiXeko nanini emva kokuba zithinjwe. IsiXeko singazitshabalalisa iimpahla ukuba iimeko yazo ezo mpahla izibangela ukuba zingabi nakutyiwa ngabantu.

18.5 Enye iimpahla ethinjiweyo ngaphandle kwezi zonakalyo, ingathengiswa sisiXeko ukuba umnikazi wayo akazihlawuli, okanye akakwazi, iindleko zokuthimba ingaphelanga inyanga e-1 (enye) ukusuka kumhla wokuthinjwa kweempahla.

18.6 Kwimeko apho impahla ethinjiweyo iye yathengiswa sisiXeko ngokwecandelo 18.4 okanye u-18.5, nasemva kokuba umnikazi wazo eveze uluhlu lweempahla ekubhekiswa kulo kwicandelo 18.3, isiXeko masihlawule umnikazi –

18.6.1 imali ezithengiswa ngayo kutsalwe iindleko zokuthimba; okanye

18.6.2 ukuba umnikazi wayesele ezihlawule iindleko zokuthimba ngaphambili, imali eyenziweyo ngazo mayihlawulwe kumnikazi ingatsalwanga.

18.7 Ukuba umnikazi akayibizi imali eyenziwe ngokuthengisa iimpahla ebezithinjiwe zingaphelanga iinyanga ezi-3 (ezintathu) ukusuka kumhla wokuthinjwa, imali eyenziweyo iza kutshona kwisiXeko.

18.8 Ukuba ngokokubona okuqiqileyo kwegosa, umrhwebi ongabhaliswanga ngokusesikweni ukrokrelwa ngokurhweba ngeempahla ezingekho mthethweni okanye lowo athenga kuye kubhekiswa kuye kwicandelo 12.6 uthengisela umrhwebi iimpahla ezingekho mthethweni, ezo mpahla zingathinjwa ngoko nangoko. Ukuba ziye zathinjwa, igosa kufuneka:

18.8.1 lenze uluhlu oluzeleyo lazo zonke iimpahla ezithinjiweyo;

18.8.2 linike umrhwebi ongabhaliswanga ngokusesikweni okanye umntu ekubhekiswa kuye kwicandelo 12.6 ikopi yoluhlu;

18.8.3 lakugqiba, linikezele iimpahla ezikrokreleka ngokungabi semthethweni kwiNkonzo yamaPolisa oMzantsi Afrika.

19. AMATYALA

Nawuphi umntu –

19.1 owaphula isibonelelo salo mthetho kaMasipala okanye ongathobeli nawuphi umqathango onyanzelisiwe apha;

19.2 ogrogrisa, owalela, ophazamisana okanye othintela igosa okanye nawuphi umqeshwa wesiXeko ekwenzeni imisebenzi esemthwethweni ngokwalo mthetho kaMasipala; okanye

19.3 onikeza ngolwazi olungenabunyani okanye olulahlekisayo ngabom kwigosa okanye umqeshwa wesiXeko;

unetyala lokophula umthetho kwaye angohlwaywa akuba egwetyiwe isohlwayo esingekho ngaphezulu kuma-R5,000,000 (amawaka amahlanu eeRandi), okanye ukubanjwa isithuba esingenakudlula kwiinyanga ezi-3 (ezithathu), kuxhomekeke kuMthetho wokuHlenga-hlengiswa kweZohlwayo, uNombolo 101 ka-1991.

20 IZIBONELELO ZETHUTYANA

Kungalityalwanga ukuwiswa kwalo mthetho kaMasipala:

20.1 nasiphi isaziso ngokoMthetho wezamaShishini wendawo ephantsi kwesiXeko ngokomthetho njengendawo apho ukuqhuba ushishino lokuthengiswa esitalatweni, isimawusi okanye umntu ohamba-hamba ethengisa kungavumelekanga, siza kuhlala sisebenza sinjalo side isiXeko samkele isicwangciso sorhwebo esiphathelene naloo ndawo ngokwalo mthetho kaMasipala;

20.2 apho umrhwebi ongabhalisanga ngokusesikweni ekhutshelwe isiqinisekiso sokuqesha okanye iphepha-mvume phambi kokuwiswa kwalo mthetho kaMasipala esivumela ukurhweba kwisiza esithile, eso siqinisekiso okanye phepha-mvume siza kuhlala sisebenza ide inkqubo yamaphepha-mvume ehlanganisiweyo yamkelwe sisiXeko ehambelana nenkqubo yamaphepha-mvume ekubhekiswa kuyo kulo mthetho kaMasipala.

21. UKURHOXISWA KWEMITHETHO KAMASIPALA

Le mithetho kaMasipala ilandelayo irhoxisiwe:

21.1 Umthetho kaMasipala opapashwe kwiGazethi yePhondo yomhla we-13 Disemba 1996, PN 522/1995, ngokubhekisele kwindawo kaMasipala waseKapa wangaphambili;

21.2 Umthetho kaMasipala opapashwe kwiGazethi yePhondo yomhla wama-21 Apreli 1999, PN 136/1999 ngokubhekisele kwindawo yesiXeko saseTygerberg sangaphambili.

21.3 Umthetho kaMasipala opapashwe kwiGazethi yePhondo yomhla wama-27 Agasti 1999, PN 282/1999 ngokubhekisele kwindawo kaMasipala waseBlaauberg wangaphambili.

21.4 Umthetho kaMasipala opapashwe kwiGazethi yePhondo yomhla wama-20 Novemba 1998, PN 633/1998 ngokubhekisele kwindawo kaMasipala we-South Penisula wangaphambili.

21.5 Umthetho kaMasipala opapashwe kwiGazethi yePhondo yomhla we-10 Matshi 2000, PN 76/2000 ngokubhekisele kwindawo kaMasipala waseHelderberg wangaphambili.

21.6 Umthetho kaMasipala opapashwe kwiGazethi yePhondo yomhla wama-29 Meyi 1998, PN 136/1999 ngokubhekisele kwindawo kaMasipala waseOostenberg wangaphambili.

22. Isihloko esifutshane nokuqalisa

Lo mthetho kaMasipala ubizwa ngokuba isiXeko saseKapa: uMthetho kaMasipala woRhwebo olungaBhaliswanga ngokuseSikweni kwaye uza kuqala ukusebenzisa ngomhla wokupapashwa kwiGazethi yePhondo.

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Los eksemplare is verkrygbaar by Kamer 9-06, Provinsiale-gebou, Dorpstraat 4, Kaapstad 8001, teen R3,00 per eksemplaar.

Advertensietarief

Eerste plasing, R19,80 per cm, dubbelkolom.

Gedeeltes van ’n cm word as een cm beskou.

Kennisgewings moet die Direkteur-generaal uiterlik om 10:00 op die voorlaaste werkdag voor die uitgawe van die *Koerant* bereik.

Hoewel alle pogings aangewend sal word om te sorg dat kennisgewings soos ingedien en op die verlangte datum gepubliseer word, aanvaar die Administrasie nie verantwoordelikheid vir foute, weglatings, laat publikasies of versuim om dit te publiseer nie.

Alle briefwisseling moet aan die Direkteur-generaal, Posbus 659, Kaapstad 8000, gerig word en tjeks, bankwissels, posorders en poswissels moet aan die Departement van die Premier betaalbaar gemaak word.

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